



CASE REPORT

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| 1. Complaint reference number | 360/99 |
| 2. Advertiser | AAPT Ltd (smartChat) |
| 3. Product | Telecommunications |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Tuesday, 9 November 1999 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement shows the former Australian rugby union captain, Mark Ella, wearing a Wallabies jumper and apparently watching a World Cup Rugby match on television with another man wearing an American ‘stars and stripes’ jumper. Mark Ella asks the other man “Have you seen Wales play?” to which he replies “No”. Mark Ella then says “Animals” to which the other man says “Yeah, I know. A lot of people think they’re fish”. The advertisement concludes with the superimposed words ‘Wales , Ireland , Scotland & England . 20c per minute. AAPT smartChat’.

THE COMPLAINT

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

“If the situation were reversed and a white person said ‘have you seen the Aboriginals play’ etc we would have Charles Perkins, Lois Donoghue, Manson screaming for blood. I would suggest that this advertisement has put the case for reconciliation back 25 years.”

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board determined that the exchange between the two men, within the context of the advertisement’s humorous play on words, did not constitute discrimination or vilification. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly, dismissed the complaint.