



**ADVERTISING  
STANDARDS  
BUREAU**

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ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0061/14</b>
<b>2</b>	<b>Advertiser</b>	<b>Wicked Campers</b>
<b>3</b>	<b>Product</b>	<b>Travel</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/03/2014</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Other
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

## DESCRIPTION OF THE ADVERTISEMENT

Red Wicked Camper van with a WA rego (1BKK 595). The text on the rear of the van is in white and reads, "...To all virgins - thanks for nothing!"

## THE COMPLAINT

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

*I find them all offensive! This attacks a person's virginity which is extremely precious..... In an age where young people are being pressured earlier and earlier to have sex, I don't believe this message is either helpful to them or encourages mutual respect.*

## 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 is offensive as it attacks a person’s virginity and does not encourage respect.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that a copy of the advertisement had been provided by the complainant and that the advertisement contains the statement, “...To all virgins – thanks for nothing!”

The Board considered that the content of the advertisement could be interpreted in a positive manner in that virgins are holding on to their virtue and considered that whilst some members of the community might not like the content of the advertisement in the Board’s view its content does not discriminate or vilify a section of the community.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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 that it had previously dismissed the use of the word ‘virgin’ on a Wicked Camper van in case 607/09 where:

“The Board considered that the text was sexually suggestive but not likely to be understood by children or indeed, some adults. In finding that the text was not sufficiently explicit or obvious, the Board determined that the advertisement was not in breach of (then) section 2.3 of the Code.”

Consistent with its previous determination the Board considered that in this instance the text of the advertisement is not sexually explicit and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not 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 and strong or obscene language shall be avoided”.

The Board noted it had previously dismissed the use of the word ‘virgin’ on a real estate agent’s sign in case 0227/11 where:

“The Board noted that the word ‘virgin’ means ‘pure’ or ‘untouched’ as well as referring to someone who has not had sexual intercourse. The Board considered that the use of this word in the context of a for-sale sign outside the property for sale is not inappropriate or offensive. The Board noted that some members of the community may not like the word to be used at all because of its sexual connotation; however in the Board’s view the advertisement does not contain a strong sexual reference.”

The Board noted that in the current advertisement there is no mention of sex, but that even though that is the clear intention of the reference the use of the word virgin does not of itself amount to language which is strong, obscene or inappropriate.

The Board considered that the advertisement did not feature language which is inappropriate, strong or obscene in the circumstances and that it did not breach Section 2.5 of the Code.

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