



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0269-19
2. Advertiser :	Craveable Brands
3. Product :	Food/Bev Venue
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	11-Sep-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts a young woman and an older woman who appear to be in a retirement home playing a board game. The older woman is taking her time at her turn and when the scene cuts to the young woman's chair she is gone. The next scene shows her eating chips at Red Rooster.

THE COMPLAINT

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

A television advertisement depicting a young person abandoning an aged person with sensory loss for 'Gone chicken' is distasteful and sad in the extreme. There is a Royal Commission into aged care and to make fun of an older person and their struggle with sensory loss is dreadful. This advertisement sends a message that it is OK for young people to make fun of and abandon an older person with sensory loss. It is ageist and disrespectful. There is currently such a focus on the poor outcomes for some older people in aged care that I believe this ad is offensive and discriminatory against those living in aged care or to those older people living with sensory loss in general. The elderly lady eventually finds her letter and looks up ready to play, only to be confused and saddened her young companion is gone. What kind of advertising standards are we willing to accept here?



Rude, demeaning to elderly people in the community.

It's a bad message to send, dont you think? Also using a slogan (bored as fuck) is just crude!

I object to the depiction of the elderly woman as being unworthy of attention. I also object to the implicit approval of the young woman (who could have been a carer) deserting the woman. Given the current royal commission into aged care with its many depictions of older people being neglected it seems greatly offensive to tacitly approve and reward the young woman's actions

I am complaining about this adverticement as it is depicting elder abuse. An old frail lady who has clearly been enjoying her game are being left alone. The commercial do not indicate that the carer went to ger the food for the ol;d lady, instead it depict an selfish young person who leaves an old fragile person alone without care.

Ageist and considering all the reports from aged care commissions about older people being in care neglected. Ad reinforces ageist stereotypes and how awful it is to send time with an older person!

THE ADVERTISER'S RESPONSE

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

We have considered the complaint and the advertisement in question in light of the provisions of the AANA Code of Ethics ("the Code").

We note that the nature of the complaint relates specifically to the concern that the advertisement in question contains material which is discriminatory towards senior citizens. We have carefully considered the Code and have assessed its provisions against the content of this advertisement. We submit that the advertisement does not breach the Code on any of the grounds set out in the same.

We note that provision 2.1 of the Code sets out that "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."

We note that the advertisement in question does not include any material that discriminates against or vilifies any person or section of the community on the basis of age or otherwise.

Description of Advertisements for within an overall campaign idea



The advertisement is one of a series in Red Rooster's new "Gone Chickin'" campaign, which aims to demonstrate how irresistible Red Rooster's food is by dramatising people's desire to drop everything and go and get it straight away. The campaign features various scenarios (Friends Fishing, Mowing the lawn etc) in which the protagonist cheekily removes themselves from a current situation in order to satisfy their cravings for Red Rooster. These scenarios involve the characters leaving a situational context, rather than rejecting or discriminating against an individual in their company.

Description of Advertisement

The advertisement features a young woman visiting an older woman and playing a board game. The older woman takes an extended amount of time to take her turn in the game, the young woman then leaves the situation, stepping out for a meal at Red Rooster.

In this case, we note that the depiction of the older woman is not negative towards, derogatory or ridiculing of, senior citizens and is not intended to cause any offence, rather, it is intended as a light-hearted and family-friendly depiction of a well-recognised situation concerning anyone that can take a longer time to undertake activities than what they expect or would like. In our view, most reasonable audience members will recognise and appreciate the same and view the advertisement as intended.

We further note that the depiction of the characters themselves displays no hostility or negativity between them, with the younger character at most displaying veiled annoyance at her older companion's time-consuming activity. The environment in which the older woman is depicted is clean and neat, and there are no indications of elderly abuse, nor is there any suggestion she is deserving of the same.

Accordingly, we submit that the advertisement does not breach provision 2.1 of the Code, nor any other provision of the same.

Lastly, we note one of the complainants raised the issue of inappropriate language in the advertisement, relating to use of the term "Bored AF". We note that this term does not appear in the advertisement itself, but rather in social media messaging surrounding the advertisement. That said, even if it did form part of the advertisement, we submit that the term "Bored AF" is not in of itself considered inappropriate language. We note provision 2.5 of the Code states "Advertising or Marketing Communication shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided." We note that the appearance of the term on social media is relevant to that particular medium. We further note that most reasonable members of the audience of this advertisement would not consider the term to be strong or obscene language, but rather, a mild reference only.

Accordingly, we also submit the social media content, including the copy "Bored AF", which we believe does not breach provision 2.5 of the Code.



If you require any further assistance or information please do not hesitate to contact me.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement:

- Suggests that old people are boring or uninteresting
- Makes fun of an elderly person with hearing loss
- Is inappropriate in the context of the Royal Commission into aged care
- Depicts elder abuse
- Sends a message to younger generations that it is appropriate to abandon elderly people
- Contains inappropriate language

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

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 noted the complainants' concerns that the advertisement is inappropriate in the context of the Royal Commission into aged care, depicts elder abuse and sends a message to younger generations that it is appropriate to abandon elderly people..

The Panel noted the advertiser's response that the characters themselves display no hostility toward each other and there is no indication of elderly abuse.

The Panel considered that the woman in the advertisement appears to be in an aged care facility and that there is no indication of abuse. The Panel considered that the relationship between the woman and younger female is not known, but there is an assumption that she is a younger relative. The Panel considered that the advertisement used light-hearted humour to suggest a time when someone may want to go get something to eat, and was not a depiction of the elderly woman being abused or neglected. The Panel considered that the elderly woman in the



advertisement was not seen to receive unfair or less favourable treatment because of her age.

The Panel noted the complainant's concern that the advertisement makes fun of an elderly person with hearing loss.

The Panel considered that there was no indication in the advertisement that the woman's sensory abilities were impaired in any way. The Panel considered that the implication in the advertisement is that the elderly woman was so wrapped up in her activity that she didn't notice the younger woman leaving, not that the younger woman took advantage of a hearing impairment to leave.

The Panel noted the complainants' concern that the advertisement makes fun of elderly people and suggests that old people are boring or uninteresting.

The Panel noted the advertiser's response that the advertisement is a light-hearted and family friendly depiction of a well-recognised situation concerning someone taking a longer time to undertake activities than someone else would like.

The Panel considered that the younger woman in the advertisement appears bored as the woman was taking a long time to make a move. The Panel considered that the younger woman was depicted as leaving due to the amount of time it took the older woman to decide on a move. The Panel considered that the advertisement was depicting a stereotype of an older woman being slow to make a move. However the Panel considered that the advertisement's depiction was not a negative depiction with the younger woman depicted as taking the opportunity to pop out to get some of the advertised product while the older woman is making her move - rather than leaving as a statement of annoyance at the older woman. The Panel considered that the advertisement did not humiliate, intimidate, incite hatred, contempt or ridicule the woman on account of her age.

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

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Panel noted the complainant's concern that the advertisement featured the phrase "Bored AF".

The Panel noted the advertiser's response that the television version of this advertisement did not include the phrase "Bored AF".



The Panel noted that the phrase “Bored AF” was not in the advertisement, and considered that the only language in the television advertisement was the phrase, “gone chicken” which was not inappropriate, strong or obscene.

In the Panel’s view the advertisement did not contain language which is inappropriate in the circumstances and did not include strong or obscene language, and therefore did not breach Section 2.5 of the Code.

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