



# Case Report

1	Case Number	0467/16
2	Advertiser	Ancestry
3	Product	Professional Service
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/11/2016
6	DETERMINATION	Dismissed

## ISSUES RAISED

2.1 - Discrimination or Vilification Race

## DESCRIPTION OF THE ADVERTISEMENT

The TV commercial is a real life testimonial from Monica Tischler from New Zealand who had taken the AncestryDNA test. She spoke about her expectations about her ethnic background knowing she had some Austrian background and assumed some Maori ethnicity, given she is a proud New Zealander, and her surprise at finding new ethnic backgrounds in her DNA results.

## THE COMPLAINT

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

*I am an Australian Aboriginal & I find this advertised to be Racist. They started airing a condensed version without mentioning the Maori heritage & so I didn't complain but it has just been aired again now. It is very Racist.*

*It takes the subject of Maori Heritage & makes a mockery of it.*

*The lady identified as being Maori. Yet she is not. Does this mean that most proud Maori people if they bought & took an Ancestry DNA kit would learn that they are not actually Maori at all? I would think not. Shame on Ancestry DNA.*

## THE ADVERTISER'S RESPONSE

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

*Ancestry submits that no aspect of the advertisement offends any part of Section 2 of the AANA Code of Ethics. While the advert clearly discusses Maori ethnicity (ethnicity being covered by Section 2.1 of the Code), no part of the advert discriminates or vilifies Maori ethnicity directly or indirectly. The participant in the advert reveals her expected ethnicity and then reveals her actual ethnicity in a positive and non-discriminatory manner. The complaint does not refer to any of the issues addressed in Section 2.2 - 2.6 of the Code.*

## **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 in its depiction of a woman claiming she is happy to learn she does not have Maori heritage.

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 that this television advertisement features a woman from New Zealand explaining that she always assumed she had Maori heritage but her DNA results show her ethnic background actually includes Scandinavian, Greek, Italian, Jewish and British.

The Board noted the complainant’s concern that the advertisement suggests a woman is happy to find out she is not Maori but considered that the focus of the advertisement is discovering our ethnic backgrounds using DNA testing and while the woman says she assumed she was Maori she does not appear unhappy with this assumption. The Board noted that the woman’s mood remains positive and happy throughout the advertisement and considered that while she appears to be happy to find out her background is more ethnically diverse that she imagined in the Board’s view this does not mean she is relieved to not be Maori and does not suggest that having Maori heritage is negative or unfavourable.

Overall the Board considered that the advertisement is not racist in its depiction of a woman comparing her assumed heritage with her confirmed heritage.

The Board 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 race or ethnicity.

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.