



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0062/19
2	Advertiser	Yum Restaurants International
3	Product	Food / Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/03/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Social Values
- 2.1 - Discrimination or Vilification Age
- 2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a grandmother about to sit on a park bench. She misses and lands on the ground. Sitting next to her on the bench, a young woman turns to her and starts to laugh. She exclaims "Oh gran" as she continues to laugh. Both characters suddenly realise that people are looking and turn in their direction. The young woman stops laughing. The scene shows onlookers in the park who are staring, unimpressed. The granddaughter exclaims "Did someone say KFC?". The advertisement ends with the grandmother and granddaughter eating KFC together.

THE COMPLAINT

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

The advertisement is ageist, sexist, and derogatory, depicting the older woman in a very stereotypical manner. This depiction encourages discrimination. It also depicted the young woman as vacuous and stupid. This, too, is not to be encouraged.



This is very disrespectful to seniors and I don't consider it funny. It is sending a negative message to young people. Trying to cover up the laughter with "Did someone say KFC" is not acceptable. In real life this may cause serious injury to an elderly person and I would not expect young people to find it funny at all. I find it very offensive towards older citizens. Young people need to learn respect towards older people and this is not communicating that message at all.

This add uses an older person as a prop who tries to sit on a seat and misses the seat and hits the ground, the younger girl then points at her, and laughs. The add then shows a lot of people around looking disgusted, but the the add goes to the girl seeing an advert for KFC, the next show the old ladies and the younger girl are eating KFC. This is demeaning to older persons, showing them as being stupid or not having the capabilities to sit on a seat in the park. As if giving the older ladies a reward she is then seen eating KFC.

THE ADVERTISER'S RESPONSE

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

Description of Advertisement

The Advertisement to which the Complainant refers to is a TV Advertisement for the KFC brand and the Boneless Bucket (Advertisement). The Advertisement is targeted at adults and will be advertised until 18 March 2019.

The Advertisement opens on a shot of a grandmother about to sit on a park bench. Unfortunately, she just misses and lands on the ground.

Sitting next to her on the bench, her granddaughter turns to her and starts to laugh. She exclaims "Oh gran" as she continues to laugh at the silly situation.

Both characters suddenly realise that people are looking and turn in their direction. The granddaughter stops laughing. We cut to onlookers in the park who are staring, unimpressed.

The moment is awkward and so the granddaughter exclaims "Did someone say KFC".

The Advertisement ends on both granddaughter and grandmother enjoying KFC and laughing together about what has just happened. They are enjoying life and it is clearly light hearted fun.



The complaints and relevant codes

The Complainants have expressed concern that the Advertisement portrays the discrimination or vilification of a person based on their gender and/or age.

The following concerns are cited in the complaints:

Section 2.1 of the Australian Association of National Advertisers Code of Ethics (Code of Ethics)

No discrimination or vilification of a person based on their gender and/or age

KFC is of the view that the Advertisement does not in any way discriminate or vilify on the basis of gender or age and complies with section 2.1 of the Code of Ethics.

The Advertisement is a play on the insight that whilst it may be taboo to laugh at the (slight) misfortune of others, it's fine to laugh when they laugh. The tone of the ad is warm-hearted and humorous.

The granddaughter would have responded in the same way to the fall, regardless of the grandmother's age or gender. The close relationship between the two characters is clearly established upfront with the exclamation of 'Oh gran', which shows that her reaction is not malicious or disrespectful.

The Advertisement resolves on both characters celebrating together and eating KFC. The grandmother is clearly unhurt and there's a sense that both grandmother and granddaughter are in it together.

Australian Association of National Advertisers Code of Ethics (Code of Ethics)

With respect to other sections of the Code of Ethics, I note that the Advertisement:

- does not employ sexual appeal in a way that is exploitative or degrading of any individual or group of people (section 2.2);*
- does not present or portray violence (section 2.3);*
- does not depict or treat sex, sexuality and nudity in any way nor without sensitivity to the relevant audience (section 2.4);*
- only uses language which is appropriate in the circumstances (including appropriate for the relevant audience and medium) with no use of strong or obscene language (section 2.5);*
- does not depict any material contrary to Prevailing Community Standards on health and safety (section 2.6); and*
- the Advertisement is clearly distinguishable as an advert and uses KFC branding to*



that effect (section 2.7).

Therefore, for the reasons outlined above, KFC believes that the Advertisement complies with section 2 of the Code in its entirety.

We trust this addresses the Complainants' concerns.

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 viewed the advertisement and noted the advertiser's response.

The Panel noted that this television advertisement features an elderly woman attempting to sit on a park bench, and instead falling down, her granddaughter laughs at her before realising she is being observed by other people and says "did someone say KFC?"

The Panel noted the complainants' concern that the advertisement features socially inappropriate behaviour. The Panel acknowledged that some members of the community would find the granddaughter laughing rather than assisting to be a negative behaviour, however considered that this is not an issue which would fall under the Code.

The Panel noted the complainants' concerns that the advertisement is discriminatory towards elderly people.

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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 Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel considered the advertiser's response that the advertisement features a play on the insight that while it may be taboo to laugh at the misfortune of others it is OK to laugh when they laugh, and that the tone of the ad is warm-hearted and humorous.



The Panel considered that the elderly woman is not shown to be laughing after her fall, and appears shocked.

A minority of the Panel considered that the depiction of the advertisement's use of an elderly woman falling over is a depiction which is only seen to be humorous because of the woman's age. A minority of the Panel considered that depicting an elderly woman as incapable of sitting on a park bench, and the suggestion that her falling is humorous, is a depiction which is humiliating of the woman and incites ridicule of the elderly. The minority of the Panel considered that the advertisement did depict material which vilifies a person on account of age. The majority of the Panel however considered that the shocked and disapproving reaction of the other people in the park suggested that the woman's fall was not humorous. The majority of the Panel considered that the overall impression of the advertisement depicts the granddaughter in a negative light, and not the woman. The majority of the Panel considered that the advertisement did not suggest that the woman fell over because of her age, or that this was a funny scenario.

The majority of the Panel considered that the advertisement content did not humiliate, intimidate, incite hatred, contempt or ridicule of elderly people.

The Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of age and determined that the advertisement did not breach Section 2.1 of the Code.

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

