



CASE REPORT

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| 1. Complaint reference number | 456/06 |
| 2. Advertiser | RACQ (Insurance – swing) |
| 3. Product | Insurance |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2
Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 14 November 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a suburban backyard where a father is pushing his daughter on a swing – each time she calls “Higher Dad” he pushes the swing harder, while in-between relating to the viewers the advantages of RACQ Insurance. When finished, we see him wait for his daughter to swing back to him, and when she doesn’t he takes a step forward to look for her. As her swing comes down, having done a loop from the last hard push, her feet push him out of the way onto the ground. The daughter and her brother who witnessed the incident laugh and the brother calls “Do it again!”

THE COMPLAINT

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

The child in the ad laughs, after knocking the man to the ground, therefore other children viewing this ad may think it is ok to do the same. In reality a person may suffer a severe back injury by being pushed in the back with such force and knocked to the ground

THE ADVERTISER’S RESPONSE

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

In this particular advertisement the small girl is not actually hitting her father in the back to cause any injury it is merely just an accident that is taken in good humour.

I do not agree that there is any condoning of violence against parents or others. The way in which the child speaks to her father in the advertisement does not exhibit any anger nor does it demonstrate that she has intentions to cause deliberate serious injury. The script reinforces that the child knocking into the man is not deliberate as he actually steps in the way of the swing to look into the background and the man’s reaction show that no injury was caused. There is no malice intended in the commercial it is purely the portrayal of an everyday situation delivered with comedic style.

This ad does not condone violence or breach any section of the Code.

All compliance procedures have been appropriately adopted in the production procedures and a safety officer on set during filming.

THE DETERMINATION

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

The Board viewed the advertisement and considered the complainant's comments that the advertisement was inappropriate because it depicted unsafe behaviour and violence.

The Board noted the depiction of the father being knocked down by the child on the swing and noted that the advertisement was intended to be humorous.

The Board considered whether the advertisement breached section 2.2 of the Code dealing with violence.

The Board did not accept that the advertisement showed violence as such. Rather it shows a humorous accident devoid of intended, or even real, harm. The Board hence determined that the advertisement did breach Section 2.2 of the Code relating to violence.

The Board also agreed that while the depicted father had not shown due care to avoid the swinging child, the advertisement did not depict deliberate behaviour that contravened prevailing community standards of health and safety. The Board hence determined that the advertisement did breach Section 2.6 of the Code relating to health and safety.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.