



Case Report

1	Case Number	0269/16
2	Advertiser	Roadshow Film Distributors Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Radio
5	Date of Determination	22/06/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This 30 second radio advertisement is advertising Conjuring 2: a feature film in the horror genre with a classification rating from the Classification Board of MA15+ for theatrical release. The advertisement features audio from the movie including a girl's voice asking a woman if she can see something hiding in the dark and that there are voices saying a voice wants to hurt the woman. We then hear a girl screaming and a male voiceover says, "The Conjuring 2. In cinemas now".

THE COMPLAINT

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

The trailer for the movie includes scary audio. It is being advertised at inappropriate times like 9 am during school runs.

My primary school aged children and pre school ages school children were frightened by the ad and I did not like hearing it during my drive to school.

THE ADVERTISER'S RESPONSE

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

As with TV, the radio spot for the Film contain no discriminatory material, exploitative or degrading material, strong or obscene language, nudity, or material contrary to health and safety standards. Similarly, the radio spots do not contain violence but do contain scary and supernatural themes.

Our radio campaign has ceased and no further radio spots will be aired as of Saturday 11 June 2016.

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 horror movie which is too graphic and causes alarm and distress to both adults and 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 radio advertisement features audio from the forthcoming movie, ‘The Conjuring 2’. The Board noted the advertiser’s response that this radio campaign finished on June 11.

The Board noted that it had recently upheld the television versions of this advertising campaign for ‘The Conjuring 2’ (0266/16) where it found that the level of violence portrayed was not justifiable in the context of the advertised product and was likely to cause alarm and distress to viewers.

The Board noted the current complaints concern a radio advertisement and considered that the lack of imagery lessens the impact of the audio. The Board noted the advertisement features a young girl saying she can see something hiding in the dark and that there are voices telling her they want to hurt someone. The Board acknowledged that some members of the community could find this audio, and the audio featuring people screaming, to be unsettling but considered that the male voice over use throughout the advertisement is the voice over often used to promote movies and in the Board’s view most members of the community would understand that it is a movie being promoted and not a real-life scenario. The Board noted that some members of the community would prefer that horror movies not be advertised but considered that it is reasonable for advertisers to use audio excerpts from movies they are promoting.

The Board considered that the advertisement did present a level of violence which is justifiable in the context of the product advertised and determined that the advertisement did not breach Section 2.3 of the Code.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant

audience and medium). Strong or obscene language shall be avoided”.

The Board noted the advertisement features audio from the movie ‘The Conjuring 2’ and considered that the language used was not strong or obscene. The Board noted that the overall tone of the advertisement is suspenseful and considered that the language was appropriate in the context of promoting a horror movie.

The Board determined that the advertisement did not breach Section 2.5 of the Code.

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