



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0123/14
2	Advertiser	Paddo Bowls
3	Product	Sport and Leisure
4	Type of Advertisement / media	Print
5	Date of Determination	23/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Age

DESCRIPTION OF THE ADVERTISEMENT

A full page advert depicting some young people playing lawn bowls and the slogan "Bowls without the olds".

THE COMPLAINT

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

In the lower portion of the ad the promotional text for Paddo Bowls is accompanied by the words "Bowls without the olds!" I object to this because it indicates older persons are unwelcome and younger persons will not be inhibited by their presence. I consider it not only unacceptable but illegal, and I have also submitted a complaint to the Anti-Discrimination Board, as well as the magazine editor.

THE ADVERTISER'S RESPONSE

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

It should be noted that at present a Development Application is lodged with Woollahra Council for a child care facility to be built on part of the land that makes up the Paddo Bowls. This will not effect the bowling club in any way, but of course, there are a very small number of residents who do not wish to have a childcare centre here. Approximately 2 years ago,

Crown lands granted a long term lease to a private group who then sub-leases this land to Paddo Bowls. The point of explaining this to you is to let you know that there is a lobby group who are attempting to over turn this lease and request that Paddo Bowls be shut down and that the area be turned into a public park. The head of this lobby group has been attempting to push their agenda on her own website and also by posting things on our Paddo Bowls Facebook page and other social media. I am absolutely CERTAIN that they are the person behind this complaint, although I assume they will have requested that one of their side-kicks do so on their behalf! I know it is them because this complaint coincides with them making similar statements on our Paddo Bowls Facebook page and her own website. In addition, we have never before had a single complaint about our logo or slogan or any action of Paddo Bowls.

Our logo including the slogan "bowls without the olds" has been used since about 2006 throughout all our media. This includes advertisements on the radio, in local newspapers and other major print media, as well as on our own website and social media. We have NEVER received a complaint or even had anyone say anything to us about this being discriminatory. Indeed, we are a bowling club and have many older members! The idea behind the slogan was to make a tongue in cheek observation that Paddo Bowls was the first bowling club to take a traditionally older persons sport and turn it into a young persons game as well. We specialise in corporate team building events, birthday parties, bucks and hens days. We most certainly do not discriminate against older people. We have special senior menus available to our patrons and our board of directors are predominantly over the age of 50. The advertisement in question was in the good weekend magazine and will more than likely not appear again.

I have attached a copy of the advertisement to this form.

In summary, Paddo Bowls is far from discriminatory, indeed the "about us" page on our website states "Lawn Bowls at Paddo Bowls is a great game for both young and old - in fact the whole family can join in". This complaint is not a genuine complaint about discrimination against old people, in fact if the complainant had ever set foot inside our venue (which I doubt they have) they would be able to see first hand that we have people of all ages onsite from children to retirees. This complaint is simply that of a desperate journalist trying to push her own agenda.

It should also be mentioned that in the past 2 weeks we have adopted a new logo which no longer includes our old slogan of "bowls without the olds". So any new advertisements will no longer include our old slogan.

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 concern that the advertisement depicts a suggestion that older people are not welcome at the advertiser's venue and this is 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 this print advertisement features young people playing bowls and the tagline reads, "Bowls without the olds".

The Board noted that the tagline is very small and is printed in the bottom right hand corner of the advertisement. The Board noted that there is no definition of who would be considered 'olds' and considered that many young people would refer to their relatively young parents as 'olds'.

The Board noted that it is reasonable for an advertiser to direct their advertising at their desired target audience and considered that the most likely interpretation of the slogan, "Bowls without the olds" is that the advertiser provides for a less formal game than that usually enjoyed by an older generation with whom lawn bowls is mostly associated.

The Board considered that in this instance the advertisement does not depict material which discriminates or vilifies any section of the community based on age.

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.