



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0017-22
2. Advertiser :	Newsomes Tyre & Mechanical
3. Product :	Professional Service
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	2-Feb-2022
6. DETERMINATION :	Upheld – Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a man in a karate costume performing activities such as opening his uniform to reveal a six-pack, getting a hole in one in golf, doing a chin-up in the gym with only two fingers on the bar, and running with a football past other football players.

A voice-over says, "For years Tyre Master has been working hard in our community. He loves supporting this region. So for the best tyre advice and big brands support a local".

THE COMPLAINT

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

The ads for Newsomes Tyre and Mechanical in Rockhampton are extremely racist and promote Asian stereotypes in the way the narrator does the voices and the way the people from Newsomes Tyre and Mechanical pretend to do martial arts to perpetrate another Asian stereotype with the 'Tyre Master' persona. How these ads are allowed on RV in today's climate defies belief. I have also submitted this complaint further

This ad appears to be racist and disrespectful. It clearly uses old fashioned tropes designed to mock people with Asian heritage.



THE ADVERTISER'S RESPONSE

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

The advertisement is a continuation of a series of creatives whereby we have promoted the business owner and well known tyre industry identity, Daryl Newsome as 'The Tyre Master'. The character we have developed for Mr Newsome is based on the Karate Kid movie and Mr Miyagi character. Those are the instructions provided (as noted on scripts) to our voice-over talent supplier, Abes Audio. This is a standard character voiceover and has been used to bring the character to life in this series of creative. The commercials are complimented by a professionally produced jingle.

In no way was this creative developed with the intention to discriminate or vilify the asian community and in fact the business and this agency have only received positive feedback on this creative, including from asian clients and suppliers to Newsomes Tyre & Mechanical.

The TV advertisement running in January 2022 was developed to promote the support Newsomes Tyre & Mechanical provide in our community in terms of sponsorship and focuses specifically on TRL football, Crossfit CQ and Rockhampton Golf Club.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concern that the advertisement is racist and disrespectful of people of Asian heritage.

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

Section 2.1: 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 orientation, religion, disability, mental illness or political belief.

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."



The Panel noted that it had previously considered a radio advertisement for this advertiser in case 0238-21. In that case:

“The Panel noted the advertiser’s response that the accent was intended to represent a Mr Miyagi style character. The Panel noted that the story of the advertisement played on the concept of a kung fu master, and that the accent was used as part of this well-known stereotype. The Panel considered that the stereotype used was not in itself negative and that the advertisement was not clearly disparaging of Asian culture.”

The Panel noted that the current case relates to television advertisement and considered that the visual element can result in the advertisement having a different impact (from radio).

In 0126/17 the Panel considered, in relation to a man dressed in a Chinese costume speaking with a Chinese accent, that:

“It is not of itself discriminatory or vilifying to depict a person dressed in clothing specific to a particular culture or nationality and considered that the advertisement is clearly presenting a man dressing up and being silly. The [Panel] noted that the advertisement is intended to be light-hearted and humorous and the majority of the [Panel] considered that the manner in which the Caucasian man plays the role of a Chinese Master is not negative or demeaning and in their view there was nothing in the advertisement to suggest that Chinese people and/or their culture are being mocked or ridiculed.”

The Panel noted by contrast that a number of elements together can lead to an overall negative impression. In case 0546-16:

“The majority of the [Panel] considered that the advertisement presents Asian people in a manner which incites ridicule and that by mocking their command of English grammar and using a fake name, which is considered racist, rather than a real name, the advertisement is making fun of a difference between Western and Asian cultures which is humiliating for people of Asian descent.”

In the current case, the Panel considered that the unlikely depiction of the man (one fingered pull-up, six pack abs etc), was highly exaggerated and mocking in tone.

The Panel further considered that the accent used in the voiceover is exaggerated and unrealistic and is similar to an offensive stereotype often used to denigrate those of Asian background.

The Panel considered that the exaggerated nature of the accent, and the lack of a link between the advertised product and Asian culture, meant that the overall impression



of the advertisement is one which reduces Asian culture to a stereotype in an attempt at humour.

The Panel considered that the advertisement gives the impression that people of an Asian background are ridiculous, prone to exaggeration about their feats and speak in a comical manner.

The combination of the exaggerated and satirical accent and the imagery showing ridiculous and laughable feats of skill leads to an impression that those of Asian background are themselves ridiculous and laughable.

The Panel considered that the overall effect of the advertisement is a negative depiction of Asian people and in the view of the Panel this is a depiction that that would be likely to humiliate or incite ridicule and is therefore a portrayal which vilifies a section of the community on the basis of race.

Section 2.1 conclusion

The Panel considered that the advertisement did portray or depict 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 breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did breach Section 2.1 of the Code the Panel upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

In response to your notification dated 11/2/2022, we accept the findings of the Ad Standards Community Panel.

Given the determination details and in consultation with our client, we are modifying the TVC and are revoicing the TVC with a non-character, non-Asian accent.

We trust this will result in a fairer portrayal and be viewed more positively.