



CASE REPORT

1. Complaint reference number	401/06
2. Advertiser	BUPA Health Australia Pty Ltd (HBA/Mutual Community)
3. Product	Insurance
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 10 October 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is seen through the lens of a home video camera as it is filming within a private home. The camera moves towards another room where the sounds of crashing and children laughing can be heard. As the camera enters the room we see two young boys placing crockery on an electronic treadmill turned to high speed and, and laughing as the plates are propelled off the treadmill and smashed to pieces on a nearby wall. Text on screen reads “At least their teeth won’t cost you” accompanied by a voiceover “Only HBA covers all the cost of your kids’ dental...So for no out of pocket dental, call HBA.”

THE COMPLAINT

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

This ad clearly advocates child abuse, in the form of the children having their teeth punched in by their irate parent. There can be no excuse for this. The ad is extremely offensive.

THE ADVERTISER’S RESPONSE

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

At no time is any violence shown or implied in the Advertisement. The Advertisement is light-hearted and humorous in tone and portrays mischievous children who are in no way frightened by their parent, but rather smiling endearingly at that indulgent parent. It is illogical to conclude that the Advertisement is “advocating child abuse” and that that parent would subsequently be violent towards those children.

The content of the accompanying words in the Advertisement substantiates this as “at least their teeth won’t cost you” is directed towards costs. The words do not indicate that violence is in any way contemplated.

The Advertisement is light hearted, humorous and at no time shows or implies violence. In addition, 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 Advertisement does not intend to, nor in any way, advocates a parent causing damage to their children’s 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 comments that the last line of the advertisement encouraged child abuse (presumably by encouraging parents to knock their children's teeth out after they have been naughty). The Board considered whether in that context the advertisement had breached the sections of the code dealing with violence. The Board felt strongly that the advertisement did not encourage child abuse at all and that the complainant's view was unlikely to be shared by reasonable members of the community. The Board considered that the advertisement was a humorous portrayal of the expense that children put their parents to, and that the advertisement's reference to child dental bills was a clear reference to the product being advertised providing cost savings to parents – not a reference to violence.

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