

DECISION

FIRST INSTANCE JURY

ID	A-029
Complaint by	Consumer
Advertiser	Phoenix Ambulance Service
Issue	Radio Spot
Discussed on	Tuesday 30 June 2015
Decision issued	Friday 3 July 2015

Issue:

The consumer complained that *"the advertisement plays on fear and suggests that if you do not subscribe to the advertised service you or your family may die"*. More specifically, the part of the ad complained of is the following:

**"Here's a fact – no one wants to die waiting for an ambulance.
At Phoenix Ambulance Service, we've done everything we can to make sure that doesn't happen".**

The ad copy follows:

(Music)

Here's a fact – no one wants to die waiting for an ambulance.
At Phoenix Ambulance Service, we've done everything we can to make sure that doesn't happen.

At 0.11

No other ambulance service in Paphos is staffed 24hours a day by UK registered Paramedics and Emergency Medical Teams.

When you subscribe, we create detailed maps to your home, right down to the colour of your front door. That's our "We Know Where You Live" Guarantee and it's not just elderly people who need ambulances - you, or any member of your family, may need an ambulance at any time.

With family cover from as little as €20 per month, make time to find out more.

Visit "ambulancency.com", Call 96 238 380

or search AMBULANCE in The Sunshine Radio Directory at SunshineRadio.com

Summary of Advertiser's Response:

- Phoenix Ambulance Service is private, serving mostly British expats and some other European expats.
- Cyprus is one of the few remaining EU countries that does not offer up to date, fully trained Paramedics on emergency ambulances, something many expats are a) unaware of and b) would actually expect to be in place by now.
- There are also other serious concerns about the ability of state and other private ambulances to find and locate many properties in this region.
- This is exacerbated by the fact that many expats are unable to speak Greek or even pronounce the name of their road correctly. This presents a worrying set of problems in the event of a medical emergency.
- Phoenix Ambulance Service is the only service in The Paphos Region that is staffed 24/7 by UK registered Paramedics and Emergency Medical Teams.
- When people subscribe, Phoenix creates detailed maps to subscribers' homes.
- Due to this, Phoenix have done everything they can to ensure subscribers to the service can be reached quickly and receive medical treatment on arrival of the ambulance.
- This commercial does not imply that "you will die in an ambulance if you do not take out a subscription to Phoenix Ambulance Service". The wording intentionally implies that there is still a chance you could die even in a Phoenix Ambulance (because of course, sadly some people do). It does however highlight the many actions taken by Phoenix ambulance to avoid this from happening.
- These commercials do contain some very strong facts that may be very unpleasant for some listeners to hear. However, there is a huge difference between "creating fear" and pointing out real facts that are not pleasant to hear.

Jury Assessment:

1. This complaint poses two questions:
 - a) whether the advertisement plays on fear
 - b) whether the advertisement suggests that if you do not subscribe to the advertised service, you or your family may die.
2. The jury decided to address **Point B** first and noted the following:
3. There are 6 versions of the ad which contain the same ending -the claims of which were not disputed-, namely:
*"No other ambulance service in Paphos is staffed 24hours a day by UK registered Paramedics and Emergency Medical Teams.
When you subscribe, we create detailed maps to your home, right down to the colour of your front door.
That's our "We Know Where You Live" Guarantee and it's not just elderly people who need ambulances -you, or any member of your family, may need an ambulance at any time."*

4. The jury communicated with the Ministry of Health and was informed that in Cyprus there is no specific legal obligation for private ambulance services to employ qualified staff. It was also clarified that, if one dials the European Emergency Service number 112, the ambulance which will respond will be staffed with qualified personnel.
5. The jury understands the worrying set of problems referred to by Phoenix in the event of a medical emergency - the combination of difficulties in communication, difficulties in locating a property and the possibility of a private ambulance arriving at the scene with staff which is not qualified.
6. In that context, it believes that the phrase complained of does not imply that *"if you do not subscribe to the advertised service, you or your family may die"*. In the jury's opinion, it clarifies the extent to which Phoenix has tried to prevent a patient from dying in a medical emergency, with regard to the crucial time of transportation from his/her home to a hospital.
7. Given the above, the jury proceeded to discuss **Point A**. It noted that the Cyprus Advertising Code states that *"Marketing communication should not without justifiable reason play on fear or exploit misfortune or suffering"*. We do believe that the word "die" is quite harsh, especially in advertisements which primarily address people of a certain age. In this particular case and given the nature of the advertised service, its inclusion is not per se unjustified. Nonetheless, we *strongly* urge the advertiser to reconsider its use.
8. Given the above, the jury considers that the advertisement is not in breach of the Code of the Cyprus Advertising Regulation Organization.