



CASE REPORT

1. Complaint reference number	71/09
2. Advertiser	Railcorp
3. Product	Travel
4. Type of advertisement	Outdoor
5. Nature of complaint	Discrimination or vilification Race – section 2.1
6. Date of determination	Wednesday, 11 March 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement from CityRail advertising its CCTV security system shows an image of one of its security centres, with staff sitting at their desks viewing footage of various railway stations. Images of people at stations can be seen on the screens, including people near escalators, a man in a suit yawning and stretching on a bench and people walking through entry gates. A slogan below the top bank of screens says: "A lot goes into making a forgettable journey." Below the image is a further description of the work done by CityRail and provides the hotline number.

Another advertisement in the series shows a scene at a railway station with the slogan: "A lot goes into making a forgettable journey" on the wall. A CCTV camera and an emergency help point phone can be seen. There are three people at the station. A man and woman are pictured talking and another man is reading a book on a bench. Below the image is a further description of the work done by CityRail and provides the hotline number.

THE COMPLAINT

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

This advertisement is offensive because it implies that we should be wary of, and fear, people of middle eastern descent. It implies that City Rail staff do (or in future will) unfairly target non anglo, middle east looking people - potentially inciting racial violence and hatred towards people of a certain appearance or background. I find it both offensive that City Rail could stereotype in such a fashion and unnerving that they would encourage others to do so also through the use of a help button.

THE ADVERTISER'S RESPONSE

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

RailCorp does not believe that the Advertisement makes the Imputations, or has the effect of encouraging the Incitements because:

a. The Advertisement contains no images or text which are violent, or which promote violence:

- All three people portrayed in the advertisement are engaged in ordinary everyday behaviour (friendly conversation, and relaxed reading) while they wait for a train.*
- Both faces shown are smiling*
- The background and lighting are bright and clear, conveying an impression of safety*

b. Rather than Impute or Incite violence, the Advertisement emphasises the technology measures CityRail takes to keeps its customers safe:

- *The images of the CCTV device and help button and the Advertisement copy, all communicate:*
 - *that emergency help points are available at all stations*
 - *that RailCorp has invested in technology measures and systems to ensure its customers have a safe journey*
 - *as a result of these technology measures, CityRail's customers are in fact safe*

c. The complaint inaccurately describes the Advertisement:

- *The seated man is not "next to a anglo woman". The only woman in the Advertisement was a model of Korean background.*
- *The seated man is not shown as doing anything which is offensive, or which the public would be wary or fearful of.*
- *The seated man is a model with a German/Greek background, not a middle eastern background.*

A broad cross section of Sydney's multi-racial community uses CityRail services (around 500,000 Sydneysiders every weekday) and RailCorp does not and would not unfairly target any ethnic group to incite racial violence and hatred towards people of a certain appearance or background.

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 the complainants concern that the advertisement vilified people of middle eastern descent by depicting them as presenting a threat on the rail system.

The Board viewed the two images and considered that the advertisements depicted two scenarios which made it clear that Railcorp is endeavouring to make rail travel safer. As part of these images the advertisement depicted scenes of people travelling looking relaxed. The Board considered that the people depicted were not of any obvious ethnic background. The Board determined that the advertisement did not suggest any identifiable ethnic group of people and in any case, presented the people as relaxed travellers presenting no threat to other passengers.

The Board determined that the advertisement did not depict any section of the community in a manner that discriminated against or vilified any person and that the advertisement 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.