



CASE REPORT

1. Complaint reference number	535/09
2. Advertiser	Wicked Campers
3. Product	Leisure & Sport
4. Type of advertisement	Transport
5. Nature of complaint	Discrimination or vilification Gender - section 2.1 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 25 November 2009
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This advertisement painted onto a van says "the best thing about oral sex is five minutes of silence".

THE COMPLAINT

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

This is offensive to me as it is demeaning and degrading to both women and men and is sexually explicit. This should not be shown in public as it corrupts the innocence of children

THE ADVERTISER'S RESPONSE

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

The Advertiser declined to 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 concern that the advertisement is demeaning to men and woman and is sexually explicit.

The Board noted that the text does not refer to either men or women but considered that most members of the public would assume that it is insinuating that it is a woman giving oral sex. and that women do not stop talking. The Board considered the slogan to be misogynistic and demeaning to women, and demeaning to men by suggesting that men would have that attitude to women. The Board further considered that the words served to commodify women and would not be considered humorous or acceptable by most reasonable adults. The Board determined that the slogan was therefore in breach of Section 2.1 of the Code.

The Board considered that the reference to 'oral sex' was a clear and blatant reference to a sexual act. The Board considered that this reference was not subtle, discrete or in any way connected with the product being advertised (camper vans). The Board noted that the slogan is on a camper van being driven on public roads and is therefore accessible to a broad audience. On this basis the Board considered that the advertisement did not treat sex with sensitivity to the relevant audience and that it was therefore in breach of section 2.3 of the Code.

The Board considered that that the reference to 'oral sex' was use of language this is not appropriate in the circumstances of a vehicle being driven on public roads and accessible to a broad audience, including children. The Board determined that the advertisement breached section 2.5 of the Code.

The Board noted that because of the nature of this marketing communication - that of a spray-painted van - the enforcement of their decision may take longer to enact and complainants should be aware of this.

The Board considered it was reasonable for the advertiser to wait until the van had completed its rental term and been returned to the depot before the offending slogan was removed.

Finding that the advertisement was in breach of Section 2.1 of the Code the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

Wicked Campers has acknowledged that the complaint has been upheld. When the van is next in the Brisbane depot, this is where the vans are painted, we will spray over the one-liner.

May it also be noted that the one-liner is not an advert, but merely an amusing saying on the back of the van. The one-liner in question is not meant to be offensive to women or men. Nowhere does it imply that it is about keeping a woman quiet, it could just as easily be about keeping a man quiet. The board has clearly read too much into this.

The original complaint mentioned the innocent children; children would not understand this saying so therefore they would not be affected by it.

As this complaint has been upheld we will change the saying, though can it also be noted that Wicked Campers do not discriminate, we consider all people to be equal and we write our one-liners to reflect this.