

## CASE REPORT

1. Complaint reference number	42/10
2. Advertiser	The Age/My career
3. Product	Employment
4. Type of advertisement	TV
5. Nature of complaint	Violence Cruelty to animals – section 2.2
6. Date of determination	Wednesday, 10 February 2010
7. DETERMINATION	Dismissed

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a man lying on his couch with socks on and no pants on. He is making growling noises and then the scene cuts to a shot of him with his small dog sitting in his lap whilst he growls at the dog. The ad is for headhunter a job recruitment agency online.

### THE COMPLAINT

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

*I know this ad is meant to be humorous but feel it gives a very bad example to children who could simulate the ad and get badly bitten on the face. Also object to the 'winding up' of the dog which looks decidedly unfriendly towards its owner, and really aggressive, and I don't blame it!!*

*Surely this is a most irresponsible scene to be shown on TV? Any child or adult teasing an animal is in danger of being attacked & bitten through no fault of the dog!*

*Please withdraw this senseless, meaningless advert!*

### THE ADVERTISER'S RESPONSE

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

*The ad in question is all about a man lying on a lounge playing with his dog. From the first scene we see his feet sticking out the end of the lounge, toes moving around in a slow and relaxed fashion. The next shot pans to the man and his small dog playfully engaging in a scenario where the man lying on his back holding his dog on his chest mimics his dog. This lasts a few seconds before he laughs and pats his beloved dog further enforcing they have just been playing a game.*

*The intention of the ad is clearly to show the man playing with his beloved dog in a non aggressive manner. The dog at no stage barks aggressively, attempts to move towards the owner in an aggressive manner or looks to be uncomfortable. The owners warm embrace at the end shows the intention of the owner is play not harm.*

### 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 man in the advertisement is inciting anger in the dog and children might simulate the ad and become badly bitten on the face.

The Board noted the advertiser's response and viewed the advertisement.

The Board considered whether the advertisement was in breach of section 2.6 of the Code. Section 2.6 of the Code states:

*"Advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety."*

The Board noted that the man depicted in the advertisement is playing with his dog in a manner that might incite anger from the dog. However, the Board agreed that the size of the dog and level of aggression depicted in the advertisement was very mild and unlikely to cause the man to suffer harm. The Board noted that this playful depiction was included in an advertisement that was targeted to adults and that it was unlikely that children would be viewing this advertisement without parental supervision. In this regard, the Board determined that the advertisement was not in breach of section 2.6 of the Code.

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