



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0061-22
2. Advertiser :	SA Police
3. Product :	Community Awareness
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	23-Mar-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement begins with a series of scenarios in which senior drivers are involved in driving mishaps. Alternative means of transportation are then shown. The voice over says, "As we grow older, driving can become more challenging and stressful. But we can reduce the risk. We can avoid busy intersections and peak hour traffic; do less long distance driving; and sometimes driving at night or in bad weather isn't worth it. Look for the signs. If driving is getting harder make some adjustments and explore the alternatives. Make a plan on your terms. Don't stop driving by accident".

THE COMPLAINT

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

They are saying old people shouldn't be driving and to stop them driving by making them choose not to drive. I feel it has the potential to create anxiety for older people who do still drive and drive well and makes them start to doubt themselves. Very sad every time I see this ad. It's almost elder abuse.

THE ADVERTISER'S RESPONSE

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



Senior Drivers are an emerging issue of concern for the road safety community.

At time of campaign development, seniors made up 13% of the population yet accounted for 23% of lives lost and 13% of serious injuries each year. During the five year period 2015 – 2019, on average there were 23 lives lost and 94 serious injuries of senior road users each year.

As the South Australian population continues to age, there is potential for the issue to compound unless interventions and preventative measures are introduced.

While senior drivers tend to be more cautious, without exhibiting the undesirable characteristics traditionally addressed in road safety campaigns, the process of aging can lead to mistakes and, in the event of a crash, injuries tend to be more severe.

In light of this alarming situation it was seen as prudent to develop an education campaign to encourage older drivers and their influencers to look for and recognise the signs that driving was becoming more challenging, consider alternatives to driving and ultimately consider retiring from driving.

You have told us the complaint falls under:

AANA Code of Ethics\2.1 Discrimination or Vilification\Age

Section 2.1 prohibits the discrimination or vilification of any individual or group of people on the basis of certain defined attributes.

Your advice also asks us to address all other sections of the code.

The complaint is not relevant to the AANA Code for Advertising and Marketing Communications to Children, the AANA Food and Beverages Marketing and Communications Code or the AANA Wagering and Advertising and Marketing Communications Code.

With regard to the remaining sections of Section 2 of the Advertiser Code of Ethics:

2.2 - Exploitative and degrading

- The commercial does not employ sexual appeal in any manner.*

2.3 – Violence

- There is no depiction of violence in the commercial. There are depictions of the outcomes of minor collisions, however no injuries or graphic imagery are included. The commercial was provided a 'G' rating which validates this.*

2.4 - Sex, sexuality and nudity

- There is no depiction of sex, sexuality or nudity in the commercial.*

2.5 – Language



- *No language is used that could be considered strong or obscene.*

2.6 - Health and Safety

- *The commercial does not depict any unsafe behaviour, other than the potentially challenging driving environments the campaign seeks to address, nor does it encourage any unsafe behaviour.*

2.7 – Distinguishable as advertising

- *Each element of the campaign is in traditional commercial formats, and branded with the SA Government logo and our current ‘Think! Road Safety’ logo.*

With regard to 2.1 Discrimination or Vilification\Age, we make the following comments.

Road safety encompasses many demographic groups and behaviours. Each year we address those most implicated in crashes, lives lost and serious injuries. These will typically include:

- *Drink Driving*
- *Drug Driving*
- *Non seatbelt use*
- *Inattention*
- *Fatigued driving*

A broad variety of demographics will present themselves in casualty data within these issues that we tailor messages to. Typically they will be male, from regional areas and between 18-30 and 30-40 years old.

In addition we target over represented road user groups, typically;

- *Motorcyclists*
- *Regional Drivers*
- *Young drivers/P-platers*

In this particular instance, we are targeting the over-represented group of senior drivers. They have not been targeted in isolation of other groups, or with a view to dismissively take them off the roads but because, as the previously stated facts have shown, they are an at-risk group and we desire to improve their safety.

We were very aware of the emotive nature of this issue. As a result we undertook pre-campaign research directly with senior drivers and their influencers and identified that the prospect of relinquishing driving could impact perceptions of independence, mobility and aging.

We consulted with Council of the Aging, South Australia during campaign concept development and much care was taken to ensure that messaging was measured, empathetic, practical and respectful.



Concept testing undertaken amongst senior drivers and their influencers identified that the concept had potential to have a positive impact. Key feedback included:

- *The concept was extremely well received by senior drivers and their adult children.*
 - *The message is clear - make a plan to give up driving or make a plan to drive safely.*
 - *It was very relevant and highly relatable – they could see themselves and/or their parents experiencing these scenarios, they felt credible.*
 - *The tone is right. It highlights the independence of senior drivers, and empowers them to make a decision, predominantly through the words ‘on your terms’.*
- Source: Kantar Public. Senior Drivers Concept Testing. November 2021.*

While we accept that everyone has a right to an opinion regarding our messaging and the right to express it, it is also worth noting that positive feedback has also been received:

While it is clear that it is difficult subject matter and it is clear that the campaign has stimulated discussion.

We hope you agree that this campaign has been carefully crafted and not thoughtlessly put to market in order to discriminate against the elderly. We target a broad cross section of the community that have an impact on road trauma, but more importantly we hope you agree this campaign has the potential to positively improve the safety of senior drivers in South Australia.

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 ageist.

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
- Age – based on a person’s actual age (i.e. from the date they were born) and not a person’s biological age (i.e. how old they may appear).



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

The Panel noted that the advertisement is aimed at a particular age group. The Panel also noted that there is an existing stereotype that older people are bad drivers, and considered that this advertisement does depict material in line with that stereotype.

The Panel noted the advertiser's response and the statistics showing that older drivers are a high-risk group for accidents. The Panel noted that the advertisement does not make degrading comments about older people or suggest that all older people are bad drivers and should stop driving. Rather, the Panel considered that the advertisement is designed to empower older people to make a plan, based on their own assessment of their ability, to cut down on certain types of higher-risk driving or to stop driving altogether.

The Panel considered that while the messaging of the advertisement is targeted at older drivers, the advertiser was successful in ensuring that it is not messaging which humiliates, intimidates, or incites hatred, contempt or ridicule of older drivers. The Panel considered that the advertisement is asking older drivers to consider their ability to continue driving and to make a plan, and that this isn't a message which shows treats older drivers unfairly or less favourably.

Overall the Panel considered that the advertisement did not depict material in a manner that was discriminatory or vilifying on the basis of age.

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 age, 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.