



**ADVERTISING
STANDARDS
BOARD**

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Case Report

1	Case Number	0483/17
2	Advertiser	Virgin Australia Airlines Pty Ltd
3	Product	Travel
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/11/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement follows a series of individuals in different situations – optimists – who are determined to give it their best and push through no matter what. ON board the plane, one of the attendants throws a bottle of champagne to another attendant.

THE COMPLAINT

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

It showed two flight attendants dangerously throwing a bottle of champagne across the heads of passengers seated below them. I do not think this is an acceptable image and I expect it is against Australian airline regulations. Advertising should not be showing such dangerous acts in an aircraft as it can lead to misconception by some people that such behaviour is acceptable or to be expected by the travelling public.

THE ADVERTISER'S RESPONSE

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

The complaint alleges that the advertisement displays a dangerous act that may be against Australian airline regulations and creates a misconception that such acts would ordinarily be acceptable or expected by the travelling public.

Health and Safety Unsafe behaviour

Section 2.6 of the AANA Code of Ethics states that ‘Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.’

We do not believe that the advertisement depicts material which infringes section 2.6 for the reasons set out below.

1. The advertisement does not depict a behaviour that the travelling public would expect to ordinarily occur on board an aircraft.

By way of background, Virgin Australia is part of the global “Virgin” brand family. Service is our unique selling proposition and Virgin Australia commonly features its on board product and its crew (or actors dressed in crew uniforms) in a fantastical way as a means of highlighting this.

The intent of the aircraft cabin scene in this advertisement is to create the impression of a glamorised, hyper-real aircraft boarding experience and to over-emphasize the level of service the public can expect to experience when travelling in Virgin Australia’s business class cabin. The scene is shot in a highly stylised manner which clearly does not depict the usual conduct of cabin crew on board.

This intent is clearly outlined in the Director’s Treatment for the advertisement, which contains the following key reference points:

- cabin crew members working together in sync in a dancelike way while the camera circles around them as they assist guests in an effortlessly but in slightly hyper-real way.*
- the intent is for images to leap off the screens captivating the audience with a look that is wildly alive, sumptuous and electric.*
- the pace is quick with the camera tracking at speed as it whirls and swoops down in a dancelike, lyrical way.*
- the entire advertisement was designed to endlessly surprise the audience and always be challenging their expectations.*

In addition to the champagne bottle throwing, the fantasy aspect of the cabin scene is further emphasised by the inclusion of the following elements:

- use of the high tempo song Sing Sing Sing by Louis Prima, which is intended to recreate the feeling of the 1930s ‘Big Band’ era;*
- accentuated coloured light in the cabin;*
- the highly choreographed movement of the actors in the scene;*
- the actions of a cabin crew member catching a passenger’s mobile phone;*
- the appearance of a number of Australian celebrities in the cabin (Adam Kennedy, Matthew Buntine, Michael Sheasby, Andrea Hah).*

The cabin scene must also be viewed in the context of the entire advertisement, which is

intended to create a fantasy-like depiction of individuals looking to move up in their chosen fields. For example, the actor rehearsing script lines with a 'wild west' movie scene portrayed out the window of his home and the rock climber making a near-impossible leap on a rock face. These hyper-real elements are designed to invoke an emotive response in viewers and are not intended to depict a realistic view of the world.

2. Airline safety regulations

Airlines have obligations to comply with Civil Aviation Safety Authority regulations in respect of the operation of flights, including in respect of the aircraft cabin environment. All commercial airlines, including Virgin Australia have policies and procedures in place to ensure that these obligations are met. In our case, we make the travelling public aware of these policies every time they book and travel on a Virgin Australia flight (for example, through our Conditions of Carriage and on-board safety briefings).

For these reasons, we believe the public are aware of the behaviour that is expected of both cabin crew and passengers whilst on board the aircraft and would not be caused to view the scene depicted in the advertisement as indicative of an ordinary aircraft cabin environment or boarding process. Further, we submit that it is highly unlikely that a person would try to mimic or copy the behaviour in question in a real aircraft cabin environment.

3. Safety precautions in shooting the scene

The actors involved in the champagne bottle scene are highly trained circus professionals who were dressed in Virgin Australia cabin crew uniforms. These actors thoroughly rehearsed the action independently of filming the scene. There was also a Safety Officer on set at all times during each shooting day.

We regret the fact that the complainant found this advertisement unacceptable. However, for the reasons state above, we do not believe the advertisement infringes AANA Code of Ethics nor do we feel the complaint received is representative of the community views. Therefore, we respectfully request that the complaint be dismissed.

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 complainants’ concerns that the advertisement shows a dangerous activity which is against prevailing community standards on health and safety.

The Board viewed 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 that this television advertisement features a variety of people doing things ahead of a flight. The music in the background is likened to the “big band era.” The voiceover describes the Virgin team using examples such as “we don’t lie in, we get up,” “we go to work and we step up.” When on board, the flight attendants are assisting passengers and preparing the plane. One of the female attendants throws a bottle of champagne across the empty middle seats of the business class cabin to her colleague in the other aisle. The final screen shot reads “Virgin Australia – here’s to looking up.”

The Board noted the advertiser’s response that the actors in the champagne bottle scene are trained circus professionals.

The Board noted that the overall theme of the advertisement is up-beat and high energy and shows examples of challenging activities and outcomes that are overcome such as rock climbing and football matches. The Board noted the advertisement is stylised and exaggerated creating an unrealistic tone.

The Board noted that throwing any item in the cabin of a plane and in particular a glass bottle such as a champagne bottle is not behaviour that would be encouraged or condoned. The Board noted that the action of passing the bottle to the second flight attendant is done so in a very controlled manner and the bottle remains upright at all times. The Board also noted that there are no passengers seated in the area where the bottle is transferred between the staff members.

The Board considered that most members of the community would recognise the fantastical and glamorous nature of the advertisement and the intent to create a “show like” feel for the promotion.

The Board noted the depiction of a bottle of champagne being thrown across the empty seats in a controlled manner, for the purpose of adding glamorous effect, is not a depiction that is contrary to Prevailing Community Standards on health and safety and 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.