



Case Report

1	Case Number	0383/12
2	Advertiser	Centrebet
3	Product	Other
4	Type of Advertisement / media	TV
5	Date of Determination	10/10/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

Two males are approached by five females in black dresses. The lead female retrieves one of the males' mobile phones and uses it to show the males how to use the Centrebet mobile application. She then whispers, "Fire up!" in the ear of the mobile phone owner and the end frame finishes with the "Fire Up" Centrebet logo device.

THE COMPLAINT

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

If this was an alcohol ad, it would not have been permitted to air. Gambling, which has similar potential to cause harm on personal and social levels, is depicted as attractive, leading to sexual success, etc. The warning is barely legible, and run over a close-up of the attractive blonde. I'm not even sexually interested in women, and I didn't notice it was there at all until I checked that it was there at all. Why is this permitted, when it would be unquestionably banned if it was for alcohol?

I believe that when we as a nation are trying to help problem gamblers we do not need to encourage the behaviour which may well be encourage irresponsible gambling in vulnerable people. The music, the women and the tone of this ad does this.

This advertisement not only encourages gambling, which has caused numerous problems throughout Australia, but also sexualises gambling in a way that is inappropriate but also misrepresents mobile betting.

I believe that this advert glamorises gambling, suggesting that by using the betting app the men will instantly become more attractive to women. It also suggests that life without the betting app and indeed gambling entirely is dull and boring. On a wider note I would like to see the warning at the end of all gambling services ads changed from "Gamble Responsibly" to "Gamble Responsibly; Only bet what you can afford to lose". All gambling ads shy away from the fact that you can lose a bet as well as win one.

I was watching a program on Channel 10 and me and my partner were absolutely appalled to see that they were glorifying gambling and adding sex appeal as a form of marketing. I have a family member that suffered from a gambling addiction and even these ads affect them. This is wrong in so many ways there are people out there that have lost their homes or families to gambling and for a respectable station to advertise things that can affect so many people is truly upsetting. I believe me like many others would be happy to see these disgraceful advertisements off the air.

I am not against someone's right to gamble, but am aware that it can be highly addictive for many individuals, and the effects on the lives of relatives and families of problem gamblers are incredibly destructive and far-reaching. As such, any advertising relating to gambling should be based in reality, and should be conducted in a sensitive and responsible manner. I found this ad misleading, and offensive. The ad broadly implies that (young, attractive) women are attracted to, or excited by, men who gamble. I think this is misleading to men viewing the advertisement, and grossly offensive to women, as it was to myself as a man. To imply that any woman, or women in general, are especially attracted to or excited by (either figuratively, or sexually) men who gamble, or their gambling in itself, is not only offensive given that it is not based on fact, but especially in light of the countless women who endure the punishing effects of problem gambling on their immediate families, with men making up the majority of those with a gambling addiction. It is incredibly irresponsible to present this false idea to the target market of impressionable, at-risk males (many of whom are young, given the time and generally appropriate nature of the sporting news program the advertiser is sponsoring), encouraging them to become involved in betting, with the implied result (either directly, or as a by-product) of increased attractiveness to women, leading to a greater chance of romantic or sexual interest or gain with the opposite sex.

1) I strongly disagree with the ability of the gambling industry to advertise on TV. Gambling is an addiction with extremely adverse consequences to individuals, families and society just like smoking and alcohol. But unlike smoking and alcohol, gambling advertising in general (TV, billboards, radio etc) are not held to the same standard. Any benefits arising from the gambling industry are far outweighed by its negative impacts. Refer to the links below to articles which support this position: <http://www.smh.com.au/entertainment/tv-and-radio/at-odds-with-gambling-ads-20120815-2479q.html> <http://www.smh.com.au/opinion/politics/the-bright-side-of-gambling-20120714-222o9.html> <http://www.smh.com.au/opinion/politics/will-the-government-save-us-from-problem-gambling-dont-bet-on-it-20120616-20gvx.html> 2) Sexualisation of women. The purpose of gambling advertisements is to promote their services. The services of a gambling company is to provide people with the opportunity to win money. Any thrill or excitement gained from gambling is merely incidental to the opportunity to win money. One cannot "buy" the thrill of winning money if there is no money to be won, nor

does everyone experience thrill or excitement when gambling. Therefore, the service provided by a gambling company must only be the opportunity to win money. This advertisement does not promote this idea. The women in this advertisement have no relevance to this idea. The advertisement implies that men will receive positive attention from attractive women if they gamble which is false and misleading. The phrase "fire up" is ambiguous and could relate to gambling and / or sex.

I feel this advertisement is encouraging men to bet with the promise of being attractive to very attractive and successful women. I was offended by this ad.

THE ADVERTISER'S RESPONSE

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

Section 2.1

Our advertisement is clearly not vilifying or discriminating against any section of the community. There are no actions within the advertisement, script or narrative that show discrimination against any of the criteria noted in Section 2.1.

Section 2.4

All characters in the advertisement do not have any depiction of nudity, sex or sexuality. The male and female characters are not wearing revealing clothing. All behaviour within the advertisement is related to educating the consumer about the simplicity of placing a transaction on a mobile telephone application.

Additionally, the lead female, Lauren Eagle, is Centrebet's lead brand ambassador. Ms Eagle's high profile as a professional athlete (World Champion water skier and boxer) and media engagements are in line with our approach to reflect a strong and positive view of females in all our work, including our advertising.

Additionally, our advertising clearly states all required information in relation to responsible gambling including extensive superimposed graphics directing consumers to the appropriate information sources regarding responsible gambling.

These graphics meet or exceed the requirements for CAD approval for the wagering category in all States and Territories of Australia.

We have in the past and will continue to comply with all requirements to clearly inform our customers of all information required to under responsible gambling regulations and codes

of conduct.

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 encourages gambling and is degrading to women.

The Board reviewed the advertisement and noted the advertiser’s response.

The Board first considered whether the advertisement was in breach of section 2.2 of the Code. Section 2.2 of the Code requires that: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people”.

The Board noted that the advertisement features two young men in a bar who are approached by a group of women dressed in black while music plays in the background to the tune of Black Betty. The woman who leads the group ‘Lauryn Eagle’ takes the man’s phone and presses a button and leans in to whisper to him “fire up”. The two men then appear to start betting using a phone app.

The Board considered that the advertisement is clearly meant to depict a situation that young men would relate to but likely consider a fantasy situation. The Board considered that it is reasonable for the advertiser to show the women presented in a manner that is glamorous and sexy in order to reach their target audience.

The Board considered that the presentation of the woman and the relationship to fanciful scenario that the young men were in was evident and was not suggestive of the women themselves being attracted to men that gamble or encouraging men to gamble in order to achieve sexual advantage.

The Board noted that the women are fully covered by their outfits and considered that the images do not contain inappropriate nudity and do not employ sexual appeal in a manner which is degrading of any individual or group of people”.

The Board determined that it did not breach section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that Centrebet is a legitimate betting facility that offers new services that now allows betting on your phone via a downloadable phone app. The Board considered that the reference used by Ms Eagle to “fire up” is in direct reference to firing up the application on the phone and accessing the betting options available.

The Board considered that the advertisement did include images of a group of women that portrays them as being sexy but not inappropriately sexualised. The Board noted that there was no nudity in the advertisement and that the advertisement did treat sex with sensitivity to the relevant audience.

The Board considered that most members of the community would not find the imagery offensive.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach section 2.4 of the Code.

The Board then considered whether the advertisement was in breach of 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 Responsibility for the regulation and control of gambling is a State/Territory matter and that the Board can only consider the content of the specific advertisement, not the fact that it is able to be broadcast in this manner.

The Board noted the complainants concerns that the advertisement glamorizes gambling. The Board noted that there is a genuine community concern regarding excessive gambling and the real problems associated with gambling for certain members of society. The Board further noted that unlike advertising controls around alcohol products, as set out within the Alcohol Beverages Advertising Code (ABAC) Scheme, there are no broader specific restrictions or controls around the promotion of gambling products or services.

The Board considered that the advertisement is set within a bar and that the approach of the women is very clearly a fabricated scenario that is unlikely to occur across bars in Australia. The Board considered that the men were not encouraged to gamble based on a likely increase to their sexual appeal and were not seen to be uncontrollably gambling or drinking. The Board considered that advertisement did not depict material that was contrary to community standards on health and safety and did not condone or encourage excess gambling.

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

THE INDEPENDENT REVIEWER'S RECOMMENDATION