



CASE REPORT

1. Complaint reference number 82/08
2. Advertiser Virgin Money Australia Pty Ltd (Everlasting Love)
3. Product Finance/Investment
4. Type of advertisement TV
5. Nature of complaint Portrayal of sex/sexuality/nudity – section 2.3
Discrimination or vilification Age - Section 2.1
6. Date of determination Wednesday, 12 March 2008
7. DETERMINATION Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement, with the backing track of the song "This Will Be An Everlasting Love" features an elderly married couple in the garden, where the woman is trimming a hedge while the husband waters the garden with a hose. As the man is distracted by something in the hedge, he accidentally turns the hose on his wife, drenching her and causing a "wet t-shirt" look. Admiring the view, the husband approaches his wife who is smiling suggestively at him and they commence to embrace and kiss passionately. As they disappear from view, we see a pair of man's underpants and a bra thrown to the ground and the final scene is of two pairs of feet jutting out at ground level from behind a hedge. A female voicover accompanies the scenes "A home loan should be like a great relationship - the longer you're in it, the better it should get. Virgin Money home loans come with everlasting love, which means even after years together, you'll still find us attractive. Why not switch your home loan to Virgin Money today?" final text on screen reads "We'll trim your rate."

THE COMPLAINT

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

Portraying any couple engaged in sexual activity during family viewing time is tasteless. As a grand parent we are embarrassed and offended that ageing couples are portrayed in this tacky manner. Our granddaughter left the room and we changed the channel. The complaint is not to invalidate ageing couples enjoying sexual contact. How does this geriatric sex scene relate to Virgin money? Can the bar get any lower? Advertisements can be tasteful with strong messages and we enjoy many of them. What Ad Agency would think this has any appeal?

I am writing to object to the use of sexual innuendo throughout the Virgin Money advertisement and an obvious final scene visual innuendo of sexual intercourse being carried out by a very old couple. The advertising creative with the use of older people is not only disgusting to view, not only offensive to older people, it completely misses it's target market of probably 25 - 45 year olds. Most people, young and old will find this ad totally offensive and/or extremely gross and an unnecessary use of sexually based innuendo using older people to sell a money product. I am appalled the ASB allowed this to be passed. Surely our advertising standards have not been dumbed down to this level of supposed clever crudity. I could not watch it a second time and had to switch channels when it came on again. Please remove it from airing and request Virgin to develop something with a bit more style which is actually based on their money products rather than sex, no matter how clever or funny they believe it be.

Too graphic. My 8 yr son was watching the movie as a treat and we had to cover his eyes when it came on. They displayed too much 'sexuality'. It was totally inappropriate and offensive. Yes, we have to accept kissing on ads but the rest is too much and should not be shown on TV. Groping bottoms and wet t'shirts is too much. Yes it was hard to stomach seeing the older age group 'at it'

but even if it were a younger couple it is too much. Also I think many children would have been watching the movie and they should not have been subjected to it.

THE ADVERTISER'S RESPONSE

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

We wish to respond to the complaint and defend the integrity of the television commercial and related advertising campaign (by outlining both the television commercial's intended message and Virgin Money's internal diligence process followed in developing the campaign). By way of background, the television commercial comprises part of Virgin Money's current "Everlasting Love" advertising campaign. The campaign comprises television, print and internet advertising. The major focus of the campaign is a real-life 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 aspires to have with its customers.

The complaint refers to both the content of the television commercial and the time of day it was broadcast. With respect to the television commercial's content, Virgin Money considers that the commercial depicts a strong and loving relationship between a husband and wife and clearly communicates the product related message and our "Everlasting Love" campaign (as shown in script).

We note that the Advertising Standards Board has previously concluded (as per October 2007 Case Report) that:

*the use of the older couple... "was done lovingly and affectionately";
the depiction of the couple was "affectionate and appropriate and in no way discriminatory or vilifying to women, older women or older people generally".*

*With respect to the timing of the broadcast, the television commercial was granted a PG rating from CAD (refer attached) which permits broadcasting from 8:30am to 4pm and 7pm to 6am weekdays and 10am to 6am weekends except during P or C programmes or adjacent to P or C periods. The time of the broadcast indicated in the complaint was Sunday 24 February 2008 at 3:20pm and was neither during, nor adjacent to, P or C programmes or periods. Accordingly, we consider that the television commercial treats sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone and that Virgin Money has adhered to relevant broadcasting requirements
For the reasons noted above, our view is that the television commercial does not breach the AANA Advertiser Code of Ethics (including section 2.3).*

The starting couple of the television commercial were interviewed on Today Tonight, shown 5 September 2007. They had the opportunity to discuss their experiences arising from the filming of the television commercial – their comfort with the way in which they were portrayed and the nature of the advertising campaign was made clear to viewers.

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 was an unnecessary and crude representation of an older couple making out and then having intercourse.

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 couple disappearing behind the bushes was not offensive and since only their lower legs were visible that it was not an inappropriate depiction of sexual intercourse. On this basis the Board determined that the advertisement did not breach Section 2.3 of the Code.

The Board considered that the depiction of both the man and the woman was a respectful and appropriate portrayal of a long term relationship and was in no way discriminatory or vilifying to older people generally and did not breach Section 2.1 of Code.

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