



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

| | | |
|---|-------------------------------|-------------------------|
| 1 | Case Number | 0181/19 |
| 2 | Advertiser | Telstra Corporation Ltd |
| 3 | Product | Telecommunications |
| 4 | Type of Advertisement / media | TV - Free to air |
| 5 | Date of Determination | 10/07/2019 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children
- 2.6 - Health and Safety Unsafe behaviour
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a girl saying, "When 4G came along, we weren't ready. For selfies, emojis, hashtag OMG. The swipe right, Skype, talking to strangers, strangers bringing you things or binging 'Stranger Things. Yeah, 4Gs been amazing but now 5G is here. You might not think you're ready for it. But you are."

THE COMPLAINT

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

This ad talks about "connecting with strangers", and "strangers bringing you things" and how "we may not think we're ready for this but we are". The ad is spoken by a child and this is exactly against what parents are trying to teach their children. Parents are trying to protect their children from strangers on social media. I was shocked & outraged by this ad. It should be removed immediately. Please do not hesitate to





contact me if you require any further explanation.

I object to the commercial because on some versions of the advertisement there is a young child's voice over it and it talks about swiping right and talking to strangers. Swiping right refers to a mobile app that people use for dating and booking up, which children should not be using, this is highly inappropriate. The line "Talking to strangers" gives children the impression that it's okay to use the Internet to talk to strangers, considering the vulnerability of our youth on the Internet, again highly inappropriate and putting children at risk.

The young girl promotes one of the benefits of 4G as being the ability to communicate with strangers. After years of trying to educate young people of the importance of being safe online, the messages in this advertisement are irresponsible and dangerous to children. It could be interpreted differently by discerning viewers but young children exposed to this ad will pick up superficial cues, which is very dangerous.

As a police officer who educates students at schools about the dangers of online predators I am disgusted that Telstra 5G ads depict a young girl talking about how great it is to talk to strangers. What message are we sending our kids? How many kids will watch this ad and then think it's ok to talk to strangers online and then be groomed by a predator. It is extremely irresponsible of Telstra.

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 letters attaching complaints received by the Advertising Standards Board about Telstra's '5G Launch TV' Advertisement.

Telstra ('We') is a voluntary member of the Advertising Standards Board and we take community standards very seriously. We take a lot of care to ensure that the preparation and publishing of our advertising material is not just compliant with the AANA Advertiser Code of Ethics ('Code') but that we set an industry standard.

We have set out below responses to each of the sections of the Code to assist with your consideration of the advertisement under complaint at your upcoming meeting. We have also included, in attachment, the information requested in your letter. For the balance of the complaints, we have addressed these individually below. Our belief is that the complaints refer most particularly to an alleged breach of clause 2.6 of the Code and therefore, the other sections referenced are only addressed in brief.

In short, we understand the perspective brought through the complaints and are want to assure Ad Standards that we in no way seek to encourage unsafe online behaviour.



We are therefore looking at how we might present the advertisement differently. Ultimately however we believe that the content and context of this advertisement is such that it does not breach any of the advertising standards referenced.

Telstra 5G Launch TV Advertisement

This advertisement is a 15" or 30" spot that introduces our 5G network technology. It does this through a retrospective montage of the ways in which 4G technology has changed the way we communicate and use technology like the way in which we now order transport, food, ask questions and even share our experiences. It depicts popular technologies that Australians are so familiar with that they are shown only by implication and yet immediately invoke their representation.

2.1 - Discrimination or vilification

2.2 - Exploitative or degrading

2.3 – Violence

This advertisement does not in any way discriminate, exploit, degrade or depict material which vilifies a person or section of the community. Vilification is aggressively disparaging speech or writing and nothing in this 5G advertisement negatively portrays a person or even a section of the community based on their race, sexuality or any other intersectionality.

There is no violence in this advertisement – justified or otherwise by the product or service. Neither the voiceover or situational context of the ad, in any way shape or form, present or portray violence.

2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

This advertisement does not sexualise children. The teenager in this advertisement is shown in a swimsuit during the summer using a popular social media platform.

In Australia, it is common as a teenager to wear a swim suit in the summer at the beach. There is nothing provocative in this photo and any reasonable member of the community would not think it unusual for a young woman to take a photo of herself during the summer at the beach. We believe that the implication that this young woman is being 'sexualised' for wearing entirely appropriate clothing to the beach is contrary to our community values and what most Australians would consider normal behaviour.

The ad also references 'the swipe right' and clearly depicts three adult women sitting in a café using an app to swipe right. While the implication is to a popular dating app, this is an implication only available to someone who is familiar with the application. The application is only available to users over the age of 18 – children are not able to create an account if they are not 18. To suggest that this action encourages children to use an online dating app in an inappropriate way, is we believe not born out by the



context of the advertisement.

*2.6 - Health and Safety Unsafe Behaviour, within prevailing Community Standards
The complaints raise the issue that the advertisement encourages children to talk to strangers. In the context of the advertisement and with the visual representation, we are very clearly depicting normal use of technology – ordering a car or ordering food.*

It is our belief that the advertisement showcases entirely appropriate activities and in no way undermines key online safety messages for children. The context of the advertisement is important. In the context of the ad Siri is the stranger being referred to. Most people would have had an experience with Siri or similar. Calling a publicly advertised business to order takeaway food is talking to a stranger but not in a context that is likely to put a child in harm's way.

This is clear to an ordinary person that this is not grooming or encouraging unsafe online behaviour. The visuals clearly depict normal use cases of technology and more importantly, we visually depict the appropriate audience for those use cases. All these apps – including Tinder and Uber– require users to be over 18 either explicitly or by virtue of a requirement to input a credit card (which you cannot procure without being over 18). The 'stranger' referenced in this app is Siri, Apple's virtual assistant. Siri is overheard announcing to the gentleman that he has only run 5kms. This 'stranger' is a virtual assistant – an artificial intelligence built into every Apple product. The concept of 'talking' to a stranger, or AI is clearly intended to reference the proliferation of artificial intelligence into our everyday lives.

Finally, we clearly depict adults utilising these applications where the app requires the user to be over 18.

The use of a young child's voice in the voice over is intended to be emblematic of 5G's infancy and that just like 4G, we developed use cases for it over time. The voice over is intended to evoke a nostalgia for the audience of their youth when 4G first arrived and over time, the way in which it has transformed the way in which we communicate, procure services and even live. The voice over functions like an omniscient narrator rather than a participant in any of the situations depicted in the advertisement. As a result, there are never children depicted in unsafe situations visually.

While the safety of children is paramount, we do not believe this ad promotes unsafe behaviour by children. Instead, what this ad does is provoke an important corollary conversation in our community about living in the 21st century and technology. This advertisement encourages a nuance to that conversation which is so critical in our community and to our children, as well.

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 noted the complainants' concerns that the advertisement:

- promotes young children and teenagers talking to strangers;
- undermines internet safety messages and stranger danger messages taught to children;
- the advertisement sexualises children through the concept of 'swiping right'.

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

The Panel considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Panel noted the complainants' concern that the advertisement used a child's voice to describe the action of 'swiping right' in relation to 4G and that this was inappropriate as this is an adult concept relating to dating and hooking up.

The Panel noted that there are two versions of this television advertisement features a young girl's voice over describing all the things that people have been able to do with 4G and that they are ready for 5G.

The 30 second version features the girl saying, "When 4G came along, we weren't ready. For selfies, emojis, hashtag OMG. The swipe right, skype, talking to strangers, strangers bringing you things or binging 'Stranger Things. Yeah, 4Gs been amazing but now 5G is here. You might not think you're ready for it. But you are." As the girl lists each thing we see one of her family members completing a related action. For 'swipe right' two adult women are seen to be looking at the Tinder app on a phone with one swiping right on an image of a 19-year-old male. For 'talking to strangers' we see a man pausing on top of a bridge while jogging and an automated voice on his phone states he has 5km to go. For 'strangers bringing you things' we see a delivery person handing food to a woman and her son at the door of their house.

The 15 second version of the advertisement features the girl saying "From selfies, to emojis, to swipe right, to skype, 4G changed our world, imagine what 5G will bring". As the girl lists each thing we see one of her family members completing a related action. For 'swipe right' two adult women are seen to be looking at the Tinder app on a phone with one swiping right on an image of a 19-year-old male.

The Panel considered that both versions of the advertisement featured the young girl saying 'swipe right' and the vision of the adult women using Tinder.



The Panel considered that the advertisement was given a 'G' rating by ClearAds and the relevant audience would therefore be broad and would likely include children.

The Panel considered that the two women in the advertisement are clearly adults, and the profile of the male they are looking at on Tinder is 19.

The Panel considered that the young girl is not shown to be using a dating app, and the use of the term 'swipe right' is in itself not sexualised. The Panel considered that swipe right could be referring to the way many things are accessed on phones, such as photos, but in this advertisement it was in the context of an adult family member using Tinder. The Panel considered that the concept of a dating app in itself is not sexual.

The Panel considered that there was no sexual imagery or themes in the advertisement and the child was not depicted as a sexual being.

In the Panel's view the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did not breach Section 2.4 of the Code.

The Panel considered whether the advertisement complied with Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Panel noted the complainants' concern that the advertisement undermined important safety messages relating to internet safety and stranger danger.

The Panel noted the advertiser's response that the stranger referenced in the ad is Siri, Apple's virtual assistant and is intended to represent the proliferation of artificial intelligence into everyday lives.

The Panel considered that the references to strangers are only in the 30 second version of the advertisement.

The Panel acknowledged that there is strong community concern relating to the way children and teenagers use the internet and the potential for them to be speaking to strangers online.

The Panel first considered the phrase 'talking to strangers' was clearly in the context of the girl's father being told by an automated voice on his phone how much further he had to run. The Panel considered that most members of the community, including children, would be familiar with artificial intelligence programs that they can speak to, such as Siri or Alexa, and that the stranger referenced in the advertisement was not a



real person. The Panel considered that most members of the community would not consider it unsafe to promote the use of common artificial intelligence programs. The Panel considered that the advertisement did not depict, promote or condone children speaking to strangers, particularly in an online environment.

The Panel then considered the phrase 'strangers bringing you things' which was clearly in the context of a meal delivery service. The Panel considered that the mother was seen to open the door to the delivery person and a teenage son took the food. The Panel considered that most members of the community would be familiar with meal delivery services and would not consider the use of them to be unsafe. The Panel noted that the line was said by a child, but considered that it was clearly in the context of an adult having ordered food and the food being delivered to the family home by a person who is not normally known to the family, and that this would not be against prevailing community standards on health and safety.

The Panel considered the overall effect of the two advertisements listing the various things that 4G has enabled people to do on their phones and considered that the overall effect of the advertisement does not suggest that the young girl in the advertisement is engaging in unsafe behaviour.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety regarding safe use of the internet or stranger danger. The Panel determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

