



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0572/17
2	Advertiser	Volkswagen Group Australia Pty Limited
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/01/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement features a number of Volkswagen vehicles and scenes inside the vehicles.

THE COMPLAINT

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

During this add it show a couple in the back seat of a car as the female straddles the male which is inappropriate !

THE ADVERTISER'S RESPONSE

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



The Complaint raises concerns that one of the scenes in the Advertisement show a female straddling a male in the back seat of a parked car whilst kissing (the Scene). The Complainant suggests that this is inappropriate.

The Scene shows no levels of nudity, both the male and female talent are fully clothed and the context that the Scene demonstrates is the telling the story of moments of affection shared in a Volkswagen. There are no levels of inappropriate touching or suggestive behaviour and is one of three iterations of a kiss that shown in other vignettes (in our 60-second TVC version). The scene shows the affectionate moment of a young couple's kiss as part of a celebration of love. The context surrounding the Scene shows another young couple kissing and a couple on their wedding day sharing an affectionate kiss.

This commercial depicts Australian's relationships with their cars in over 60 different vignettes. It shares the real-life stories of Volkswagen owners and is intended to build brand affinity by showcasing emotional and relatable moments.

While Volkswagen respects the personal opinion of the complainant, Volkswagen strongly believe that the Advertisement is in full compliance with the AANA Code of Ethics. Volkswagen is a well-loved and respected brand in Australia. Its customers come from all walks of life and includes families with children. Consequently, Volkswagen is always cautious to treat sex, sexuality and nudity with sensitivity in its advertising and marketing communications. The Advertisement was reviewed by our internal Legal team as well as by the Commercial Advice Pty Ltd (CAD) prior to airing. We therefore request this complaint be dismissed.

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 depicts a woman straddling a man in the backseat of a car and that this is inappropriate.

The Board viewed the advertisement and noted the advertiser's response.

The Board then 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 the television advertisement features a number of Volkswagen vehicles and scenes inside the vehicles.



The Board noted the advertisement had been given a 'G' rating by CAD and was aired at a time appropriate to the rating.

(http://www.freetv.com.au/media/CAD/Placement_Codes.pdf).

The Board noted in particular the scene in the advertisement where you can see the back of a woman in the backseat of the car with a hand on her waist.

The Board noted that this scene is very fleeting, and is shown in a series of brief scenes.

The Board noted that you can only see the woman's back in the advertisement and she is fully clothed.

The Board noted the advertiser's response that this scene is showing a young couple kissing as a celebration of love.

The Board considered that it was not inappropriate to show a couple kissing whilst fully clothed, especially in the context of a very fleeting scene.

The Board considered the depiction of the couple kissing was not inappropriate for a broad audience which would include children.

The Board considered that the advertisement did treat 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 any other grounds, the Board dismissed the complaint.

