



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0340/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Purplebricks</b>
<b>3</b>	<b>Product</b>	<b>Real Estate</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/08/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a family at a BBQ. The family discuss the sale of the house and it transpires that the son-in-law didn't use Purplebricks. We then see the son-in-law put his head in the nearby cool box and scream in frustration.

## THE COMPLAINT

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

*This ad is dangerous because it could encourage kids to copy the man who puts his head underwater in the esky full of water.*

## THE ADVERTISER'S RESPONSE

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

*The advert is clearly intended to be humorous.*

*The character puts his head in the cool box entirely of his own accord.*

*The character is not intoxicated, nor seen drinking.*

*We clearly see him after just a few seconds lift his head out of the cool box, entirely unaffected without any distress*

*The character is clearly an adult.*

*The character is not seen struggling.*

*The advert doesn't encourage the viewer to do the same.*

## **THE DETERMINATION**

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

The Board noted the complainant's concerns that the advertisement depicts dangerous behaviour that could encourage children to copy it.

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 that this television advertisement features a family having a backyard barbeque discussing the sale of the house. The father-in-law asks about whether they used 'Purplebricks' – estate agent to assist with the sale. The father-in-law confirms the agent does not charge commission. The son-in-law is seen placing his head in the esky of ice and beverages.

The Board noted the exaggerated behaviour of the man "Deano" and considered that the overall tone is humorous. The Board noted that despite placing his head in the esky for a short period of time, he is seen to recover from the esky without harm.

The Board noted the complainants' concerns that children could try and copy the stunts portrayed in the advertisement.

The Board noted that it had recently dismissed complaints for an advertisement depicting 'Captain Risky' performing outrageous stunts (0024/15) where the concerns regarding copycat behaviour were similar. In that case the Board noted that "...the actions of Captain Risky in the advertisement are clearly presented as events occurring as a result of his poor decision making and in the Board's view his actions are unlikely to encourage copy-cat behaviour either from children or from adults."

In the current advertisement, the Board noted that the actions of the man are in response to his frustration about not choosing the particular agent and that the action of placing his head in the esky is a way of expressing his frustration in quiet and would create great discomfort but resulted in the man pulling his out of the esky and not showing any visible harm.

The Board considered that overall the tone of the advertisement and his actions in response to the frustration would be understood by children and would not be seen as something that they would want to attempt.

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