



CASE REPORT

1. Complaint reference number	93/09
2. Advertiser	SkyCity Adelaide Pty Ltd
3. Product	Gaming
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Ethnicity – section 2.1
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

Billboard advertisements with the image of a African man with dark sunglasses, an “afro” hairstyle, beard and moustache. The large wording on the Billboard reads “Jack says...Once you’ve played with Black, you’ll never wanna go back.”

Smaller wording provides details of the dates and prizes available by playing Blackjack at SkyCity Adelaide Casino.

Billboard advertisements with the image of a African man with dark sunglasses, an “afro” hairstyle, beard and moustache. The large wording on the Billboard reads “Jack says...White men can’t jump, but they can play blackjack.”

Smaller wording provides details of the dates and prizes available by playing Blackjack at SkyCity Adelaide Casino.

THE COMPLAINT

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

I believe this ad is offensive because it portrays people of a certain colour and ethnicity in a stereotypical way. This is further reinforced by the act of giving the image the name Jack as in 'Black Jack'. The ad is also offensive to me because of the sentences that accompany the ad, which in my opinion are obviously racially motivated.

THE ADVERTISER’S RESPONSE

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

In the radio ad, it is clear that the man with the American accent ('Jack') is cool and knowledgeable compared with the character with the snobby accent. In the print ads, Jack is 'cool' and strong.

As we understand it, the mere use of a character from a particular race isn't a problem. Otherwise we wouldn't have Uncle Toby's Quaker Oates, English palace guards on Tip Top muffins and all sorts of products with Ninjas and Irish Leprechauns. To contravene the rules, there needs to be vilification or a derogatory treatment.

The Jack character was designed to be 'cool' and appealing, so his words and images would attract potential customers. It's a positive portrayal, not a derogatory one.

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 complainant's concern that the depiction of an african american man in conjunction with references to 'black jack' promoting a Casino were racially offensive.

The Board considered the advertisement and agreed that the advertisement depicts and is intended to depict an African-American man in the context of the promotion for playing 'black jack' at the Casino. The Board agreed that, although the advertisement's slogans make a play on the man being black and named 'jack', the man was depicted as appealing and the references were not derogatory or vilifying of the person depicted or of African American people generally. The Board determined 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.