



# Case Report

|   |                               |                                    |
|---|-------------------------------|------------------------------------|
| 1 | Case Number                   | 0306/16                            |
| 2 | Advertiser                    | Roadshow Film Distributors Pty Ltd |
| 3 | Product                       | Entertainment                      |
| 4 | Type of Advertisement / media | TV - Free to air                   |
| 5 | Date of Determination         | 27/07/2016                         |
| 6 | DETERMINATION                 | Dismissed                          |

## ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety Within prevailing Community Standards

## DESCRIPTION OF THE ADVERTISEMENT

The advertisements in question relate to Suicide Squad, which is a superhero film that is scheduled to release in Australia on August 4. The advertisements feature scenes from the movie, including fight scenes and images of people holding weapons.

## THE COMPLAINT

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

*The content of the advertisement featured violence and sexualised violence and was inappropriate for a sports broadcast that commenced at that time of the evening and that young children were watching especially being a State of Origin match. I had allowed my 5 year old son to watch the pre match and first half of the game and was not impressed that he was exposed to the level and type of violence that was featured in this advertisement.*

*I have 4 grandsons watching the game last night and I found the ads to be inappropriate for their viewing. The program would have been watched by many families with children and even though it was in a later time bracket I was quite surprised to see these ads. I realise that*

*suicide is part of life but do we really have to push it at children during a fun family program. I will not be going to see the movie and I feel it really spoilt the game !!! I hope my views will be taken in to account.*

## **THE ADVERTISER'S RESPONSE**

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

*There were two 30 sec TV spots that appeared in the State of Origin telecast (key numbers SSQ 18393/30 and SSQ 18391/30). Both spots received a 'J' classification from CAD.*

*Both TV spots include footage of the supervillain-cum-superhero characters on their mission. The characters are clearly fictional and the violence shown is stylised (in the manner of many superhero films) rather than realistic.*

*The spots also do not contain nudity, sexual violence or sexual innuendo.*

*At the time of the complaint being made the film was not yet rated, and all TV spots contained the "Check the Classification" logo for the required length of 10 seconds. The film was rated "M - Fantasy themes, violence and coarse language" on July 12 and all TV spots have been updated to include the rating of the film and consumer advice.*

## **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 features violence which is inappropriate for viewing by 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 the advertisements feature scenes from the new movie, 'Suicide Squad' which is currently airing in cinemas. The Board noted that the advertisements show scenes of a range of characters drawn from the criminal world, resembling characters from the Batman series of movies, including The Joker.

The Board noted the advertiser's response that the advertisements include footage of the supervillain-cum-superhero characters on their mission. The Board considered that the advertisement showed a cartoon form of violence, where the characters are clearly fictional and the violence shown is stylised (in the manner of many superhero films, including Batman) rather than realistic.

The Board noted that some members of the community would prefer that superhero/action movies not be advertised using violent images but considered that it is reasonable for advertisers to use visual excerpts from movies they are promoting. The Board considered that the use of mild and implied violence in the advertisements, where it is apparent that no one is injured, was not inappropriate as it is evident it is a superhero movie, which is highly stylised rather than realistic, being advertised.

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 then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.”

The Board noted one complainant’s concern that the advertisement conveyed sexualised violence. The Board considered that all actors in the footage were wearing costumes that were not revealing and was of the view that nothing in the advertisement suggested, condoned or depicted sexualised violence.

The Board noted the current advertisements have been rated ‘J’ by CAD and appeared during the State of Origin telecast.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.”

The Board noted that the use of the term ‘suicide’ in the advertisement is in the context of a movie promotion and in this case is the name of the movie.

The Board noted that that all references to suicide in the advertisement are in reference to the name of the movie which is a reference to the difficulty of the squad’s mission.

The Board acknowledged that there is strong community concern around the issue of suicide and considered that some members of the community could be upset by the use of the word in any context.

The Board noted it had previously upheld a complaint about an advertisement which featured the word suicide (Case 0193/15), however in that case the word was a descriptor, in the context of a movie promotion and considered that by displaying the word ‘suicide’ in that context it trivialised and normalised an issue which is serious. The Board considered that this is in contrast to the current advertisement where the word is part of the name of the movie and the images of superheroes are in conjunction with the name of the movie, making it very clear it is in reference to a movie.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards and determined that the advertisement did not breach Section 2.6 of the Code.

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