



CASE REPORT

1. Complaint reference number	358/03
2. Advertiser	Nike Australia Pty Ltd
3. Product	Clothing
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 14 October 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement was a series of different versions of an advertisement which depict various scenes of groups of men including famous retired rugby players chasing a football and playing with the football in public streets and in public buildings. The game is played and the ball is passed between the men in various locations including the middle of public streets and on top of public buildings. Traffic is disrupted. Men jump and roll over cars and stand in the middle of the road to catch the ball. Cars are pushed into one another and window screens are smashed by the men walking across the top of the cars. A car door is taken off by a man who jumps to catch the ball. One man also jumps over the edge of a building to get down to the next ledge in order to catch the ball. The advertisement is accompanied by a musical sound track and the tag line at the end of the ad is “Keep the ball alive.”

THE COMPLAINT

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

“...[the acts in the ad] are portrayed as fun and spirited and could very easily invoke feelings of admiration from children and teenagers who already feel as though they are invincible. It is not just promoting dangerous behaviour, but also anti-social behaviour in the pushing aside of the vehicle into another just so that the game can continue.”

“...[the ad] is both a seriously stupid message to children that playing in front of buses is a great idea but also a complete contradiction to decades of safety messages by departments of transport that we should think about safety when playing near roads and particularly where buses are concerned.”

“...the potential for this ad to inspire a very dangerous fad is obvious. I was astonished by its irresponsibility.”

THE ADVERTISER’S RESPONSE

The advertiser did not respond to the complaints regarding this advertisement.

THE DETERMINATION

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

The Board considered that the advertisement used fantasy to convey a passion for sport, in particular, rugby. The Board further considered that participation in a game of rugby (primarily amongst retired rugby professionals) in the streets of a busy city and atop roofs of skyscraper buildings was fantastical. The Board were of the opinion that the advertisement was so exaggerated in the idea of

playing rugby through the streets of a city that it could not be taken literally and accordingly found that the advertisement did not breach the health and safety provisions of the Code. However, the Board noted that visuals used were very realistic and that a number of dangerous situations were portrayed, such as a rugby player running in front of a bus, crashing through a glass window and jumping off a building. Due to the realistic nature of the visuals, these came very close to contravening community health and safety standards. However, having considered the fantastical nature of the advertisement as a whole, the Board found that the content did not contravene any provision of the Code.

Accordingly the complaint was dismissed.