



Case Report

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| 1 | Case Number | 0401/12 |
| 2 | Advertiser | Drug & Alcohol Office WA |
| 3 | Product | Community Awareness |
| 4 | Type of Advertisement / media | TV |
| 5 | Date of Determination | 10/10/2012 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

- 2.1 - Discrimination or Vilification Race
- 2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

A young Aboriginal woman is at home with her Aboriginal aunty. The young woman is in her early 20s, is pregnant but it doesn't yet show.

The young woman's Aboriginal husband, having just finished training opens a fridge and grabs a beer.

He turns to the young woman and offers her a beer that she refuses.

The young woman reminds husband of what the doctor said? I'm not drinking because it's best for the baby not to drink at all when you're pregnant or breastfeeding.

Her Aunty, Mary G, supports the girl and then turns to husband and says, You can do your part, help support good choices for your baby.

Move forward 6 months to a family/friends BBQ. A young aboriginal man reaches into the esky and offers the husband and young woman, who is clearly pregnant, a beer. Husband says, No thanks, we're not drinking.

The young man and Mary G acknowledge and reinforce the choice.

Mary G promotes NHMRC 2009 alcohol and pregnancy guideline and says, We can all protect children from alcohol. Support your family and community and help our babies have a strong spirit for a strong future.

THE COMPLAINT

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

I was angered by this advertisement as I found it offensive. The producers chose to use a cross dresser to represent our women, making a mockery of us. I don't understand if the advert is serious or a joke?? It is a serious message but they are making a joke out of us! The producers are portraying our people as uneducated and implying that our women get pregnant young and the men can't/don't support them due to drinking. But my biggest objection was the character of the aunty!! A TRANSVESTITE putting on a fake accent to represent the Indigenous Australians!!? Is that what they believe to be an accurate representation of us?! What were they thinking?!! This advertisement is extremely offensive!!! And it's constantly coming on!! We suffer enough discrimination as it is without the media making jokes at our expense! It is hard enough trying to break free of the stereotype that has been created of us without the media reinforcing it! This advert is disrespectful and insulting and should be removed!!

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The advert is annoying and highly offensive on the grounds of stereotypes with Aboriginals. This should not be allowed to run to air.

THE ADVERTISER'S RESPONSE

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

Research has found that there is a lack of awareness in the community of the harms associated with alcohol use in pregnancy and there is an urgent need to better inform the community. Women of childbearing age in Australia are increasingly drinking alcohol at risky and high risk levels and over a third of Australian women of childbearing age are unaware of the effects of alcohol consumption on the fetus.

The 2009 National Health and Medical Research Council (NHMRC) Guidelines recommend that to reduce health risks from drinking alcohol no alcohol is the safest option for women who are pregnant, planning a pregnancy or breastfeeding.

As Fetal Alcohol Spectrum Disorder (FASD) is primarily caused by pre-natal alcohol exposure, the simplest strategy for the prevention of FASD is for women not to use alcohol during pregnancy (Murphy-Brennan and Oei 1999).

Public education or social marketing campaigns offer population-wide methods to raise

awareness of the risks associated with consuming alcohol when pregnant, planning a pregnancy or breastfeeding and assist in the prevention of FASD. Social marketing campaigns are vital to increase community demand for, and acceptance of, evidence-based strategies that are effective in changing behaviour.

The need for the Strong Spirit Strong Future (SSSF) advertisement was identified by Aboriginal people. All aspects of the advertisement, from initial concept to final product, was overseen by Aboriginal staff at the Drug and Alcohol Office. This truly is a product that has been developed for Aboriginal people by Aboriginal people.

The advertisement was one of two advertisements developed and run by the Drug and Alcohol Office to promote the message that no alcohol during and planning a pregnancy is the safest option. Both ads carried the Alcohol Think Again campaign branding.

- The No Alcohol During Pregnancy is the Safest Choice advertisement is aimed at the whole of community and acknowledges that the issue of alcohol use during pregnancy is not only an Aboriginal issue but one for the whole population. This campaign concluded on 14 July 2012 after running on state-wide television.*

- The SSSF advertisement was targeted at the Aboriginal community, recognising that Aboriginal women are overrepresented in experiencing social determinants of poor health such as housing instability, poverty and unemployment, and higher birth rates of children with FASD (Saggers and Gray 2007, p. 7). The advertisement first ran on regional TV stations across WA in September 2011 and was re-run in September 2012.*

The SSSF program is a four year project that commenced in July 2010 and aims to develop and deliver culturally secure FASD prevention and workforce development programs for Aboriginal people, their families and communities in Western Australia. The project consists of three components: prevention, workforce development and resource development.

The Strong Spirit Strong Future Advertisement

As previously stated, whilst the use of alcohol during pregnancy and the risk of FASD is a problem for the whole population, research suggests that Aboriginal women have higher birthrates of children with FASD than the rest of the population.

In 2010, the SSSF project team held a consultation forum in Perth with more than 40 Aboriginal community members representing academic, primary health and alcohol and other drug organisations throughout Western Australia. The Forum made a number of recommendations in relation to reducing the high level of FASD in the Aboriginal community (report attached for your information). One of the recommendations under Community Awareness and Prevention was to:

'Develop a comprehensive approach which ensures a culturally secure, non judgemental, prevention focussed message that also aims to do no harm to Aboriginal women, children and their families. The message should be factual and promote strong families and strong children.'

The development of the SSSF television advertisement has evolved since the consultation forum through a thorough consultation process overseen by a project management group and under the guidance of the Key Aboriginal Advisory Group (KAAG). The KAAG membership includes Aboriginal people with expertise in FASD prevention and treatment, research, community capacity building and curriculum development as well as local community members.

The role of the KAAG in relation to the development of the advertisement was to advise the project management group on cultural security and the appropriateness and accuracy of the content included in the script. The KAAG was consulted during all stages of the development of the advertisement. .

From August 2010 until May 2011 consultation was held with a range of Aboriginal and non-Aboriginal stakeholders to test the credibility, believability and salience of the script.

Consultation included face-to-face meetings in Perth, Broome, Derby, Bunbury, Karratha, Pt Hedland and Kalgoorlie.

The SSSF advertisement has been presented at a number of national and state conferences since its implementation, which resulted in several other jurisdictions expressing interest in accessing the advertisement. The advertisement, and the development process undertaken, were presented at a workshop at the 2012 National Indigenous Drug and Alcohol Council (NIDAC) conference. The majority of the audience were Aboriginal people involved in the alcohol and other drug field, and positive feedback was received, with none of these people expressed any issues with the appropriateness of the advertisement or its intended use within the Aboriginal community. The Drug and Alcohol Office has also received many favorable reviews from members of the community on the advertisement.

Issues Raised

- *Discrimination or Vilification Race*

The portrayal of Aboriginal people in this advertisement does not vilify, mock, denigrate or belittle the traditional values of the Aboriginal community. This has been ensured through the extensive support and consultation undertaken to develop the advertisement as discussed previously. Feedback from focus groups indicated they liked the fact that the concept demonstrated healthy family and community relationships through the promotion of strong families and strong children. The scenes were carefully crafted to ensure a fridge is stocked full of healthy fruit, vegetables and juice.

The family BBQ demonstrates a normal situation for any Australian family with members cooking food, playing games and fostering healthy family and community relationships. This particular advertisement is featuring Aboriginal actors as it is funded to deliver a culturally secure message for Aboriginal people across Western Australia. The advertisement complements a whole of population campaign and aims to reinforce the same message in a culturally secure manner by a credible spokesperson identified by the Aboriginal community.

- *Health and Safety Depiction of smoking/drinking/gambling*

This advertisement is promoting positive role modeling behaviour and demonstrates that it is okay to refuse a drink when offered. This ad has in no way implied or depicted people drinking alcohol, smoking or participating in gambling.

In the kitchen scene the young woman is seen shuffling a deck of cards and her husband offers her a beer. She refuses the drink and reminds him that she is pregnant. Mary G then reinforces this and emphasises that he needs to support his wife to ensure they have a healthy baby. Neither party drinks the beer.

In the BBQ scene no-one is depicted drinking alcohol.

There is no scene in the advertisement where people are seen gambling. The only cards seen are those being shuffled by the young woman in the kitchen scene.

References

Murphy-Brennan, M. G. and T. P. S. Oei (1999). "Is there evidence to show that Fetal Alcohol Syndrome can be prevented?" Journal of Drug Education 29(1): 5-24.

National Health and Medical Research Council (2009). Australian Guidelines to reduce health risks from drinking alcohol. Canberra, Commonwealth of Australia.

Saggers, S. and D. Gray (2007). Defining what we mean. Social determinants of Indigenous health. Bronwyn Carson, Terry Dunbar, Richard D. Chenhall and R. Bailie. Crows Nest, NSW, Allen & Unwin.

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 complainants’ concerns that the advertisement presents Aboriginal people in a manner which discriminates against race and is offensive.

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

The Board first 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, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features a young Aboriginal woman at home with her Aboriginal Aunty (character Mary G). The young woman is pregnant and having a discussion with her Aunty about what to do in relation to drinking while pregnant. Mary G promotes NHMRC 2009 alcohol and pregnancy guidelines referring to abstaining from drinking at all while pregnant.

The Board noted the important community message being discussed in the advertisement and noted that the message applies to pregnant women of all nationalities and race and is not exclusive to women of Aboriginal background. The Board noted that the character Mary G is a long standing character recognized in the Aboriginal community as a respected and reputable educator, who takes on the Mary G persona as a tool for addressing important and sometimes uncomfortable community messages.

The Board noted the complainants’ concerns that the advertisement discriminates against Aboriginal people and that depicting the Aunty as a man dressed as a woman is offensive.

The Board considered that the interpretation of the advertisement as discriminatory and offensive is one which is unlikely to be shared by the broader community. In particular, the Board noted the advertiser’s response outlining the record of community involvement of Mark Bin Bakar – the actor who plays the Mary G character.

Based on the understanding and record of community engagement with the character, the Board considered that the advertisement does not discriminate against people based on their race or nationality.

The Board considered that the overall tone of the advertisement is very positive and presents a light-hearted take on a serious real life issue which does not discriminate or vilify against any section of the community.

Based on the above the Board determined that the advertisement did not depict any material that discriminated against or vilified any person or section of society. 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.