



**ADVERTISING  
STANDARDS  
BUREAU**

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## Case Report

1	Case Number	0438/11
2	Advertiser	Spreets
3	Product	Retail
4	Type of Advertisement / media	TV
5	Date of Determination	23/11/2011
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.2 - Violence Other

### DESCRIPTION OF THE ADVERTISEMENT

Two women are paddle boarding and one asks the other how she managed to pay half price for their holiday and she replies that she used Spreets because it is smart.

The woman who didn't use Spreets is then shown in various day to day situations where the word Smart comes up in various guises, much to her increasing frustration. In one scene a male colleague comments that she looks smart so she opens a filing cabinet drawer on to his lower stomach, in another scene she hits a person dressed up as a smart phone.

Finally she books something online using Spreets and we see the tag line "It feels better when the deals better".

### THE COMPLAINT

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

*In one scenario the advertisement shows the woman intentionally opening a filing cabinet drawer in an aggressive manner impacting her male co-worker's genitals. This trivialises and legitimises sexual assault.*

### THE ADVERTISER'S RESPONSE

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

*Looking at the code there is a prohibition at section 2.2 on advertising portraying violence unless it is justifiable in the context of the product. In this respect, Spreets believes the advertisement in no way depicts sexual assault or any form of sexual intimidation or aggression as the complaint alleges.*

*The advertisement simply uses various elements of slapstick in a highly exaggerated and comic manner to convey a sense of frustration on the part of the main character. The scenario in question is a mere exaggeration of our protagonist's response to the word "Smart".*

*We believe this advertisement complies with the AANA Code of Ethics and is a reasonable expression of advertising hyperbole.*

## **THE DETERMINATION**

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

The Board noted complainant's concerns that the advertisement trivialises and legitimises sexual assault.

The Board viewed the advertisement and noted the advertiser's response.

The Board noted Section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted the advertisement features a scene where a woman intentionally opens a filing cabinet drawer in to the groin of a male colleague, and another scene where she hits the stomach of a person dressed as a mobile phone.

The Board noted that workplace violence is a serious issue which should not be trivialised and a minority of the Board considered that the advertisement depicts scenes which could be considered aggressive and inappropriate. The majority of the Board however considered that the advertisement features unrealistic scenes which are meant to be humorous and that the humorous context of the actions of the woman in this advertisement do not amount to behaviour which trivialises, legitimises or condones violent behaviour in any form.

The Board determined that the advertisement did not breach Section 2.2 of the Code as it does not depict or condone violence.

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

