



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0038-20
2. Advertiser :	Koala Sleep
3. Product :	House Goods Services
4. Type of Advertisement/Media :	Radio
5. Date of Determination	22-Jan-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This radio advertisement is for Koala Mattresses and features the words:
"Hey Sydney... did you know that there are hot singles in your area, right now...
waiting for you.
That's right... hot singles that can be in your house, laying in your bedroom...
All you have to do is jump online.. and in 4 hours you can have a hot single all for
yourself ...
Just go to www.koala.com and get a single mattress if you're after one, maybe for the
spare room over Christmas?.
Yeah This is a mattress ad. What did you think it was?"

THE COMPLAINT

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

*The initial part of the ad is highly suggestive with sexual overtones mentioning hot
singles and getting hot singles in your bed*

THE ADVERTISER'S RESPONSE



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

DESCRIPTION

Koala has mattresses in many shapes and sizes - this ad focuses on the single mattress, by getting a cheery lass to read our script and have a little fun with tone along the way.

SECTION 2

2.1 - The ad makes no reference to any particular person or section of the community, and therefore isn't able to vilify them

2.2 - Whilst Koala may have used sexual appeal, they have not done so:

(a) in any context connected to minors

(b) in a manner that could be considered to be exploitative or degrading of any person or section of the community.

2.3 - Koala has made no inference or suggestion or statement of violence in this ad.

2.4 - Koala is without a doubt the most respectable of all advertisers and would always treat sex, sexuality and nudity with the respect it is due. The Voice Artist, i can confirm, had clothes on during the reading, and whilst there is an aura of sensuality within the tone, the ending of the piece makes crystal clear the ads intention - selling lovely mattresses to wholesome Australians.

2.5 - Zero naughty words were used in this script.

2.6 - Prevailing Community Standards on health and safety were upheld in the making of this advertisement.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement was highly suggestive with sexual overtones.

The Panel reviewed the advertisement and noted the advertiser's response.

The Panel 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 Panel considered whether the advertisement contained sex, sexuality or nudity.

The Panel noted the Practice Note for the Code states:

"Images which are not permitted are those which are highly sexually suggestive and inappropriate for the relevant audience. Explicit sexual depictions in marcomms, particularly where the depiction is not relevant to the product or service being advertised, are generally objectionable to the community and will offend Prevailing Community Standards."



The Panel considered whether the image depicted sex. The Panel noted the dictionary definition of sex most relevant to this section of the Code of Ethics is 'sexual intercourse; sexually stimulating or suggestive behaviour.' (Macquarie Dictionary 2006). The Panel considered that the advertisement did not contain sex.

The Panel considered whether the advertisement depicted sexuality.

The Panel noted the definition of sexuality includes 'sexual character, the physical fact of being either male or female; The state or fact of being heterosexual, homosexual or bisexual; sexual preference or orientation; one's capacity to experience and express sexual desire; the recognition or emphasising of sexual matters'. The Panel noted that the use of male or female actors in an advertisement is not of itself a depiction of sexuality.

The Panel considered that the advertisement references "hot singles in your area" and the first half of the advertisement is spoken in a breathy voice commonly associated with advertisements for sexual products/services. The Panel considered that some members of the community may consider the advertisement to be sexualised.

The Panel considered whether the advertisement contained nudity and noted that the dictionary definition of nudity includes 'something nude or naked', and that nude and naked are defined to be 'unclothed and includes something 'without clothing or covering'.

The Panel noted that this advertisement was broadcast on radio and therefore did not contain nudity.

The Panel then considered whether the issue of sexuality was treated with sensitivity to the relevant audience.

The Panel considered the meaning of 'sensitive' and noted that the definition of sensitive in this context can be explained as indicating that 'if you are sensitive to other people's needs, problems, or feelings, you show understanding and awareness of them.' (<https://www.collinsdictionary.com/dictionary/english/sensitive>)

The Panel considered that the requirement to consider whether sexual suggestion is 'sensitive to the relevant audience' is a concept requiring them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle sexual suggestion is or might be is relevant to the Panel considering how children, and other sections of the community, might consider the advertisement.

The Panel noted the advertisement was heard on Today FM in Sydney, and that the main demographic for this station is people aged 25-39, however considered that the audience was likely to also include children.



The Panel considered that the advertisement creates a level of sexual innuendo in its opening lines where it references “hot singles in your area” and creates a set up sounding like it is an advertisement for sexual services. However the advertisement clearly finishes revealing it is an advertisement for mattresses. The Panel noted that the voiceover in the advertisement does change tone towards the end, becoming more upbeat and traditionally advertisement-like, and clearly states that the advertisement is promoting single bed mattresses.

The Panel considered that the slight sexual innuendo is unlikely to be understood by children.

The Panel acknowledged that some members of the community would prefer that this type of sexual innuendo not be used on radio where children can hear it, but considered that the actual content of the advertisement is not sexually explicit and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

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

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaint.