



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0410/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Accor Asia Pacific Australia</b>
<b>3</b>	<b>Product</b>	<b>Travel</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Radio</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/10/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

In this radio advertisement we hear the springs of a mattress squeaking. The voiceover goes on to talk about the benefits of staying at a hotel rather than renting a room from someone online and describes how the situation of a squeaky mattress can be avoided. This is followed by a call to action with a price point offer to drive direct bookings to [ibis.com](http://ibis.com).

## THE COMPLAINT

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

*I was driving my primary aged children to school and I do not feel it is appropriate to air advertising that is suggestive and contains sexual innuendoes at a time of day that young children are likely to be present.*

## THE ADVERTISER'S RESPONSE

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

*The ibis budget radio campaign aims to raise awareness of the brand and challenge the negative associations of the 'budget' name. Generate awareness, preference and bookings to ibis budget by leveraging the truth that they are the smart solution for the smart (savvy)*

*traveller.*

*This advertisement was created in the spirit of light-hearted humour, and with a modest budget, was designed to cut-through from other radio advertisements.*

*However, this execution was written and produced with the intension of avoiding any explicit or over-the-top sexual references, and instead relies on a mature or adult interpretation of the implied situation.*

*The implied situation – that you never know what might be happening in the next room when you stay at a friend’s house or a shared accommodation - is also framed as a situation to be avoided – and one that can be avoided, by booking your own private room with ibis budget.*

*Lastly, the creative was also sympathetic to the programming during which it aired – the Triple M Grill team, which similarly features humour and segments written for mature or adult interpretation, including gambling segments. Triple M has a large older audience with 80% of its listeners aged between 25-54 years.*

## **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 contained sexual innuendos and was inappropriate for children to hear.

The Board reviewed the advertisement and noted the advertiser’s 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 that this radio advertisement features a female voice over talking about people having a great time in another bed while the sound of a mattress squeaking can be heard.

The Board noted the complainant’s concern over the sexual innuendo in the advertisement and that this level of sexual suggestion is not appropriate for children.

The Board noted it had previously dismissed a similar complaint in case 0229/15 where:

“The Board noted the complainant’s concern that the advertisement is suggestive of sexual activity. The Board acknowledged that the rhythmic noises we hear, along with the woman’s moans, could be interpreted as noises consistent with sexual activity but considered that in light of the context provided by the voiceover – that the couple are practising their circus skills on a high-wire – the noises are easily explained and are not of themselves overly sexual or inappropriate.”

In the current case the Board noted that the voice over does not offer an alternate explanation

for the noises in the advertisement and considered that although the voice over makes reference to people having a great time, these people are not identified and there is no mention of sex or any sexual activity. The Board noted that the noise of a mattress squeaking can be heard and considered that while adults would likely interpret this as sexually suggestive in the Board's view it could be explained to children as people using a bed as a trampoline. The Board noted that the squeaking noise is in the background of the advertisement and considered that the focus is on the woman's voice and the hotel deal she is promoting. The Board noted that the advertisement was aired on Triple M. The Board noted the target audience for Triple M is adults aged over 40 years ([www.southerncrossaustereo.com.au/radio/](http://www.southerncrossaustereo.com.au/radio/)) and considered that although children could still hear the advertisement in the Board's view the content is not overly sexual, is unlikely to be considered offensive by most adult listeners of Triple M, and is not inappropriate for children to hear.

The Board acknowledged that the advertisement is employing sexual innuendo but considered that this innuendo is relatively mild, unlikely to be understood by young children, and not inappropriate for a broad audience which would include children.

The Board considered that the advertisement did 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.

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