



## CASE REPORT

1. Complaint reference number	320/07
2. Advertiser	Diageo Australia Ltd (Bundaberg Rum)
3. Product	Alcohol
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Nationality – section 2.1
6. Date of determination	Tuesday, 9 October 2007
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set in England, and as the rain falls, we see an aristocratic couple at their stately home, lowering the Union Jack and raising the Bundaberg flag on their flagpole. Throughout the advertisement the characters depicted sing alternate lyrics to the song "I Vow To Thee My Country". Also depicted are pale-skinned English surfers, standing with their boards on a deserted English beach, and others singing around a backyard BBQ in the rain. Women are seen hanging Aussie Rugby, NRL and AFL jerseys on outdoor clothes lines. Everyone is singing "We wish England was Australia, We'd ditch work for a surf, Have our mates round for a Bundy the greatest rum on earth."

As others continue the singing "We wish England was Australia", the Royal family is seen posing for a family portrait; "Every girl would be a sort", men are shown applying suntan lotion to bikini-clad girls as they sunbathe under a bridge. In a tattoo parlour, a man is having the Australian flag tattooed on his back. The next line is sung dejectedly by a lone sports fan in an empty stadium where the scoreboard shows the result England 0, Cook Islands 6 "We wouldn't suck at sport".

We see others packing their bags and leaving home, obviously to emigrate to Australia, and a long line of people passports in hand, which snakes all the way from the airport check-in desk out the doors of Heathrow, where they sing "Oh, but England's not Australia. We don't have Bundy Rum. So until you send some over here...it's Australia, here we come." As the song resolves, a plane is seen zooming Australia bound, and hear a voiceover stating "Bundy Rum. Made by one country for one country only" and the Bundy logo, proudly stating "OUR RUM, SINCE 1888"

Inside the cockpit of the plane the pilot reports to an air traffic controller "Australia, this is London One. We're requesting permission to land" and receives a reply in an Australian accent "Sorry, London One. Your request to land has been denied." The pilots look shocked and the singing from the passengers abruptly halts. The scene crosses to the control tower where the Bundy Bear is seen on the microphone and his mates are chuckling. Bundy then relents and assures the passengers "Just joking. C'mon ahead fellas."

## THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*It shows droves of very grey English people in dreary, rainy environments, flocking to the airport to emigrate to Australia. Also depicts the Queen saying she wishes England was Australia. Whilst there are numerous amusing advertisements referring to POHMs and the various aspects of the English, this advert is blatantly showing England as a stereotypical place of grey slums where everyone, including the royal family, wish to get out and come to Australia...only then to be refused entry. It is insulting to both England as a country and the millions of people who live there and have never considered living in Australia. It has taken a theme too far. To also use the rugby union*

*anthem as the theme tune adds to the distaste when all we want to do is watch and enjoy good rugby between the nations.*

*Advert assuming English are stupid & actually care about the Wallabies. Racist, Insulting the Queen, and assuming the English care about the Wallabies and don't not know the venue is in France.*

*Sterio (sic) typing the British population. Sterio (sic) typing that everyone in the UK wants to come to Australia. "Joking" that the air traffic control wouldn't let them land in Australia. I find it racist in that they are targeting a specific creed. I found it unbelievable (sic) that it was aloud (sic) to be broadcasted (sic) in the first instand (sic). I found it completely unfounded and distasteful.*

*It shows England as a cold wet country with hordes of its people trying to leave to get into Australia and beign turned away. I find it an insult to the people of the United Kingdom as a stereo typical offensive potrayal of the English people and the Royal Family. Millions of people live happily in the UK with no wish or desire to travel to Australia. This ad potrays everyone there as being desperate to leave for Australia and the county in which they live as being backward and poor. I find it offensive especially as many members fo my family have worked hard to become part of Australain society and have helped build this nation. Yet I and they still find them selves being the target of ridicule for being from England. A Member of my family died in the WWII in the pacific conflict protecting nations such as Australia and I find it quite offensive that we should be singled out for such a blatantly racist and offensive advert targeting our nation. No other advets are so quite clearly aimed at one nation of people with such a negative potrayal of that nation. I find the single message of this advert being that the English are not welcome in Australia. A racist message directed solely at one nation of people.*

## **THE ADVERTISER'S RESPONSE**

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

*Our advertisement is in no way is implying that England is a "stereotypical place of grey slums". The commercial was shot in Newcastle during winter and unfortunately we experienced inclement weather during the period of shooting. It also says that the English are refused entry to Australia at the end of the commercial. In actual fact, the Bundy bear welcomes every person who is on the flight into Australia.*

*The song used is "I Vow to thee my Country" which is an old English hymn, not a typical Rugby anthem.*

*In this Bundaberg Rum commercial we see a broad range of English people in England singing a song about the fact that they wish England was Australia so that they could get their hands on Bundaberg Rum. This is sung to the tune of "I Vow to thee my Country".*

*The intent of this commercial is to communicate the new proposition of "Our Rum Since 1888". It is an anthemic cry of reflection of how different England would be if it was Australia, and indeed the commitment to try Our Rum. The campaign's objective is to create a community around the brand, a community united by their passion of all the unique things we love about Australia.*

*Several research projects were conducted prior to the production of this commercial to ensure that these objectives were clearly communicated. At no time throughout our research process did anyone find that the commercial was racist, insulting to the Queen, had anything to do with the Wallabies and the English's point of view of them, or communicate where the World Cup was taking place. In fact, the commercial is not about the Wallabies or the World Cup at all. The media that has been booked puts the commercial to air during Rugby World Cup games, but does not refer to the competition or where it is taking place.*

*We have reviewed the AANA Advertiser Code of Ethics in light of the letter of complaint and the television commercial in question and do not see how this in any way breeches Section 2 of the Code. This commercial does not discriminate against or vilify any person or community. The message is simply a humorous song about some people in England wishing they could get their hands on Our Rum, wanting it so much in fact that they are willing to come to Australia to get it where they are welcomed by our brand custodian Bundy R Bear.*

*It must also be noted that the commercial was continually and thoroughly assessed and approved by the Alcohol Advertising Pre-Vetting System (AAPS) which is empowered to regulate and enforce the Alcohol Beverage Advertising Code (ABAC).*

*In summary, I believe that the Bundaberg Rum commercial in no way breaches any part of either the AANA Advertiser Code of Ethics or the Alcohol Beverages Advertising Code. Leo Burnett and Diageo, in particular, are very mindful of the requirements of both Codes, and pro-actively provided material to AAPS for approval throughout the planning and production stages of the commercial in question.*

## **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 the references to British people saying that they wished they were Australian and the depictions of stereotypical British situations (such as poor weather, cramped housing, the monarchy etc). The Board noted the complainant's concern that these depictions vilified people of British origin.

The Board noted that there has been an historical, affectionate rivalry between the two countries particularly in sporting contexts and there is no recent history of racial antagonism. The Board considered that the depictions in the advertisement and the reference to British people migrating so that they could consume the advertised product were non-hostile and playful depictions and references. The Board did not accept the complainant's argument that use of these images in the context of this advertisement were vilifying or discriminatory to British people.

The Board felt that in the stereotypical references were not meant to be hostile or vilifying, but rather were consistent with Australian humour.

On balance, with regard to prevailing community standards, the Board concluded that the depictions in the advertisement and song words would not be regarded by the wider Australian community as discriminatory or vilifying of persons of British extraction. Hence the Board found that the advertisements in question did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.