



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

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0309-19
2. Advertiser :	QLV
3. Product :	Health Products
4. Type of Advertisement/Media :	Radio
5. Date of Determination	25-Sep-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the voiceover:

(Woman speaking) There are some thing you can put off til later. Like dinner with the McDougalls from next door.

(Scottish accent) You have to come over and try the wee wife's famous haggis.

(Woman speaking) Ugh. And there's some things you can't put off until later, like laser vision correction. That's because your eyes change over time. And while you may be suitable for the procedure now, you might not be later. Don't wait till it's too late.

Book a free vision assessment with the pioneers in corrective eye surgery. Call Queendland Laser Vision. Visit qlv.com.au

THE COMPLAINT

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

The advert uses racist stereotyping to advertise their product. The advert makes stereotyping fun of a Scottish family that lives next door. Why would it be considered acceptable to be racist towards Scots? If this advert were to use certain other ethnic groups it would be wholly unacceptable. I therefore do not accept that racist stereotyping should be used against any nationality or race.



THE ADVERTISER'S RESPONSE

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

Queensland Laser Vision's current radio ad campaign was written and produced by Nova 106.9 in 2017 and has been running since that time.

The brief was to convince listeners that putting off Laser Vision Correction till a later date could mean that they may not be a viable candidate as eyes change over time.

In response, Nova wrote a campaign of radio commercials themed around things you CAN put off till later, while highlighting Laser Vision Correction is something you should do right now.

One of these commercials used an example of deferring eating Haggis (a well known acquired taste that many treat with trepidation).

It would only make sense in the commercial that the people offering to cook this dish were Scottish.

Not at any stage did QLV or Nova intend to negatively stereotype anyone on racial grounds. We used a well-known fact, that not many people look forward to eating a meal cooked inside a sheep's stomach (a task most would prefer to put off till later if given the choice.)

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 viewed the advertisement and noted the advertiser's response.

The Panel noted the complainant's concern that the advertisement uses racist stereotyping and mocks a Scottish family.

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 provides the following definitions:



“Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.”

The Panel noted the complainant’s concern that the advertisement uses racist stereotyping and mocks a Scottish family.

The Panel considered that the advertisement’s tone is light-hearted and humorous and that the neighbour’s portrayal of Scottish accents is not mocking but is consistent with a heavy Scottish accent, and he is depicted as Scottish.

The Panel considered that use of another nationalities’ accent is not, of itself, discriminatory or vilifying. The Panel considered that the accent used in the advertisement is not excessively or deliberately false, and considered that most members of the community would not interpret the portrayal to be mocking the Scottish accent.

The Panel noted that the advertisement uses the consumption of haggis as an example of something that people could put off, in order to highlight that Laser Vision Correction is not something that can be delayed. The Panel considered that most members of the community would consider using a Scottish accent in conjunction with the reference to haggis to be reasonable, and the Panel considered that the advertisement does not depict the Scottish people or the Scottish culture in a manner that is unfair nor in a manner that would be likely to humiliate or incite ridicule.

The Panel 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 nationality and determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.