



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0032/18
2	Advertiser	National Australia Bank Ltd
3	Product	Finance/Investment
4	Type of Advertisement / media	Internet-Social-FB
5	Date of Determination	07/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This Facebook advertisement features various scenes of a family with triplets, including scenes of the family loading the children into the car and securing them into their car seats.

THE COMPLAINT

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

Because people who are unaware of the correct way to restrain their children in the car may think what they saw is right, which is very dangerous. Considering the business has lots of money and reaches millions of people, I would think they would take the time to do things properly.

THE ADVERTISER'S RESPONSE

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



We refer to the email received by our office on 23 January 2018 in relation to the above complaint in connection with our social media advertisement 'Damian and Fiona had triplets'. The ad was first published on 17 January 2018 across NAB's social media channels including Facebook, Snapchat and Instagram, supported with paid advertising until 21 January.

We are sorry to hear that a recent NAB advertisement has caused concern for any member of the community.

The advertisement was intended to bring to life the business of a family with triplets and demonstrate how, after unexpectedly conceiving triplets, NAB has been there to support the family through the biggest moments of their lives. The video, which shows the parents sharing their plans and hopes for the future and reflecting on their journey, is intended to be a genuine depiction, featuring real people (not actors) and was shot at the family's home, in their real surrounds.

NAB takes the AANA Code of Ethics and its responsibility as an advertiser very seriously, and makes extensive efforts to understand and respond appropriately to community concerns and issues. Safety, and particularly as it relates to children, is a paramount consideration for NAB, both in terms of how we approach care of our customers, partners and community and also in terms of how we project safety related content and messages in our advertisements.

Section 2.6 of the AANA Code provides that Advertising or Marketing Communications shall not depict material contrary to prevailing community standards on health and safety. We believe we have complied with this section of the code. The footage which the subject of this complaint, depicts the children being restrained in child car seats appropriate for their age and height. Each child is seated and securely fastened before the vehicle is driven away. We also confirm that each child car seat meets the Australian/New Zealand Standards for child restraints AS/NZS1754.

However, we acknowledge that there are various views and opinions with respect to how restraints should be correctly applied. Having sought independent, expert advice and undertaken a comprehensive review since receiving the complaint, we have amended the footage in question to allay any community concerns. We have also ceased paid promotion of the original advertisement (as of 21 January 2018) and removed the original advertisement from public view (as of 31 January, 2018).

We note that we do not consider other Sections 2.1-2.5 and 2.7 of the AANA Code, identified as having potential relevance to this case, to be relevant to this complaint, nor upon review do we perceive that this advertisement presents any breach of these sections.

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 depicted children not properly restrained in a vehicle.

The Board reviewed the advertisement and noted the advertiser’s response.

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 Facebook advertisement showed a family with triplets talking about their everyday lives. In particular the Board noted a scene where the triplets and their sibling were seen being put in the back of a vehicle.

The Board noted the complainant’s concern that people who are unaware of the correct way to restrain their children in the car may think this behaviour is correct, which is very dangerous.

The Board considered the scene in which the four children are restrained in the car and noted that they all appear to be in car seats appropriate for their size, and that they are all strapped in.

The Board noted the advertiser’s response that the car seats used in the advertisement all meet the Australian/New Zealand Standards for child restraints.

The Board considered that the scene in the advertisement is very brief and is a depiction of the everyday lives of a family with triplets. The Board considered that care is taken by the parents in the advertisement to ensure the children are correctly restrained in the car.

The Board considered that this is a depiction of an everyday scenario in which children may move, or twist straps, however the overall suggestion of this scene in the advertisement is that the children are restrained safely and there is no depiction of unsafe behaviour.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety. The Board determined that the advertisement did not breach Section 2.6 of the Code.



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