



## **CASE REPORT**

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| 1. Complaint reference number | 66/10  |
| 2. Advertiser                 | Wicked Campers   |
| 3. Product                    | Leisure & Sport  |
| 4. Type of advertisement      | Transport  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3<br>Health and safety – section 2.6 |
| 6. Date of determination      | Wednesday, 24 February 2010  |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

This picture of two young women in the nude and a Wicked Camper in the background appeared on the Wicked website. There are several images on the Wicked Camper website which rotate and are not on the home page.

### **THE COMPLAINT app**

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

*There is depiction of a kangaroo smoking marijuana or at least some sort of drug.*

*There are semi nude women being offered a discount if they come and pick up their van nude*

*Homosexuals are offered a 5% discount*

### **THE ADVERTISER'S RESPONSE**

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

*Firstly - Wicked Campers cannot determine where on the website the image of the iconic kangaroo smoking marijuana/some sort of drug is located (it is certainly not located on [www.wicked.com.au](http://www.wicked.com.au) or even our own website [www.wickedcampers.com.au](http://www.wickedcampers.com.au)) Secondly - These ladies depicted on our website are not revealing anything that has not been seen on general television under the PG rating. Thirdly - Wicked Campers is unsure how it is offensive to the general public to offer homosexuals a 5% discount. This discount is on offer to celebrate the upcoming Mardi Gras parade in Sydney. Also it is neither exclusive, nor discriminatory as we do not ask customers to prove their homosexuality - meaning all member's of the general public would be entitled to the discount.*

### **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 was discriminatory and vilified women, depicted nudity and encourage illegal behaviour.

The Board noted the advertiser's response and considered whether the images on the web-site were in breach of sections 2.1, 2.3 and 2.6 of the Code.

Section 2.1 of the Code requires that advertising not discriminate against or vilify people on account of their sex. The Board considered that offering a discount to homosexuals is not discriminatory to other members of the community and noted in any case that any person could qualify for the discount with minimal effort.

Section 2.3 of the Code states:

"Advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone."

The board noted that the image of the two women depicted in the nude was placed on the website of Wicked Campers and was part of its promotional material whereby, those who had hired Wicked Campers could submit photographs of their holiday, etc. The Board considered that people visiting the Wicked website would do so knowing the advertiser's reputation and edgy style. The Board considered that these images treated sex, sexuality and nudity with sensitivity to the audience.

The Board then considered whether the image of the kangaroo smoking was in breach of section 2.6 of the Code. Section 2.6 of the Code states:

"Advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety."

The Board noted that there is no discernable image of a pot smoking kangaroo on the website. The Board agreed that there was no breach of section 2.6 of the Code.

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