



CASE REPORT

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| 1. Complaint reference number | 29/05 |
| 2. Advertiser | Adelaide City Council (deferred from March 2005) |
| 3. Product | Tourism |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 12 April 2005 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows several scenes of people in and around Adelaide enjoying various activities including bike-riding, shopping, walking through rainforests and attending sporting events. The final scene in the advertisement shows a young boy performing a stunt on a skateboard without a helmet.

THE COMPLAINT

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

“a skateboarder is shown performing a jump without wearing a helmet. This is a breach of safety procedures and is a bad influence for the young audiences who may be watching the film.”

THE ADVERTISER’S RESPONSE

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

“The reality is that if you go to any skate park ... you will find that skateboarders ... do not wear safety gear.”

“... we are trying to target a younger demographic group and they would not take us seriously if we portrayed them in an unrealistic manner ...”

“... there is no legislation or law requiring the wearing of safety equipment when skateboarding, and as such it is my opinion that no breach of safety procedures has occurred.”

THE DETERMINATION

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

Contrary to the advertiser’s assertion that there is no legislation requiring the wearing of safety equipment when skateboarding, the Board noted that it is a legal requirement in South Australia to wear a helmet when skateboarding.

The Board considered that the depiction of the boy not wearing a helmet in a skate park in Adelaide was contrary to community standards on health and safety. The Board was of the view that the local laws of South Australia were reflective of community standards on health and safety.

The Board found that the advertisement did contravene the provisions of the Code relating to health and safety.

The Board therefore upheld this complaint.