



Case Report

1	Case Number	0003/17
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	08/02/2017
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This Wicked Campers van, rego UYV 955 (Victoria), features the slogan, "...if sex is a pain in the arse - you're doing it wrong!"

THE COMPLAINT

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

Do not want my children reading such disgusting comments.

THE ADVERTISER'S RESPONSE

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

The advertiser did not provide a response.

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 concerns that the advertisement features an inappropriate sexual comment which is disgusting and not suitable for children to see.

The Board viewed the advertisement and noted the advertiser had not provided a response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Board noted this advertisement is a slogan on the rear of a Wicked Campers van which reads, "...if sex is a pain in the arse – you're doing it wrong!"

The Board noted the reference to sex being a pain in the arse and considered that this is an explicit reference to a sexual act. Consistent with a previous determination in case 0394/16, the Board considered that this reference to a sexual act would be considered strong and obscene by most members of the community.

The Board considered that the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and determined that the advertisement did breach Section 2.4 of the Code.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Board noted the advertisement includes the words, 'sex' and 'arse'. The Board noted that these words of themselves are not strong or obscene but considered that they are used in a sexual context in the advertisement and in the Board's view the effect of using both words in the same sentence, with a sexual theme, is strong and obscene. The Board noted that the advertisement is very colourful and likely to attract attention and that it is on a moving vehicle and considered that the language is sexualised and not appropriate for the broad audience which would include children.

Consistent with previous determinations in cases 0498/15 and 0116/16, the Board considered that the advertisement did use strong and obscene language which is inappropriate in the context of an advertisement which will be seen by a broad audience which includes children.

The Board determined that the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement did breach Sections 2.4 and 2.5 of the Code, the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser has not provided a response to the Board's determination. The ASB will continue to work with the relevant authorities in Queensland regarding this issue of non-compliance.