



Case Report

1	Case Number	0070/15
2	Advertiser	Sportsbet
3	Product	Gaming
4	Type of Advertisement / media	TV - Pay
5	Date of Determination	11/03/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Nationality

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement features a male sitting on a balcony catching a soccer ball (thrown at him by somebody who is not on screen) with a male voiceover quipping that 'you'll love this long time' (in the voiceover artist's usual voice and accent) which is followed by a series of screen graphics detailing special markets which were available on certain Asian Cup matches. The screen graphics are in an Asian-style font consistent with the Asian Cup theme. The Advertisement concludes with a further voice over, by the same voice artist but in an Asian accent, encouraging viewers to download the Sportsbet 'app'.

THE COMPLAINT

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

At the start of the advertisement the phrase "You'll love this long time" is used. This is a reference to a phrase used by women forced into prostitution ("I'll love you long time"). At the end of the advertisement the Caucasian voice actor puts on an "Asian" accent and says, "You download now". This all seems in terrible taste at very best and probably worse.

THE ADVERTISER'S RESPONSE

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

Sportsbet has considered the Complaints and does not seek to shy away from the importance of advertising its services in a responsible manner.

Sportsbet rejects that the Advertisement in any way breaches section 2.1 or any other section of the Code. In our view, the Advertisement plainly does not “discriminate against” nor “vilify” any person or section of the community on account of nationality.

To discriminate against or to vilify are both very serious matters. The Oxford and Collins dictionaries support our contention that the Advertisement does breach section 2.1 of the Code by reason that they provide:

- to “discriminate against” is to “make an unjust or prejudicial distinction in the treatment of different categories of people” (Oxford Dictionary) or to “single out a particular person, group, etc., for special...disfavour, often because of a characteristic...” (Collins Dictionary); and

- to “vilify” is to “speak or write about in an abusively disparaging manner” (Oxford Dictionary) or to “revile with abusive or defamatory language; malign” (Collins Dictionary).

The Advertisement does neither of those things. The Advertisement merely attempts to use a light-hearted expression in conjunction with Asian style graphics to point out to viewers in a jovial way that they will ‘love’ Sportsbet’s specials on the Asian Cup.

Although some viewers may not find the Advertisement as humorous as some others viewers might (or at all), it certainly does not go so far as to ‘unjustly or prejudicially’ treat any nationality, nor does the Advertisement ‘abusively disparage’ or ‘revile’ any nationality. The Advertisement is merely an attempt at humour by using certain well known phrases and images in a cheeky and somewhat ridiculous way to convey a message to its audience.

In addition, we note that the Complaint states that the use of the phrase used by Sportsbet is “a reference to a phrase used by women forced into prostitution (“I’ll love you long time”)”. That is not the case. As noted above, the phrase used by Sportsbet is a light-hearted take on the expression ‘love you long time’ which is known to the Australian vernacular and which refers to loving someone or something, and is in no way a reference to prostitution (especially when the phrase used was ‘you’ll love this’ and not ‘I’ll love you’ being a reference to the specials and not to any person).

Conclusion

Sportsbet regrets if the jovial nature of the Advertisement was either misconstrued or may have offended the complainants, but we firmly reiterate our view that the Advertisement does not breach the Code.

For the reasons mentioned above, Sportsbet believes that the Complaints lack foundation and should be dismissed.

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 concern that the advertisement is offensive in its use of an Asian accent and that the phrase, “You’ll love this long time” is suggestive of prostitution.

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 that this advertisement features a voiceover promoting gambling odds for the Asia Soccer Cup and that the phrases, ‘You’ll love this long time” and “you download” are used.

The Board noted the phrase, “You’ll love this long time” and the complainant’s concern that this is a reference to women forced in to prostitution. The Board noted this is a well-known line used by a Vietnamese prostitute in a movie (Stanley Kubrick’s Full Metal Jacket) but has now become a colloquial term or sarcastic reference to someone owing you a favour. The Board considered that the use of this phrase in the context of an advertisement promoting gambling at the Asia Soccer Cup is not discriminatory against or vilifying to women.

The Board noted that the phrase, “you download” is spoken in an Asian accent but considered that in the context of a promotion for an Asia Cup related product and in conjunction with the Asian style writing on screen this phrase and the way in which it is pronounced is not intended to be negative or demeaning towards people from Asia.

The Board noted it had previously dismissed a similar complaint in case 0297/13 where:

“The Board noted the advertisement features two men dressed in sumo suits whilst an Asian voice over promotes the advertised product.

The Board noted the complainant’s concerns that the use of the Asian accent and the depiction of men in sumo suits is offensive and racist. The Board noted that this local advertisement does not make any comments about people from Asia and considered that the use of the Asian accent is in keeping with the sumo theme of the advertisement.”

In the current advertisement the Board noted the overall humorous and light-hearted tone of the advertisement and considered that consistent with its previous determination the current advertisement did not make any comments about people from Asia and did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of their race or nationality.

The Board 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.