



CASE REPORT

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| 1. Complaint reference number | 199/06 |
| 2. Advertiser | Ultra Tune (SA) Pty Ltd |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Nationality – section 2.1 |
| 6. Date of determination | Tuesday, 13 June 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man telling of a car problem he had while on holidays, speaking in a mixture of Scots and Australian idioms, which language is interpreted by subtitles. The man's actual explanation is "Ey wee were off for a wee break in the bains. And the car was like a cowl. And wouldn't yoo now be kennet – clunk clunk clunk. And stood right there gehid with the win shoun't in oh feela you canna but a big dunder head. Si I skedaddled right into Ultratune and tell the laddie bout the clunk clunk clunk. E says oh ye shock absorbers re out the windy man and made a real jobbie of them. Understood me perfectly he did!"

THE COMPLAINT

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

Subtitles were used when the man was speaking English. It made a joke of a cultural difference.

THE ADVERTISER'S RESPONSE

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

The advertisement in question has received an award from the Commissioner of Equal Opportunities South Australia . This award was called the Diversity and Tolerance Award....it was seen by the commissioner as the kind of positive portrayal of people with different backgrounds.

...(the ad) was designed to show our empathy and concern...demonstrated by our use of different people from a variety of backgrounds speaking in their native tongue. The use of subtitles then allowed others to know what was being said.

The ad is cleverly written butno way this is denigrating or offensive to Scottish people.

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 the man depicted in the advertisement was speaking in a very broad traditional Scottish with a heavy accent.

The Board considered that the advertisement did not denigrate or portray the man in a demeaning manner by including subtitles. It is well known that the broad Scottish brogue is hard for Australians to understand and the Board considered that the tone of the advertisement was affectionate rather than xenophobic.

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