



CASE REPORT

1. Complaint reference number	113/06
2. Advertiser	RAA of SA (Insurance)
3. Product	Insurance
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	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a man, George, in a café relating his experience when reporting details of his car accident to his insurance company by phone. George tells the café owner that during the conversation with the insurance company he had answered, in response to the question regarding the location of the accident “It happened round the corner from my place near the deli”. The call centre operator had asked “Which deli?”, and George had replied “The new deli just round the corner from my place.’ George then said that at that point the call centre operator had excitedly replied that he was in New Delhi too, and that they must catch up for (George adopts an Indian accent) ‘a curry and a pappadam’. George then asks the café owner “Trev, whatever happened to talking to a local? Capice?” Message on screen reads “Trust RAA Insurance to let you talk to a local”

THE COMPLAINT

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

It is explicitly using New Delhi , the capital of India as part of their ad to show that service from India is bad compared to Australia .

The ad makes a joke of a possible cultural and social difference

The idea is degrading the country of India

THE ADVERTISER’S RESPONSE

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

It is a well publicised fact that many Australian businesses... are moving their call centre operations off-shore and mostly to India .

The truth is the “Indian call centre” has become a metaphor for all the frustrations of dealing with large and impersonal organisations that compromise customer services

Our commercial does not seek to imply that “service from India is bad compared to Australia ”. It does intend however, to portray RAA Insurance as a company with better services standards than its competitors because their staff are locals who understand the market.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board carefully considered the requirement of the Code that ‘advertisements shall not portray

people or depict material in a way that discriminates or vilifies a person or section of the community on account of race or ethnicity.

The Board noted that the complainant considered that this advertisement vilifies Indian people by criticising the fact that the person on the end of the phone couldn't understand where the accident occurred because he is not a local – he is from a call centre in India .

The Board also noted the advertiser's comment that the *“Indian call centre” has become a metaphor for all the frustrations of dealing with large and impersonal organisations that compromise customer services.*

The Board considered that George's behaviour in the advertisement particularly his expressed frustration with and mocking of the call centre operator, did portray the Indian call centre operator as unhelpful and providing bad service. The Board considered that the overall impact of the advertisement was that Indian call centre operators provide poor service. The Board noted that call centres, within and outside Australia , are criticised by the community for variable service. The Board considered that the racial references in the advertisement were unnecessary and gratuitous.

The Board considered that this advertisement, by emphasising the Indian race and location of the operator in connection with a portrayal of poor service, was a depiction of material that vilified Indian call centre operators.

The Board considered that the advertisement did have racist undertones, and that it therefore breached section 2.1 of the Code and vilified people of Indian race.

The Board asked that the case report indicate that this decision was a split decision of the Board as some of the Board members felt very strongly that the advertisement was a humorous depiction of a common frustration felt by many people at having service calls answered by overseas call centre operators and was not racist.

Response from Advertiser following the Board's determination

The advertiser was advised of the Board's determination and asked to modify or withdraw the advertisement. Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

RAA Insurance will discontinue the use of the advertisement.

Please note that we do not agree with the determination and we reject in the strongest terms [the Board's] finding that the ad is deemed discriminatory on the basis of race...

The advertisement has run on South Australian Television for 10 months with considerable positive feedback and response.