



Case Report

1	Case Number	0126/17
2	Advertiser	Sunco Motors
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/03/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for a Holden Captiva, promotes the vehicle's features and price.

The advertisement features two staff members of Sunco Motors; one is the Sales Manager and the other is in a costume pretending to be Chinese.

THE COMPLAINT

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

This is a racist advert and uses stereotypical characters.

Car dealerships advertising using a white man dressing up and mocking a Chinese man. It's Yellow Face, racist and offensive.

THE ADVERTISER'S RESPONSE

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

Our Dealership regularly advertises cars using staff dressed up in costumes, we have done this on and off for many years and are well known for it. We have used different characters such as Cowboys, Indians, Crocodile Dundee, Dracula, Mexican costume, Austin Powers, Elvis Presley and a Chinese Master costume.

We have never had any negativity from the ads in the past and often get comments on how stupid the characters are but they are always remembered.

Obviously no harm was meant and after reviewing the ads we still feel they are in light humour and are in no way offensive.

THE DETERMINATION

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

The Board noted the complainants’ concerns that the advertisement features a white man dressed as a Chinese man which is offensive and racist.

The Board reviewed 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 television advertisement features a Caucasian man wearing a Chinese Master costume and speaking with a fake Chinese accent.

The Board noted it had previously dismissed a similar complaint about a television advertisement for a different car dealership that featured Caucasians dressed in traditional Indian clothing and speaking with Indian accents in case 0019/14 where:

“...the Board considered that the man is presenting as a stereotypical man of Indian ethnicity and noted that the tone of the advertisement was light-hearted and that the man speaking with an accent is not portrayed in a negative manner.”

In the current advertisement the Board noted that the man’s portrayal of a Chinese Master is playing on stereotypes and a minority of the Board considered that by dressing up in clothing which would have symbolic meaning to Chinese people, the depiction of a Caucasian man wearing this clothing and putting on a fake Chinese accent is making light of this culture in a manner that is negative and is therefore in breach of this Section of the Code.

Following considerable discussion however, the majority of the Board noted the humorous tone to the advertisement. The Board noted it had previously dismissed a similar type of complaint about an advertisement's use of two men dressed as women (0010/17) where:

“The Board noted the complainants' concerns over the use of a man dressed as a woman. The Board noted that it is not of itself discriminatory or vilifying to depict a person dressed as a different gender and considered that in this instance the use of a man dressed as a caricature of a 'Mrs Mop' cleaner is not intended to be offensive to woman or to suggest that this how woman do, or should, look.

The Board noted the complainants' concerns that the advertisement is offensive to older women because it ridicules their dress. The Board noted that the man dressed as a female cleaner is himself an older man and considered that he is intended to be a cleaner and in the Board's view the focus is on the man as a caricature of a cleaner rather than on women, be they old or young.”

In the current advertisement the Board noted 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 Board noted that the advertisement is intended to be light-hearted and humorous and the majority of the Board 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.

Overall the Board 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 race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

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 complaints.