



CASE REPORT

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| 1. Complaint reference number | 452/09 |
| 2. Advertiser | Sportsbet (that was me) |
| 3. Product | Gaming |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2
Other - Social values |
| 6. Date of determination | Wednesday, 14 October 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television commercial depicts a group of older men fantasising about his passion in football. They are standing in the kitchen and looking at pictures on the wall of one of the men. He explains to his mate how he was in the Brownlow and a violent shot where he is being punched in the face. Then the advertisement cuts to the same man screaming out "that's what I'm talking about!". The advertisement is based on a gentleman who is not actually in the circumstances in which he is explaining. They are pictures of him in his own house. A poor lad who has nothing better to do and loves footy.

THE COMPLAINT

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

In Victoria, and Geelong in particular there has been a concerted effort by the local Geelong Football Club and players to discourage the act of violence and drunkenness as being associated with sport. There have been several serious incidents of violent anti social behaviour in the streets, and one young footballer was killed with a single blow to the head (similar to as depicted in this ad) after a football grand final celebration. There has been enormous community coverage and outcry in newspapers and radio and on TV about the growing concerns of violent behaviour associated with drunken behaviour in the streets with police, the general community and now sporting clubs taking an active stance against this sort of behaviour. This ad completely encourages and supports such behaviour as being justified in the celebration of a sporting event. Morally and ethically I cannot understand how your board could have passed this advertisement in its portrayal of violence and ant social behaviour. I have rang and emailed politicians, and the company concerned and I would like your response as to the justification that this is an acceptable advertisement on commercial Television shown to a wide audience of all age viewers. It does nothing to promote responsible behaviour to a community increasingly becoming concerned with the anti social behaviour which seems to be an epidemic in our society.

It promotes alcohol fuelled violence in society and, poor social behaviour - seemingly making it "cool" to be kicked out of place or to be dragged out by the police. With the already turbulent street violence we are facing at the moment, it is a very poor social message to to be sending out as a whole and in particular to young people who are watching the footy at that time. I'm sure most would agree that this ad is in poor taste and not appropriate to air.

THE ADVERTISER'S RESPONSE

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

The complaint does not state Sportsbet is in violation of any specific section of the AANA Advertising Code of Ethics. We therefore dispute this complaint on the basis that we are not in breach of any section. If the advertising board would like to provide more details surrounding nature of the complaint and its position on that, we would be more than happy to respond accordingly.

No behaviour is being condoned in this ad. The gentleman in the ad has actually been evicted from the event which clearly shows that this implied behaviour is unacceptable. There is no behaviour actually portrayed. The advertisement is based on a gentleman who is not actually in the circumstances in which he is explaining. They are pictures of him in his own house. A poor lad who has nothing better to do and loves footy. Clearly this is far from reality.

We are not supporting the behaviour stated. This ad is not to be taken seriously and is delivered in a humorous manner. It received CAD approval with that understanding.

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 complainants' concerns that the advertisement portrayed footballers in a negative light and does nothing to promote responsible behaviour to the community.

The Board viewed the advertiser's response and the advertisement and considered whether the advertisement was in breach of section 2.2 of the Code. Section 2.2 of the Code states:

"Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

The Board noted that the advertisement was for the sale of Sportsbet products and that football was one of the sports that was featured in the product. The Board agreed that the fact that the man who was depicted in the photo's depict that the man had been evicted from the event and as such, that particular behaviour was not condoned. The Board agreed that the advertisement was intended to be a light-hearted and humorous tongue-in-cheek approach to marketing the Sportsbet product and that most members of the community would appreciate the humour.

The Board noted that the advertisement reveals at the end that in fact the pictures shown by the man were all photo shopped at his own home and on his own computer and did not actually attend the events or behave in that manner. In any case, his friend is depicted as being bemused by the other man's story and not impressed. The Board considered as such it did not constitute a depiction of encouraging anti-social behaviour of concern.

The Board determined that the advertisement was not in breach of section 2.2 of the Code.

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