



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0306/18
2	Advertiser	Volkswagen Group Australia Pty Limited
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	11/07/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Bullying (non violent)

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a doorbell ringing and a group of children in costumes running to the front of the house. There is a small yellow car in the driveway and it moves to reveal a young boy in a Volkswagen Golf costume. The children are then seen enjoying a birthday party, with scenes including the birthday girl blowing out the candles on her cake and the boy in the car costume reversing to sit next to her.

THE COMPLAINT

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

It depict that clearly children under the age of ten being attracted romantically to each other and impressing each other. The actions include edging out same sex 'rivals', hand holding and sexualised looks and intention to initialise exclusive relationships. This is inappropriate for the age group depicted, It is encouraging bullying it doesn't matter who he hurts and he gets the birthday girl.



I find this to be blatant bullying- a behaviour we are trying to delete from our schools so VW comes along and uses bullying to sell cars.. NOT GOOD...

Hello board, thank you for hearing my words and listening to my concerns. I stand against bullying in all of its' forms and against those things that normalise behaviours that lead to bullying. I want you to understand that endorsement of this ad, is an endorsement of child bullying. If you are against bully you must remove this ad, if you value decency, if you care about children at all, you must remove this ad. This ad stands for behaviours that damage children's lives for many many years after adulthood, this ad stands for the moral decay of our society and this ad has to be removed for the sake of a peaceful future for our children. I ask of you only one thing, is this behaviour acceptable in society? Is it acceptable for me to conduct myself toward others as this child acts towards the other child? Time to draw a line in the sand and say, enough is enough. Media has such a long lasting effect on our thinking, on our behaviours and on our society,

THE ADVERTISER'S RESPONSE

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

Volkswagen takes its legal responsibilities under the Competition and Consumer Act, AANA Advertiser Code of Ethics and the Federal Chamber of Automotive Industries (FCAI) Voluntary Code of Practice for Motor Vehicle Advertising very seriously. Further Volkswagen adheres to the Commercial Advice Division (CAD) pre-approval process to ensure approval classification before the commercial is aired. This reflects Volkswagen's robust commitment to complying with advertising and motor vehicle safety regulations.

The Advertisement

The Complaint relates to Volkswagen's 30 second RoboBoy TV Commercial (TVC), which portrays a scene from a children's birthday party. The TVC opens up in a driveway in a suburban setting at a children's dress up birthday party. In the driveway is a small yellow Volkswagen Golf made out of cardboard. Suddenly the car transforms and a bot emerges (RoboBoy) and he has come to the dress up party dressed as a Volkswagen Golf.

Throughout the TVC, various scenes take place during the birthday party: blowing out the candles, eating birthday cake; all the while our RoboBoy highlights features of the vehicle (costume) such as reversing sensors and city emergency brake in a fun, innocent and childlike manner. The events that unfold at the party are depicted in a normal child-like way. Eventually RoboBoy's dad comes to collect him and it becomes evident that the features demonstrated by the child during the party, including reversing to sit next to the party girl host, are simulated features of his father's



Volkswagen Golf; being the inspiration for his costume. The final scene demonstrates the Volkswagen Golf using the Park Assist feature to manoeuvre out of a tight parking spot and drive down the street.

The advertisement was approved by CAD with Key Number VGA5464T160 and CAD rating of "G". The advertisement was published online via Volkswagen's social channels including Facebook and YouTube, which commenced on 11 February 2018 and will continue until 10 February 2019.

Relevant Legislation and Regulations

The relevant laws and standards relating to the complaints are as follows:

- 1. The AANA Advertiser Code of Ethics (Code); and*
- 2. The AANA Advertiser Code of Ethics (Practice Notes).*

In relation to section 2 of the AANA Code of Ethics, the advertisement does not portray people or depict material in a discriminatory manner. There is no sexual appeal whatsoever as the scene is set at a children's party, which is clearly not exploitative or degrading of any individual or group of people. There is no portrayal of violence in any way whatsoever. The advertisement does not portray and acts that are in reference to sex, sexuality or any nudity. There is no inappropriate language used in the Advertisement.

Volkswagen's Response to the Complaint

The Complaint raises concerns that the scenes in the Advertisement shows RoboBoy bullying another child at the same party, to win the birthday girl's attention. The scenes depict normal children at a party behaving as children do. Furthermore. The Complaints suggest the behaviour of RoboBoy and the birthday girl convey inappropriate sexual nature for children.

While Volkswagen respects the personal opinion of the complainants, Volkswagen rejects this view. At all times, the Advertisement is in full compliance with the AANA Code of Ethics. The Advertisement aims to highlight the vehicle's safety and technology features.

The Advertisement is a light-hearted, innocent, and normal depiction of children interacting with one another at a birthday party. The Advertisement does not promote bullying; there is no depiction of or insinuation of physical or verbal bullying. The fact that RoboBoy reverses in to take up his seat next to the party girl is meant only to mimic the features of the car. There is no depiction of an inappropriate sexual nature for children.

There is no inappropriate sexual behaviour whatsoever.



No reasonable viewer would understand the advertisement as depicting or condoning bullying or depicting material that is in any other way contrary to prevailing community standards on health and safety.

The Advertisement was reviewed by our internal Legal team as well as by the Commercial Advice Pty Ltd (CAD) prior to airing, Volkswagen maintains that the advertisement is within the AANA Code of Ethics, community and regulator standards, and that a reasonable person would not have grounds for a complaints as it does not display or depicting or condoning bullying, or depicting material that is in any other way contrary to prevailing community standards with respect to health and safety.

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 complainants' concerns that the advertisement features bullying.

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

The Panel considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Panel noted the television advertisement features a young boy in a car costume attending a child's birthday party. In particular the Panel noted a scene where the young boy 'reverses' into a seat next to the birthday girl, and another boy moves to the side.

The Panel noted the complainants' concerns that the advertisement features romantic relationships and sexualised looks that are inappropriate for the age group depicted.

The Panel noted that the advertisement featured a scene where the young boy stands next to the birthday girl when she was blowing out the candles on her cake, and a scene where he 'reverses' to sit next to her and she feeds him some of her cake.

The Panel considered that the interaction between the boy and girl in the advertisement was that of friends and considered that the advertisement in no way sexualised the children or the children's behaviour.

The Panel considered that the advertisement did not contain themes of sex, sexuality or nudity and considered that the interpretation that the advertisement featured



sexualised behaviour was an interpretation which would be unlikely to be shared by most members of the community.

The Panel determined that the advertisement did not breach Section 2.4 of the Code.

The Panel 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 Panel noted the complainants’ concerns that the advertisement featured bullying, in particular the scene where the young boy pushes another boy out of the way to sit next to the birthday girl.

The Panel considered that the boy in the car costume does not touch the other boy, rather the other boy moves out of the way when he sees the car costume ‘reversing’ towards him.

The Panel considered the boy who moved does not seem overly distressed and that he is depicted eating his cake.

The Panel noted that this scene is designed to highlight a feature of the vehicle which is being advertised and was relevant to the product being sold.

The Panel noted that the boys are shown competing for the attention of the birthday girl, and considered that this is a common event at birthday parties and that competition is not the same as bullying.

The Panel acknowledged that there is clear concern in the community related to bullying, however considered that this advertisement does not depict bullying.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety. The Panel 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 Panel dismissed the complaints.

