



CASE REPORT

1. Complaint reference number	201/02
2. Advertiser	Nando's Australia Pty Ltd
3. Product	Food
4. Type of advertisement	Radio
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Monday, 12 August 2002
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

One of two radio advertisements reviewed by the Board opens with an announcer's voice saying: "We now cross live to the Woomera Detention Centre." Over sounds of a crowd chanting "Free," another male voice says: "It seems here that the asylum seekers have decided to unsew their lips after hearing the news that with every Nando's Quarter Chicken Combo, Nando's are giving away an extra Quarter Chicken free." The original announcer's voice concludes the advertisement, saying: "Nando's. We go there."

In the second advertisement, the words spoken over the chanting are: "Well it seems there has been another asylum seekers breakout after they heard the news that with every Nando's Quarter Chicken Combo, Nando's are giving away an extra Quarter Chicken free."

THE COMPLAINT

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

"These fowl ads make light of asylum seekers sewing their lips together...to use the horror of the plight of fellow human beings for profit is one of the most disgusting things anyone could do."

"There is sufficient vilification and ignorance in this country about various racial groups post Sept 11, and the recent spate of suicide bombings, and this type of advertising is openly contributing to it."

"The matter of the detainees and their conditions and behaviour is not a suitable subject for humour."

"...very, very poor, bad taste, and trivializing a very important subject. Whatever the politics are, and whether it is right or wrong that the people should be in detention or not, it is not a subject that should be made light of and put in an advert for chicken!"

"Why is there always someone out there prepared to make money on the back of someone else's misery?"

"I found the exploitation of the plight of those currently detained at Woomera to be appalling."

"...I believe the ad is both insensitive to the issue of the people being detained there and belittles them and their situation."

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether these advertisements breach Section 2 of the Advertiser Code of Ethics ('the Code').

While sympathising with views expressed by the complainants, and noting that it was not its role to determine the legality of particular advertising, the Board found that the content of these advertisements did not amount to a contravention of the Code in relation to the portrayal of people.

As the advertisements did not breach the Code on any grounds, the complaint was dismissed.