



Case Report

1	Case Number	0375/14
2	Advertiser	iiNet
3	Product	Telecommunications
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/09/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Nationality
- 2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

The 'Romania' TVC depicts well known iiNet character 'Finn' presenting a slide show of Romania. A man in a Dracula costume is laying in a coffin next to Finn. As Finn points to a slide of a famous Romanian cliff-face sculpture, followed by a slide of two running horses and then a slide of an old car being towed on a horse and cart, Finn explains that Romania is "the timeless home of this thing ... [the rock sculpture] ... Dracula ... fast horses ... fast horse-cars ... and a faster average internet speed than Australia". At this point the slide show depicts a bar graph comparing the internet speeds of Romania and Australia. The graph's y axis is labelled with the humorous measurement "Awesomeness". The Romania bar is almost full, while the Australian one is pitifully low. Dracula, then sits up from his coffin and exclaims "Australia's internet sucks!" After introducing iiNet's NBN plans, Finn beseeches the audience to get Australia up to speed by connecting to the NBN, noting that "it's a matter of national pride".

THE COMPLAINT

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

I believe there should be a another way to convey that your internet is fast other than bad mouthing other countries.

Let alone that the info is not true. The internet in Romania is known to be one of the fastest in the world.

*Please help to stop iinet using this commercial
Thanks*

The advert characterises the country of Romania as backwards and inferior to Australia by showing agrarian rural imagery and visual and oral stereotypes (including accents and music). Viewers are told that even this country, which is positioned as "inferior", has better internet speeds than Australia - a fact which is suggested is shameful and one which the iinet company will attempt to fix. This advertisement is racism, pure and simple, dressed up as comedy.

THE ADVERTISER'S RESPONSE

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

1. THE ADVERTISEMENT

The complaint relates to a television commercial (TVC) which aired during July- August 2014, currently viewable online at <https://www.youtube.com/watch?v=yymWTWhV3t8>. The TVC is part of a wider campaign in which iiNet appeals to Australians' good natured sense of rivalry with other countries by pointing out that Australia's average internet speeds are currently inferior to other countries and that Australia needs to get up to speed as a matter of national pride.

The 'Romania' TVC depicts well known iiNet character 'Finn' presenting a slide show of Romania. A man in a Dracula costume is laying in a coffin next to Finn. As Finn points to a slide of a famous Romanian cliff-face sculpture, followed by a slide of two running horses and then a slide of an old car being towed on a horse and cart, Finn explains that Romania is "the timeless home of this thing ... [the rock sculpture] ... Dracula ... fast horses ... fast horse-cars ... and a faster average internet speed than Australia". At this point the slide show depicts a bar graph comparing the internet speeds of Romania and Australia. The graph's y axis is labelled with the humorous measurement "Awesomeness". The Romania bar is almost full, while the Australian one is pitifully low. Dracula, then sits up from his coffin and exclaims "Australia's internet sucks!" After introducing iiNet's NBN plans, Finn beseeches the audience to get Australia up to speed by connecting to the NBN, noting that "it's a matter of national pride".

2. THE COMPLAINT

The complaint states:

"I believe there should be a [sic] another way to convey that your internet is fast other than bad mouthing other countries. Let alone that the info is not true. The internet in Romania is known to be one of the fastest in the world."

Based on this complaint, the ASB has indicated that the TVC may breach section 2.1 of the AANA Code of Ethics (Code) on the grounds that it discriminates against, or vilifies a person

or section of the community on account of race, ethnicity or nationality.

3. RESPONSE TO THE COMPLAINT

Section 2.1 of the Code

iiNet strongly refutes any allegation that the TVC breaches section 2.1 of the Code. The TVC went through an extensive internal and external approval process prior to being released – at no stage were any concerns over discrimination or vilification raised or perceived.

From the complainant’s statement “the info is not true. The internet in Romania is known to be one of the fastest in the world” it is apparent that the claimant has misunderstood the entire premise of the TVC. The complainant appears to believe that the TVC is ridiculing the speed of Romania’s internet. On the contrary, Romania’s internet speeds are depicted in the TVC as being high on the ‘Awesomeness’ scale. The very point of the TVC is that Romania’s internet is superior to Australia’s and that Australian’s should aspire to be more like Romania in this regard. With Dracula’s taunts that “Australia’s internet sucks!”, the TVC mocks Australia, not Romania.

Many countries share friendly rivalry over sporting events, accents, and cultural cues. In Australia, competition with other countries is a national past time, (note for example, the rivalry between New Zealand and Australia). Using internet speeds in a humorous way, as a point of comparison is not meant to create cultural offense and is certainly not intended to invite discrimination or vilification of any person. iiNet does not believe that reasonable members of the community would interpret this TVC as doing so.

Sections 2.2 to 2.6 of the Code

For the sake of completeness iiNet notes that the TVC does not:

- employ sexual appeal in a manner which is exploitative and degrading (or in any way) (Section 2.2);*
- portray any violence (Section 2.3);*
- contain any depictions of sex or nudity or raise the issue of sexuality (Section 2.4);*
- contain any profane or offensive language (Section 2.5); or*
- contain any material that a reasonable person could consider to be contrary to prevailing community standards on health and safety (Section 2.6).*

Accordingly, the advertisement is clearly compliant with sections 2.2 to 2.6 of the Code.

Conclusion

Whilst iiNet regrets that the complainant has taken personal offence to the TVC, for the

reasons set out above, we do not believe that there has been any breach of the AANA Code and we request that the complaint be dismissed.

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 implies Romania is an inferior country to Australia and is racist and offensive.

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 the advertisement features a man ‘Finn’ presenting a slide show on Romania. A man in a Dracula costume is laying in a coffin next to Finn. Finn points to famous monuments etc in Romania and then shows a chart comparing the internet speeds of Romania and Australia. The audience is asked to get Australia up to speed by connecting to the NBN, noting that “it’s a matter of national pride”.

The Board noted that it had recently considered complaints about similar advertising for iiNet that used Slovakia as the comparative country (0320/14 and 0321/14):

“The Board noted that the focus on the advertisement is the relative internet speeds of Slovakia and Australia and considered that there is no suggestion that one country is better or worse than the other, rather that Slovakia, a small European country, has faster internet speeds than Australia which is larger.”

The Board noted in this case the complainant’s concern that the advertisement depicts Australia as superior to Romania. The Board noted that one of the slides shown by the presenter shows that internet speed in Romania as faster than that of Australia. The Board noted that the Romanian man’s response to this claim is “Australia’s internet sucks!” Consistent with its decision in cases 0320/14 and 0321/14, the Board noted that the focus on this advertisement is the relative internet speeds of Romania and Australia and considered that there is no suggestion that one country is better or worse than the other, rather that Romania as a small European country, has faster internet speeds than Australia. The Board considered that the advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community 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.

