



## Case Report

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|----------|--------------------------------------|---------------------------------------|
| <b>1</b> | <b>Case Number</b>                   | <b>0198/13</b>                        |
| <b>2</b> | <b>Advertiser</b>                    | <b>Sunshine Coast Daily Newspaper</b> |
| <b>3</b> | <b>Product</b>                       | <b>Media</b>                          |
| <b>4</b> | <b>Type of Advertisement / media</b> | <b>TV</b>                             |
| <b>5</b> | <b>Date of Determination</b>         | <b>26/06/2013</b>                     |
| <b>6</b> | <b>DETERMINATION</b>                 | <b>Dismissed</b>                      |

### ISSUES RAISED

2.1 - Discrimination or Vilification Nationality

### DESCRIPTION OF THE ADVERTISEMENT

The commercial presents four vignettes: a chef and a customer eating in his restaurant, two young eager first home owners moving in, an attractive woman flirting with an awkward man and two businessmen sealing a deal. In each vignette, a newspaper article is superimposed over the characters, demonstrating the troubles that can occur if you neglect to read the local newspaper.

### THE COMPLAINT

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

*The above mentioned extract from the advert sends wrong message to the public portraying Russian women, perhaps women from former USSR countries, in a very poor way, as if that's what those women do, the advert promoting a huge not very nice stereotype about eg. Russian women (particularly). To some expats from Russia, Ukraine etc this advert sounds, feels and looks bad, not fair, discriminatory, stereotypical, sends wrong messages to public, kids, people of other nationalities and backgrounds. Was quite unexpected to see this sort of advert coming from the local newspaper, where there is a huge multi-cultural community that newspaper is trying to portray some of the members of the community in a very poor way. I was born in Ukraine, I lived and worked in NZ before I moved and settled with my family here in Australia. I embraced the culture and respect every nationality, backgrounds and cultures. It's a shame to see that newspaper is portraying people from my country like this. Not all of people are like that. The newspaper should support the diversity of the community,*

*and avoid stereotyping, discriminating and in some way humiliate some nationalities etc.*

## **THE ADVERTISER'S RESPONSE**

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

*We take the AANA Code of Ethics very seriously and regret that our advertisement has caused offence to one viewer. The advertisement, however, was not made with that intention. For the following reasons, we do not believe that the advertisement would offend the prevailing community standards nor that it is a violation of section 2 of the Code of Ethics.*

*The campaign*

*In May 2013, we introduced a campaign to advertise our local newspapers. Central to this campaign is the concept 'Essential.' The campaign positions its local newspapers as being 'essential' to local living.*

*Part of that campaign is the advertisement the subject of the complaint. The advertisement highlights, in a comedic and light-hearted nature, the trouble you may get into if you do not read the local newspaper. There are four amusing scenarios presented in the thirty second advertisement. In each, the scene is set before a newspaper article is superimposed over the scene, each indicating a particular danger in not having such local knowledge.*

*The advertisement*

*Each of the 4 scenes only appears for several seconds. In order to quickly convey the central theme in each of the scenes, specific 'casting' was used to quickly build the scenario in the viewers' mind and generate the humour. Thus, there is a Japanese chef in a sushi restaurant, two young eager first home owners, an attractive lady flirting with an awkward man, and two cheesy businessmen.*

*Discrimination of nationality*

*The portrayal of the woman in the scene at the centre of the complaint is intended to be a light-hearted and humorous way to demonstrate the specific knowledge that a local newspaper can deliver. As such, the advertisement uses a headline that could easily appear in a newspaper, along with a comical vignette of that headline. In this case, the headline was: 'Russian Expat Swindles Lonely Men.' Any nationality could have been used however for this scene a 'Russian' woman was selected and the first scene a Japanese chef/restaurant was selected.*

*Further, the headline 'Russian Woman' (as opposed to 'Russian Women') and the depiction of a specific individual woman means that the reference in the advertisement is to that particular woman who happens to be Russian, rather than indicating that Russian women generally seek to swindle men. This is further reinforced by the further wording under the headline which refers to "this woman". There is therefore no discrimination towards, or vilification of, the Russian nationality generally or Russian women generally.*

*We submit that the community would generally understand the humour in the light-hearted scenes, and that the nationality of the woman was irrelevant except to the extent that people's nationalities are often referred to in newspaper articles and headlines.*

*Discrimination of race or ethnicity*

*We note that the woman is wearing ordinary clothes and that the superimposed words in the advertisement say: 'Russian Expat.' Although the woman could be described as generally 'European' in appearance, the inclusion of the word 'Russian' prevents any interpretation that the advertisement applies to a particular race or ethnicity. In any event, we would submit that the same arguments apply as above in respect of nationality.*

### *Cross-culture scenarios*

*Rather than discriminating against nationalities, races or ethnicities, one could argue that the advertisement celebrates their inclusion in Australian culture. In creating the advertisement, varied nationalities were deliberately chosen. There is a Japanese chef in a sushi restaurant, young Australians moving into their new house, a Russian woman and generic businessmen.*

*The ethnicities or nationality of any of these characters could have been changed without affecting the humour of each vignette, provided the characters were still easily and quickly recognisable.*

*By way of example, a restaurant serving food from another country could have replaced the Japanese sushi train and a female expat from any other country could have replaced the Russian woman.*

*We believe that people would understand this and take the advertisement as light-hearted humour rather than offensive or discriminatory towards any particular race, ethnicity or nationality.*

*We respect the multicultural aspect of Australia and the communities in which we publish our newspapers. We did not in any way intend to convey any offence, but convey a light hearted humorous commentary about the advantages of reading a local newspaper.*

*We do not believe that the advertisement discriminates against any nationality, race or ethnicity.*

*We believe that the advertisement is not in breach of Code of Ethics or contrary to the prevailing community standards.*

*We thank you for your consideration of our submissions.*

## **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 depicts Russian women in a manner which is discriminatory and not appropriate.

The Board viewed 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...nationality...”

The Board noted that the advertisement depicts different scenarios with newspaper headlines superimposed over them to highlight that if you read the local paper regularly you will be aware of current affairs and may be able to avoid finding yourself in unpleasant situations.

The Board noted that one of the headlines used in the advertisement reads, “Russian expat swindles lonely men” and that the accompanying images show a man on a park bench being joined by a woman. The Board noted the complainant’s concerns that the advertisement is promoting a negative stereotype about Russian women and that the advertiser had responded to say that any nationality could have been used for that headline.

The Board noted that the subheading of the story was, “You may want to think twice of you are propositioned by this woman” and considered that the use of the term, “this woman” suggests that it is one woman who is swindling men and not Russian women in general. The Board noted that the woman used in the advertisement is of European appearance and considered that whilst she is intended to represent the woman referred to in the headline, she is not intended to represent all Russian women.

The Board noted the explanation in the advertiser’s response that the fictitious article relates to a specific woman, not at Russian women in general. The Board considered that the advertisement is not suggesting that all Russian women “swindle lonely men” and that the advertisement does not present or portray material which discriminates or vilifies people on account of their 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.