



Case Report

1	Case Number	0263/16
2	Advertiser	Anyinginyi
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/06/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features puppets highlighting the dangers of drinking alcohol while pregnant. A boy explains he has FASD as a result of his mother drinking beer when pregnant with him, and then the mother expresses her regret as she didn't realise the beer she drank was also being drunk by the baby she was carrying. The final screen shows the Aboriginal flag and the text, "Anyinginyi Health Aboriginal Corporation".

THE COMPLAINT

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

Why the Stereotype? Why don't they do a Person who is speaking in, say, - Dutch? Or. A person who speaks in, say, - Russian ? Spanish anyone? Why not Polynesian, - Maori? Tongan or Samoan?? You could even go for the Odd Brazilian?

I Detest that they should be attempting to speak in an Original tribes language and so much shame on them for doing this!

THE ADVERTISER'S RESPONSE

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

The Complainant states stereotyping and requests advertising in other non-Aboriginal or non-English speaking versions.

*Anyinginyi Health Aboriginal Corporation is an Aboriginal Community Controlled Health Service with objectives of culturally responsive services and programs on Primary Health Care for Aboriginal people of the Barkly Region in the Northern Territory.
www.anyinginyi.org.au*

Anyinginyi's FASD program is supported both by the Northern Territory and Commonwealth Governments and Foundation for Alcohol Research in funding of resources and staffing to address language speaking public health education on the dangers and potential consequences of consuming alcohol while pregnant.

The 60 second and 30 second Foetal Alcohol Spectrum Disorder (FASD) television advertisements were created in partnership with Imparja Television in 2013 to primarily reach the Aboriginal communities of the Barkly Region, we understand Imparja's televised footprint reaches other areas.

These advertisements were created by Aboriginal people and are spoken by Aboriginal people including the English speaking versions as attached, the advertisement also in DVD version has been interpreted into three different Aboriginal languages Warlpiri, Warramungu and Illuwarrya. English for some Aboriginal persons is a third and fourth language and these languages are spoken throughout the Northern Territory and central South Australia.

Anyinginyi Health is unaware of the level of FASD in North Shore Sydney and outer western suburbs and would support the complainant's request for other ethnicity language versions, as FASD is a devastating and permanent illness which is not limited to the Aboriginal population. Given the recent non Aboriginal family FASD story on Gold Coast Health keen to expand FASD services in Queensland, it is hoped State and Territory Governments will see FASD a priority of pre pregnancy and ante natal care needing to be known by all persons embarking on potential parenthood.

Anyinginyi Health is happy to discuss any of our services with any members of the public and welcomes the complainant to seek further information at any time.

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 people attempting to speak 'original tribes language' which is offensive and that plays on a stereotype that Aborigines have FASD and makes no mention of other ethnicities who can also have this condition.

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

The Board 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 Board noted this television advertisement features puppets highlighting the dangers of drinking alcohol while pregnant, focusing on Foetal Alcohol Spectrum Disorder (FASD).

The Board noted the advertiser's response that the Anyinginyi Health Aboriginal Corporation is an Aboriginal Community Controlled Health Service and that the voices used in the advertisement belong to Aboriginal people. The Board considered that it was appropriate for an advertisement made by, and for, Aboriginal people to feature Aboriginal voices and considered that this use of Aboriginal voices was not discriminatory. The Board noted that the use of puppets to present the important message and considered this was a sensitive way of dealing with a particularly important community issue.

The Board noted that FASD can affect any child whose mother drinks while pregnant but considered that in the context of an advertisement created by and for an Aboriginal community it is not discriminatory to focus on the effects of this disorder on the Aboriginal community.

The Board 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 their race or ethnicity.

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.