



## CASE REPORT

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| 1. Complaint reference number | 374/07   |
| 2. Advertiser                 | BUPA Australia Health Pty Ltd (Gap Free Dental)                          |
| 3. Product                    | Insurance  |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Violence Other – section 2.2<br>Other - Portrayal of people (occupation) |
| 6. Date of determination      | Monday, 19 November 2007   |
| 7. DETERMINATION              | Dismissed  |

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set in a dental surgery where a young boy is being treated, with his Dad watching on the sidelines a little anxiously. The dentist begins the routine process of extracting a tooth and the Dad being a little too curious for his own good, tries to get closer, weaving himself awkwardly between the chair and some dental equipment to get really good observation point. Unfortunately as the dentist yanks the tooth, his elbow catches the Dad by surprise and hits him straight in the mouth. The Dad reels backwards suddenly backing into the dental trays and equipment, trips over and tumbles onto the floor. As we see the dad reeling on the floor text on screen reads "Only HBA covers all the cost of your kid's dental. At least that won't hurt."

## THE COMPLAINT

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

*The dentist violently elbows the man in the face and he falls to the ground. It is the main thrust of the add and is gratuitous violence portrayed rapidly and with anger with a child present (children watching would associate this with their father being assaulted and knocked to the ground in front of them). It seems unnecessarily aggressive and nasty and I hate watching it. It comes with sound effects of the strike etc. In reality an elbow strike to the head or face can kill you or seriously hurt you and the scene is very graphic and the add should be removed - after all it IS about medical (dental) treatment being applied whilst the dentist is assaulting someone - seems quite a sick piece of work really.*

*The Dad is hit extremely hard in the face by the boy's dentist. When I first saw the Ad I was quiet (sic) shocked by the violence, the father is lying on the floor and there is a very loud noise to emphasise the severity of the blow, and it was almost as though the Ad. portrayed the father somehow deserved it because he was proud of his son and also because he was curious about seeing what the dentist was doing. I did not notice that my little boy had seen the Ad.(it is shown throughout the day) but then it came on TV and I noticed he had his eyes covered to avoid seeing the dad get punched.*

## THE ADVERTISER'S RESPONSE

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

*The advertisement does not contravene Section 2.2 of the Code as it does not "present or portray violence." The advertisement is meant to be light-hearted and humorous and portrays a curious father who is looking over the dentist to see his child being treated. The advertisement portrays a scene that is accidental and comical in nature, rather than violent or angry in nature. Further, to*

*allieviate any concerns of violence, the advertisement shows the father looking stunned and embarrassed rather than in any pain. The sound effects which accompany the inadvertent elbow were also included for the sake of humour and to dispose of any sense of realism.*

*The advertisement does not contravene Section 2.6 of the Code. The advertisement is promoting a product whereby parents will incur no out of pocket costs on children's dental expenses, therefore assisting parents to ensure their children have healthy teeth.*

## **THE DETERMINATION**

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

The Board noted the complainant's concern that the advertisement was excessively violent and was disturbing to a child.

The Board viewed the advertisement and considered that the images of the dentist elbowing the father was clearly shown to be accidental - the dentist did not display any intent to hurt the father and indeed was clearly unaware that the father was in the position that he was as the dentist pulled the boy's tooth. The Board considered that the action of the dentist was likely to be seen as an accident and taken as a light hearted slapstick manner of emphasising that the product covers dental work for children - but may not cover injury such as that sustained by the father.

The Board considered that the image of the dentist accidentally injuring the father was not inappropriate in the context of the product advertised and the humorous tone of the advertisement and that the advertisement did not breach section 2.2 of the Code.

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