



Case Report

1	Case Number	0044/15
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	25/02/2015
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Wicked Campers' van with the rego, '093 GPH' and the slogan, "Confucius say man with dick in peanut jar is fucking nuts'.

THE COMPLAINT

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

Clearly this is highly offensive language and concepts. It is a very bad look for our tourism industry and would upset people from many nationalities as well as Australian's seeing it parked in tourism carparks, down main streets and driving behind it. The wording is clearly part of the branding and advertising strategy on their vehicles.

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 concern that the advertisement contains offensive and inappropriate language which is not suitable for a broad audience.

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 the advertisement appears on a Wicked Campers’ van and features the statement, “Confucius say man with dick in peanut jar is fucking nuts”.

The Board noted the term ‘fucking nuts’ and considered that whilst the word ‘fucking’ is being used as both an adjective and a noun, the context of a man putting his penis in a jar is suggestive of the sexual act. The Board considered that a reference to a sexual act, albeit with a jar of nuts, is not appropriate on a medium which is able to be seen by a broad audience.

The Board considered that the advertisement did not treat the issue of sex with sensitivity to the relevant audience.

The Board determined that the advertisement did breach Section 2.4 of the Code.

The Board then 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 that it had previously upheld a complaint about the use of the F word on a Wicked Campers’ van in case 0090/14 where:

“The Board noted that the advertisement is text on a white car with the Wicked Campers internet address across the rear windscreen and the text, "I was in fuckin' Nirvana dude. Dave Grohl" written on the side panel.

The Board noted that it had recently upheld a similar complaint for Wicked Campers (ref: 0101/13) that included the text “Fuck it dude...let’s go bowling.” The Board considered that in this case the word “Fuck?” is not appropriate for an audience that would include children and that it is a word which most members of the community would consider offensive.

The Board also noted that Community perceptions research conducted in 2012 identified that “in terms of advertisement unacceptability, the broader community was in general more conservative than the Board may have anticipated regarding themes of strong language”.

The Board noted that as the advertisement is featured on a vehicle it is likely that it will be viewed by a broad audience which would include children.

Consistent with the decision above and in consideration of the research the Board considered that the word “Fuck?” is not appropriate for such an audience and that it is a word which most members of the community would consider offensive.”

In the current advertisement the Board noted that the vehicle would be likely to be viewed by a broad audience which would include children and considered that consistent with its previous determination the word ‘fucking’ is a word which most members of the community would find strong, obscene and offensive. The Board noted the use of the word ‘dick’ and considered that in the context of a reference to a man’s genitalia and the sexual act this reference is strongly sexualised and inappropriate.

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

Finding that the advertisement breached 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.

