



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0301/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Centralian Motors</b>
<b>3</b>	<b>Product</b>	<b>Vehicle</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/08/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Race

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man declaring war on car prices, with his voice out of sync with the movement of his mouth. The writing on screen is in English in a 'Kung Fu' font and also in what appears to be Japanese text. A woman also appears on screen and they both take turns in reading out pricing options for various vehicles.

## THE COMPLAINT

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

*The ad is offensive as it mocks Japanese culture with the use of font, the sound effects, and the delayed synchronisation in part of the ad of the speech and the lip movement of the man.*

*The ad plays on offensive stereotypes of 'Asian culture' and is racist.*

*The ad is overlaid with so called 'wonton font' with the prices of the vehicles. The ad also displays the word "War" with what appears to be either Japanese or Chinese ideographs above the word.*

## THE ADVERTISER'S RESPONSE

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

*Our brief to the media producer (Bellette) was to have a quirky style of ad that draws attention to the TVC, to run (be aired) for upto 8 weeks, there was/is no intent to only have white people featured (just happens that white is our skin colour) - there is no intention to supposedly mock Japanese people as the TVC is based (loosely) on Kung Fu (Chinese) style for the 1970s - it is my firm belief that the TVC does not mock any culture, create a war scene or be racist to any culture and at very worst the TVC may just make "us" look silly*

## **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 concern that the advertisement is offensive as it mocks Japanese culture.

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 that this television advertisement features a man and a woman – the owners of the car sales yard. The couple are shown alternatively “declaring war” on car prices. The voiceover describes the deals being offered and throughout the advertisement there are kung fu style noises heard and the text reflecting prices etc is written in a red oriental style of font. The Board noted it had previously dismissed similar complaints in case 0297/13 and in case 0003/13 where:

“The Board noted that the advertisement features a cartoon depiction of a Japanese karate master promoting a ‘big price chop’ sale for Radio Rentals/RT Edwards.

The Board noted that the cartoon features of the Japanese character have been exaggerated and considered that this is not inappropriate in a cartoon. The Board considered that the cartoon depiction does not of itself amount to a depiction which would be considered demeaning by most reasonable members of the community.

The Board noted that the character speaks in a strong Asian accent and considered that this is in keeping with his Japanese appearance and again does not amount to a depiction which would be considered demeaning by most reasonable members of the community.

The Board noted that the advertisement is a stereotypical depiction of a Japanese karate master but considered that there is nothing in the depiction which is demeaning or negative and that the overall tone of the advertisement is light-hearted.

The Board considered that the advertisement does not depict an Asian person in a manner which would be considered racist by most reasonable members of the community.”

In the current advertisement the Board noted the advertiser’s response that the advertisement was intended to be loosely based on 1970s Kung Fu style television and that there was no intention to mock any culture.

The Board noted that there is no reference to Kung Fu or to Asian cultures specifically and agreed that the sounds in the background were intended to draw the attention of the viewer, and to highlight the cutting (or chopping) of prices and the war on car prices.

The Board considered that the references to war were not directed at a particular person or section of the community and the use of Kung Fu noises or a relationship to Kung Fu fighting did not amount to a depiction that was negative or demeaning and did not discriminate against or vilifies a person or section of the community on account of race.

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.