



Case Report

1	Case Number	0065/11
2	Advertiser	Nine Network Australia Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Poster
5	Date of Determination	09/03/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Violence Other

DESCRIPTION OF THE ADVERTISEMENT

A woman is cradling a young baby in her arms and in the background there is a scary looking clown holding a gun. The text reads, "Underbelly files. Special movie event. Tell them Lucifer was here. 9."

THE COMPLAINT

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

My view is that the images depicted are disturbing and particularly so to young children.

They should not be displayed in public places.

This billboard is particularly disturbing to young children because on the one hand it draws their attention by showing a baby and mother while on the other hand a scary and threatening figure looms behind. Pre-school children are usually attracted to images of mothers and babies and identify with these images as mirroring their own recent life experiences. The billboard's juxtaposition of the mother and child with the scary clown evokes menace and fear. The face on the mask is also particularly disturbing because at first glance it is clearly a clown – again an image attractive to children – while on further inspection it is strikingly nasty. While to older children and adult audiences the fictional and fantastical nature of the images will be understood this is not likely to be the case for young children.

These images draw children in and then horrify them.

I am a mother of three children the youngest of whom is five. I wish to be able to travel the streets of my city of residence together with my children without them having to confront disturbing images that they must then “deal with”. Nor do I want children in the wider community to have to stomach such visual assaults. I believe this billboard is out of step with community standards.

THE ADVERTISER’S RESPONSE

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

Nil response to date 11/3/11

THE DETERMINATION

The Advertising Standards Board (Board) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted complainant’s concerns that the advertisement depicts a disturbing image which could horrify children.

The Board noted section 2.2 of the Code which requires that ‘advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.’

The Board noted the advertisement is for a television movie called Underbelly Files and shows a woman cradling a young baby in her arms with a menacing looking clown stood in the background, holding a gun.

The Board noted that this advertisement was seen in a bus shelter and that potentially it could be seen by children. The Board noted that the clown looks frightening, that he is in the background of the advertisement and that the gun he is holding is pointing to the ground.

The Board determined that although the clown is holding a gun and looks menacing, the advertisement is clearly for a TV show movie, which is rated M, and there is no actual depiction of violence. On this basis the Board determined the violence was relevant to the advertised product and not so strong as to be inappropriate for general viewing.

The Board determined that the advertisement did not breach section 2.2 of the Code as it does not depict or condone violence.

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

