

COMPLAINT NUMBER	19/244
COMPLAINANT	D Hammond & G Cavanagh
ADVERTISER	Spark Sport
ADVERTISEMENT	Spark Sport, Television
DATE OF MEETING	15 July 2019
OUTCOME	No Grounds to Proceed

Advertisement: The Spark Sport television advertisement promotes the platform by showing a range of sports, including two clips of Ultimate Fighting Championship Mixed Martial Arts, where participants are fighting. One clip shows a man being kicked in the mid-body region and the second shows a fighter performing a kick to the head of their opponent.

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

Complainant, D Hammond, said: The advert for spark sport which aired at prime time showed unnecessary violence in which one man brutally kicked another man in the face. I believe this maybe a breach of standards namely showing or glorifying violence.

Complainant, G Cavanagh, said: Ad shows a kick to the face from a UFC match. I don't feel that it is appropriate to be included in the ad until after 8.30pm as UFC usually has a rating of 13+, and I find the violence of UFC disturbing as an adult.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(f);

The Chair noted the Complainants' concerns the advertisement showed unnecessary violence and was played at inappropriate times.

The Chair reviewed the advertisement including the two clips of Ultimate Fighting Championship (UFC) matches. One clip shows a man being kicked in the mid-body region and the second clip shows a fighter performing a kick to the head of an opponent.

Rule 1(f) required the Chair to consider whether the advertisement contains anything that condones or is likely to show violent or anti-social behavior. The Chair said in this case the advertisement was showing actual sports match footage and the fleeting image of the kick to the head shown is a legitimate move within the sport. The Chair said in this context, the advertisement was not condoning antisocial behavior.

The Chair noted the advertisement had been given a G (General) rating by the Commercial Approvals Bureau, which means it may be broadcast at any time.

The advertisement aired during the programme, *The Chase*, which also has a G rating. The Chair sourced the audience composition for *The Chase* screening for that day from TVNZ, who confirmed its audience research sampling data showed that only 1.4% of its sample were under the age of 18. The Chair said this supported the fact the Advertiser had targeted an adult audience.

The Chair said the advertisement also ran during *One News*, which is categorised as Unclassified Programming. The Broadcasting Standards Authority refers to Unclassified Programming as “news, current affairs, sports and live content that is not, because of its distinct nature, subject to classification. However, broadcasters must be mindful of children’s interests and other broadcasting standards and include audience advisories (i.e. a warning) where appropriate.”

While the Chair acknowledged the Complainant’s concerns about the timing of the advertisement during the 6pm news, she noted viewer discretion is often advised in the news hour.

The Chair said taking into account context, medium, audience and product, the advertisement and its placement did not meet the threshold to cause serious or widespread offence or offend against generally prevailing community standards and was not in breach of Principle 1 or Rule 1(f) of the Advertising Standards Code.

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

Chair’s Ruling: Complaints **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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.