



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0293-20</b>
<b>2. Advertiser :</b>	<b>Amazon Prime Video</b>
<b>3. Product :</b>	<b>Entertainment</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>7-Oct-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

The television advertisement contains several short scenes from the series The Boys, including:

Character Homelander talking to a child  
Character The Deep close up  
Character Queen Maeve looking at billboard  
Homelander takes off and flies  
Board room meeting  
Homelander looking unimpressed  
A scene of people packing white bags into shoeboxes.  
Highlander and character Starlight walking out doors into photographers  
Homelander scoffing  
Homelander slams other persons head and he falls to the floor with his hands on his head  
Homelander shoots laser out of eyes  
A building explodes  
People fly through the air from shock of another blast  
A group of people gasp  
Homelander pushes a button  
An explosion  
Homelander and Starlight in an elevator and he reaches for her, looking angry



Homelander shoots lasers from eyes over crowd.

### **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*A scene in the ad where the lead male role raises his hand to aggressively slap a female across the face. His face shows aggression. The scene cuts out before she is hit but the intention for that action is very clear.*

### **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 2 of the television series titled The Boys. It was rated by CAD as H and our media agency states that they only purchased media to run during the hours of 8.30pm onwards. The run of this advertisement has been completed and there are no current plans to re-run it.*

*2.1: The advertisement does not discriminate or vilify anyone based on race, ethnicity, gender, nationality, age, sexual preference, religion, disability, mental illness, or political belief.*

*2.2: The advertisement does not employ sexual appeal.*

*2.3: The portrayal of violence in the advertisement is justifiable in the context of the product being advertised per subsection 2.3 of the Code which doesn't say violence can't be portrayed but rather that it shouldn't be portrayed unless it's justified by the context of the product being advertised. The complaint being referenced is a shot of the character Homelander moving to hit another character. In the advertisement, you don't see that character being hit but there is another shot where someone is slapped, however, together, those shots are less than two seconds. 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 the advertisement was seen during the evening and advertisements with a rating of H can run at any time when there is unlikely to be a substantial child audience.*

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

*2.5: The language used in the advertisement was appropriate for the circumstances.*



*2.6: There is nothing in the advertisement that is depicting material contrary to community standards on health and safety.*

*2.7: The advertisement is clearly distinguishable as an advertisement for the TV series The Boys available on Amazon Prime Video as it clearly identifies the series and ends with a clear identification and call to action to viewers that the series is available on Amazon Prime Video and indicates that subscription fees apply.*

## **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 concerns that the advertisement contains a scene in which a man raises his hand to aggressively slap a female across the face.

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 a 'H' rating by ClearAds meaning, "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 likely to attract a substantial child audience." ([https://www.clearads.com.au/wp-content/uploads/2020/02/ClearAds-Handbook-\\_Edition-8.1.pdf](https://www.clearads.com.au/wp-content/uploads/2020/02/ClearAds-Handbook-_Edition-8.1.pdf)). The Panel noted the advertiser's response that their media agency only purchased media to run during the hours of 8.30pm onwards, and noted that the complainant had viewed the advertisement in the evening.

The Panel noted that a scene does show a man raising his hand towards a woman, and noted that he is not shown to strike her and this scene is less than a second long. The Panel also noted a scene in which a man strikes another man in the head, causing him to fall to the ground in apparent pain. The Panel noted that this scene was also less than a second long.

The Panel noted that the advertisement contains several scenes of explosions, people flying through the air as a result of being attacked, a wall imploding, and a man using lasers from his eyes. The Panel considered that the advertisement feels quite fast paced and noted that each scene in the advertisement is fleeting.

The Panel noted the advertiser's response that the series being advertised does feature violence and that it would be misleading about the nature of the content itself if there was no suggestion of violence in the advertisement.



The Panel considered that overall the tone of this advertisement is one of fast paced action, and considered that it did contain a moderate level of violence. The Panel considered that the level of violence was not excessive in the context of an advertisement for a television program of this nature. 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.