



Case Report

1	Case Number	0048/15
2	Advertiser	Universal Pictures
3	Product	Entertainment
4	Type of Advertisement / media	Internet
5	Date of Determination	25/02/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This internet advertisement for the movie Fifty Shades of Grey features scenes from the movie including a dinner party, flying in a plane, the female character interviewing the male character and the two couples embracing.

THE COMPLAINT

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

This appeared on Youtube, I was not signed in to my YouTube account.

THE ADVERTISER'S RESPONSE

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

The TVC used for Fifty Shades of Grey is within YouTube advertising regulation standards. The creative went through the Youtube approval process, as per below.

"When your ad is reviewed, it will receive one of the following family status designations, depending on the content of your ad and website: "family safe," "non-family safe," or "adult."

The family status designation given to your ad affects where your ad can show. For example, "adult" and "non-family safe" ads aren't allowed to show in certain countries or on certain sites that don't allow adult or mature content. Certain adult content is prohibited on AdWords."

As per the policies and procedure of YouTube

"If your ad status says "Approved," that means that your ad is designated "family safe." Your ad can potentially show to any audience."

It is key to note that YouTube have a very strict approval process and if they felt that in any way the content was not abiding to their guidelines it would not be approved to run.

*Note Italics taken from YouTube Advertising Policies which can be viewed
<https://support.google.com/adwordspolicy/answer/6023699?hl=en>*

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 features sexual content with a violence theme which is not appropriate for a broad audience.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted this YouTube advertisement is promoting the movie, "Fifty Shades of Grey"

and features some scenes from the movie.

The Board noted the complainant's concern regarding the 'BDSM' theme of the advertisement. The Board noted the final scene shows the main characters in an embrace with the woman's arms raised above her head and the man's hand resting against the side of her head. The Board noted that the movie contains consensual sexual themes but considered that the advertisement itself does not depict any scenes or images which would encourage or promote sexual violence, consensual or otherwise and that the final image is suggestive of a couple in a sexual position but that the woman's hands are not visible so we cannot see if they are bound or not.

The Board considered that the advertisement did not present or portray violence.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

The Board 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 it had dismissed similar complaints about the same advertisement on television in case 0047/15 where:

"The Board noted the movie is based on a contemporary novel which most members of the community would be familiar with as being an adult book about a sexual contract between a man and woman and containing sexually explicit content. The Board noted that the advertisement had been rated 'J' by CAD which means it is a PG style advertisement for an 'M' or 'MA' movie and can therefore be aired in PG programming and timeslots.

The Board noted the content of the advertisement and considered that the scenes chosen were relatively mild given the nature of the movie. The Board noted that there is no explicit nudity, no sex scenes and whilst we see the main character wearing a blind-fold this scene is very fleeting and is only mildly sexualised.

The Board acknowledged that some members of the community would prefer that this type of movie was not promoted on television at times when children could view it but considered that overall the content of the advertisement was not inappropriate in the context of the relevant broad audience."

The Board noted the current complaint concerns the advertisement being viewed on YouTube and considered that consistent with its previous determination the content of the advertisement does treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience of YouTube.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

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