



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0299/10</b>
<b>2</b>	<b>Advertiser</b>	<b>Man with a Van</b>
<b>3</b>	<b>Product</b>	<b>Professional services</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/07/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.2 - Violence Cruelty to animals

### DESCRIPTION OF THE ADVERTISEMENT

The ad promotes Man with a Van's services as a removals company, with scenes acted out in the back of their trucks and vans. A fully set up office with busy office workers in the back of a truck is featured in one of the scenes. The Men themselves are featured throughout the ad which ends with a wide group shot of all the Men and their vehicles.

### THE COMPLAINT

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

*The advertisement refers to "having enough room to swing a cat".  
This statement is not itself offensive but at the same time the picture accompanying the voiceover depicts a man literally swinging a cat which lets off an awful "meow" sound.  
While the cat may not be real/ may be a prop it looks real and I found it quite alarming and disturbing and I am sure children with pet cats would also. It is meant to be an advertisement for vans but yet it seems to be promoting violence in the form of cruelty to animals. I was also disturbed that it might encourage some children or young adults to imitate the behaviour and cause serious injury to animals. It is appalling.  
I would ask that you please investigate this advertisement and at the very least have it modified to remove the disturbing "cat swinging scene".  
Per Section 2 of the AANA Code of Ethics: ""Violence - portrayal of cruelty towards animals"".*

*A scene in the ad portrays a man swinging a cat round & round in the back of a van to portray how large the back of the moving van is. The cat can be heard meowing. The audio states that the back of the van has enough space to swing a cat in.*

*This ad is irresponsible, portrays cruelty & violence towards animals, which is totally unwarranted. It is done in humour which makes it all the more dangerous because irresponsible persons & impressionable youngsters can take it as a funny thing & imitate that action & other similar acts of animal cruelty in real life.*

*When the RSPCA is trying all it can do to fight animal cruelty this ad does the opposite & erodes all their good work.*

*Please please take this ad or at least that scene off the air.*

*- portrays a cruel act towards a cat - an animal.*

*- makes it seem as if the act is funny when it is actually mean & nasty*

*The scene is quite unnecessary & promotes animal cruelty in the name of humour.*

*It is immature & could encourage actual copycat acts of cruelty towards animals in real life.*

*It is also worrying that the people who envisaged & approved the ad did not see it as cruel but rather felt it fit to air.*

*The scene should be banned & the advertiser censured, the advertising agency punished.*

*Advertisement depicts a man swinging a cat in the back of the van with a distressed cat noise.*

*Although shown in jest this is depicting cruelty to animals. Unfortunately there are people/children in the community that could attempt to copy this action.*

*I am appalled that they can say and show a man swinging a "cat" and say in the ad: "we have vans that you can swing a cat in"... what message is this sending to kids and cruel people who actually do this hurtful act to animals? This is showing that it's accepted behaviour to swing a cat by the tail. It's wrong and offensive to me and blatant cruelty to animals.*

*I am annoyed with Channel Ten supporting this ad as it depicts a cat ( although it is a toy ) being swung around the inside of a van as it screams. Channel Ten news last night told the story of the cruel and horrible attack on Snowy the 18 month old cat that was tortured, bound and set alight: now he is fighting for life. Then today this ad appears...there is no need to show this 'cat' being swung around, it is in bad taste and just proves that some people do not value these animals.*

## **THE ADVERTISER'S RESPONSE**

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

*Just to confirm, the cat used in the ad wasn't real. A soft toy cat was used as a prop.*

*The entire ad is clearly tongue-in-cheek and is not aimed at promoting violence against animals by any means. The term 'enough room to swing a cat' is an old colloquial saying that in this context, where we're explaining the spaciousness of the truck, we've acted out. Taking the literal meaning of an old saying is part of the whole tongue-in-cheek vibe the entire ad has – we haven't merely invented a random saying.*

*The ad's style is to suspend reality. The other scenes in the TVC are not realistic either. The working office set up in the back of the truck is of course, suspending reality. The swinging cat is intended to be taken in the same manner – not a real world situation but a suspended reality moment.*

*The sole purpose of the ad is to promote the services of Man with a Van which this ad does. The swinging cat scene appears for two seconds in the ad. The ad clearly does not condone nor encourage cruelty to animals and the voiceover doesn't say anything to that effect either. It merely narrates an old saying.*

*With regards to encouraging children to replicate the act of swinging a cat – we were advised by CAD pre scripting that the ad would be able to run on air only during PG rated hours. The ad has been classified PG and has been running during PG rated hours only. The TVC was not intended for children's viewing nor has it been rated or scheduled that way. Because the ad has been rated under Parental Guidance, the onus is on parents who let their children watch TV during these hours, to explain to their child that, in this case (a) the cat isn't real and (b) that swinging a cat in real life is not acceptable behaviour in real life. The swinging cat scene makes an extremely short appearance in the ad. The entire ad clearly focuses on what Man with a Van do as a business and does not celebrate cruelty to animals in any way.*

## **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 condones cruelty to animals.

The Board viewed the advertisement and noted that there is no depiction of a real cat being swung or harmed in any manner. The Board noted that the advertisement clearly depicts a toy cat.

The Board considered that the phrase 'enough room to swing a cat' is part of Australian colloquial language meaning that a place or room is not small. The Board considered that most members of the community would consider the suggestion of swinging a cat as a reference to this colloquial statement and that this is in fact the intention of the advertisement. The Board considered that the advertisement does not depict or condone cruelty to animals or any violence or anti-social behaviour and that it does not breach section 2.2 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.