

ASA Ruling on LC International Ltd t/a Ladbrokes

🔍 Upheld | VOD | 03 February 2021

Ad description

A VOD ad for Ladbrokes, seen on All4 on 25 October 2020, showed various people using the Ladbrokes app on their mobile phones. One scene showed a clip of a horse race, before showing a man in a café with several other people, looking away from them at something else in the distance, over the shoulder of one of them. A voice-over stated, “Come starter’s orders, I’m a bag of nerves.” The man’s leg was shaking, making the food and cutlery on the table shake. A woman said to him, “Really?”, capturing his attention briefly, before he turned away again.

Issue

The complainant challenged whether the ad depicted gambling behaviour that was socially irresponsible.

Response

LC International Ltd t/a Ladbrokes did not believe the ad depicted socially irresponsible behaviour because the man was not shown placing a bet nor indeed talking about gambling. He was simply stating that he got nervous ahead of starter’s orders which would be his natural reaction whether or not he was gambling. They said the ad featured people in everyday situations, and characters continuing with life in normal day-to-day activities.

The scene in question did not depict gambling. They said it showed the character waiting for the race to start and was not seen placing a bet. Nor did he mention having placed a bet. They argued that nerves before a sporting event were normal emotions. Ladbrokes said many people enjoyed gambling safely every week and the ad intended to convey that enjoyment, and to portray using the app as fun and entertaining. There was no indication that gambling was causing harm or distress for the character, but he was simply nervous before the start of a race and it was his nerves that were being highlighted as opposed to unhealthy gambling behaviour. The man was in a social environment with friends eating a meal waiting for a race to start. They believed he was not demonstrating any behaviour that could be considered socially irresponsible, and that a show of nerves could not be considered as such.

Clearcast said the scene that was objected to, showed a man who had placed a bet on a horse race and was watching the televised race in a café, which was shortly to begin. He was showing excitement because the horse race was about to begin. They believed he was not detached from his surroundings but was focused on watching the race on television. Although the television was not shown, it was strongly implied that he was viewing a TV set because it followed the narrative of the ad that, most of the gamblers featured before him were also watching televised horse racing. Furthermore, this character's excitement would not make sense if he was not watching the race build up on screen. Watching the build-up to the race led to anticipatory excitement which was shown in the edit by comical knee tapping. When his companion pointed out his plate of eggs were wobbling, he replied straight away, which showed he was neither preoccupied nor distant. He reacted immediately and was never disconnected nor detached from her or the room. He might have been shown to have an annoying habit and a fidget but he was not shown being harmfully obsessed with his bet.

Channel Four said they did not believe the ad was socially irresponsible or could cause financial, social or emotional harm. They highlighted a number of approaches that would have been problematic for the ad to have taken, but did not believe the ad did so. While the section of the ad referred to above depicted a level of excitement, they believed it went no further than acknowledging that betting was a leisure activity involving an element of excitement which was reasonable to depict. The character's exhibition of excitement was also challenged by his companion who said "really", while giving a disapproving look.

Assessment

Upheld

The CAP Code stated that ads must not portray, condone or encourage gambling behaviour that was socially irresponsible or could lead to financial, social or emotional harm. CAP's Advertising Guidance on 'Gambling advertising: responsibility and problem gambling' made clear that ads which portrayed or otherwise referred to individuals displaying problem gambling behaviours or other behavioural indicators linked to problem gambling were likely to breach the Code.

Marketers should take care to avoid an implication of such behaviours, for instance, outwardly light-hearted or humorous approaches that could be regarded as portrayals of those behaviours. Behaviours associated with people displaying or at risk from problem gambling included detachment from surroundings and preoccupation with gambling.

We noted Clearcast's view that the ad implied the man was watching a race on television, and we agreed that based on the scene and the simultaneous voice-over referring to 'starter's orders', viewers were likely to interpret the ad as showing him watching the television as the race was about to begin. He was watching intently, and his shaking the table with his knee which, while clearly intended to be humorous, suggested he was preoccupied with the race while his food remained untouched. He was described as being a 'bag of nerves', which we considered viewers were likely to interpret as a result of his having placed a bet on the race. It was clear that he was engrossed in the race to the extent that his companion had to point out his actions to bring his attention away from watching the television. We noted that, after responding to his companion, he appeared to turn away, though the shot was brief and he was looking down. We disagreed with Clearcast's view that the man was never disconnected from his companion, or from the room, and considered viewers would assume from his behaviour that he was preoccupied with the outcome of the race in relation to a bet he had placed. We also considered that the man was obviously detached from his surroundings as he watched.

For those reasons, we concluded that the ad depicted gambling behaviour that was socially irresponsible, and therefore breached the Code. The ad breached CAP Code rules [16.1](#) and [16.3.1](#) (Gambling).

Action

We told LC International Ltd t/a Ladbrokes to ensure future ads did not depict gambling behaviour that was socially irresponsible, such as detachment from surroundings and preoccupation with gambling.

CAP Code (Edition 12)

16.1 **16.3.1**

More on

Gambling ...

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