



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0310-20</b>
<b>2. Advertiser :</b>	<b>Brooks Hire</b>
<b>3. Product :</b>	<b>Hardware/Machinery</b>
<b>4. Type of Advertisement/Media :</b>	<b>Radio</b>
<b>5. Date of Determination</b>	<b>21-Oct-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the voiceover :Old mate told me I'd have an excavator on site first thing in the morning. Old mate lied. So, I called Brooks Hire. Brooks Hire has the biggest range of heavy earthmoving equipment around, and they're reliable. From diggers to dump trucks and everything in between, Brooks Hire won't let you down. Don't rely on old mate. Call Brooks Hire on 1300 BROOKS or get an online quote at brooks hire .com .au.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*Over use and emphasised use of the term "old mate" particularly on a station targeting an audience of 60+ yr listeners*

### THE ADVERTISER'S RESPONSE



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

*Thank you for taking the time to alert Brooks Hire Service to a complaint about our advertising. It has been claimed that our advert overuses and emphasises the term "old mate" particularly on a station targeting an audience of 60+ year listeners. In response to this complaint (case reference number 1310-20), we would like to object to the claim that the ad is discriminatory or vilifies people based on age.*

*According to the Macquarie Dictionary, the meaning of the term 'old mate' is not an age or gender exclusive term. It is used as a placeholder for a name that is unknown or interchangeable ie. 'let's go and ask "old mate" (total stranger or name forgotten), or; G'day "old mate" haven't seen you for ages (thinking: I don't know this person's name). The term is an Australian colloquialism which stems from the idea that a specific person need not be named during a statement or anecdote in order to get the gist of the conversation. The term has been used extensively in popular culture to refer to both men and women of all ages.*

*Our radio advert does not identify anyone of any particular age or gender, it simply refers to an unknown person that the main character has been dealing with. There is no mention of the words, 'he', 'him', 'his' or any other gender identifying words. Furthermore, the ad is referring to someone who is in the workforce so they would have to be below retirement age. Whilst we understand that not every person in Australia is familiar with our colloquialisms, we are confident that most Australian's are familiar with the meaning of the term "old mate" and would not find it to be discriminatory in the context that we have used it.*

*We thank you for your time to address this matter and hope that you agree that our use of the term 'old mate' was used in good humour and is not specific to any particular demographic.*

## **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 noted the complainant's concerns that the advertisement overuses and emphasises the term "old mate" on a radio station that targets an audience of over 60s.

The Panel reviewed 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 Practice Note to Section 2.1 which includes the following definitions:

“Discrimination – unfair or less favourable treatment.

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

The Panel noted the advertiser’s response that “old mate” is colloquially used as a placeholder for a name that is unknown or interchangeable. The Panel considered that in this context it is used to refer to a person who had proven untrustworthy and did not deliver a service as promised, however that their actual name was not necessary for the anecdote.

The Panel noted that the term “old mate” was used three times in the advertisement. The Panel noted that the emphasis on “old mate” was not to highlight the age of the person, but rather to convey a sense of the unadvisability of relying on a friend or acquaintance. The Panel considered that while some members of the community may consider the advertisement to be a reference older Australians, the broad community would understand the generic reference to an unidentified person or friend of long standing.

Overall 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 gender 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 complaint.