



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0013/18
2	Advertiser	KMart Australia Ltd
3	Product	Retail
4	Type of Advertisement / media	Internet-Social-FB
5	Date of Determination	07/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

The online advertisement depicts a scene of two individuals in separate households, decorating their houses for Christmas. The two separate households are depicted at the same time on a split screen.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The ad appears to be culturally diverse, the young boy from the family on the left is of Asian heritage and the woman from the family on the right is of Caucasian heritage. There is an illusion that the families are similar, i.e. the young boy passes a Christmas stocking to the split screen and the woman receives a similar stocking. The content that I found offensive was when the young boy runs towards the split screen in the middle and appears to turn into a dog on the Caucasian side of the screen. Historically Asians have been called dogs as a racial slur, within their own country and outside of their country, thus the act young Asian boy turning into a dog owned by a Caucasian family is very distasteful.



THE ADVERTISER'S RESPONSE

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

Understanding that Kmart customers are extremely diverse in ethnicity, religion and beliefs, we wanted to show that, no matter how you celebrate the Christmas holidays, Kmart has something for you. To do this, we employed the use of a split screen showing two totally different families/groups of people celebrating in different ways. To be a little more eye-catching in the social feeds, we also added a technique whereby the two separate worlds would seemingly 'interact' with each other. The screens continue to be split and do not merge at any time, which suggests that both these universes are parallel, and do not actually connect with each other.

In the video in question, we were simply trying to show that there are many different types of families celebrating – some families who have children running around the house, and some childless families who have dogs. The moment where the boy in the left screen disappears "off screen" means that the boy is no longer in the frame, the dog appears in the right screen to indicate that this is what happens in the home of the parallel family. There was no intention of equating the boy with a dog, or that the boy had turned into a dog.

THE DETERMINATION

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainant's concerns that the advertisement is offensive towards people of Asian descent.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted this television advertisement features a split screen depicting two individuals in separate households, placing a Christmas wreath on their front door. This is followed by them decorating their mantle pieces with similar products, in



parallel households. In particular the Board noted a scene where an Asian boy on the left split screen runs off towards the right screen and disappears, while on the right side a dog runs onto the screen from the left.

The Board noted the complainant's concern that historically Asian people have been called dogs and showing an Asian boy turning into a dog owned by a Caucasian family is distasteful.

The Board noted the advertiser's response that the two screens existed in parallel worlds and did not connect in any way, and that the boy does not turn into a dog.

The Board acknowledged that young children or people not watching the advertisement closely may believe that the boy turns into a dog, however considered that most members of the community when viewing the advertisement would see the split screen representing two different homes interacting, and not consider that the boy turns into a dog, or that the boy is in any way equated to being a dog.

The Board acknowledged that the term 'dog' has been used historically as an insult towards people of Asian descent, however considered that in this advertisement the young boy and the dog were not equated with each other.

The Board considered that this was not a depiction of material in a way which discriminates against or vilifies a person or section of the community on account of race and determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.

