



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0252/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Wicked Campers</b>
<b>3</b>	<b>Product</b>	<b>Travel</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Transport</b>
<b>5</b>	<b>Date of Determination</b>	<b>08/06/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Upheld - Not Modified or Discontinued</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This advertisement is on the side of a Wicked Campers' van and features an image of an egg holding on to the back of a chicken as though they are engaging in a sexual act. The accompanying text reads, "Who came first?"

## THE COMPLAINT

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

*My children started reading it and asking what it meant. I felt offended by seeing that image in front of my children and I was personally offended as well. It really stood out and was in my face.*

## THE ADVERTISER'S RESPONSE

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

*The advertiser did not 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 concerns that the advertisement depicts an image and text which are not appropriate for children to view and are offensive to the broad community.

The Board viewed the advertisement and noted the advertiser had not provided a 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 this transport advertisement features an image of an egg holding on to the back of a chicken as though they are engaging in a sexual act and the text reads, "Who came first?"

A minority of the Board noted the text, “who came first” and considered that this phrase is a common reference to the question, “who came first, the chicken or the egg?” and is not of itself a reference to sexual activity. A minority of the Board noted that the egg is depicted in cartoon format, with arms, legs and a face, and considered that the positioning of the egg against the chicken is open to interpretation and could be explained using a non-sexual context.

A majority of the Board however considered that the positioning of the egg pressed against the back of the chicken is suggestive of sexual intercourse when used in conjunction with the phrase “who came first?” and considered that while children may not understand this phrase in the Board’s view adults would. The majority of the Board considered that the advertisement would lead to questions by children and considered that many adult members of the community would find the advertisement sexualised and offensive and not appropriate for a broad audience which would include children.

The Board considered that the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board determined that the advertisement did breach Section 2.4 of the Code.

Finding that the advertisement did breach Section 2.4 of the Code, the Board upheld the complaint.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

