



CASE REPORT

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| 1. Complaint reference number | 605/09 |
| 2. Advertiser | Wicked Campers |
| 3. Product | Travel |
| 4. Type of advertisement | Transport |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Wednesday, 20 January 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Wicked Camper vehicle with the phrase: "never underestimate the power of stupid people in large groups".

THE COMPLAINT

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

Copy of letter sent to Prime Ministers's office

On a recent around Australia trip with my wife we were disappointed and shocked by a company known as Wicked Campers which rents out vehicles for use predominantly by unsuspecting overseas tourists as camper vehicles. This company uses a disgraceful, and what is possibly illegal advertising and marketing on the side and backs of its vehicles.

I am attaching an ad which appears in the magazine titled the Colours of Broome. I am certain that this ad which appears on page 18 and shows two kangaroos copulating is highly illegal. I am seeking your intervention to have this company Wicked Campers cease from using this form of advertising in the magazines and on the size of their vehicles.

Also attached are a number of photographs we took on our around Australia trip. I'm sure you'll agree that these images do nothing for the reputation of Australia when tourists fly into Australia and pick up their vans with this kind of irresponsible and immoral spray-painting on the side of their vehicles.

Many times we saw young German female tourists driving around in vans with disgusting wordage and images on them which they could do nothing about. Surely this can do nothing for our tourism reputation. Mr Rudd is there anything we can do about the situation.

The catchphrase of Wicked Campers is Pay with your soul not your wallet.

THE ADVERTISER'S RESPONSE

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

We are sorry if the slogan on the back of the van has caused offence this is not our intention. However this van does not breach the code of ethics section 2.3. It has no reference to sex/sexuality/nudity. The slogan is only offensive to stupid people, and it is our belief that there are no stupid people. We are sorry if you think otherwise or if you find this to be offensive. I hope

you can see that we have not breached any code of ethics with this slogan, we especially have not breached section 2.3.

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 phraseology on the side of the Wicked Camper van was degrading to the broader Australian community.

The Board viewed the photo of the Wicked Camper which stated: "never underestimate the power of stupid people in large groups".

The Board agreed that this statement was not contextualised and that in and of itself was unlikely to be in breach of the Code. The Board considered whether the phrase was in breach of section 2.1 of the Code. Section 2.1 of the Code states: Advertising or Marketing Communications shall not portray 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, sex, age sexual preference, religion, disability or political belief.

The Board agreed that there were no discriminatory connotations in this phrase as the perception of "stupidity" was a subjective one, and in the context of this particular advertisement could not be ascribed to any particular group or section of society.

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