



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0145/19
2	Advertiser	BizCover
3	Product	Insurance
4	Type of Advertisement / media	Radio
5	Date of Determination	12/06/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement uses a voiceover with the background sounds of a couple in the shower giggling and having fun. The voiceover talks to the fact that the couple are your parents in the shower, and instead of listening you should turn off the radio and get a better deal on your business insurance. It highlights the advantages of using BizCover, including the fact that its all done in minutes, unlike your parents in the shower.

THE COMPLAINT

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

*The content of the add with sexual connotations is not suitable for radio.
It is disgusting.*

THE ADVERTISER'S RESPONSE

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





Our firm appreciates the role and concern of the Ad Standards Community Panel and recognises that a consumer complaint has been received. We appreciate the opportunity to respond, however, the opinion of our firm is that the radio ad in question does not contravene Section 2 of the AANA code of ethics.

BizCover is an online service to help small businesses compare and buy insurance. Insurance is generally seen as a grudge purchase and as a result is a low engagement product and one that people put off doing. This radio ad is one in a series of ads that is designed to get people to stop listening to the radio and organise their insurance.

The ad uses a voiceover with the background sounds of a couple in the shower giggling and having fun. The voiceover talks to the fact that the couple are your parents in the shower, and instead of listening you should turn off the radio and get a better deal on your business insurance. It highlights the advantages of using BizCover, including the fact that its all done in minutes...unlike your parents in the shower. There is no mention of sex in the advert nor any sounds of sexual activity.

The ads have used a device to cut through the clutter of a crowded market and grab the attention of our target audience. The objective is to reinforce that business owners can get a better deal on their insurance by visiting BizCover and comparing insurers.

BizCover strenuously denies that the radio ad contravenes the AANA Code of Ethics on the following grounds:

2.1 - Discrimination or vilification

- The ad does not show people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

2.2 - Exploitative and degrading

- Whilst the ad talks to a couple in the shower it does not use sexual appeal in a way which is exploitative or degrading of any individual or group of people and there is no reference to minors.*

2.3 – Violence

- The ad does not present or portray any violence.*

2.4 - Sex, sexuality and nudity

The ad features a voice over talking about business insurance, whilst in the



background we hear the sounds of a couple in the shower. It does not directly reference sex, sexuality or nudity. The ad is light-hearted and humorous and is in no way insensitive or inappropriate.

2.5 – Language

- *The ad uses appropriate language throughout. No strong or obscene language is used. (Please refer to script included with submission).*

2.6 - Health and safety

- *The ad does not depict any material which is contrary to prevailing community standards on health and safety.*

2.7 - Distinguishable Ad

- *The ad is clearly distinguishable as an advertisement – it contains company details and references it is an ad in the first line.*

Accordingly, we believe that the ad is not in breach of any of Section 2 of AANA Code of Ethics.

We would like to thank the board for their consideration in this matter. Please do not hesitate to contact us if we can be of further assistance.

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 features sexual connotations which are not suitable for radio.

The Panel viewed 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 noted the complainant's concern that the advertisement features sexual connotations which are not suitable for radio.

The Panel noted that the radio advertisement features the sound of a shower and man and woman giggling and talking. The voiceover in the advertisement states that it



is your parents in the shower and that you should turn off the radio and get a better deal on your insurance, rather than continue listening.

The Panel considered whether the advertisement treated the issue of sex, sexuality and nudity 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 noted that the requirement to consider whether sexual references are '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 suggestions 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 that the voiceover does not mention sex, and there are no sound of sex in the advertisement however considered that the voiceover is likely to be taken as suggesting intimacy between the couple heard in the background. The Panel considered that while most adults would be likely to assume that two adults in the shower is a precursor to sex, children would be unlikely to make that assumption. The Panel considered that children are more likely to hear two adults laughing in the shower, and make no sexual inferences from the scene.

The Panel acknowledged that some members of the community would find this advertisement uncomfortable to listen to, but considered that the advertisement contained innuendo only and did not contain any direct references to sex, or any wording which was overly sexual and which would be inappropriate for a broad audience. The Panel considered that this radio advertisement did treat the issue of 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.

