



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0049/19
2	Advertiser	ANZ Banking Group Ltd
3	Product	Finance/Investment
4	Type of Advertisement / media	Internet - Social
5	Date of Determination	20/02/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Disability

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement is a YouTube skippable online video (“YouTube Trueview”) showing ANZ Tennis Ambassador Dylan Alcott (who is a professional wheelchair tennis champion) moving across a blue screen yelling out “Tiger”, as a tiger growls in the background. When Dylan comes to a stop on the right hand side of the frame, a tiger comes on screen and begins to walk towards him while he is vigorously pointing downwards – to the location where a “Skip” button appears. Dylan looks to camera (i.e. the viewer) gesturing to the viewer to skip the ad before the tiger gets too close. If the viewer decides to skip the Advertisement, then the advertisement stops at that point. If the viewer continues to view the Advertisement, prior to the tiger reaching Dylan, an end-frame appears that says “See it. Save for it” and shows the ANZ App with a savings account with “India holiday savings account”. The end frame has an accompanying voice over of “See it. Save for it. Get on top of your money with ANZ.”

THE COMPLAINT

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



The advertisement violates section 2.1 of the ethics code. The disabled man in the advertisement is depicted as being close to being attacked by a tiger, and unable to move away due to his panic.

It is likely that this is supposed to have some sort of metaphorical meaning behind it. However, as a disabled person myself, seeing a man in a wheelchair be depicted as afraid and helpless in this situation really hit a nerve.

Harmful stereotypes of disabled people as helpless and weak are rampant already within our society, and an advertisement from a large bank depicting this same harmful stereotype only serve to deepen the stigma that disabled people already face on a daily basis.

It is not humorous to depict already stigmatised minority groups in such an offensive light. Any advertisement depicting disabled people should only ever depict them in such a way that assists in breaking down this stigma and discrimination - it should absolutely never endorse it.

If this advertisement had depicted a child afraid and helpless to the impending doom of being attacked by a tiger, it would be common sense to determine that this is inappropriate. It is absolutely inappropriate for it to be a disabled person too.

THE ADVERTISER'S RESPONSE

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

Advertisement description The Advertisement is a YouTube skippable online video ("YouTube Trueview") showing ANZ Tennis Ambassador Dylan Alcott (who is a professional wheelchair tennis champion) moving across a blue screen yelling out "Tiger", as a tiger growls in the background. When Dylan comes to a stop on the right hand side of the frame, a tiger comes on screen and begins to walk towards him while he is vigorously pointing downwards – to the location where a "Skip" button appears. Dylan looks to camera (i.e. the viewer) gesturing to the viewer to skip the ad before the tiger gets too close. If the viewer decides to skip the Advertisement, then the advertisement stops at that point. If the viewer continues to view the Advertisement, prior to the tiger reaching Dylan, an end-frame appears that says "See it. Save for it" and shows the ANZ App with a savings account that has been personalised with a savings goal. In this instance, the savings goal is Dylan's "India holiday savings account". The end frame has an accompanying voice over of "See it. Save for it. Get on top of your money with ANZ." When viewed in entirety, the Advertisement is 15 seconds in length.

Response

We note that the complaint submitted pertains to section 2.1 of the AANA Code of Ethics. However, you have asked us to comment on how the Advertisement deals with all parts of section 2 of the AANA Code of Ethics.



2.1 Discrimination or vilification

ANZ refutes the claim that the Advertisement discriminates against or vilifies a person or section of the community on account of disability.

The complainant alleges that a disabled man (Dylan Alcott) is "...unable to move away due to his panic". The reason that Dylan stays in the same position to the right of screen is because this is where the "Skip" button appears in YouTube advertising and the Advertisement is a conscious play on this format. Dylan is pointing for the viewer to press the "Skip" button as the means of stopping the tiger progressing towards him.

The complainant also alleges that the disabled man is being "...depicted as afraid and helpless in this situation". In ANZ's view, the Advertisement does not in any way discriminate against people with disabilities, because the reaction portrayed by Dylan is the likely response of most people in the context of having a tiger approach them, regardless of ability, nationality, sex or other individual characteristics. It is not as a result of the person specifically being in a wheelchair. The reaction would be consistent if the Advertisement featured an able-bodied person and is rather an outcome of the situation and format – the person would be "living" within the environment of a skippable YouTube ad, with their way of escaping the tiger being to encourage the viewer to press the "Skip" button.

The complainant also suggests that the Advertisement perpetuates "Harmful stereotypes of disabled people as helpless and weak". ANZ strongly disagrees with this assertion. Representing diversity and inclusion of a broad range of people is important to ANZ, as it reflects the diverse nature of Australia and our customers. The Advertisement is consistent with ANZ's broader approach to its advertising campaigns of depicting a diverse cross-section of Australians of varying ages, sexes, abilities and nationalities. We strongly agree with the complainant that it is important to portray people with disabilities "...in a way that assists in breaking down ...stigma and discrimination". Through our sponsored ambassador relationship with Dylan Alcott, we are looking to support inclusiveness and normalisation of people with disabilities.

ANZ reiterates that the Advertisement does not demonstrate or imply that the person depicted, who happens to be in a wheelchair, is in any way less capable, strong, clever or brave than an able-bodied person would be in the same situation.

2.2 Exploitative and degrading

The Advertisement does not employ sexual appeal in a manner that is exploitative and degrading of any individual or group of people. All actors are appropriately dressed and do not portray or communicate a message of a sexual nature.



2.3 Violence

At no time does the Advertisement present or portray violence.

2.4 Sex, sexuality and nudity

All actors are appropriately dressed and are not portraying or communicating a message of a sexual nature.

2.5 Language

The Advertisement uses language appropriate in the circumstances. The Advertisement does not include any strong or obscene language.

2.6 Health and Safety

The Advertisement does not depict material that is contrary to Prevailing Community Standards on health and safety.

2.7 Distinguishable as an advertisement

The Advertisement is clearly distinguishable as such to the audience.

Please do not hesitate to contact me should you have any further queries.

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 viewed the advertisement and noted the advertiser's response.

The Panel noted that this television advertisement features a well-known wheelchair tennis champion Dylan Alcott being chased by a tiger.

The Panel noted the complainant's concern that the advertisement is discriminatory towards people with a disability.

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 that Dylan Alcott is an Ambassador for ANZ, and appears in several advertisements. The Panel considered that the depiction of a wheelchair-using person is not of itself a breach of the Code.

The Panel noted the advertiser’s comments that Dylan Alcott’s response to how he has been depicted in ANZ’s advertising is very complimentary, because he has been treated in the same way as an able-bodied person with no story reference or focus on his wheelchair.

The Panel noted the complainant’s description that “The man is clearly in a panic - hyperventilating and shaking his hands around. He does not move his wheelchair away”.

The Panel considered the advertiser’s response that Dylan Alcott does not move away as he is positioned where the ‘Skip’ button would be on a YouTube advertisement, and that he is not shaking his hands but rather is indicating that the viewer should press the skip button. The Panel disagreed with the complainant’s view and considered that the advertisement does not make any direct or implied negative references to people who are in a wheelchair, either positive or negative.

The Panel considered that Dylan Alcott’s response to a tiger chasing him is the same as any able-bodied person’s would be, and noted that in the advertisement, his wheelchair does not impact his attempt or ability to escape but rather he chooses to stop at the ‘Skip’ button.

The Panel considered that the advertisement content did not humiliate, intimidate, incite hatred, contempt or ridicule of people who use wheelchairs.

The Panel considered 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 disability and determined that the advertisement did not breach Section 2.1 of the Code.



Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.