



CASE REPORT

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| 1. Complaint reference number | 2/09 |
| 2. Advertiser | Totally Whild |
| 3. Product | Information Technology |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3
Language – use of language – section 2.5 |
| 6. Date of determination | Wednesday, 21 January 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for Totally Whild's computer services shows a worker installing a billboard on a wall beside a busy road. Drivers in cars are heard calling out that the spelling is wrong. Other comments are also yelled from passing cars which include words such as moron and dopey. Other comments are partly covered by the sounds of car horns. At one stage the worker is seen on his ladder, back to the camera, with his trousers down displaying his underpants. A voice over explains that the spelling is not wrong and that Totally Whild can provide viewers computing needs.

THE COMPLAINT

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

Use of the word 'Wanker' is offensive and inappropriate for television.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

With regards to the specific complaint, the word "Wanker" was not used in the advertisement. I believe that the complainant has simply mis-heard the word "Whacker", as you will see by reviewing the attached advertisement, in conjunction with the associated script.

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 complainants' concerns about the use of the word "wanker" and considered the application of Section 2.5 of the Code, relating to the use of language.

The Board carefully listened to the advertisement and agreed with the advertiser's response that the word used was "whacker". The Board also noted no other offensive language used in the advertisement and therefore found no breach of Section 2.5 of the Code.

The Board also noted a brief shot in which it appears the worker appears to "moon" the traffic with his trousers down. The Board noted that the image was fleeting and lacking in detail due to its size and brief time on screen. The Board found no offensive nudity depicted and therefore no breach of Section 2.3 of the Code.

The Board also noted that the worker appeared to make some offensive gestures to the passing traffic, but considered these were quick shots, that the man's reaction was in proportion to the comments he was receiving as he tried to do his job and that most members of the community would find these images humorous and not offensive.

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