



Case Report

| | | |
|---|-------------------------------|---------------------|
| 1 | Case Number | 0073/15 |
| 2 | Advertiser | Freedom Aged Care |
| 3 | Product | Community Awareness |
| 4 | Type of Advertisement / media | Print |
| 5 | Date of Determination | 11/03/2015 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

- 2.1 - Discrimination or Vilification Age
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This 'Beware of the Boo Man' letterbox drop piece was an A3 folded to A5 printed flyer. The overall look and feel is based off an animation so it has a cartoon look and feel. The flyer included a Boo Man shadowy figure that is with an elderly lady in everyday scenarios of someone living at home. The everyday scenarios included a bedroom, lounge, library, kitchen scenarios of when the elderly lady might have a Boo Man situation with fear, loneliness, memory loss, falls and daily activities.

THE COMPLAINT

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

In my opinion it is a quite inappropriate advertisement as it seeks to sell its message by promoting fear and insecurity in the vulnerable.

It reinforces the language used with dark to black colouring and shadowy, menacing figure illustrations.

Having seen many advertisements for aged care homes in the past, this is the first in my experience to so blatantly employ fear as a medium.

I am appalled and horrified by the tone and exploitative nature of this material. Aging and its

challenges are real enough without this representation as the Boo (bogy) man. This is a horribly unethical, predatory and threatening approach to marketing by a profit making organization. It is socially irresponsible on many levels. It is also wholly inappropriate to misrepresent common ailments and conditions of age, like mobility and dementia, much less loneliness especially in this ghoulish way!

THE ADVERTISER'S RESPONSE

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

This message was planned to run as a full advertising campaign throughout our regional areas where our Freedom Aged Care communities are currently located, in the Bendigo, Geelong, Coffs Harbour, Tamworth and Toowoomba.

The campaign was to commence in February and March across all mediums including press, television, online and letterbox drop starting on Sunday 01 February 2015. At the very last moment, this new campaign was pulled on Friday 30 January 2015 and did not go to market except for our first letterbox drop on Tuesday 03 and Wednesday 04 February 2015, as letterbox drops have a longer lead and production time with the Salmat walkers already included the material in their bundles for drop. We cannot confirm how many were actually dropped, but it could have been a total quantity of 75,170 across the Bendigo, Geelong, Coffs Harbour, Tamworth and Toowoomba regions.

We totally understand that readers may have found this confronting, but we wanted family members to be aware of their ageing parents and some of the key risks of living at home, when they say that they are doing ok, but in reality they actually need a little extra support and care.

Unfortunately too many ageing Australians are in these circumstances and experience this every, single, day. These are the top risks before an emergency happens and family members are left with little or no time to choose their right care for their loved ones;

a) Loneliness where loved ones are stuck in their home, day in, day out because they are unable to get out. If they are lonely, isolated, not able to see, talk or touch someone, it's not a healthy way of living.

b) Fear if loved ones safe and secure when alone at home? Fear of crime can affect the health and well-being and can influence their socialisation patterns and limit their social activities.

c) Falls risk can loved ones walk around their house as well as they used to? The combination of poor eyesight, using a walking frame or stick and minor safety hazards can put them at risk for falls, broken hip and even worse.

d) Nutrition and hygiene do loved ones need help with daily activities such as taking the right medications, eating properly, bathing and dressing?

e) Memory loss if loved ones have decreased cognitive functioning associated with early

stages of memory loss.

Family members and loved ones need to be aware if these situations are happening and most families don't realise this is happening until a 'Boo Man' scenario happens and it becomes an emotional, emergency for everyone involved.

We just want people to think about their choices and have an aged care plan. It doesn't need to be with Freedom Aged Care, we just want families to think about this and put a plan in place. As nobody plans for aged care.

We now realise that our 'Beware of the Boo Man' message should have included an explanation to why we wanted to share these key risks, rather than just communicating the risks. The message was meant to be about 'advanced aged care planning' rather than waiting for an emergency to happen and no-one has enough time to find the right care provider for their loved ones.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement is offensive to older people and that it is promoting fear and insecurity to the vulnerable.

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

The Board 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 Board noted that this print advertisement was received in the mail and features images of an elderly lady being watched over by a shadowy 'boo-man' figure whilst the text says that the Boo Man preys on the aged and that you should plan your future now before the Boo Man comes.

A minority of the Board considered that the language used in the advertisement and the suggestion that older people live in fear shows a lack of respect for older people and that the overall tone of the advertisement presents a negative stereotype of older people, is condescending and insults the intelligence of a person based on their age. The minority of the Board considered that the representation of an older person being afraid of a shadowy figure is disempowering and demeaning to a person on account of their age.

Following considerable discussion however the majority of the Board considered that the scenarios depicted in the advertisement regarding the effects of aging on the body and mind

were accurate in a lot of cases although the actual age of a person will vary with regards to dementia or other age-related conditions. The majority of the Board considered that in the context of a product for older people 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 their age.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the advertisement is using fear to promote a service and considered that whilst some members of the community could find this to be condescending the Board considered that there was no suggestion that all older people would experience the same scenarios as those depicted but rather that if this is something you feel could be a concern or problem then there is a solution available.

The Board determined that the advertisement did not depict material which would be in breach of Section 2.6 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaints.