



Case Report

1	Case Number	0232/17
2	Advertiser	Universal Pictures
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	07/06/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Causes alarm and distress to Children

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is promoting the new movie, The Mummy, and features various scenes taken from the movie.

THE COMPLAINT

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

The advert for the movie the Mummy is inappropriate for the time slot as my young children are still wake and the images are very disturbing for young children.

The contents are not child friendly, and should not be shown during daytime television.

It has scary images of scary characters and is shown during the House Rules encore which I watch with my three small children.

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 the UNIVERSAL PICTURES advertising for THE MUMMY, specifically in regards to the TVC advertisements

depicting violence 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 unless it is justifiable in the context of the product or service advertised.”

The Mummy is an action-adventure film which contains numerous scenes which could be scary in nature. 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.

All advertising content from Universal Pictures is broadcast on FTA TV once rated by the Commercials Advice Board which is industry compliant with the advertising standards code of conduct.

To ensure due diligence, prior to activity going live IMD (on behalf of Universal Pictures) liaises with CAD to obtain approval on the THE MUMMY TVC spots.

Universal Pictures produced a number of TV spots for the THE MUMMY TV campaign and each spot was classified by CAD - the TV spots in question received a J rating (attached are the key number/material instructions which were provided to the TV networks)

In this instance, we obtained CAD clearance to display the advertisement according to the guidelines provided for a J rating.

The following approval was obtained by Universal Pictures from CAD:

Parental Guidance/Warning “J” Definition: Parental Guidance Recommended/Care in placement May be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children

The above CAD guidelines were adhered to and the spot was cleared for broadcast at any time of day except in P or C rated programming.

Universal Pictures and MediaCom exercised care with the planning and selection of the TV schedule and focused on programming that reaches our intended 16+ audience group.

Please also note that all advertising materials for this film have displayed the CTC (Check the Classification) logo for the required duration and have now been updated with the M classification and corresponding advice: M – Supernatural themes, violence and sustained threat

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 Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement depicts material from a movie which is scary and disturbing and not appropriate for children.

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 this television advertisement promoting the new movie, The Mummy, features scenes taken from the movie.

The Board noted it had previously dismissed similar complaints in case 0052/17 where:

“The Board noted that each version of the advertisement contain scenes from the Split movie and considered that while there is a suggestion of suspense and fear, and in one scene we see a woman pointing a gun at an unseen person/object, in the Board’s view the actual content is not graphic.

The Board acknowledged that some members of the community would prefer that this type of movie not be advertised, especially at times when children can view them, but considered that in the context of a horror movie the actual content of the advertisement is relatively mild.”

The Board noted the current advertisement had been rated J by CAD. The Board noted that the classification is based on the rating of the content of the advertisement and not the rating of the movie being promoted. The Board noted Free TV’s Placement Code (http://www.freetv.com.au/content_common/pg-cad-placement-codes.seo) which provides that J-rated advertisements: “May be broadcast at any time of the day, except during P and C [Preschool and Children’s] programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children.”

The Board noted the complainants had viewed the advertisements at various times of the day and early evening including during House Rules Encore. The Board noted House Rules is a program enjoyed by families and considered that although not primarily directed at children the viewing audience of this program could include a large number of children. The Board considered that in order to promote a movie the advertiser needs to show some footage of that movie.

The Board noted the advertisement features scenes including a woman holding a knife over a sleeping man, people running and looking scared, a plane spiralling out of control towards the ground, and scenes of devastation where buildings are collapsing. The Board noted the sombre male voiceover and drum-like background music and considered that when combined with the movie scenes there is an overall sense of menace. The Board considered however that the advertisement is clearly identified as a movie promotion and considered that the horror element is implied rather than shown and the actual content of the advertisement is not so strong as to be inappropriate in the context of the product advertised and the relevant broad

audience which would include children.

The Board acknowledged that some children, and adults, may not like the advertisement but considered that the actual content of the advertisement, although suspenseful, was not inappropriate for a broad audience and in the Board's view the content is justifiable in the context of promoting a movie in the horror/suspense genre.

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.