



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0102/14
2	Advertiser	Hudson's circus
3	Product	Entertainment
4	Type of Advertisement / media	TV
5	Date of Determination	09/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

The advertisement promotes Hudson's Circus and features scenes showing the circus acts. One scene shows a clown-like character swinging his arm at another character.

THE COMPLAINT

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

There are 2 dressed up characters and one swings it's arm and 'punches' the other in the head, the knocked out character then falls down. I have never complained about an ad before, but every time I see this one it makes me feel sick. Children should not be seeing this as funny, especially with the whole 'one punch can kill' campaign. My one year old watches the ad when it comes on because of the animals it shows, I wish this 'punch' (it's more of a side whack) was not included in the ad. It's just wrong.

THE ADVERTISER'S RESPONSE

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

The commercial in question has received the very sensitive C classification from CAD which is suitable for childrens viewing. CAD did not have any objections to any part of this

commercial.

We promote our Circus as a place of family entertainment with Daring and Spectacular human acts, well trained animals and the humour and slapstick of the clowns.

Our acts and clown slapstick routines are not expected to be replicated in real life as in most scenarios seen in Cartoons and superhero movies with C classification. One of the main reasons that people come to the Circus is because it is different to “real life” and that is what makes it such an attraction.

I trust that the complainant would exercise this same degree of “protection” for her child by not letting them watch cartoons whose contents are highly scripted with violence, especially the super hero ones that can be seen at any time on Cartoon Network. Similarly I trust that she does not let them watch the nightly news where regular “one punch” storeys are highlighted and the disturbing vision is repeated many times in slow motion.

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 act of violence which is not appropriate for children to view.

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 that the advertisement is promoting a circus and that it features scenes showing the different acts, including one scene where a giant rag doll hits another clown like character with its giant hand.

The Board noted the complainant’s concerns that the scene where the clown gets hit is a punch in the head which is not appropriate.

The Board noted that the background music is slapstick style and considered that the combination of the music, a voiceover describing the characters as clowns and the fact that the characters are dressed up amounts to an overall depiction which is not inappropriate in the context of a circus promotion. The Board noted the complainant’s concerns about ‘king hits’ but considered there was no relation between actual violence such as a king hit and the slapstick exchange between the circus characters in the advertisement.

The Board noted that the advertisement had been rated ‘C’ by CAD which means it can be

broadcast at any time except during pre-school programs. The Board considered that the content of the advertisement was consistent with the relevant audience which would include children.

Based on the above the Board determined that the advertisement did not breach Section 2.3 of the Code.

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