

<b>COMPLAINT NUMBER</b>	18/298
<b>COMPLAINANT</b>	N Johns
<b>ADVERTISER</b>	Trade Me Limited
<b>ADVERTISEMENT</b>	LifeDirect Television
<b>DATE OF MEETING</b>	10 September 2018
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for LifeDirect life insurance shows the cartoon character “Simon the Sloth” falling off a cliff, just as he is saying “...since I got my life insurance sorted through LifeDirect, I haven’t had a worry in the world...”

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complainant, N Johns, said:** ...The insurance comparison website LifeDirect by Trade Me has used the untimely death of its cartoon mascot “Simon the sloth” to advertise getting life insurance. As you will see the cartoon character simon falls off a cliff while hiking... New Zealand has a high number of people who die on our mountains. Having an advert which shows a trumper (wearing a pack) on the mountains and falling off a cliff to me is completely inappropriate... There are many families in New Zealand who have lost loved ones on our mountains. To have an advert remind them of that trauma in a tasteless way such as this is not appropriate to be aired on TV...

**The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4, Rule 5.**

**The Chair** noted the Complainant’s concern that it is inappropriate to show a trumper falling off a cliff in an advertisement, as there are many families in New Zealand who have lost loved ones in the mountains.

The Chair acknowledged the distress the advertisement has caused the complainant and others.

The Chair referred to a number of previous Rulings (11/722, 13/456 and 14/551) from people who had made similar complaints about advertisements after other real-life events such as the Christchurch earthquakes and other tragedies such as fatal car accidents. Those Rulings acknowledged the trauma that many people have experienced and the distress certain scenes in the advertisements had caused them. However, they had all been ruled No Grounds to Proceed as any unintended similarity in an advertisement to a real-life event while unfortunate, did not reach the threshold to cause widespread offence or breach the Advertising Codes.

Turning to the complaint before her, the Chair said from time to time scenarios in advertising do resonate with consumers, for tragic reasons and it would be difficult to mitigate this in every case.

Therefore, while she noted the sincere concerns of the Complainant, she said the advertisement featuring Simon the Sloth did not reach the threshold to be considered offensive, taking into account the context, medium, audience and product.

In light of the above, the Chair said there was no apparent breach of the Code of Ethics.

Accordingly, the Chair ruled that there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.