



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0104-20
2. Advertiser :	Prime Video
3. Product :	Media
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	25-Mar-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This television advertisement contains scenes of the TV program 'The Hunters'. Scenes depicted include: a scene of a street; a boy in front of a washing machine; a woman pulling a military medal from a drawer; an elderly man grabbing a man's shirt and dragging him forwards; a group of people raising wine glasses; a nun taking a photograph; a scene in a barn with one man wearing scuba goggles and another man grabbing him from behind; a man holding sparking jumper cables; a woman in white screaming; a man in an orange sweatsuit having a black bag placed over his head; a man in a barn being punched.

THE COMPLAINT

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

Violence, torture scenes.

My 7 year old daughter and I were watching then end of My Kitchen Rules when the Amazon Video Hunters ads viewed during one of the last ad breaks of the program. A bag was placed over a person head whilst they were tied to a chair and then punched in the head by someone else, there were other violent images also. The ad was out place from the program my daughter follow and extremely violent.



THE ADVERTISER'S RESPONSE

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

The advertisement is compliant with each element of Section 2 of the Code, as detailed further below. The advertisement is a 30-second trailer for Season 1 of the television series Hunters. The advertisement was rated by CAD as R (Key Number: AMA030THNTVP, CAD Reference Number: R5003EPE). This advertisement was played only during the block of time allocated for content of this rating and the complaint itself states the advertisement was viewed at 8:45 pm which is during the time when advertisements rated as R can be shown.

2.1: There is no suggestion in the complaint of discrimination or vilification of anyone based on a protected class feature. The protagonists of the advertisement are trying to find people who are out to get them which is stated in the advertisement (“We find them before they find us.”).

2.2: The advertisement is not using any sexual appeal, it is advertising an action series.

2.3: There is minimal portrayal of violence and it is justifiable in the context of the series being advertised. The complaint referenced a shot of a bag being placed over someone’s head and that person being punched. In the advertisement, you don’t see that person being punched but there is another shot where someone is punched, however, together those shots are less than two seconds. There are a couple of other very quick flashes of action that could be construed as threatening but there is no violence or harm shown in those. The advertisement is for an action series that does feature violence. It would be misleading about the nature of the content itself if there was no suggestion of violence in the advertisement, therefore the minimal amount of violence in the advertisement is justified. The complaint states that the advertisement was seen at approximately 8:45pm, which is within the time frame for advertisements with a rating of R.

2.4: There is no depiction of sex, sexuality or nudity in the advertisement.

2.5: There is no offensive or obscene language used in the advertisement.

2.6: There is nothing in the advertisement that is depicting material contrary to community standards on health and safety apart from the few quick depictions of threat or minor violence as described above in response to subsection 2.3 of the Code.

2.7: The advertisement is clearly distinguishable as an advertisement for Season 1 of Hunters as it clearly identifies the show and ends with a clear identification and call to action to viewers that they can watch the new series now on Prime Video.



THE DETERMINATION

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

The Panel noted the complainants' concerns that the advertisement contains violence and torture scenes which were inappropriate for children to view.

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

The Panel 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 Panel noted that the advertisement had been given an 'R' rating by ClearAds meaning, "*Can only be broadcast:*

- *Between 8.30pm and 5.00am on any day*

- *Between 12 noon and 3.00pm on school days (see clause 2.1.2 for time zone difference adjustment)"* (https://www.clearads.com.au/wp-content/uploads/2020/02/ClearAds-Handbook-_Edition-8.1.pdf).

The Panel considered that complainants had viewed this advertisement at 8:45pm which was in accordance with this rating.

The Panel considered that the advertisement was a montage of action scenes, that each scene was shown in a fleeting manner and that there was not a focus on a particular scene.

The Panel considered that some of the scenes were violent including a man having a bag placed over his head, and a man being punched. The Panel considered that the fleeting nature of the scenes meant that the outcome of the violence was not shown and there was no blood or gore.

The Panel considered that the level of violence was relevant to the violent television programme which was being advertised, and was not excessive in the context of an audience viewing the advertisement after 8:30pm.

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

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