



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

1. Case Number :	0301-19
2. Advertiser :	Roadshow Films
3. Product :	Entertainment
4. Type of Advertisement/Media :	Billboard
5. Date of Determination	25-Sep-2019
6. DETERMINATION :	Upheld – Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.3 Violence

DESCRIPTION OF ADVERTISEMENT

This advertisement has two versions. One features a white face with red lines running down over the eyes and covering the mouth. The other features only the eyes.

THE COMPLAINT

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

It's way too scary - huge white clown face with blood running down - my kids pointed and were scared. They are 5 & 7 years old. They should not be able to view this.

The advertisement is for a movie rated MA15+. The image is confronting and not appropriate for individuals under the age of 15.

Given I can't exercise parental controls on what my children see out of the window of the car, the image chosen to advertise this movie needs to be appropriate to ALL audiences, not just those above 15. My two daughters are 5 & 7 and find this image scary and distressing.



It has a horror picture of Satanic person with blood dripping.. my husband is school teacher and we both agree that children and moral Adults should not have this force in our face as we drive on road.

While I applaud the clever graphic design of this horror movie poster, I feel it is inappropriate for a poster for an R rated movie to be displayed so publicly. If people choose to go into a cinema or retail store or library and search for this type of movie, more power to them. If it is advertised on television, it would be done so after a suitable hour at night. This kind of giant, static advertising though is very difficult to avoid.

It may seem like a minor complaint, but if we allow this type of image to be writ large in public places and thoroughfares, it paves the way for ever more graphic material to be displayed and accepted as the norm. If my rational adult mind was disturbed by having to witness this poster whilst driving past and going about my business, what kind of effect is it having on the more impressionable minds of young children looking out of car windows? I understand that it's valuable advertising space – surely we can display something there that it more useful or harmonious to society.

My suspicion is that Warner Bros knew full well the uproar the billboards would create; that any publicity is good publicity; that they couldn't be touched as they were not technically breaching any standards; that even if they were forced to remove the billboard images, for the time they remained on display their work was done (and the damage done). If Ad Standards claim that they have no jurisdiction over such images, then something is very wrong. The law needs to be changed and advertisers need to be held accountable.

Depiction of scary clown face on side of building. Clear view to children travelling in cars past the building. Likelihood of scaring children without ability for parents to control whether children see it. Horror movie, at least M rated, should not be advertised where children can see the advert without ability for parents to control it.

This image is just down the road from my daughters local primary school. We pass it twice a day and it terrifies my children. My 2 yr old son is so scared he covers his eyes as he goes past. It's not appropriate for this image to be forced on children. It causes nightmares and anxiety and is in a prominent public space which you can't avoid. It needs to be taken down ASAP and more thought needs to be put into this space and what's allowed there in the future.

Anxiety inducing whilst driving for myself and large portion of population. Young children also . Inappropriate materials.

When I am waiting at a red light, I have no choice but to look at it. The clown is very scary and evil looking. IT has blood dripping from its mouth and a menacing glare. I have two small children and it scares them. It is very close to two local primary schools, and it really isn't appropriate for children to look at.

Last month there was an advertisement for the horror movie 'Annabelle' and that was equally scary and inappropriate for children to have to look at.



I don't believe they should advertise any horror movies at that intersection, where children are forced to see it.

THE ADVERTISER'S RESPONSE

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

The outdoor creative contains no discriminatory material, strong or obscene language, nudity, no material contrary to health and safety standards. It also does not depict violence but does contain scary/ supernatural themes which is relevant to the movie being advertised and accordingly unavoidable.

The creative was approved by the outdoor companies prior to printing and caution was taken in order to avoid placements within 300m of schools.

THE DETERMINATION

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

The Panel noted the complainants' concerns that the advertisement was too scary to be displayed where children could see it, and that the advertisement had caused distress to children.

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

The Panel noted that there are two versions of this advertisement.

Version One features a white face with red painted lines running down over the eyes and connecting to the mouth, with three streaks under the mouth/dripping from the mouth.

Version Two features the upper half of a face with only the eyes visible, and red lines running vertically through the eyes.

The Panel considered whether the advertisements were 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 complainants' concerns that the advertisement was too scary to be displayed where children could see it, and that the advertisement had caused distress to children.

The Panel acknowledged that it can be challenging to create advertisements for films with a high degree of violence or menace that comply with the terms of the Code. The Panel noted that advertisers are free to select any artwork for use in advertisements,



however noted that advertisers must take care to ensure that such imagery is justifiable in the context of the product and is suitable for a broad audience that may include children.

The Panel noted the Practice Note for Section 2.3 of the Code which states “*a strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code.*”

The Panel first considered Version One of the advertisement.

The minority of the Panel considered that the face in the advertisement was not interacting with anything and considered that there was no actual violence depicted. The minority considered that the large size of the billboard advertisement did add to the impact of the images. The minority considered that the theme of the advertisement and the imagery of the mouth and blood dripping combined to give the advertisement a menacing tone, however considered that this sense of menace was not excessive or disproportionate.

The minority of the Panel considered that the low level of menace was justifiable in the context of an advertisement for a horror movie. The minority acknowledged that some children and others viewing the advertisement on a billboard format may be frightened by the menacing images but considered that these images did not constitute a portrayal of violence that would breach community standards.

The majority of the Panel noted that this advertisement was for a film classified MA15+. The majority noted that the main character in this film is an evil clown that eats children. The majority noted that the character was introduced in the first film of the series, and that the film series is based on a well-known novel by Stephen King. The majority considered that many people are familiar with the concept of the “IT” films, even if they had not actually seen the original movie.

The majority of the Panel noted that an advertisement for a horror film had been considered in case 0391-18, in which:

“The Panel considered that the advertisement did not depict blood, gore, or any material of a graphic nature. The Panel considered that there was no blood or gore in the advertisement, and no threat or implication of a violent act. The Panel considered that while some people may find the image of the nun with the yellow eye to be alarming, it was not threatening and did not contain a strong suggestion of menace.”

The majority of the Panel considered that in this case, while children may be unaware of the film series or the character, the advertisement depicting a face with yellow eyes, stained and damaged teeth within an unsettling smile and a clear image of blood dripping from its mouth, was excessively menacing. The majority considered that the image selected to represent the main character from the horror movie had a strong implication that the clown had eaten someone, based on the depiction of blood dripping from its mouth.



The majority of the Panel noted that the series of television advertisements for this film had been dismissed in case 0289-19. In considering complaints about the single image of the main character used in this Billboard advertisement, the majority considered that the direct gaze of the eyes and the menacing image of the character was more impactful due to the static nature of a billboard. The majority considered that in the context of this horror movie promotion, the static billboard image has less context than a television advertisement, and there is no opportunity for less threatening imagery to balance the sinister and frightening nature of the depicted face of the central character.

The majority of the Panel acknowledged that some level of violence and menace is justifiable in the context of advertising a horror movie, however considered that the level of menace in this advertisement exceeded the amount which most members of the community would consider to be appropriate.

Overall, the majority of the Panel considered that Version One of the advertisement, in the context of a Billboard visible to a broad audience, portrayed a level of violence that was not justifiable in the context of promoting a horror movie and did breach Section 2.3 of the Code.

The Panel then considered Version Two of the advertisement

The Panel considered that the only imagery in this advertisement is two yellow eyes with a red vertical line running over them. The Panel considered that this version does not depict the character's mouth and associated imagery of blood dripping towards the chin, and that without this imagery the overall impression of the advertisement is far less menacing or threatening than Version One of the advertisement.

The Panel acknowledged that some children and others viewing the advertisement on a billboard format may be frightened by the image but considered that the image did not constitute a portrayal of menace or violence that would breach community standards and in the Panel's view the menacing tone was justifiable in the context of the product advertised and did not breach Section 2.3 of the Code.

Finding that Version One of this advertisement did breach Section 2.3 of the Code the Panel upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Our campaign for IT 2 is now over, so all outdoor creative has been removed.