



Case Report

1	Case Number	0399/10
2	Advertiser	Holeproof
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	13/10/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

Set in Africa, a Caucasian man has joined the Kalahari tribe and comfortably thinks he is one of them. He fully immerses himself in their way of life, hunting, eating game from their hunt around the camp fire and talking in the Kalahari dialect. After settling down for the night he takes off his Explorer socks and then realises his Explorers have taken him on this amazing adventurer with an African tribe. He then calls home to his mate and says "It's happened again, I think I am in Africa" implying that his Explorer socks have taken him on adventures previously.

THE COMPLAINT

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

The ad is completely insulting and demeaning to Indigenous people of all types including Australian Indigenous people. A grotesque white man is in his underpants and socks hunting with indigenous hunters. He insults and parodies their lifestyle. He calls a friend and expresses some bizarre opinion about his socks which I'm afraid I can't even understand but that is not the point here.

The ad offended me hugely (I am an ordinary English-background Caucasian) and would offend any Indigenous person. It parodies and demeans their lifestyle and customs completely.

THE ADVERTISER'S RESPONSE

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

In response to your complaint dated September 8, 2010 we felt it would be beneficial to take you through the process we went through in not only the concept development phase of this campaign, but also in both pre-production and the production areas.

Prior to moving into production, the concept was put through extensive research - amongst varied consumers - male and female across a broad demographic. At no stage was there any feedback from consumers that the commercial depicted any form of cultural insensitivities.

The response to this ad was as it was intended, a guy clearly out of his depth having a sense of adventure - innocent humour reflecting adventure and escapism.

During the pre-production and production phase, we consulted a number of consultants in South Africa as we were conscious of needing to use real Kalahari Bushmen, incorporate the real and true culture of the people in order we didn't parody them in anyway.

To that end, the ad was shot in Johannesburg, South Africa.

The tribe were cast out of an organisation called the South African San Institute through our Sth African Production Company, Monkey Films. As part of the agreement between the agency and the SASI, we agreed to respect the Culture of the San, the dignity and wishes of the San throughout the project, and not to publish any facts or portrayals that might be harmful or detrimental to the San.

It was certainly not our intention to offend any member of the public, hence the scrutiny we put ourselves through at all phases in the development and execution of the Holeproof Explorer commercial.

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 is insulting and demeaning to indigenous people, and that it insults and parodies their lifestyles.

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

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states: "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race...".

The Board noted that the advertisement was meant to be humorous and depicted a man transported far from home into a clearly foreign environment.

The Board noted the advertiser's response that they consulted with the South African San Institute throughout the making of the advertisement to ensure that the dignity and wishes of the San people used in the advertisement were respected, and that no harmful or detrimental facts were portrayed. The Board considered that the advertiser had treated the portrayal of these indigenous people with respect and that the advertisement is not insulting or demeaning to indigenous people and that the actions depicted in the advertisement are not insulting or parodies.

The Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society on account of their 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.