



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 155/04  |
| 2. Advertiser                 | DCITA (Working to Keep the Country Connected)     |
| 3. Product                    | Telecommunications                                |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Discrimination or vilification Race – section 2.1 |
| 6. Date of determination      | Tuesday, 13 July 2004                             |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement depicts a number of different scenes involving people in different parts of Australia (including the city and the outback). It includes scenes of a Caucasian lady using the phone at home and an Aboriginal lady and her children on a public phone. The voiceover explains Australian citizens' rights to access phone services, no matter where they live or work.

## **THE COMPLAINT**

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

*"I wish to register a complaint about an advertisement which I consider to be racist."*

*"The ad made clear the white women were slim, had nice homes and could afford their own phone. However it is evident that the fat Aboriginal woman (with numerous children) could only use the public telephone."*

## **THE ADVERTISER'S RESPONSE**

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

*"The advertisement is merely reflecting the reality that many Aboriginal people live in remote communities and that public payphones play an integral role in such communities because they are often the primary telecommunications link that the community has with other communities in Australia. Aboriginal people have the same rights as others in Australia to have reasonable access to a fixed line telephone and the advertisement is not suggesting otherwise."*

## **THE DETERMINATION**

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

The Board considered that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (race)/vilification.

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