



CASE REPORT

1. Complaint reference number	105/06
2. Advertiser	Telstra Corporation Ltd (Broadband Scottish Tartan)
3. Product	Telecommunications
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Nationality – section 2.1
6. Date of determination	Tuesday, 11 April 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man and son using their Scottish neighbour's Broadband access while he plays the bagpipes in the background. An offer for broadband subscription rates appears on screen accompanied by a female voiceover with a Scottish accent announcing "Broadband at home is no longer a pipe dream. With half price access for 12 months for eligible customers" and continues with further special offers. As the man and his son walk away from the neighbour's house, the son asks "Dad, am I getting bagpipes?" to which his father replies "No – but we're definitely getting Broadband".

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

I find this offensive as a Scottish person and consider it to be racial.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The advertisement makes no reference to the character's financial situation.

The use of the tartan background and the Scottish voiceover are just part of the theme of the ad because it ties in with our Scottish character George who has broadband.

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 that it has previously considered a number of different versions of this advertisement and that it had not upheld the complaints against any of the previous versions. The Board noted that the only difference between this advertisement and previous versions is the use of the tartan background at the end of the advertisement.

The Board considered whether this advertisement's association of broadband internet and Scottish people in any way vilified or discriminated against people on account of their ethnicity (Scots). The Board considered that the advertisement's use of tartan pattern and a picture of bagpipes is material that, in the context of this advertisement, does not vilify Scottish people.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.