



Case Report

1	Case Number	0518/14
2	Advertiser	QANTAS Airways Ltd
3	Product	Travel
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/12/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a montage of stories of different travellers making their journeys home or to visit loved ones, ending with them all using Qantas. Scenes include a woman in a taxi travelling through a busy city, a man sitting in the tray of a Ute which is driving down a country road overseas, and people at airports reuniting with loved ones.

THE COMPLAINT

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

Initial part of the advert depicts workers being transported to an airport in the back of a utility. It is highly illegal act to transport personal on roads in the back of a utility vehicle and most definitely unsafe to the personnel in the tray of the ute. Most disappointed by the substance of the latest Qantas ad due to the safety aspect not considered for the workers.

THE ADVERTISER'S RESPONSE

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

We refer to your letter regarding a consumer complaint about a television commercial which forms part of Qantas' recent brand campaign "Feels Like Home" (the TVC). Qantas is committed to conducting all of its advertising to the highest standards and any complaints

received are taken extremely seriously. The TVC The TVC was first aired on 9 November 2014 on channels 7, 9 and 10. The TVC is a compilation of five separate stories of Qantas passengers and their journey home. These stories provide authentic accounts of the personal experiences of these customers both before and after they travel on Qantas services. Each of these stories is also the subject of their own TVC, one of which is currently on air, with another due to air before the end of the year and the remaining expected to air in 2015. The purpose of the TVC is to highlight the emotional connection that passengers have travelling home on Qantas services. It is designed to promote the Qantas brand as an Australian icon which has been consistently, reliably and safely transporting passengers for more than 94 years. The Complaint The complainant submits that the TVC portrays “workers from what appears to be remote locations going to fly home to family”. His concern is that “...the advert depicts workers being transported to an airport in the back of a utility. It is a highly illegal act to transport personnel on roads in the back of a utility vehicle and most definitely unsafe to the personnel in the tray of the ute.” One of the stories presented in the TVC includes scenes of a young backpacker, Jacob, a 22 year old chef from Bunbury, travelling through Chile before returning home to be met at the airport by his mother, father and brothers. Jacob’s story is based on his experiences travelling in South America. The TVC briefly depicts Jacob travelling in the open tray of a utility vehicle in Chile. The images of Jacob represent his adventures travelling alone in a remote overseas location. It is deliberately filmed in a way for the audience to understand and experience Jacob’s backpacking journey, a “rite of passage” taken by many young Australians. It is not intended to promote or encourage unsafe or illegal practices and is not contrary to prevailing community standards on health and safety. The scenes of Jacob travelling in the utility vehicle, which are clearly filmed overseas, represent only a small part of his story and the TVC more generally. These scenes should be considered in the context of the overall impression created by Jacob’s story. The TVC does not represent Jacob as a Qantas employee or an employee of any other organisation.

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 depicts a man traveling in the tray of a ute which is unsafe as well as illegal.

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 the advertisement depicts various scenarios where people are journeying home or to see loved ones and Qantas forms part of their travel plans.

The Board noted one scene shows a man traveling in the back of a ute. The Board noted that the man depicted is clearly a traveller and not a Qantas employee. The Board noted that this would be illegal in Australia but considered that it is clear that the scene is set overseas. The Board noted that this scene is brief and it is clear he is in a country other than Australia, and forms part of an overall narrative of people traveling overseas, as well as within Australia, and considered that it would be unlikely to encourage people to travel in the back of a ute in Australia. The Board noted that different countries have different laws regarding traveling in or on vehicles and considered that in this instance whilst the activity would be illegal in Australia the man is presented in a manner which does not suggest that he is behaving recklessly or that he is in any unacceptable danger. The Board considered that the advertiser

is clearly presenting a situation which is common overseas and is not encouraging or condoning copying the behaviour in Australia which is unsafe or illegal in Australia. 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 complaint.