



Case Report

1	Case Number	0252/15
2	Advertiser	iSelect Pty Ltd
3	Product	Insurance
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety Unsafe behaviour
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this iSelect advertisement:

15 second - Mr iSelect introduces Sam, a man who has his head buried in a sand pit. Mr iSelect says that Sam thinks that ignoring the June 30 deadline is a good idea...He's wrong...Don't be that guy".

30 seconds - Mr iSelect says that if you don't have the right health cover by June 30 it may cost you. He walks past three different people handling this situation differently by either phoning each health fund individually, burying your head in the sand or by calling iSelect.

THE COMPLAINT

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

I think seeing a person with their head buried in sand gives a very bad/dangerous message to any child watching that this is an ok thing to do especially as an adult is seen doing it. As a Primary School teacher at a school where children play in a sandpit and a person who has friends with young children, I find this advertisement very irresponsible.

The ad appeared to show someone upside down with their head buried in a children's sand pit. This is extremely irresponsible, as this behaviour is very dangerous. If any child saw this

and tried to copy it, they would get sand in their mouth and nose, and either choke or end up with sand in their lungs. It is ironic that the ad is for health insurance, yet they are depicting behaviour very dangerous to a person's health.

THE ADVERTISER'S RESPONSE

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

The purpose of this advertisement is to motivate consumers to “get the facts” about the June 30 private health insurance deadline and associated tax penalties for the financial year ahead.

Consistent with all previous creative executions of the Mr iSelect platform, the content within this advertisement is presented in a humorous and light-hearted manner.

Over the past five years, consecutive executions of the Mr iSelect creative platform have made strong use of metaphor and humour. The same creative devices have been employed within iSelect's 2015 June Tax Time campaign.

Furthermore, the specific advertisements in question do not instruct nor recommend that viewers place their head in the sand. Quite to the contrary, the 15 sec advertisement clearly portrays the behaviour of the man with his head in the sand in a negative light; Mr iSelect labels the man as “wrong”, and actively instructs viewers “don't be that guy.”

In addition, the 30 sec advertisement clearly portrays the behaviour of the man in a negative light and recommends consumers instead behave like the woman on the couch who used Select to find health insurance.

As such, iSelect does not believe these advertisements would motivate viewers to place their head in the sand, either literally or metaphorically.

In summary, iSelect submits that the advertisement in question does not breach any part of Section 2 of the AANA Code of Ethics. Specifically, iSelect submits that the advertisement does not place the health and safety of viewers at risk.

We thank the ASB Board for consideration of iSelect's response to this complaint, and trust the information provided satisfies the ASB's request in full.

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 complainants' concerns that the advertisement features a man with his head buried in sand which is against Prevailing Community Standards on health and safety and sends out a dangerous message to viewers that this is a good thing to do.

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

The Board then 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 this television advertisement features Mr iSelect promoting the benefits of arranging your private health insurance cover before the end of the financial year and that when he makes reference to ignoring the issue we see a man with his head buried in sand. The Board noted there are two versions of the advertisement: the 30 second version features other scenarios as well as the head in the sand, and the shorter 15 second version only uses the man with his head in the sand.

The Board noted it had previously dismissed complaints about a similar scenario in case 0436/13 where:

"The Board noted that the advertisement depicts various scenes consistent with summer time activities and that one scene depicts a young man buried to his neck in sand.

The Board noted the complainants' concerns that it is dangerous to be buried in sand. The Board noted that whilst there have been instances of people getting in to trouble whilst tunnelling in sand, in the Board's view burying someone up to their neck in sand is common beach behaviour which is unlikely to lead to sand asphyxia due to the head being free from sand.

The Board noted that the scene featuring the man buried in sand is very brief and considered that it does not encourage or condone unsafe behaviour on a beach."

In the current advertisement the Board noted that it is the man's head, not his body, which is buried in the sand. The Board noted the advertiser's response that the use of 'head in the sand' is intended to be a metaphor for ignoring an issue and the man is presented in a negative light throughout both versions of the advertisement.

The Board acknowledged that there is a level of community concern regarding asphyxiation resulting from being buried in sand but considered this is something which is linked to sand collapsing on a person (e.g. making sand caves) who is unable to free themselves whereas in the current advertisement it is only the man's head in the sand; his body is not restricted in any way.

The Board noted the two different versions of the advertisement and considered that the longer version contains a variety of people and the image of the man with his head in the sandpit is fleeting and is clearly identified as undesirable behaviour in comparison to the actions of another person.

The Board then noted the shorter version of the advertisement which focuses on the man with

his head in the sand. A minority of the Board considered that by using a child's sandpit there is a chance that the advertisement might appeal to children who could then copy the man's actions and that whilst a child would be very unlikely to come to any harm this is not an activity which should be encouraged.

Following considerable discussion however, the Board noted that whilst the advertisement has been rated 'G' by CAD the product itself and the overall tone of the advertisement are unlikely to be of appeal to children. The majority of the Board considered that in the unlikely event that a child tried to copy the man's actions they would be unable to bury their head in a manner to cause harm.

The Board acknowledged that some members of the community would be sensitive to the issue around being buried in sand but considered in this instance the advertisement is using this scenario in the well-known context of a metaphor for someone ignoring an issue and does not encourage or condone unsafe behaviour.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety.

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 complaints.