



Case Report

1	Case Number	0341/14
2	Advertiser	Rebel Sport Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/09/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

July Performance TVC advertising Adidas and Garmin products that are available to purchase at Rebel. We see a man and woman competing against each other whilst out running: they take short cuts and run on top of railings whilst trying to beat each other to the finish.

THE COMPLAINT

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

I think it is dangerous to show people interacting this way with well known Melbourne bridges in case people think this is safe and try it for themselves

THE ADVERTISER'S RESPONSE

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

The July Performance TVC was created to showcase our range of product. It was created to compliment our catalogue which went to market at the same time. We hired trained professionals to undertake the stunts and always have safety at the front of our minds. The TVC was rated by CAD as PG, which meant that a lot of our media buy had to be shifted around to ensure that it was not played early in the morning and in the afternoon.

We apologise if the complainant deemed this unsafe, however we can assure that we have all safety measure in place each time we shoot a TVC.

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 concern that the advertisement depicts people running on the ledges of bridges and could encourage people to copy this dangerous behaviour.

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 features a man and woman racing against one another by taking short cuts such as jumping over railings and climbing over walls.

The Board noted it had previously considered an advertisement featuring similar physical activity in case 0056/11 where:

“The Board noted the advertiser’s response that the TVC includes the use of "Parkour", which is recognised internationally and in Australia by associations like the Australian Parkour Association. In a physical sense Parkour can be described as to “Move in such a way, with any movement, that will help you gain the most ground on someone/something as if escaping from someone/something or chasing toward someone/something.”

(<http://parkourpedia.com/about/what-is-parkour>).

The Minority of the Board considered that the depiction of the man jumping over and around buildings was a realistic depiction of extreme physical behaviour that would not be well recognised as a specialist sport or activity. The minority of the Board considered that the behaviour of the man would be contrary to community standards on safe behaviour.

The Majority of the Board however considered that the advertisement depicts a man undertaking extreme physical activity in a manner that would not be considered to be normal or recommended behaviour. The Majority of the Board considered that the depiction was unlikely to encourage people to undertake such activity on their own and did not therefore depict material contrary to prevailing community standards on safety.”

In the current advertisement the Board noted that the physical actions of the man and woman can be described as similar to Parkour and considered that these movements are intended to highlight both their athleticism as well as the products they are wearing.

A minority of the Board considered that unlike the Parkour movements shown in the previous case, 0056/11, in the current advertisement the actions of the participants appear easier to copy and considered that the depiction of a man running up an iconic bridge structure is a depiction which is unsafe and could encourage some members of the community to try and copy.

The majority of the Board however noted that there are no people other than the two actors in the advertisement and considered that the depiction of a deserted area of Melbourne, which would ordinarily be busy, in conjunction with the accompanying soundtrack amounts to a stylised depiction which has a movie scene feel to it. The majority of the Board

acknowledged that there are different laws across the states and territories regarding climbing on structures but considered that the focus of the advertisement is more on the athletic abilities of the two actors and their actions in the advertisement are unlikely to encourage copycat behaviour.

Overall the majority of the Board considered that the advertisement did not depict, condone or encourage behaviour which is unsafe or contrary to prevailing community standards.

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.