



## **CASE REPORT**

1. Complaint reference number	238/05
2. Advertiser	Austereo Group Ltd (Triple M)
3. Product	Media
4. Type of advertisement	TV
5. Nature of complaint	Other - Miscellaneous
6. Date of determination	Tuesday, 13 September 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The opening scene in this television advertisement depicts the radio crew from “The Cage” radio programme on Triple M. As the crew throws to a music break they look across the table to a chimpanzee named Barry who is shown to be reading a magazine. The members of the crew do their best to prompt Barry to start the music. Eventually an announcer exclaims “*Music, monkey boy!* Barry is then shown to throw his magazine at the radio crew. A voiceover states: “*At Triple M Barry chooses the music so you will never know what we will play next*”. The final scene in the advertisement shows one of the radio announcers leading Barry through a hallway containing a large music collection. The announcer explains to Barry: “*It’s not that they don’t like you, mate, it’s just that you need to wear pants to work*”.

## **THE COMPLAINT**

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

*“... I find these ads extremely distressing as it is cruel to use wild creatures in this degrading manner. Will it be dancing bears next? Please help get this vile abuse of animals off our screens and out of the marketing industry... Our society has moved beyond this and I find it offensive.”*

## **THE ADVERTISER’S RESPONSE**

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

*“The commercials are intended to be a light-hearted depiction of the fact that our music programming is random and unpredictable, much like animals.”*

*“It is our position that these commercials are not in breach of the AANA Advertiser Code of Ethics.”*

## **THE DETERMINATION**

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

The Board was of the view that the scenes in the advertisement did not depict the abuse of animals. There were no overt indications that the chimpanzee was the subject of violence nor did the scenes in the advertisement show animal cruelty. The Board was of the opinion that in the context of prevailing community standards the majority of people would find this advertisement humorous rather than offensive. The Board further considered that the depictions in the advertisement did not degrade animals.

The Board determined that the advertisement did not breach any provisions of the Code and, accordingly, dismissed the complaint.