



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0028/19
2	Advertiser	Koala Sleep
3	Product	House Goods Services
4	Type of Advertisement / media	Radio
5	Date of Determination	06/02/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Race
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement states "Koala Mattresses are as Australian as they come. They're as Aussie as Dale Kerrigan diggin a hole in Ernie Dingo's dead dog's donga. Koala mattresses are not only designed in Australia, but unlike most of the other mattress companies, they're manufactured here in Oz too. And guess what? Koala is now Australia's highest rated mattress brand. Add in their risk free 120 night trial.. Well... what are ya bloody waiting for Australia? Start your trial today at koala.com"

THE COMPLAINT

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

Let be begin by saying I am not pro-Aboriginal, nor pro-White, nor pro-ANYONE, but I AM pro-AUSTRALIAN. This means I believe that there should be no special privileges when it comes to Employment, University computer internet rooms, Education or ANYTHING. A fair-go for EVERYBODY. To this end, I feel that the Aboriginal people are



not getting a fair go with this advertisement. It is insulting, and demeaning. It would be the same if it were said about Harry Butler, Jack Absolom or anyone. As it was, my grandson went running around the house, yelling "Donger!" after he heard the advertisement.

Other than this, I have no problems with either show and am a regular listener.

The phrase I object to contained the following, "Australian as... digging a hole in a dead dog's donger". The word 'donger' is a euphemism for the word 'penis' in Australian slang and makes the communication on radio extremely rude and unsavory. Should not have been broadcast.

THE ADVERTISER'S RESPONSE

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

I write in response to case 0028/19.

Unfortunately the complainant has misinterpreted the advertisement heard on 2GB radio. I have attached the advertisement in question, as requested, and the script.

Section 2.5 of the Code of Ethics – Language

As you'll see from reading the script the word "donger" is not used. The word "donga" however, which is common Australian parlance in reference to a temporary - usually demountable – dwelling, does feature. Given the context, I'm not sure how or why a person would dig a hole in a dead dog's penis. As such, it's quite clear that the intention was to make use of the common Australian slang term "donga". A definition can be found here: <https://en.oxforddictionaries.com/definition/donga>

We hope this clears up the confusion, and we do apologise for any offence clearly unintentionally caused.

Section 2.1 of the Code of Ethics – Discrimination

In no way does the advertisement allude to or invoke race or racial prejudice. Nor does it seek to vilify anybody because of their racial identity. It paints the fictional picture for symbolic purposes of one iconic Australian man digging a hole in another iconic Australian man's dead dog's donga and calling this scene "Australian". If race has come into that equation it has been inferred by the complainant, certainly not implied. We are sorry that the complainant's idea of Australia isn't synonymous with ours, but we will not apologise for them applying a racial lens to an otherwise race-natural depiction, I do hope they come to recognise the irony in this. Indeed we are offended, as an equal-opportunities employer that celebrates diversity to be accused of, "...not giving Aboriginal people[s] a fair go..."



We would also like to point out that their grandson was yelling the word “donga”, not “donger” after hearing the advertisement.

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’ concerns that the advertisement is racist and uses inappropriate language.

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

The Panel noted that this radio advertisement features the sentence “They’re as Aussie as Dale Kerrigan diggin’ a hole in Ernie Dingo’s dead dog’s donga”.

The Panel 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 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 the complainant’s concern that the advertisement is demeaning to Indigenous Australians in its reference to Ernie Dingo.

The Panel considered that the advertisement has an overall ‘Aussie’ theme and noted the advertiser’s response that the reference to Ernie Dingo was intended to describe an iconic Australian.

The Panel considered that the reference to an Indigenous Australian is not of itself a depiction of discrimination or vilification within the terms of the Code, and considered that there is no negative portrayal of any person.

On this basis the Panel determined that the advertisement did not 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 not breach



Section 2.1 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Panel noted the complainants’ concerns that the language was inappropriate for an audience which would include children.

The Panel considered the advertiser’s response that the word used in the advertisement is not ‘donger’, but rather ‘donga’. The Panel noted the advertiser’s response that ‘donga’ refers to a temporary dwelling. The Panel noted that a temporary dwelling is one definition of ‘donga’.

The Panel was inclined to accept the advertiser’s definition, given that the phrase “digging a hole in a dead dog’s donga” does not make sense if one assumes ‘donga’ is a reference to genitalia. The Panel considered that the phrase made little sense under either interpretation.

The Panel considered that the word ‘donga’ is Aussie slang for a temporary dwelling, though noted that it is not widely used. The Panel considered that overall the advertisement uses a colloquial expression in a manner that was consistent with its normal use and was not strong, obscene or inappropriate.

Finding that the advertisement did not use strong or obscene language and that the language was not inappropriate, the Panel determined that the advertisement did not breach Section 2.5 of the Code.

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

