

Case Report

1. Case Number :	0051-24
2. Advertiser :	Metro Trains
3. Product :	Travel
4. Type of Advertisement/Media :	Outdoor
5. Date of Decision:	6-Mar-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This advertisement depicts a camel wearing a suit and the text "Attention all passengers without humps", "Unless you happen to be a camel dehydration is your leading risk of heat exhaustion this summer", "Stay safe. Stay hydrated. Always travel with water".



THE COMPLAINT

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

The advertisement addresses "passengers without humps" and shows a camel dressed as a human. It is designed to encourage people to stay hydrated. While I completely agree with the motivation behind the advertisement - i.e. that people keep hydrated in

hot weather - there are various medical conditions which produce a hump in humans, and therefore I believe the advertisement is potentially offensive.

THE ADVERTISER'S RESPONSE

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

Metro's Summer Hydration campaign was created to remind passengers to stay hydrated whilst travelling on our rail network during the summer months, as dehydration can cause dizziness/fainting, weakness or confusion and in severe cases, heat stroke.

All advertising on the MTM network is governed by strict guidelines and is compliant with the Australian Advertising Standards. The campaign was also reviewed internally during the concepting and production stages before going live to market.

The campaign launched on 28 December 2023, and has been promoted on our network beginning with advertisements on our City Loop Screens from 2 January 2024, with A1 posters rolled out across the entire network from 5 January 2024. There have been 18,586,592 Myki touch-ons between 2 January-18 February 2024 (which translates to the number of passengers on our network).

From a social media perspective, we have organically promoted the campaign periodically on Facebook, LinkedIn, and Twitter, reaching 26,415 people. We also ran paid social media campaigns featuring the ad creative on Facebook and Instagram from 23 December 2023-31 January 2024, reaching 128,979 people.

Comments on our organic and paid campaigns included questions and feedback about including water dispensers at city stations to assist passengers with being hydrated whilst travelling. We also received comments of thanks to Metro Trains for the hydration reminder.

We had received one complaint about the campaign from a passenger on 14 January 2024, stating:

"Hello, I hope this message finds you well. I am writing to complain about the advertisement which shows a camel dressed like a human and which addresses passengers who do not have a hump. Although I completely agree with the message of the advertisement - that it is important to keep hydrated - there are medical conditions which produce a hump in humans (see for example <https://www.cedars-sinai.org/health-library/diseases-and-conditions/k/kyphosis.html>) and therefore I believe that the advertisement is potentially offensive.

I would like to see the advertisement removed, and replaced with a non-offensive advertisement encouraging hydration.

Thank you for considering my request.

REDACTED

We responded on 19 January 2024 with the following:

Thank you for your feedback received 14 January 2024.

I'm sorry you're unhappy with the advertisement that shows a camel dressed like a human and which addresses passengers who do not have a hump.

You have advised that although you agree with the advertisement message, i.e. that it is important to keep hydrated, you consider that the advertisement is potentially offensive, as there are medical conditions that produce a hump in humans.

You have asked that it be removed and replaced with a non-offensive advertisement encouraging hydration. A copy of your feedback has been brought to the attention of our Marketing team.

It is important to note that any advertising material produced and displayed by Metro must meet the Advertising Standards Bureau requirements.

The Ads Standards complaint has identified the possible breach of the Advertising Code: AANA Code of Ethics\2.1 Discrimination or Vilification\Disability

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.

It was not our intention to develop a campaign that discriminates against or vilifies a person or section of the community, and we regret that our messaging may have caused any distress.

The campaign was intended to highlight the importance of carrying water on trains which was represented through the use of a camel and to promote a safety message about being hydrated.

The Summer Hydration campaign uses the image of a camel and clear copy to highlight that humans, unlike camels, cannot last long without water in hot weather and should stay hydrated by always travelling with water. This is evident in the copy: "Unless you happen to be a camel dehydration is your leading risk of heat exhaustion this summer."

The line “Attention all passengers without humps” is in reference to the camel at the train station, and in no way intends to discriminate or vilify people with a disability or people who may have a medical condition that produces a hump. This is also not intended to cause offense.

The campaign intended to point out the biological differences between humans and camels to share a safety message, showing that the point of the campaign is around humans lacking physically capabilities that camels possess.

The campaign in no way seeks to discriminate or vilify anyone with a disability. Metro is committed to serving and safeguarding our community by providing important public health messages in a respectful and inclusive manner. We are grateful for the feedback received, as it provides us with an opportunity to improve our communication and ensure it aligns with our values and the diverse community we serve.

We are prepared to take corrective action as deemed necessary by the Advertising Standards Board and look forward to any recommendations you may have.

THE DECISION

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 makes reference to people with humps in a manner which is offensive.

The Panel viewed 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 Practice Note to Section 2.1 provides the following definitions:

- *Discrimination – unfair or less favourable treatment.*
- *Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.*
- *Disability - a current, past or potential physical, intellectual, psychiatric, or sensory illness, disease, disorder, malfunction, malformation, disfigurement or impairment, including mental illness*

The Panel noted that some people have disabilities or conditions which may result in a hunched back, however considered that the advertisement is not directly referring to people with such a condition. The Panel considered that the reference to humps is clearly in the context of camels’ ability to store water, and the advertisement makes no reference to people with a disability.

The Panel considered that the advertisement did not identify particular people or a group of people, and did not refer to people who may have a disability at all or in a way which would discriminate or vilify them.

The Panel noted that the advertiser could very easily have avoided the risk of causing offence, even if sticking with this creative, for example by referring to “passengers who are not camels”.

Section 2.1 conclusion

The Panel considered that the advertisement did not depict material in a way which discriminates against or vilifies a person or section of the community on account of disability and 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 Code the Panel dismissed the complaint.