



Case Report

1	Case Number	0143/13
2	Advertiser	Centrecom
3	Product	Information Technolo
4	Type of Advertisement / media	Radio
5	Date of Determination	01/05/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

In the Advertisement a woman is trying to buy a computer however the sales people she talks to respond in French/Chinese/German ie languages she can't understand, like 'geek-speak'. She then talks to an English speaking consultant at CentreCom.

THE COMPLAINT

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

I think this advertisement is racist. It says to me 'don't buy your computer from someone with an accent because you will not get the service you need because you won't understand them' surely this is biasing all sellers of computers who don't have an aussie accent. It seems strange to me that this advertisement was allowed on our airways in the first place. If they were trying to be funny in my opinion they failed.

THE ADVERTISER'S RESPONSE

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

I refer to your email and copy of complaint dated 16 April 2013 concerning the investigation by the Advertising Standards Bureau (ASB) in relation to a complaint received relating to an advertisement for CentreCom (CC).

The Advertisement

The premise of the Advertisement is that CentreCom will answer your questions in a language you can understand, rather than in technical 'geek-speak'.

In the Advertisement a woman is trying to buy a computer however the sales people she talks to respond in French/Chinese/German ie languages she can't understand, like 'geek-speak'.

She then talks to an English speaking consultant at CentreCom thus she can understand ie CentreCom will talk to you in a language you can understand, rather than one you can't.

AANA Advertiser Code of Ethics

The complaint received by the ASB on 16 April 2013 makes reference to the Advertisement being racist due to the woman not being able to understand 'heavily accented men talking in what's meant to be IT jargon...' then being happy with the help of an 'Aussie' accented CentreCom consultant.

The complainant also states the advertisement is racist because 'it says to me don't buy your computer from someone with an accent because you will not get the service you need because you won't understand them.'

Whilst we can understand the complainant's point of view in respect of the Advertisement Nova 100 believes the intent of the Advertisement is not at all racist and that a reasonable listener would understand the intended meaning, being that CentreCom consultants will speak to you in a language you can understand, rather than in technical jargon you can't understand.

It is important to note that Nova 100 does not consider itself strictly bound by the Code, though uses its best endeavours to comply with the Code at all times.

The section of the Code relevant to this complaint is Section 2.1 which provides that:

2.1 Advertising or Marketing Communication 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, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

Neither Nova 100 nor CentreCom believes that the Advertisement is discriminatory nor that it vilifies any person or persons as it merely suggests that someone talking technical jargon to a layman is like someone speaking a foreign language. It does not make judgement against any race or nationality.

For these reasons, we strongly believes that the Advertisement does not breach clause 2.1 of the Code.

Nova 100 and CentreCom value the feedback and will monitor any similar complaints received in the future to ensure that these advertisements are not offensive to a significant proportion of the community.

We would welcome the opportunity to provide any further clarification that the ASB 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 in its suggestion that accents cannot be understood.

The Board reviewed the advertisement and noted the advertiser's response.

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 this radio advertisement features a woman receiving advice on buying a computer and the first three people she speaks to reply in a foreign language before she eventually speaks to someone who replies in English.

The Board noted that the voiceover in the advertisement asks if you would prefer to “talk tech with someone who speaks your language” and considered that the advertisement is not suggesting that you should deal with someone who has an Australian accent but that you should deal with someone who talks the same language as you. The Board noted that the foreign languages used in the advertisement are French, Chinese and German and considered that the advertisement is not portraying these languages in a negative light but is making the point that if you cannot speak them then you cannot understand them.

The Board determined that the material depicted did not discriminate against a section of the community and 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.