



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0149/19
2	Advertiser	Sony Pictures Releasing Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Billboard
5	Date of Determination	12/06/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Causes alarm and distress to Children

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features a hovering figure wearing a hood on a red background. The advertisement displays the title of the film, writer, producer and director credits, the release date and OFLC 'Check-The-Classification' logo, according to advertising guidelines prior to film classification.

THE COMPLAINT

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

I feel that this advert for the movie is not appropriate for this location. This movie is rated +15 and this ad is located right next door to a primary school/ prep school. The image of the advert is not suitable for young children and they vacate these premises and see the ad at least twice a day. It has already raised some questions and concerns amongst the children. Please remove it, thank you.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this





advertisement include the following:

The outdoor creative for the BRIGHTBURN static advertising campaign was sent to Ooh! for their approval prior to printing. Ooh! approved the artwork with no requests for alterations.

The static outdoor advertising creative for BRIGHTBURN does not breach any part of Section 2 of the AANA Code of Ethics. It does not discriminate, exploit or degrade any individual, nor does it employ sexual appeal in an exploitative or degrading manner. It does not use obscene language and it doesn't depict material contrary to Prevailing Community Standards on health and safety.

In regard to the specific complaint made, the static out of home advertising in question does not present or portray violence at all, it is simply slightly ominous in nature. There are no weapons included, no sense of threat or danger present and the static artwork is very much in context to the film being advertised.

Even though this static artwork does not breach any part of Section 2 of the AANA Code of Ethics, Sony Pictures Releasing ensured that oOh! was aware that this film was a horror film targeting people 14 – 34 and was not to be placed around schools, pre-schools or kindergartens because of the nature of the film more broadly (not because of the artwork itself).

Since receiving this complaint we have reached out to oOh! through our media agency OMD to enquire as to how this static panel was posted to this location. Ooh! Commute have informed us that it was an administrative error on their end and the panel in question was moved out of the initial approved site list to the site in question which is closer to a school by accident. oOh! have ensured our media agency team that going forward they have placed additional restrictions into their system to be able to better reflect when creative is restricted to certain areas and ensuring the panels are not moved post booking.

oOh! have informed us that they received a complaint directly from a councillor while the campaign was in market and the poster was removed as soon as possible in alignment with oOh! policy.

BRIGHTBURN is no longer being advertised and the static artwork in question is no longer on display in market.

THE DETERMINATION

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



The Panel noted the complainant's concern that the advertisement is inappropriate for general audiences.

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

The Panel noted the outdoor advertisement was promoting the movie "Brightburn" and features a hovering figure wearing a hood on a red background. The advertisement displays the title of the film, writer, producer and director credits, the release date and OFLC 'Check-The-Classification' logo.

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 the complainant's concern that the image in the advertisement is not appropriate for the location it is displayed, next door to a primary school/prep school.

The Panel considered that there is no blood or gore in the advertisement, and noted the advertiser's response that the advertisement is simply slightly ominous. The Panel considered that the violent themes in the advertisement are suggested through the inclusion of the main character in a cape and mask.

The Panel considered that the suggestion of violent themes was justifiable in the context of advertising a horror movie which included violence, but was in any case mild.

The Panel noted the advertiser's response that the advertisement was mistakenly placed in close proximity to a school, and was moved upon the advertiser being notified of the complaint.

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 complaint.

