

Case Report

1. Case Number :	0104-23
2. Advertiser :	Western Sydney Care Collective
3. Product :	Community Awareness
4. Type of Advertisement/Media :	Internet - Social - Facebook
5. Date of Determination	14-Jun-2023
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This Facebook advertisement depicts a hooded red eye with a speech bubble saying "what?".



THE COMPLAINT

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

Culturally insensitive and racist towards asians on a promotional material on western Sydney health.

How does eyes with a bubble speech represent the urgent health care. Why target Asians eyelids? How does eyes talk? How does eyes with speech target health awareness?

The logic of the advertisement doesn't make sense and forces the public to make fun and be creative to judge and interpret what it means which has a racist underlying undertone on it.

Rather than straight to the point. How does "urgent" in urgent hotline represent the inflammation of the eye? Eye inflammation is not regarded urgent by what is being shown on the advertisement, that is asking people to call minor issues that is NOT urgent wasting health costs.

sponsoring from the state government reinforces racist attitudes, white privilege and witch-hunting towards a certain ethnic minorities.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

THE CAMPAIGN CONTEXT

As some hopefully helpful background, the static image advertisement in question, Eyes, was produced for the launch of the Urgent Care Service (UCS) in Western Sydney and is one of a range of executions. The UCS was launched by our client in collaboration with the Western Sydney Local Health District to:

- a) Provide immediate care for non-life-threatening urgent injuries/ailments and by doing so*
- b) Relieve the burden of non-emergency presentations in the local hospital network*

As the emergency departments of Western Sydney were being inundated by these non-emergency presentations that could have otherwise been treated by local GPs with certain specialisations. This resulted in longer wait times for patients with urgent and emergency presentations alike. The reason for this is that from childhood, it has been drilled into us to 'go to emergency' if you have a pressing health issue, as there haven't ever been other options available when you feel you can't wait for your GP's next availability.

Our job was to encourage a new behaviour, by getting people to stop for a moment before going to emergency and call an Urgent Care Line where a qualified nurse could triage them to the care that best fit the nature of their ailment. Either:

- 1. The Emergency Department (if an emergency)*
- 2. An Urgent Care Service Centre (if urgent)*

3. *Their local GP (if non-urgent)*

In the moments of injury, we are our most concerned and default to our typical response – going to emergency. Our insight here was that in these moments, the body bypasses the brain. The pain or injury almost takes a life of its own and drowns out one's rational brain.

So, we developed a campaign where we gave a voice and personality to a range of body parts affected by urgent health conditions – a rolled ankle, a cut knee, and an infected eyelid.

With that context, we'll address each of the concerns from the complainant.

HOW DO TALKING EYES REPRESENT URGENT HEALTH CARE?

As mentioned above, the execution is based on the idea 'When the body bypasses the brain'.

The static ad that the complaint has been raised against is a cutdown of a wider scenario, fully shown as a carousel ad (see attachment) which is based off a 15" video. In this scenario, one of the eyes has an infected eyelid and doesn't seem to notice it. The other eye is looking on and, alarmed and sensing the urgency of the situation, encourages the affected eye to go and get some help, ending with the call-to-action of contacting the Urgent Care Line.

The Urgent Care Line exists to triage a range of urgent presentations, including:

- *Minor injuries such as sprains, minor fractures, and non-protruding breakages*
- *Minor infections, injuries, or irritations*
- *Musculoskeletal conditions and injuries*
- *Minor wounds, skin tears and abrasions*
- *Removal of foreign objects from body*
- *Minor dental pain*

However, in the first instance, the urgency of the situation comes down to the perception and discernment of the person experiencing the issue. It is not unreasonable to think that an eyelid infection of that proportion would be considered in need of urgent medical attention to determine its severity. A quick call to the Urgent Care line would triage this kind of issue, making the ailment directly relevant to the nature of the service we are advertising.

Additionally, each of the scenarios were reviewed by a diverse range of health professionals, local government departments, and Western Sydney Care Collective partners who confirmed the scenarios as:

1. *Depicting typical injury that could call the UCL and then go to a clinic*
2. *Representative of the local demographic and sensitive to all local cultural groups*

RACIST TOWARDS ASIANS

The Western Sydney community is demographically diverse, and we wanted our communications to represent this diversity where it could.

All of our executions use stock imagery. We chose the eyes image in question for two main reasons:

- 1. It contained a medical scenario that a reasonable person would deem as 'urgently' needing medical attention*
- 2. The person in the image could come from a range of different backgrounds*

The ad is about an infection that anyone of any racial background could be faced with, not the shape of the eye. As such, the ad isn't making light of the shape of the eye; its humour rests entirely on the idea that our body parts could speak to us when they are injured. The race of the subject is completely irrelevant to this.

Additionally, we cast the 'Eyes' subject as Polynesian for the video version.

CONCLUSION

We hope we have provided enough context and explanation to conclusively determine that our ad is not in any way racist or discriminatory.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement is culturally insensitive and racist.

The Panel reviewed the advertisement and noted the advertiser's response.

Section 2.1: Advertising shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual orientation, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Race - viewed broadly this term includes colour, descent or ancestry, ethnicity, nationality, and includes, for example, ideas of ethnicity covering people of Jewish or Muslim origin.

The Panel noted the advertiser's response that the advertisement was intended to be an example of the type of injury that would require urgent care and that the ethnicity of the person was not the focus of the advertisement.

The Panel acknowledged that the depiction of only the eye of a person of Asian descent should be treated with sensitivity, as historically the eye-shape of some Asian people has been highlighted as a point of difference and used in a negative way to refer to Asian people.

However, the Panel considered that in this advertisement the ethnicity of the person is not highlighted, and there is no suggestion that the person in the advertisement is being mocked or ridiculed. Rather, the Panel considered that eye problems can require urgent care and this advertisement is promoting the availability of the service in such circumstances. The Panel also considered that the health service was located in a culturally diverse community and that this advertisement was promoting the message that the health service is available to everyone.

The Panel considered that the advertisement does not depict anyone in a manner that is unfair nor in a manner that would be likely to humiliate or incite ridicule.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of race, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.