



## **CASE REPORT**

1. Complaint reference number	318/01
2. Advertiser	Crane Aluminium Systems (Amplimesh)
3. Product	Housegoods/services
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Race – section 2.1
6. Date of determination	Tuesday, 11 December 2001
7. DETERMINATION	Dismissed Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENTS**

There are two print advertisements:

1. The face of a dark-skinned, unshaven man is depicted, his face askew and impressed by security mesh. The advertisement, captioned ‘Keep out unwanted pests’, has the following text: ‘Your local Amplimesh dealer has more experience keeping them out than they have in getting in. For details on our comprehensive range of security doors and screens call 13 16 51 now.’ In the lower right corner is a logo, consisting of a cartoon of a shark and the words, ‘Authorised Dealer – Amplimesh – Sharkurity Products’.

2. The face of a man is portrayed, his face askew and pressed against a flyscreen. The advertisement, captioned ‘Pest protection for summer’, has text and logo identical to (1) above.

## **THE COMPLAINT**

Comments which the complainants made regarding advertisement (1) included the following:

*‘I find this is racist in its implications and would like to see it removed. It demonizes black people.’*

*‘This ad is totally unacceptable.’*

and about advertisement (2):

*‘I consider that this advert is racially prejudice (sic).’*

.../2

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## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether these advertisements breach Section 2 of the AANA Advertiser Code of Ethics (‘the Code’). In particular, the Board considered paragraph 2.1 of the Code.

2.1 Advertisements shall not portray people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.

The Board determined that advertisement (1) did breach Section 2 of the Code and, accordingly,

upheld the complaint.

The Board further determined that the material within advertisement (2) did not constitute discrimination/vilification; neither did it breach the Code on any other ground. The Board, accordingly, dismissed the complaint.

In reaching its determinations, the Board considered that the association of advertisement (1)'s caption, 'Keep out unwanted pests', together with image in question, vilified and discriminated on the basis of race and nationality. The Board also noted the strong implication of illegality in the image portrayed in advertisement (1) in comparison with a significantly less negative implication in advertisement (2).

#### **ADVERTISER'S STATEMENT**

'The person featured is in fact of Mediterranean heritage whose skin appeared darker than normal due to a suntan.

We have arranged with our agency to modify the effects of the suntan and to change the caption, "Keep out unwanted pests".'