



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0419/18
2	Advertiser	First State Super
3	Product	Finance/Investment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	26/09/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Graphic Depictions
- 2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a scene showing up overturned car with an arm out the window and emergency services approaching the car; an early morning scene overlooking water showing a man being transported into an ambulance; a scene showing emergency services comforting the woman whose car overturned; a scene in a hospital showing staff surprising a child patient with balloons; another early morning scene with the same man; and a scene showing a presentation room with two women speaking.

THE COMPLAINT

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

Image of a car accident with a rolled vehicle and a trapped person with their arm dangling out. Too explicit!

THE ADVERTISER'S RESPONSE





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

The format of the advert is a 30 second television commercial and is brand advertisement for the First State Superannuation Scheme ("First State Super").

The advert includes three scenes depicting our members providing support to those in their care – patient transport workers with an elderly man, firefighters at a car accident and nurses with a patient. In addition, there is a scene of a First State Super employee providing support to a nurse. The end frame contains the corporate logo, telephone number and search "feel future ready".

The car accident scene in question sets out to showcase the comfort and support a firefighter gives to the driver of a rolled car. This scene is depicted twice during the advertisement:

1. Establishing the scene – depicting an upturned vehicle with an arm reaching out of the driver's window. In this scene there are close up visuals of the firefighter approaching the scene and at the scene.

2. Support scene – in this scene you see the driver. The driver is securely fastened in the seatbelt, is conscious and reaches out to the approaching firefighter calling out for help. You then see the firefighter holding the driver's hand and introducing himself, he tells the driver that she will be OK. The scene then cuts to the next scene within the advertisement.

First State Super is a profit for member superannuation fund. Most of our 767,000 members work in the public sector and healthcare – including law enforcement, emergency services and other professions that care for the community.

The objective of our advertising is to increase awareness of First State Super among both our members and non-members in aligned industries. The premise of the advertisement is that our members are those people that support others in their daily lives, and we in turn provide them with the support they need to feel future ready.

We took great care to ensure that all the scenes in First State Super's advertising accurately reflect the reality for our members. We worked closely with relevant unions and employers to gain their support and counsel on the scenes as they were developed.

The relevant scenes were developed with the support of NSW Fire & Rescue, using real firefighters, real members and even having senior staff on set during the filming. The scene does not fully show the accident occurring nor the vehicle rolling. The driver in the scene is conscious and is engaging with the firefighter. She is not fully seen and is



not the subject of the advertisement – the firefighter and the emotional comfort and support being provided by the firefighter is. There is no depiction that the driver is hurt, there is no blood nor any evidence there were acts of violence as per the definition 2.3 in the AANA code of ethics dated 1 March 2018.

The advertisement was launched in early March 2018 and has appeared in top rating television programs in NSW and VIC metro and regional free-to-air stations, cinema, catch-up television and amplified through First State Super's social media channels since its launch.

In light of the foregoing, we do not believe that the advertisement breaches ethics in relation to:

- 2.1 Discrimination or vilification;*
- 2.2 Exploitation or degrading;*
- 2.4 Sex, sexuality and nudity;*
- 2.5 Language;*
- 2.6 Health and Safety; and*
- 2.7 Distinguishable as advertising.*

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 concern that the advertisement depicted violence which was not appropriate in the context of the product being advertised.

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

The Panel noted that the television advertisement featured a number of scenes including: an overturned car with an arm out the window and emergency services approaching the car; a man being transported into an ambulance; emergency services comforting the woman whose car overturned; hospital staff surprising a child patient with balloons; the man being loaded into an ambulance admiring a sunrise with the paramedics; and a presentation room with two women speaking.

The Panel considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Panel noted the complainant's concerns that the footage of the woman with her arm hanging out the window of an overturned car was too explicit.



The Panel considered the advertisement did not contain blood or overly graphic depictions.

The Panel considered that the woman in the vehicle was clearly alive at the end of the advertisement and the driver was seen to hold her rescuer's hand.

The Panel considered that the advertisement did not contain any sense of menace, and that the advertisement did not contain violence.

The Panel considered that the advertisement did not depict violence and considered that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach any other Section of the Code the Panel dismissed the complaint.

