



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0096/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Sussex Media</b>
<b>3</b>	<b>Product</b>	<b>Toys and Games</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Pay TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>10/04/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.3 - Violence Graphic Depictions

### DESCRIPTION OF THE ADVERTISEMENT

The TV advertisement is for the videogame BioShock Infinite (for Xbox 360, PC and PlayStation 3). It is a fantasy videogame set in an alternate (fictional) 1900's and the advertisement features footage from the game. The videogame was rated MA15+ in Australia by the Classification Board, and the TV Spot was rated 'T' from CAD.

### THE COMPLAINT

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

*The advertisement depicts an animated young girl sitting on a horse with hangman's noose around her neck. The other end of the rope is attached to a tree limb.*

*The girl jumps off the horse in an intended suicide bid and is rescued just before death by a mythical hero.*

*1) This depiction of suicide, albeit animated is extremely disturbing for families who have lost children or relatives in similar circumstances.*

*2) The animated depiction of suicide in an advertisement intended for a target market of children diminishes the seriousness of the act*

*3) The age of the characters depicted in the advertisement represents a significant 'at risk' group in youth suicide.*

*This advertisement is inappropriate.*

## **THE ADVERTISER'S RESPONSE**

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

*The complainant has incorrectly stated that this TV Spot depicts a "suicide attempt". This is not the case, the girl (Elizabeth), a main character for the game is being held against her will with a noose around her neck (depicted as a VERY loose noose; ie it is not drawn tight against her neck, but more closely hangs around her shoulders) by a group of antagonists. The male hero for the game, sees this action from the scope of his rifle and descends from the rooftops to free Elizabeth from this predicament. As the horse is startled from this event, it runs off, leaving the male hero character to use special powers to "levitate" Elizabeth out of the noose for her to land safely on the ground. The complainant has obviously misinterpreted the above events, for a suicide attempt - which is clearly not the case.*

## **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 a violent scene of attempted suicide and graphic imagery which is unsuitable for broadcast on television.

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 of the Code 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 the advertisement is for a computer game called "Bioshock - Infinite" and features animated imagery including shootings, explosions and fighting scenes.

The Board noted that the advertisement is presented in the context of a computer game and considered that most members of the community would recognise that the animated scenes are from the game.

The Board noted that imagery in the advertisement includes a female character sitting on a horse with a noose around her neck. The Board noted that the male character in the advertisement approaches the scene in a heroic fashion and saves the girl before shooting one of the other characters with a gun.

The Board noted that the advertisement has been rated 'T' by CAD which means it can be broadcast on Free TV from 12 noon until 3pm on schooldays and between 8.30pm and 5am the following day, except in G or PG programs scheduled to start or continue past 8.30pm. The Board noted that the advertisement was viewed on Pay TV in this instance.

The Board noted that the advertisement is aimed at a mature audience and considered that the content is not inappropriate for a 'T' rated audience which would be unlikely to include young children. The Board considered that the fantasy content and the stylised nature of the advertisement amounts to a depiction of violence which is justifiable in the context of an

advertisement for a computer game aimed at adults.

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

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.