

## CASE REPORT

1. Complaint reference number	459/06
2. Advertiser	Telstra Corporation Ltd (Bigpond Movies)
3. Product	Entertainment
4. Type of advertisement	TV
5. Nature of complaint	Violence Cruelty to animals – section 2.2
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows a man advising his wife he's just going to get a DVD and his dog looking expectantly to go with him. The man encourages the dog and puts his lead on, taking him outside. The dog is very enthusiastic about the prospect of a walk, when suddenly the man stops at his residential letterbox and extracts a package. On checking it contains a DVD he has ordered, he looks pleased, and immediately turns to lead the dog back into the house. The dog, disappointed at such a short walk, pulls against the lead in the opposite direction to the house but is reluctantly dragged back towards the door.

## THE COMPLAINT

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

*It's horrible! that poor little dog! and the man was overweight he clearly need some exercise (sic), stupid ad promoting cruelty/neglect to animals, dogs NEED to be walked assholes, and teasing them is CRUEL!*

## THE ADVERTISER'S RESPONSE

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

*Telstra believes that the advertisement depicts a light-hearted scenario and shows how the BigPond Movies service works, in a humorous way. The focal point is that DVDs are delivered to your letterbox and it was never intended to be cruel or promote cruelty to animals.*

*The dog was at no point under duress during the shoot. Her owner was there, along with an animal handler and the RSPCA was aware of the TVC being filmed and it's content. Delta the Staffy was very happy to act this way in the commercial, guided by her owner and the handler. She was given sufficient rest, walks, food and water in between takes, and went home a very happy dog after lots of praise from her owner and all the crew.*

## 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 cruelty and, by implication, violence.

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

The Board noted that the featured dog was disappointed to be taken for a walk only to the front gate and back. The Board did not accept that this amounted to actual cruelty to animals. The Board also noted the humorous nature of the advertisement.

The Board determined that the advertisement did not breach Section 2.2 of the Code relating to violence.

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