



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0102-22
2. Advertiser :	Apple Pty Limited
3. Product :	Entertainment
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	25-May-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This television advertisement contains scenes from the program 'Shining Girls' which include two people falling through a pane of glass and a hand grasping a knife.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Had genuinely disturbing imagery. It's LEGO masters. Our children (ages 4 to 9) are in the room watching. The content was so incredibly inappropriate for this show that's marketed towards children. And it was shown at 8:15. Ridiculous.

THE ADVERTISER'S RESPONSE

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

Although Apple considers both the content and placement of the advertisement to be compliant with the AANA Advertiser Code of Ethics (Code):



(a) Apple notes that this particular advertisement is no longer running in Australia (it ceased to run on 14 May); and

(b) in response to the complaints, Apple will voluntarily take proactive action and cease to place advertisements which receive a CAD 'M' rating or above during Lego Masters or similar programs (although that is not currently a requirement, as is the case for terrestrial broadcasts).

Addressing each of the matters in section 2 of the Code:

Section 2.1: The advertisement does not depict any material that could be described as discriminating against or vilifying any particular section of the community;

Section 2.2: The advertisement does not contain any material that could be described as exploitative or degrading of any individual or group of people;

Section 2.3: The advertisement does contain brief depictions of violence, limited to two persons falling through a pane of glass, and a hand grasping a knife. However, these depictions are justifiable in the context of an advertisement for a thriller TV series.

The advertisement uses quickly changing scenes which lessens the impact of the scenes in question and there is no focus on blood or gore.

Although children do form part of the audience of Lego Masters, 81% of viewers are aged 18 or above.

Accordingly, Apple is of the view that the advertisement is not in breach of the Code;

Section 2.4: The advertisement does not portray any nudity;

Section 2.5: The advertisement does not contain any strong or obscene language;

Section 2.6: The advertisement does not contain any material that could be considered contrary to prevailing community standards on health and safety; and

Section 2.7: The advertisement is clearly distinguishable as advertising.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether the versions collectively forming this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts violence and menace and is inappropriate for broadcast when children can view it.



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

Section 2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The Panel noted the Practice Note for this section of the Code which states "*Graphic depictions of violence or a strong suggestion of menace have been found to present violence in an unacceptable manner especially when visible to a broad audience which includes children. For example, advertising for violent or horror movies, tv shows or video games should take care not to include images that give the impression that a character has just committed violence against someone (for example, a weapon with dripping blood), was the victim of violence (for example, freshly severed limbs) or is about to commit violence against someone (for example, gun aimed directly at a person or the viewer) where there is a broad audience which includes children*".

Does the advertisement contain violence?

The Panel noted that the advertisement does contain depictions of violence - a scene showing two people falling through a pane of glass, and a scene showing a hand grasping a knife.

The Panel noted that the soundtrack of the advertisement in the advertisement is suspenseful. The Panel noted that the imagery of the advertisement does contain depictions of violence however the Panel considered that these scenes are brief in the context of the overall advertisement. The Panel noted that there are no depictions of blood or violent acts. The Panel considered the theme of the advertisement is menacing and considered that the advertisement did contain violence.

Is the violence portrayed justifiable in the context of the product or service advertised?

The Panel noted that the advertisement was promoting a series titled 'Shining Girls' which is rated MA15+.

The Panel considered that the advertisement uses quickly changing scenes which breaks up the sense of suspense created in the advertisement and there is no focus on blood or gore.

The Panel noted the advertiser's response that although children do form part of the audience of Lego Masters, 81% of viewers are aged 18 or above.

The Panel noted that the advertised product is a thriller television series that contains violent scenes and graphic imagery, and noted that the scenes shown are scenes from the film. The Panel noted that the music in the advertisement is suspenseful and does suggest a degree of menace, however the Panel considered that this suggestion is not strong.



Overall, the Panel's considered that the tone of this advertisement was suspenseful and contained some violence. The Panel considered that the level of violence was not excessive in the context of an advertisement for a thriller movie.

Section 2.3 conclusion

In the Panel's view the advertisement did portray violence that was justifiable in the context of the product being advertised and did not breach Section 2.3 of the Code.

Conclusion

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