



## **CASE REPORT**

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| 1. Complaint reference number | 318/07  |
| 2. Advertiser                 | Virgin Money (Aust) Pty Ltd (Everlasting Love)  |
| 3. Product                    | Finance/Investment  |
| 4. Type of advertisement      | Print   |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1<br>Discrimination or vilification Age - Section 2.1 |
| 6. Date of determination      | Tuesday, 9 October 2007   |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

This print advertisement features an elderly couple outside in a garden where the man, trimming a hedge, has been interrupted by his wife's kiss. The man is wearing trousers and the woman is wearing underwear (pants and bra). Text below the image reads "Would it turn you on if we trimmed your rate?" and "The longer you're in a relationship, the better it should get. That's why Virgin Money Home Loans rewards your loyalty by further trimming your already low variable rate - by 0.10%pa on our 3rd and 5th anniversaries together. Which could save you thousands over the life of your loan. As for application and ongoing management fees, with us you don't have to wear them. We think you'll agree it's a pretty sexy offer." Below the text is a heart containing the words "Everlasting Love".

## **THE COMPLAINT**

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

*There is absolutely no reason - other than sexism, discrimination towards women and taking an opportunity to belittle women - for the old woman to be in her very plain, beige, unbecoming underwear to deliver the message in this advertisement. The same point could have as easily been made with the woman in a colourful bikini. Therefore I believe this is a deliberate and underhanded attack on women.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*By way of background, the advertisement forms part of Virgin Money's current advertising campaign ("Everlasting Love"). The campaign comprises television, print and internet advertising and has as its major focus a couple who have been happily married for 57 years. The campaign's promotional message of happy, loving, long-term relationships serves as a metaphor for the relationship Virgin Money aims to have with its customers.*

*We understand that the basis of the complaint relates to the way in which the female pictured in the advertisement is attired. The specific allegation is that the female is wearing plain underwear (beige) which is discriminatory and a "deliberate and underhanded attack on women". The complainant also commented that the same point could have been made had the model been wearing a brightly-coloured bikini.*

*We do not consider the advertisement to be in breach of section 2.1 of the ANAA Advertiser Code of Ethics (the Code) as it does not portray or depict people "in a way which discriminates against or*

*vilifies a person or section of the community on account of sex, (or) age...”. In this respect, the complainant’s proposal re clothing would not have been in line with the campaign’s fun and light hearted message. The photograph which is the basis of this complaint is taken from a television commercial which was shot with a great deal of sensitivity, in a private garden. The final television commercial shows both parties in an equal state of undress. Virgin Money considers that the print execution and the television commercial both depict a strong and loving relationship between a husband and wife and in no way discriminates or degrades against either sex.*

*Virgin Money has received significant media attention nationwide over the course of the past two weeks. This coverage included a feature on Today Tonight (shown 5 September 2007) during which the couple featured in the advertising was interviewed. They had the opportunity to talk about the day the television commercial was filmed and the photographs were taken – their enjoyment of the experience and their comfort with the way they were portrayed and the nature of the campaign was obvious.*

*As diligent communications expert, Virgin Money conducted consumer research to test the creative concepts based on the ‘Everlasting Love’ theme (i.e. depicting elderly couples, in loving scenes, wearing underwear). The response was extremely positive, as can be seen from the attached report.*

*For the reasons noted above, we strongly consider that the advertisement does not in any way discriminate against or vilify people on account of their sex or age and does not breach the AANA Code of Ethics.*

## **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 vilified women, particularly older women, by depicting the woman in unattractive underwear rather than in more flattering or attractive underwear.

The Board viewed the advertisement and noted that the use of an older couple in the advertisement was done lovingly and affectionately. The Board considered that the depiction of the woman in this particular underwear was not offensive and that the fact that the underwear was not particularly attractive was not a significant focus of the advertisement and was not done in a way that suggested that all older women wear, or usually wear, unattractive or boring underwear.

The Board considered that the depiction of both the man and the woman was affectionate and appropriate and in no way discriminatory or vilifying to women, older women or older people generally. On this basis the Board determined that the advertisement did not breach section 2.1 of the Code.

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