



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0454/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Australian Pensioners Insurance Agency</b>
<b>3</b>	<b>Product</b>	<b>Insurance</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>25/11/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Race

## DESCRIPTION OF THE ADVERTISEMENT

This ad is set in an open space. An older woman is seen in close up. She stands in the middle of the room. In a semi-circle close to her, stand men and women, boys and girls, of all shapes, size and colour. On a wall behind her we see a jumble of illuminated letters.

We see the people in the circle move towards our woman at different speeds. A 6-year old girl is the first to approach her. She runs up and hugs her legs. On the wall the word GRANDMA becomes muted (we can still see the word, but it's no longer as highlighted).

Next up is a man in business attire. As they acknowledge each other warmly the word MENTOR becomes muted.

This continues throughout the ad: Her husband mutes the word WIFE. A young woman walks up and they wave at each other. The word VOLUNTEER becomes muted. We see a 50+ woman walk up to her and they embrace, the word FRIEND mutes back.

VO: At Apia we understand you've lived more, experienced more and touched more lives than you'll ever know...

The last person to walk up is the woman's father. As they hug the word DAUGHTER is muted. As his father walks off to re-join the other members of the circle, we cut to a close up our woman.

...and you still have so much more to give.

VO: We believe your experience deserves more.

We pull out to reveal that, in fact, four words are still illuminated:

**YOUR EXPERIENCE DESERVES MORE**

VO: If you're over 50, call Apia about your insurance needs today.

## **THE COMPLAINT**

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

*The TVC is Racist, every one in the whole TVC is white except for one girl who is clearly from African origin and when she walks into shot the older women whom this ad is all about (everyone in the ad is very white and middle class) the word "Volunteer" pops up behind her! According to this ad: old people in Australia are exclusively white and only mix with other white people, they have no non white members of their community, friendship circles and families, the only way they will come into contact with non whites is if they "volunteer". I put the ad to Facebook and the result was unanimous, everyone received and noticed the scene on first watching with any promoting. When asked if there was anything wrong with the ad - they pointed to that scene as being racist. APIA insurance deliberately put this girl in the ad and cast her accordingly to fit that role, that in itself should have raised alarm bells, but no! Tokenism, colonial imperialism and segregated societies are all ok in this world created by APIA Insurance*

## **THE ADVERTISER'S RESPONSE**

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

*Apia's detailed response to the complaint*

*We have reviewed the complaint and the TVC in light of the provisions of the AANA Code of Ethics ("the Code") and provide our response below. We note that the nature of the complaint relates to section 2.1 of the Code which states that:*

*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, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*The complainant's concerns can generally be described as:*

- *that the TVC is racist and only uses "white" talent to depict older Australians*
- *that the TVC has only used African talent as tokenism*

*The key points that Apia considers should be taken into consideration by way of response are as follows:*

*a) As noted, the TVC went through both an internal legal and external compliance approval process. The advertisement received advertising approval from CAD with a “W” rating, and our media agencies have made sure that all our programming is booked in accordance with the W guidelines;*

*b) The TVC is targeted at the 50+ Australian population with a focus on general life experiences that are easily relatable and important to those approaching or in retirement (being a grandparent, a mentor, a volunteer, a wife, a daughter) most of which are family related however a conscious effort was in fact made to include a broad cross section of society;*

*c) Family members of the main talent are casted to be consistent with the main talent and her background. Outside of family and the mentoree, the other featured talent in the TVC are of non “white” backgrounds –*

*a. The “friend” featured (Victoria) is of Filipino background*

*b. The fellow “volunteer(s)” woman is of African background and the male talent walking with her of Southern European background*

*c. Furthermore the 25+ background talent were of mixed ethnicity some of which will feature as main talent in other campaign TVC’s yet to air*

*d) The African talent is depicted as one of 2 fellow volunteers. The talent was casted to be a young woman to demonstrate the reality that many older Australians are volunteering and interacting with younger Australians in the community of which is made up by a cross section of society. We do not accept this in any way a form of discrimination or vilifies this section of our community.*

*e) During the testing phases of the campaign process and since its airing no other person has referenced the TVC as in anyway being racist and we believe this to be an unfair and isolated opinion despite the complainant referencing unsubstantiated Facebook research;*

*f) To further highlight that Apia takes the cross section of Australian society seriously the other ads yet to air also include the background talent from the brand TVC, with varied ethnicity/backgrounds such as Greek, Asian and Indian.*

*We further do not consider that Code sections 2.2, 2.3, 2.4, 2.5, and 2.6 are relevant to the TVC. We do not believe the TVC employs sexual appeal in an exploitative or degrading manner or depict any violence of any type or inappropriate language. It does not insensitively treat nudity or have offensive language as a part of the TVC. The TVC does not include anything that is contrary to prevailing community standards in relation to health and safety.*

*Apia has always been committed to advertising in a responsible manner. Under no circumstances does Apia condone any form of discrimination or vilification especially against race and goes to an extended effort within our own communications not to do so.*

*Apia does not accept that the TVC contravenes any part of section 2 of the AANA Code of Ethics. We appreciate the level of community concern on the issue of discrimination or vilification.*

*Apia rejects this complainant's allegations in full.*

## **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 racist as all the actors are white except for the actor who represents a volunteer and is dark skinned.

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 this television advertisement features a woman in front of four boards with various words on them. As the woman greets various people, different words light up on the boards behind her to describe her link with them: grandma, mentor, wife, friend, volunteer, daughter.

The Board noted the complainant's concern that the only dark skinned person in the advertisement is described as a volunteer. The Board noted that not all actors in the advertisement are Caucasian and considered that the complainant's view that the dark skinned lady is the only non-white person is incorrect: an Asian lady and a gentleman with eastern European colouring are clearly visible in the advertisement.

The Board noted that the advertisement associates a range of people with various roles and considered it is not clear which label or role is used in conjunction with particular people. The Board noted that Volunteer is a positive role and considered that the advertisement's use of this term is not disparaging to any person.

Overall the Board considered that the theme of the advertisement promotes community cohesion rather than racism.

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.

