

## Case Report

1. Case Number :	0075-24
2. Advertiser :	Telstra Limited
3. Product :	Telecommunications
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Decision:	20-Mar-2024
6. Decision:	Dismissed

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This advertisement depicts a dozing older brother who has forgotten to pick up his younger brother from sports training. The ad shows the younger brother waiting beside a pitch, before making his way back to his family home. As he enters and closes his bedroom door, his older brother wakes up. He immediately realizes he has forgotten to pick up his younger brother from training and rushes to grab the car keys. We then see him calling out for his brother at the pitch before 'Telstra home internet' and 'More reliable than family' are flashed on the screen.



### THE COMPLAINT

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

*I am writing to express my deep concern and disappointment regarding a recent advertisement created and published by Telstra. The advert in question depicts an Indian boy left neglected by his family in the rain after a school sports event, with the implication that his family is at home, asleep, and watching television. The slogan "more reliable than family" accompanies this portrayal.*

*This advertisement not only resorts to cultural stereotypes but also promotes a narrative that is deeply insensitive and potentially harmful. It reinforces negative stereotypes and misrepresentations of a specific cultural group, which is not only offensive but also irresponsible from a brand that holds influence and authority in the market.*

*Advertising has the power to influence perceptions and attitudes within society. It is crucial that this power is wielded with responsibility and sensitivity towards all cultures and communities.*

## **THE ADVERTISER'S RESPONSE**

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

*We refer to your letter attaching a complaint received by the Advertising Standards Board about the Telstra Home Internet More Reliable Than Family TVC.*

*Telstra ('We') is a voluntary member of the Advertising Standards Board. Community standards are important to us and what we do. We take care to set a standard not only for ourselves but for our industry. In doing so, we ensure that the preparation and publishing of our advertising material is compliant with the AANA Advertiser Code of Ethics ('Code').*

*We have provided the information requested in your letter below. We follow with responses to each of the parts of section 2 of the Code to assist your panel's consideration of the advertisement.*

*In short, we want to assure the Advertising Standards Board that we in no way condone discrimination or vilification on account of race in any shape or form. Our view is that the content and context of this advertisement is such that it does not portray nor present discrimination or vilification of a section of the community in a manner that breaches the Code. Further, we do not believe that it breaches any of the other parts of Section 2 of the Code. We set out our reasons below.*

### *Description of the Advertisement:*

*The ad is part of a campaign that is a light heartened comparison of how Telstra home internet is more reliable than other situations that are part of our lives.*

*This creative uses the example of an older brother who has temporarily forgotten to pick up his younger brother from training. We see a young sportsman waiting beside a pitch, before making his way back to his family home. As he enters and closes his bedroom door, his older brother awakes. He immediately realizes he has forgotten to pick up his younger brother from training and rushes to grab the car keys. We then see him calling out for his brother at the pitch before 'Telstra home internet' and 'More reliable than family' are flashed on the screen. The creative ends with the Telstra logo.*

## *Response to complaint according to clauses of Code*

### *2.1 – Discrimination or vilification*

*The casting of this TVC is intended to represent the Australian multicultural population: this is a common feature in many of our campaigns. Telstra takes diversity and inclusion seriously: it is at the core of our company internally and externally, we seek to actively reflect and further encourage diversity in our community.*

*This advertisement is intended to be a humorous depiction of a comparison that families can sometimes be unreliable when compared with Telstra Home Internet. The creative does not focus on humiliating or be an unfair or less favorable treatment of any culture, race, or ethnicity or any other defined attribute. The humour used in the advertisement is based on the universal truth that family in general can at times be unreliable: this is akin to the human condition as a whole.*

### *2.2 – Exploitative or degrading*

*The advertisement does not employ sexual appeal with images of minors or exploit or degrade any individual or group of people.*

### *2.3 – Violence*

*The advertisement does not present or portray any kind of violence.*

### *2.4 – Sex, Sexuality, and nudity*

*The advertisement does not present or portray any kind of sex, sexuality, or nudity.*

### *2.5 – Language*

*The advertisement only contains the use of language that is appropriate to the relevant audience and does not contain strong or obscene language.*

### *2.6 – Health and Safety*

*The advertisement does not depict content that would encourage or condone unhealthy or unsafe behaviour having regard to Prevailing Community Standards.*

### *2.7 – Distinguishable as advertising*

*The advertisement is clearly distinguishable as advertising and does not camouflage the fact that it is advertising.*

## **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 uses cultural stereotypes and promotes a narrative that is discriminatory.

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

**Section 2.1: Advertising or Marketing Communication 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 preference, 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

**Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender or race?**

The Panel noted that there is no reference to the family's race in the advertisement, nor is there a suggestion that the younger brother has been intentionally neglected or ignored as a result of his race or that his family is neglectful because of their race.

The Panel noted that the majority of the family is asleep and the mother is stretching, however considered that the brother's behaviour when he wakes makes it clear that the arrangement to collect his brother was his responsibility and there is no suggestion that the mother is neglecting her child.

The Panel considered that the intention of the advertisement is to depict a relatable scenario of a family member 'dropping the ball', and that the race of the family is immaterial and not referred to at all.

The Panel considered that while some viewers may dislike the advertisement, the depiction of the family in the advertisement is not itself unfair and does not depict less favourable treatment; nor does it humiliate, intimidate, or incite hatred, contempt or 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 gender or 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.