



## **CASE REPORT**

1. Complaint reference number	238/04
2. Advertiser	Austereo Group Ltd - Triple M (Olympics - women's water polo)
3. Product	Media
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 14 September 2004
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement features footage of men's water polo teams playing water polo. The footage is accompanied by Triple M radio DJs' commentary. One comment included the idea of putting a shark in the pool so the players also had to avoid being eaten. The tagline is "Nothing's Sacred".

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*"When watching the Olympics with my 9 year old son I do not want to see these types of ads – I don't care what they do on their radio program, that I choose not to listen to, but I find it offensive to show ads with those sentiments on TV."*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*"We advise that the advertisement is no longer being broadcast. We submit that the commercial does not discriminate against persons on the basis of sex so as to breach section 2.1 of the Advertiser Code of Ethics and there is no other section of the Code which could have any application. The comments made as part of the commercial were part of a comedy piece and were clearly intended to be seen as such and were not part of a serious comment on the subject."*

## **THE DETERMINATION**

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

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sex)/vilification.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.