



Case Report

1	Case Number	0236/15
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety Depiction of smoking/drinking/gambling
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The TVC shows a group of friends hiking up a mountain. Once they reach the top one of the men pulls out a 'selfie stick' which is holding his mobile phone. All men lean in towards the phone to watch the live racing on the Sportsbet app.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

It glorifies sports betting, suggesting you cannot live without it and you can even access it when you are in the middle of nowhere...fueling someone's gambling habit. It is disgusting.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Sportsbet has considered the Complaint and rejects that the Advertisement in any way breaches section 2.6, or any other section of the Code.

The Complaint states that the Advertisement "glorifies sports betting, suggesting you cannot live without it and you can even access it when you are in the middle of nowhere...fueling someone's gambling habit. It is disgusting."

Sportsbet rejects that the Advertisement is contrary to 'Prevailing Community Standards on health and safety'. The Advertisement simply promotes the ability to watch Victorian thoroughbred racing live from a mobile phone via Sportsbet's website, as an aspect of Sportsbet's services offering.

Sportsbet believes that the Complaint lacks foundation and should be dismissed.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concerns that the advertisement glorifies betting and that it suggests you cannot live without it which is against Prevailing Community Standards on responsible gambling.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the advertisement shows a group of men hiking in a rugged outdoor area, then pausing to use a selfie-stick to hold a mobile phone on which they all watch a horse race via the Sportsbet app.

The Board noted the complainant's concern that the advertisement glorifies gambling. The Board acknowledged that some members of the community would prefer that gambling products and services not be advertised at all but considered that as gambling products are legally allowed to be advertised, the Board can only consider the content of the specific advertisement against the provisions of the Code, not the fact that the product itself is being advertised in this manner.

The Board noted that the advertised product is an app which allows you to view live racing and features the words, "Every Victorian Race. Live. Anywhere". The Board noted that whilst the men in the advertisement are shown watching a race via the app there is no mention of placing a bet on any race and considered that the advertisement, although demonstrating one of the services available using the app, does not depict gambling. The Board acknowledged that the advertiser, Sportsbet, is a well-known betting agency but considered in this instance the advertisement does not depict, encourage or glorify gambling and there is no suggestion that gambling is something you should do at any time regardless of where you are.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on responsible gambling.

The Board determined that the advertisement did not breach Section 2.6 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

