



Case Report

1	Case Number	0081/13
2	Advertiser	IAG Insurance
3	Product	Insurance
4	Type of Advertisement / media	Billboard
5	Date of Determination	27/03/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Age

DESCRIPTION OF THE ADVERTISEMENT

Billboard advertisement featuring the headline 'We cover anybody who drives your car'. This billboard also has an image of a car fully coated with photos of different faces, an older woman sitting in the driver's seat and a man standing next to the car.

THE COMPLAINT

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

This ad clearly suggests that drivers are (not even 'can be', but 'are') unsafe drivers. This ad, though humorous in its intention, is therefore age discriminatory and promotes age discrimination. Apart from the obvious philosophical difficulty we as an association have with this, there is the very real practical concern that the promotion of the idea older drivers are unsafe encourages the harassment of older drivers (tail gating etc.) that we already hear about.

This ad applies to a prejudice that older drivers 'shouldn't be on the road'. Our association is also considering making a complaint to the Human Rights Commission. We would like to see the ad withdrawn.

THE ADVERTISER'S RESPONSE

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

We apologise if this advertisement has caused any offence. The billboard poster is part of the "Anyone can drive your car" advertising campaign we developed to show that any licensed driver is covered to drive our customers' cars under our comprehensive motor policy. In the campaign, we use a range of different aged drivers to demonstrate this. We are in no way meaning to be critical of older drivers.

We also wish to assure you that it was not our intention to, nor did we, convey a message that discriminates against or vilifies an older person in breach of section 2.1 of the AANA Code of Ethics.

1. Intention of the advertisement and the related campaign

As noted above, the advertisement, which forms part of a much broader campaign, is designed to show, in a humorous way that anyone irrespective of age or gender is covered under an NRMA Insurance Comprehensive car policy. The broader campaign shows people of all ages driving a car to emphasise that. This billboard does not infer that drivers in any age group are better or worse drivers than those in another group.

2. Nature of drivers conveyed by the advertisement

The two characters shown in the billboard are two of the most popular characters in the associated campaign, who are both intended to be likeable and seen in a positive light by the audience. When creating the advertisement, we were very conscious of ensuring that both characters were depicted in an amusing and lighthearted fashion.

You will notice that the older lady is happy and smiling and looks to be enjoying herself. She is not portrayed to be an unsafe or incompetent driver. The male character is shown to be enjoying himself too, resting against the car. His expression was intended to show surprise that anybody would be driving such an unusual looking car - irrespective of their age or gender.

3. The AANA Code of Ethics

Section 2.1 of the AANA Code of Ethics states that "Advertising or Marketing Communications 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...age". The Determination summary entitled "Discrimination and vilification in advertising" published on your website further provides the following clarifications as to the meaning of "discrimination" and "vilification":

- Discrimination: acts with inequity, bigotry or intolerance or gives unfair, unfavourable or less favourable treatment to one person or a group because of their race, ethnicity, nationality, sex, age, sexual preference, religion, disability and/or political belief.*
- Vilification: humiliates, intimidates, incites hatred towards, contempt for, or ridicule of one person or a group of people because of their race, ethnicity, nationality, sex,*

age, sexual preference, religion, disability and/or political belief.

Consistent with the lighthearted and humorous nature of our advertisement and our intention and design of the billboard as explained above, the characters in our advertisement in the broader campaign are not portrayed in a way which promotes unfair, unfavourable or less favourable treatment to older drivers and certainly does not humiliate or incite hatred towards or ridicule of drivers in any age group.

Accordingly, we do not believe our billboard advertisement contravenes section 2.1 of the AANA Code of Ethics.

NRMA Insurance places a very high value on its relationships with customers and the community, and is conscious of the image it portrays in its advertising. We will take the complainant's concerns into consideration in relation to future advertising projects.

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 complainant’s concerns that the advertisement is offensive and promotes age discrimination.

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 the advertisement features a young man standing outside of a vehicle that is covered in colourful photos and images. An older woman sits in the driver’s seat of the car smiling. The text above the image reads “we cover anybody who drives your car.”

The Board noted the complainant’s concerns that the image and text is suggesting that older drivers are unsafe or bad drivers and that this could encourage the harassment of older drivers.

The Board noted that the campaign is designed to show that any licensed driver regardless of age or gender are covered to drive any vehicle as part of the comprehensive policy.

The Board noted that insurance companies have a right to advertise their product and to highlight features that may make them different to other policies.

The Board recognised that there is a genuine community concern regarding the stereotyping of elderly people as being less capable but considered that in this instance the woman is portrayed as being happy and in control and not portrayed as being incompetent or unsafe.

The Board considered that the connection with the words “we let anyone drive your car” is not a negative comment but an indication of the policy feature allowing young and old to drive the same vehicle and be covered in the same way.

Based on the above the Board determined that the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.