

## Case Report

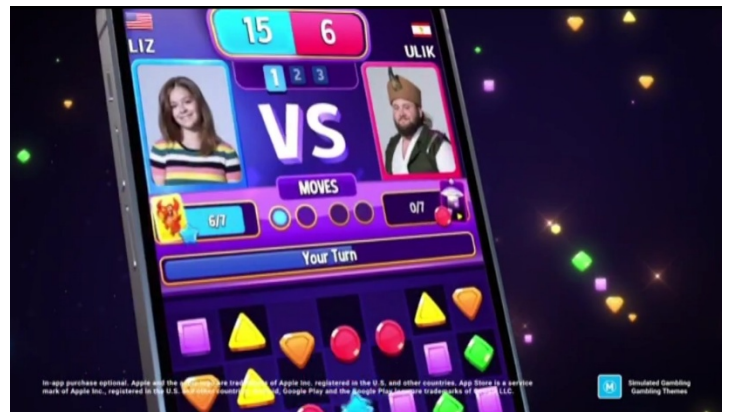
1. Case Number :	0118-24
2. Advertiser :	Match Masters
3. Product :	Toys and Games
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Decision:	15-May-2024
6. Decision:	Upheld – Modified or Discontinued

### ISSUES RAISED

AANA Advertising to Childrens Code\2.1 Prevailing Community Standards  
AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a young girl playing Match Masters on her mobile phone, against a grown man from another country.



### THE COMPLAINT

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

*It encourages children to compete in online gaming against strangers, in a manner that promotes being 'friends' or 'friendly' with people online that they don't necessarily know. This is incredibly dangerous for young people. In this ad, a young girl is competing and communicating with much older men.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*In response to your complaint about one of our recent advertisements featuring a game between individual players (a girl and another male player) we have read the complaint and want to provide you with the full picture as follows.*

*The safety and well-being of our players, especially minors, are of utmost importance to us. In the ad the girl is playing under the supervision of her father. There is no direct communication between the girl and the counter player. Our game platform ensures that there is no direct interaction via chat between the players, aside from limited expressions of emotions via appropriate emojis and the players maintain their anonymity. At no point, the players are required to publish their name, sex, and age, and the game platform refrains from disclosing such details in any form.*

*In the ad the girl beats the adult she plays with. The adult is not aware he is playing against a girl, in the same manner she is not aware she is playing against a male adult. As there is no communication between them except for playing the game, there is no relevance of being "friends" (as they are not) or "friendly" (as they do not communicate). All players are anonymous and have no idea who they are playing against, except for the country the other player claims he/she is from (and is unverified).*

*Our aim is to create a safe and enjoyable gaming environment. Although we do not see any wrongdoing in the advertisement, due to the complaint we are currently in the process of removing the advertisement from any applicable media on broadcast TV. This may take several days. The removal reflects our commitment to our players and audience.*

*For the avoidance of doubt, nothing set forth in this response constitutes an admission to, and/or recognition of any of your concerns raised in the complaint.*

## **THE DECISION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches the AANA Children's Advertising Code (the Children's Code) or the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement includes content which is inappropriate for advertising targeting children.

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

The Panel noted that for the provisions of the Children’s Code to apply, the advertisement must be found to target children under 15 years of age.

### **Does the advertisement target children?**

The Panel noted that the Children’s Code defines “target children” as:

*“Target Children is determined by the context of the advertisement and the following three criteria:*

- 1. Nature and intended purpose of the product being promoted is principally or significantly appealing to Children;*
- 2. Presentation of the advertisement content (e.g. theme, images, colours, wording, music and language used) is principally appealing to Children;*
- 3. Expected average audience at the time or place the advertisement appears includes a significant proportion of Children.”*

The Panel noted that the Practice Note provides guidance on the interpretation of “target children”:

*“All three criteria will be considered by the Community Panel in determining whether or not advertising targets Children. The weighting given by the Community Panel to each of the three criteria will be determined on a case by case basis. In the event of a complaint being considered by the Community Panel, the advertiser should be in a position to provide details in terms of the nature and intended purpose of the product, the presentation of the advertisement content and the expected average audience at the time or place the advertisement appears.*

*“In relation to the third criteria, measures to determine if Children are likely to be a ‘significant proportion’ of the expected average audience may include one or a combination of the following:*

- Where data exists, 25% or more of the predicted audience will be Children. In relation to outdoor advertising, if across a campaign the data shows a predicted audience with less than 25% Children, and there is a Children’s event or concert that is incidental to the ad placement, the audience of that incidental Children’s concert or event will not be captured.*
- C&P programmes.*
- Programs, artists, playlists, video, movies, magazines or other content with significant appeal to Children (e.g. featuring personalities or characters popular with Children).*
- Compliance with the Outdoor Media Association Placement Policy and Health & Wellbeing Policy which regulate the placement of advertising at primary and secondary schools which are locations where Children regularly and predictably gather. Where accurate program audience data is not*

*available, the Community Panel may have regard to other factors listed above such as the program content, the time or the location where the advertisement is being shown (in line with the above provision)."*

**Point 1: Is the nature and intended purpose of the product principally or significantly appealing to children?**

The Panel considered that the advertisement was promoting a puzzle game app where users play against each other. The Panel noted that the advertisement included a rating of 'M' for the game as it contains simulated gambling and gambling themes, however the Panel noted that the app is rated as E for Everyone on the Google Play Store and as suitable for ages 4+ on the Apple store.

The Panel noted the app is a simple puzzle game which features bright colours, cartoon characters, and collectable stickers and considered that this would be highly attractive to younger children.

Overall, the Panel considered that the game would have significant appeal to children.

**Point 2: Is the content of the advertisement principally appealing to children?**

The Panel considered the advertisement features a child playing the game, and considered that this would attract the attention of children. The Panel considered that the advertisement also featured a fantastical, over-the-top scenario about playing against someone from a fictional country. The Panel considered that the theme of the advertisement is that the app is a fun game to play.

Overall, the Panel considered that the child actor, the fantastical imagery, and the fun theme combined makes the advertisement principally appealing to children.

**Point 3: Does the expected average audience of the advertisement include a significant proportion of children?**

The Panel noted that the complainant viewed the advertisement at 6:45pm on free-to-air television. The Panel noted that this timeslot was general family viewing time, however, was unlikely to have a significant proportion of children in the audience.

**Targeting children conclusion**

The Panel considered that some of the advertised products would have significant appeal to children and the content of the advertisement would be principally appealing to children, although the expected average audience of the advertisement is unlikely to include a significant proportion of children. Overall, the Panel considered that the advertisement was targeting children.

### **Children's Code Section 2.1: Advertising to Children must not contravene Prevailing Community Standards.**

The Panel noted the advertiser response that the game does not include a chat function and that children playing the game do not directly interact with adults. The Panel considered that the app itself would not be considered a product unsuitable to be advertised to children.

However, the Panel considered the messaging in the advertisement. The Panel noted that the girl was using the phone when her father comes in, which implies that she was using it unsupervised previously. The Panel considered that the story and visuals of the advertisement suggest that she is aware of the other adult player Ulik and is communicating with him through the game. The Panel considered the messaging in the advertisement is that it's fun to play games and communicate with strangers online.

The Panel acknowledged that children playing online or multiplayer games is a common practice. However, the Panel considered that there have been a number of online safety campaigns about the dangers of communicating with strangers online, and the importance of teaching children how to be safe online.

The Panel considered that the messaging in the advertisement undermines community safety messaging, and suggests that it is safe and fun to play unsupervised with strangers online.

### **Children's Code Section 2.1 conclusion**

The Panel found that the advertisement did contravene prevailing community standards and that it did breach Section 2.1 of the Children's Code.

### **Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.**

For the reasons discussed above, the Panel considered that the advertisement contains messaging which is against prevailing community standards on online safety.

### **Section 2.6 conclusion**

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety and found that it did breach Section 2.6 of the Code.

### **Conclusion**

Finding that the advertisement did breach Section 2.1 of the Children's Code and Section 2.6 of the Code of Ethics the Panel upheld the complaint.

#### **THE ADVERTISER'S RESPONSE TO DECISION**

The advertiser did not provide a response to the upheld determination, however Ad Standards notes that in its initial response the advertiser confirmed that the advertisement had been removed.