



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0431/18
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/10/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.9 - Pressure to gamble Disparage abstention

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man carefully trimming a bonsai tree when he is startled by a voice over saying 'bonsai' and cuts off a branch. The voice over then gives details on the betting promotion.

THE COMPLAINT

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

The ad offends in two ways. First that a wide range of normal activities are, by implication, less satisfying, less rewarding and less valuable than the Sportsbet Multi. Second, that the later ads in the series directly denigrate the activities or persons being compared. For example, that driving a car is trivial because 'your mother bought it'. The ads offend because they condone and extoll rude behaviour, denigrate worthwhile activities and strongly imply that no matter how you use your spare time, nothing you do is as important or rewarding than betting.

THE ADVERTISER'S RESPONSE



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

We refer to your letter dated 24 September 2018 and the Complaints mentioned above regarding Sportsbet's Bonsai advertisement (Advertisement), digital file of which is attached.

The Complaints

The Complaints generally assert that the Advertisement offend in its suggestion that 'a wide range of normal activities are, by implication, less satisfying, less rewarding and less valuable than the Sportsbet Multi. Second, that the later ads in the series directly denigrate the activities or persons being compared. The ads offend because they condone and extoll rude behaviour, denigrate worthwhile activities and strongly imply that... nothing you do is as important or rewarding than betting.'

Ad Standards has identified section 2.9 of the AANA Code of Ethics (Code) as the section which may have been breached by way of the Complaint. The Code states:

2.9: Advertising or Marketing Communication for a Wagering Product or Service must neither portray, condone or encourage peer pressure to wager, nor disparage abstention from wagering activities.

Sportsbet's response to the Complaint

Sportsbet rejects that the Advertisement breaches section 2.9 or any other section of the Code for the reasons outlined below.

2.9 – Pressure to gamble / Disparage abstention

The Advertisement does not depict the individuals engaged in bonsai planting in a derogatory light as the Complaint asserts. The premise of the Advertisement is that an individual is interrupted abruptly mid-task – in this example, performing a quiet and/or complex activity such as tending to a bonsai – in a manner intended to redirect that person's attention.

Sportsbet regrets if the nature of the Advertisement was misconstrued or may have offended the complainant, but we reiterate our view that the Advertisement does not breach the Code.

Conclusion

Sportsbet submits that the Complaint lacks foundation and should be dismissed.



THE DETERMINATION

The Ad Standards Community Panel (“Panel”) considered whether this advertisement breaches the AANA Wagering Advertising and Marketing Communication Code (Wagering Code).

The Panel noted the complainant’s concern that the advertisement is directed to children.

The Panel viewed the advertisement and noted the advertiser’s response.

The Panel noted that the advertiser is a company licensed in a State or Territory of Australia to provide wagering products or services to customers in Australia and that the product advertised is a wagering product or service and therefore the provisions of the Wagering Code apply.

As per the AANA Wagering Advertising and Marketing Communication Code Practice Note:

“The Code applies to advertising and marketing communication for wagering products and services provided by licensed operators in Australia..

In particular the Panel considered Section 2.9 of the Wagering Code which provides: ‘Advertising or Marketing Communication for a Wagering Product or Service must neither portray, condone or encourage peer pressure to wager nor disparage abstention from wagering activities’.

The Panel noted that this television advertisement features a man carefully trimming a bonsai tree when he is startled by a voice over saying 'bonsai' and cuts off a branch. The voiceover then gives details on a betting promotion.

The Panel noted the complainant’s concern that the advertisement implies that no activity is more important than gambling and dismisses the actor’s activity, in this instance bonsai trimming, as less valuable.

The Panel noted the advertiser’s response that the premise of the advertisement is to interrupt an individual mid-task to redirect their attention.

The Panel considered that the advertisement contains no reference that the actor’s tasks are unimportant, and does not mock them.

The Panel noted that this advertisement is one of a series where people are interrupted mid-task by the voiceover, and considered that the impression of the voiceover and the reaction of the actor concentrating on his task is that of an



unwanted disturbance or inconvenience at the interruption.

The Panel considered that the advertisement does not disparage abstention from wagering activities, and does not depict peer pressure to wager. The Panel considered that the interruption does not infer that the task being carried out by the central character is inferior to any other.

The Panel determined that the advertisement did not breach Section 2.9 of the Wagering Code.

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

