



Case Report

1	Case Number	0543/16
2	Advertiser	Suttons Holden
3	Product	Vehicle
4	Type of Advertisement / media	Radio
5	Date of Determination	07/12/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

Suttons Motors Jeep dealerships demonstrator sale event. The radio advertisement was a themed advertisement promoting a sales event referencing fictitious characters and aligned to the Jeep model brands associated with American people, places and names.

THE COMPLAINT

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

It is wrong to profit from racial stereotypes, and to make fun of racial minorities. The advertisement was degrading to Native Americans and degraded their culture. Racial vilification is never OK.

THE ADVERTISER'S RESPONSE

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

In relation to the above mentioned complaint, Suttons Motors believe that in no way did we create the advertisement in question with the intent to offend or degrade native American people or their culture.

As you would be aware, Jeep have a range of vehicles named after numerous iconic American people, places and phrases including Wrangler, Renegade, Patriot and Cherokee.

The advertising idea for this campaign was born out of one of these product names and is the main vehicle on sale – "The Grand Cherokee".

The hero character we refer to in the ad was based on a famous American fictitious character called Tonto, the Lone Rangers accomplice, recently portrayed in the Disney movie by Johnny Depp.

Originally the fictitious Tonto was created for an American radio program in the 1950's and the same character has since appeared in children's comic books and movies over the last 60 years.

When producing the advertisement, we were very conscious of keeping our advertising approach extremely light hearted and well within the realm of fiction.

In terms of the language we used in the script, we again utilised phraseology that related to the days of the wild west and by inference, utilised "Circling The Wagons" as a way explaining the availability of a number of Jeep wagons on sale during the specified Sutton event.

We also borrowed a word from the Disney movie script – Kemosabe" which according to wikipedia is defined as "a term of endearment" (see below reference).

"Ke-mo sah-bee (/ki?mo?'s?bi?/; often spelled kemo sabe or kemosabe) is the term of endearment and inventive catchphrase used by the fictional American Indian sidekick Tonto, in the American television program The Lone Ranger. In The Lone Ranger radio program, Tonto called Lone Ranger "kemosabe".

All that said, In good faith, even though Suttons Motors don't believe we have taken advantage of or racially vilified anyone via this communication we have removed the ad from any further circulation and it won't be aired again.

We trust this clears up any misconceptions relating to the ad and we apologise to the individual who has taken our sales message out of context.

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 depicted negative stereotypes of Native American people.

The Board reviewed 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 radio advertisement features a man with a stereotypical Native American accent who introduces himself as Tonto promoting a sales event and deals including on the Grand Cherokee. The man uses phrases associated with Native Americans and the Wild West to build on the theme of the advertisement.

The Board noted that Tonto is a well-known Native American character associated with the Lone Ranger franchise. The Board considered that the character's name and accent is clearly suggestive of the character representing particular people from Native American culture.

A minority of the Board considered that the Native American accent being imitated by the man in the advertisement was mocking and made the character an object of ridicule. The minority of the Board considered that this portrayal was degrading and that it ridiculed and vilified the Native American culture.

The majority of the Board however considered that the background of the voice-actor was not known and the accent was consistent with the character of Tonto. The majority of the Board considered that Tonto is often depicted as a hero and the portrayal of the character in this advertisement was consistent with this depiction. The majority of the Board noted this portrayal may be stereotypical; however it was not negative and there was nothing in the advertisement which suggested the character or culture was being ridiculed.

The majority of 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.

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.