



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0178-20
2. Advertiser :	Telstra
3. Product :	Telecommunications
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	10-Jun-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This TV On Demand advertisement begins with an elderly lady receiving a phone call from her daughter. She picks up the call and puts it to her ear to say hello. The daughter is shown sitting on a couch holding the phone away from her face. The daughter can only see her mother's ear because her mother is holding the phone as if it is an audio-only call. The daughter then tells her mother that it is a video call so she needs to "move the phone away from [her] ear". The mother takes the phone away from her ear and declares that she can see her daughter. The advertisement ends with mother and daughter chatting with each other on facetime.

THE COMPLAINT

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

The advertisement portrays older people , specifically older women, as being confused by the idea of a video call. The daughter 'explains' it is a video call and the mother waves when she sees the screen in a way that indicates it is surprising.I am aware that some older people are not as familiar with mobile phone technology as others but this portrayal supports negative stereotypes of older people as inept and easily confused. This contributes to stereotypes that support ageism in the wider society.



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 letter attaching the complaint received by the Advertising Standards Board about Telstra's recent 'Network Stay in Touch' advertisement.

Telstra ('We') is a voluntary member of the Advertising Standards Board and we take great measures to ensure that our advertisements adhere to Australian Association of National Advertisers ('AANA') Code of Ethics ('Code').

For the reasons set out below, we submit that the advertisement does not breach section 2 of the Code and in particular, clause 2.1 (which we assume is the basis on which breach of the Code is alleged, given balance of clause 2 relates to matters which do not arise in the context of the advertisement). We have addressed each of the relevant sections of the Code and we have also included, in attachment, the information requested in your letter.

Description

The advertisement in issue is Telstra's 30 second Networks 'Stay in Touch' Television commercial (TVC). The TVC begins with an elderly lady receiving a phone call from her daughter. She picks up the call and puts it to her ear to say hello. Having used facetime (an audio-visual format) to call her mother, the daughter is shown sitting on a couch holding the phone away from her face. The daughter can only see her mother's ear because her mother is holding the phone as if it is an audio-only call. The daughter then tells her mother that it is a video call so she needs to "move the phone away from [her] ear". The mother takes the phone away from her ear and declares that she can see her daughter. The advertisement ends with mother and daughter chatting with each other on facetime.

Clause 2.1

The purpose and overarching theme of this ad is to highlight the importance of staying in touch with family and being able to see each other even if it is not physically possible to do so. This is especially relevant in current times.

We reject the notion that this advertisement depicts discrimination against the elderly, particularly elderly women. There is no mention of gender in this ad nor is there any implication in the scene that the momentary miscommunication is due to the gender of the featured person. The elderly lady briefly glances at her mobile screen before accepting the call and this is arguably not enough time to consider whether it is an audio or video call. Instead, upon being told that it is a video call, she quickly adapts her screen and continues with the conversation.



Furthermore, we do not believe that we have supported the stereotype of elderly as being inept or confused as the scene of the advertisement shows the elderly lady sitting elegantly dressed and alone at her dining table. We believe this represents her independence and capability of living alone.

We contend that it is not unusual for people of any age to spend a short time on a video call trying to adjust their phone set up to ensure that both people can be seen and heard properly. People of any age can glance at a phone call and put it to their ear without realising that it is a video call. Our entire society has had to quickly adapt to virtual meetings and to the prolific use of video-calling such that depicting momentary difficulty is actually a way of highlighting that technology, while sometimes challenging, is actually accessible to all people.

Other relevant sections of the Code

In adherence with 2.7, the communication is clearly an advertisement showcasing a benefit of Telstra's network and consumers would understand Telstra is promoting the benefit of being a Telstra customer.

This advertisement does not in any way depict material which can be construed as degrading or exploitative. There is no violence in this advertisement, nor any depiction or inference of sex, sexuality or nudity. Neither the voiceover nor actors use any strong language. There is no representation of behaviour which is careless or unsafe or endangers the health and safety of others. Instead, we have portrayed an ad with a clear message showing the importance of connections and the ways in which all our customers can utilise technology, regardless of age or expertise, in order to connect with their dear ones.

Conclusion

This advertisement does not contradict any prevailing community standard on health and safety and we reject the notion that it depicts discrimination or ageism. We contend that a member of the community would likely not see this ad as discriminatory or ageist, rather would consider it a creative and warm advertisement about families using technology to stay in touch with each other.

We trust the above will allow Ad Standards to resolve this matter.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement portrays a stereotype of older people being inept and easily confused, particularly in regard to technology.



The Panel viewed the advertisement and noted the advertiser's response.

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 in the current period of COVID19 and recommendations to stay at home, many people are using unfamiliar technology in order to keep in touch with friends, family and workplaces.

The Panel considered that while the woman in the advertisement is older, she is shown to be dressed well, in a neat home, and there is no suggestion that she is inept or unable to take care of herself.

The Panel considered that being unsure as to whether an incoming call is video or voice is not uncommon and noted that the woman is shown to realise her error quite quickly and move the phone to use the video function. The Panel considered that there is no shame in taking time to learn new technology, and considered that the woman is depicted in a relatable technology misunderstanding.

The Panel considered that the representation of the woman does not show her to receive unfair or less favourable treatment as a result of her age. Nor is the representation of the woman a depiction which humiliates, intimidates, incites hatred, contempt or ridicule for the woman in the advertisement or for older people in general.

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 age 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.