



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0252-19
2. Advertiser :	Crimsafe
3. Product :	House Goods Services
4. Type of Advertisement/Media :	Radio
5. Date of Determination	21-Aug-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features a male voice over stating, "G'day it's Kimmy's Dad, Bloke who works for me – Jeff – is from England Nice fella, except when it's over 28 degrees Then he's carryin' on like a pork chop... 'Oooooo it's so hot'. And I say, 'Toughen up Jeffrey. Got me thinkin'. Crimsafe's really tough ... It can withstand up to seven times the impact level required by the Australian standard. Hear that Jeff? Put your big boy pants on. Crimsafe. Built tough for a tough country. That's why, if it's not Crimsafe, it's not crim safe dot com dot au"

THE COMPLAINT

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

Racist Content. Disparaging remarks about a character based on their nationality. Referring to British people in a condescending and insulting manner, in regards to their complaining about hot weather "over 28 degrees".



THE ADVERTISER'S RESPONSE

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

We're disappointed and saddened to hear that one of our advertising commercials has been negatively perceived. Crimsafe makes every effort to be socially responsible and well humored with all materials it uses in advertisements. It has never been our intention to alienate, discriminate or create any such impression.

Crimsafe has advertised via Radio for a number of years, with the Kimmy's Dad character established for over 14 years as part of this strategy. Kimmy's Dad is known as, and has been scripted to be, humorous, colloquial and engaging via a direct form and repeated form of delivery - the method used is to establish a problem, relate to a personal situation, deliver a solution. This has been extremely successful and to our knowledge, has never been accused of discrimination before. Feedback received as to our approach has identified Kimmy's Dad as relatable, light-hearted and genuine.

The ad in question is one of many in a sequence following the character's story arc - ad's are typically played for a maximum of 2-3 weeks and then not repeated. The ad in question was played for a 2 week period, with its final airplay on 31/7/19. It has not been played since and is not scheduled to be played again.

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement is racist and makes disparaging remarks about a character based on their nationality.

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

The Panel noted that this radio advertisement references a man from England who complains when the temperature is over 28 degrees.

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 of the Code which provides the following definitions:



“Discrimination – unfair or less favourable treatment
Vilification – humiliates, intimidates, incites hatred, contempt or ridicule”.

The Panel noted the complainant’s concerns that the advertisement is racist, refers to British people in a condescending and insulting manner, and makes disparaging remarks about a character based on their nationality.

The Panel considered that the reference to the man is in relation to him complaining about the weather, not the fact that he is English. The Panel considered there is no comment about English people other than identifying that ‘Jeff’ is English. The Panel considered that there has been recent news coverage about the temperature in England and how the residents are handling it, and considered that this has resulted in many Australians feeling smug or commenting on them needing to ‘toughen up’, as Australians are typically used to higher temperatures and 28 degrees is generally considered a nice temperature.

The Panel considered that this is not a reflection on English people due to their nationality, but rather an attitude that would be present to any person complaining about temperatures of 28 degrees.

The Panel considered that the advertisement does not depict the English or the English culture in a manner that is unfair nor in a manner that would be likely to humiliate or incite ridicule. The Panel determined that the advertisement does not discriminate against or vilify a person or section of the community on account of nationality or race.

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