



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

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0204-21</b>
<b>2. Advertiser :</b>	<b>Universal Pictures</b>
<b>3. Product :</b>	<b>Entertainment</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - On Demand</b>
<b>5. Date of Determination</b>	<b>11-Aug-2021</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

There are two versions of this TV On Demand advertisement promoting the film 'Old'.

The first version features:

- Children run on a beach while one says, "let's play hide and seek."
- A child is hiding behind a rock in the water, a body of a blonde woman floats towards him
- A child's voice singing "Twinkle Twinkle Little Star" can be heard.
- A woman asks two other people, "hey have you seen my children?"
- A voice says, "Mum?" and a woman says, "you were six years old this morning."
- A woman reaches towards a young man
- A dead fish is shown on the beach, and then a body of a dead woman.
- A voice says, "What's happening to us?" and a woman cries as she looks at herself in a mirror
- A woman says, "There's something wrong with this beach".
- A pregnant woman lying on the beach gasps, turns on her side and calls out, "Mum I'm scared".
- A woman lying on the beach shakes as though she is having a seizure
- A woman is climbing a cliff and falls
- A scared man moves backwards through a dark tunnel
- A disfigured body twitches on the ground and a man reaches for his scarred face.

The second version features:

- Children run on a beach while one says, "let's play hide and seek."



- A child is hiding behind a rock in the water, a body of a blonde woman floats towards him
- The body is lying under a towel on the beach, a man jumps backwards from it in surprise
- A woman is seen through a rotted rib cage, she says, "The body has decomposed". A man asks, "How quickly can that happen?". A woman responds, "Seven years.", and the man says, "But she just died".
- A dead woman is rolled over on the beach.
- A woman asks, "What's happening to us?" as she looks at her hands.
- A woman says, "Every half hour is equivalent to one year of our lives".
- A woman reaches towards a man and says, "You have wrinkles".
- A man reaches for his scarred face.
- A woman asks, "Where are the kids?"
- A voice says, "Mum?" and a woman says, "you were six years old this morning."
- Two people in a dark cave gasp and move backwards quickly

#### **THE COMPLAINT**

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

*The ad is on at an inappropriate time. Too early. Masterchef is my 4 year olds favourite show and for the last 3 nights the horror film ad has been showing from approx 6pm when we are trying to watch Masterchef. To make it worse it has been showing every ad break. My daughter has been very upset and disturbed by the ad. It involves scary music, disfigured bodies and faces and blood.*

*Our family are fans of MasterChef and watch on-demand using the AppleTV app. From the 10th July each ad break has featured the trailer for the psychological thriller, Old. We watch MasterChef with our children, the oldest of whom is 9. The trailer for the movie is wholly inappropriate for the breaks in the program. It is a psychologically disturbing short trailer of scary music, frantic narration of a family in jeopardy as they age prematurely. Features screaming in the soundtrack and flash images suggesting rotting skin and death by falling off a cliff.*

*The issues I have are threefold:*

- 1. with on-demand playback via the Apple TV app is that the ads cannot be fast-forwarded, nor skipped.*
- 2. The pg-13 rating for the thriller is too old for the genre of program*
- 3. The fact that the ad is repeated at every ad break. Once would be bad enough, but it appears every ad break.*

*frequently run. 2-3 variants of the advertisements containing scenes that are PG - M rated. Vocal references to rotting corpses, video of rotting skeletal remains, imagery of people falling off cliffs, imagery of several facial lesions. These advertisements are played at any time, for family content on 10Play.*

.



*This content is not appropriate for children, and yet appears during family programs (Master Chef, etc)*

*I believe it to be very inappropriate for an advertisement for a horror movie/ "supernatural thriller" to be aired during a family television show. My 5 year old daughter and I were watching Master Chef. I had to get her to close her eyes and mute the TV and the advertisement came on every ad break.*

*I saw several 'versions' of movie trailers for the movie "Old"  
I think they were top graphic to be played during ad breaks of a PG tv show.  
They included images of a dead body of a person who drowned and other horror film style images of death and suspense.  
These images were not at all appropriate for a PG show as break.  
I am very strongly upset that this was played on 10 play.*

#### **THE ADVERTISER'S RESPONSE**

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

*The below response is in relation to the complaints received regarding Universal Pictures advertising for Old, specifically in regard to the on-demand advertisements depicting violence/language/nudity which causes alarm and distress to Children.*

*Universal Pictures International Australasia adhere to the AANA Advertiser Code of Ethics.*

*Section 2.3 of the Code states "Advertising or Marketing Communications shall not present or portray violence/language unless it is justifiable in the context of the product or service advertised."*

*Old, is a mystery & thriller film which contains numerous scenes which could be scary in nature and suspenseful. It would therefore be reasonable to justify that our advertising materials have been produced within the context of the product being advertised.*

*Universal Pictures strive to advertise films of this content in a manner that remains appropriate for all consumers.*

*To ensure due diligence, prior to activity going live we carefully plan out our targeting with the agency to deliver a thought-out digital plan to effectively reach the following audiences:*

*Audiences: P18-54*

*Targeting thriller enthusiasts and comp titles*

*We follow our primetime TV key programming on demand*



*In this instance, we obtained clearance to display the advertisement according to the guidelines provided for the appropriate targeting & therefore the ad would have appeared on demand.*

*Universal Pictures and MediaCom exercised care with the planning and selection of the targeting schedule and focused on programming that skews within the demographic. Also, please be aware that is campaign is fully finished & not airing anywhere.*

*Please also note that all advertising materials for this film have displayed the (Check the Classification) logo for the required duration & updated once the film was classified.*

*We apologise for any distress caused and would like to reassure all parties involved that we have adhered to all required standards and the industry code of conduct in relation to the advertising materials and placements for this film.*

## **THE DETERMINATION**

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

The Panel noted the complainants' concern that the advertisement is for a horror film with themes and images that are inappropriate for children to see, and it was played in an inappropriate program at an inappropriate time.

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*".

The Panel noted that this advertisement was broadcast on TV On Demand which does not require classification and can be broadcast at any time.

### **Does the advertisement contain violence?**



The Panel noted that the soundtrack of the advertisement is suspenseful and eerie, in particular the version of the advertisement which featured the child singing “Twinkle Twinkle’.

The Panel noted that the imagery of the advertisement does contain depictions of a dead body floating in water, being rolled over on the beach and in a decayed state. The Panel considered the theme of the advertisement is menacing and considered that the advertisement overall may be considered to imply violence.

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

The Panel noted that the advertisement was promoting a horror film titled ‘Old’ which is rated M.

The Panel considered that although the advertisement contains distressing images, such as a dead body and a person whose skin is peeling off, the advertisement uses quickly changing scenes which breaks up the sense of suspense. The Panel considered that there is no focus on blood or gore.

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

Overall, the Panel considered that the tone of this advertisement was suspenseful and frightening, and contained a low level of violence. The Panel considered that the level of violence was not excessive in the context of an advertisement for a horror 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.