



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0045/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Radio Rentals South Australia</b>
<b>3</b>	<b>Product</b>	<b>House goods/services</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>22/02/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Race

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on a Rastafarian character lying on a hammock in front of the Radio Rentals logo and the words “We won’t be beaten”. Reggae style music plays as he begins to talk. The character proceeds to describe the various brands of air-conditioners that are available for purchase and finance options. The advertisement closes with the character on his hammock and the Radio Rentals logo and tag line.

### THE COMPLAINT

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

*I am offended by this advertisement as it is racially insensitive and stereo-typing Jamaican people as being lazy. The facial features of the character are exaggerated with very large lips and a big flat nose which I find to be extremely racist.*

### THE ADVERTISER’S RESPONSE

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

*With regard to the single above mentioned complaint, we'd like to state the following regarding our "chilled out" television Advertisement:*

- It is intended to be light hearted and humorous.*
- It is intended to portray a "chilled out" character conveying the benefits of owning an air-conditioner in hot weather – i.e. being cool. A Rastafarian was chosen for the cartoon as Rastafarians are generally considered to be "Cool" and obviously come from a hot climate. As the communication is intended to sell air-conditioners, the association with a Rastafarian was a natural choice. In our highly stressed, hardworking society, the ability to be "Chilled out" is a positive.*
- It is animated and as such has the characteristics of many animated pieces (including children's cartoons) whereby physical features are exaggerated. Cartoon characterization always accentuates various physical features and has been an accepted form of art for years. As with any cartoon image, it has been drawn to give the character personality and memorability, nothing more.*
- It has gone through an extensive internal and external approval process, including CAD approval, prior to airing – at no stage were any concerns over discrimination or vilification raised or perceived.*

*The complainant seems to have two main concerns both of which may fall under Section 2.1 of the Code.*

*The first issue raised by the complainant is that the Advertisement depicts "Jamaican people" as being lazy. We believe most ordinary, reasonable viewers would not draw this conclusion and instead perceive exactly what is intended by the Advertisement, that the character shown is relaxed and cool in hot weather (the complainant actually mentions the character is "relaxed" in his/her description of the Advertisement). The leap from relaxed to lazy to us seems unreasonable. At no stage is there anything to suggest that there is urgent work to be done that our character is avoiding. He is chilled out and relaxed simply because he's had the good sense to get a cool deal on an air-conditioner. Our view is therefore that there are no grounds for the complainant's allegation of discrimination or vilification. We would suggest that the interpretation of "Lazy" that your complainant has placed on the character comes, perhaps, from his or her own view of Rastafarians rather than anything we have communicated in the commercial.*

*The second issue raised by the complainant is that the character depicted has exaggerated facial features, including large lips and a big flat nose. The animated character is just that, a drawn animation and as such is open to some artistic license. As with most cartoons (still or animated), many characterisations have exaggerated physical features in order to give them a larger than life personality, warmth and impact. Most ordinary, reasonable people are exposed to cartoons and animations on a daily basis and would not see exaggerated physical features of the character(s) portrayed as anything outside of the accepted norm. Our view is the character depiction does not discriminate against or vilify any person or group.*

*For the above reasons we strongly believe the Advertisement does not breach Section 2.1 of the Code.*

*It should be noted that other than this single ASB complaint we have not received a single other complaint.*

*We would welcome the opportunity to provide any further information or clarification you may require in relation to this matter.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement is racist towards Jamaicans.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race...”

The Board noted that the advertisement features a cartoon depiction of a man lounging on a hammock and speaking with a strong Jamaican accent.

The Board noted that the cartoon features of the Jamaican character have been exaggerated and considered that this is not appropriate in a cartoon. The Board considered that the cartoon depiction does not of itself amount to a depiction which could be considered demeaning by most reasonable members of the community.

The Board noted that the character speaks in a strong Jamaican accent and considered that this is in keeping with his Jamaican appearance and again does not amount to a depiction which would be considered demeaning by most reasonable members of the community.

The Board noted the complainant’s concerns that the advertisement suggests Jamaicans are lazy however the Board considered that the most likely interpretation of the advertisement is that Jamaicans are very relaxed and chilled out as the cartoon character is in a hammock discussing air conditioners.

The Board considered that the advertisement is a stereotypical depiction of a person from the Caribbean but that there is nothing in the depiction which is demeaning or negative.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of race and did not breach Section 2.1 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.

