



Ad Standards Community Panel
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Case Report

1. Case Number :	0315-19
2. Advertiser :	Roadshow Films
3. Product :	Entertainment
4. Type of Advertisement/Media :	Transport
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:

This advertisement depicts very disturbing imagery. The movie is rated MA15+ and is horror genre. It is displayed on a bus that moves around, so this advertisement is being viewed widely by the public and most particularly school children travelling by public transport. I find this highly inappropriate. In our age of violence and mental health problems, this form of advertising is unacceptable.

We see this advertisement on an ongoing basis around the suburb - unfortunately I'm never quick enough to see it before my 9yo Daughter and 6yo Son. This image has horrified them and left my 9yo Daughter with nightmares on a nightly basis related directly to the image of IT seen on the side of the transperth buses. I am absolutely disgusted that this image has been allowed to be covering buses that are circulating the suburb at a time school finishes and children are out and about. This image has been causing endless nightmares and my children get scared every time we see the



image on the buses. It is disgusting that these images have been allowed to be strewn across our streets and televisions. I am fully aware that this issue is not only with my children, the image has been raised by several other mother's and apparently many of the children within my children's classes at school. I need you to understand the impact this image is having on my Daughter is causing serious nightly nightmares and lack of sleep for the entire family.

I have a 7 year old son who has seen the advertising on the side of buses and on large outdoor signs. There is one up near the intersection of his School Lane Cove Primary School. The image is menacing and designed to be scary and it terrifies my 7 year old who now has nightmares about it. Printed at large scale in public places is not okay for advertisements such as these where children of all ages frequent. While it may not have scary or offensive words a picture paints 1000 words and this one is designed to scare you and they stick in the minds of young children. He is a normal happy 7 year old but every time we pass a bus or outdoor with the ad he starts to cry and the man is watching and following him. I don't have a picture of the creative but it is very similar images to the one promoting the movie on the cinema page <https://www.eventcinemas.com.au/Movie/It-Chapter-Two>

Unsuitable for display at under-18 locations (i.e. in the general public domain). Currently it is displayed in full sight of small children.

To Whom It May Concern,

I'm writing to you with concerns regarding some advertising I have recently seen in the Eastern Suburbs of Melbourne in public places and on public transport services.

If issues and regulations raised in this letter are not within your power to change or address, I would be most appreciative for any suggestions regarding a relevant body to contact regarding this issue. I have already contacted Public Transport Victoria (who referred me to you) and the Department of Communications and the Arts.

As I was driving my children to school we were confronted with, without any warning, the massive advertisement for the new "IT" movie showing scary eyes, which covered the full side of a public bus. This has happened multiple more times the following week, whether it was advertisement displayed on a bus or at a bus stop (in some cases in video format with footage of the film), while my children were on their way to school, camp, an excursion, on my way to the supermarket and to an appointment. Regarding the latter, we were exposed to it again a combination of 5-6 times alone, one of these times involved us positioned beside the bus size "scary eyes" advertisement at the traffic lights. Though the circumstances are different being within the building of a cinema, I have also experience age inappropriate advertisements when taking my children to a children's/age appropriate movies as we walked the corridor.

To further this complaint, last Friday I attended an event/gathering of people where the speaker (who is an accomplished mature balanced professional in his forties) told



the audience how he had been ambushed by one particular bus stop advertisement of "IT" two days in a row as he passed it and therefore was determined to avoid this same occurrence since, in his opinion, it was not content he wished to or found helpful/healthy to consume.

I find it surprising that content which is rated far above a "G" rating would be viewed as appropriate for an advertisement in the general public, even if it does not appear within 150 metres of schools, where people of all ages and sensitive's are going about their day.

Since people of all ages, specifically children, are in the general public etc, does it not stand to reason that advertising in such settings should only use G rated content (or at the most PG rated content)? The definition of "G", as per the Australian Government website for the Department of Communications and the Arts, is content "suitable for everyone" and "is very mild in impact". Is not "everyone" out in the public?

Even as an adult, I would expect there to be stricter standards especially regarding non-essential information and/or content above a G, PG or at the most M rating? The horror film "IT" would fall into this category.

As children are exposed to this advertising, does/should not a standard apply to this situation as is the case in the "Code For Advertising and Marketing Communications to Children" section 2.6 Social Values, Advertising or Marketing Communication to Children: a) must not portray images or events in a way that is unduly frightening or distressing to children.

I plan to inquire regarding the laws that regulate advertising in public places and on public services, but this situation suggests they need to be reviewed. I would appreciate any information you could provide regarding this.

I believe there are regulations around what is allowed on TV etc at certain times of the day and/or on certain channels and that warnings of any up-coming potentially distressing or age-/inappropriate content on these channels or time slots must be given to allow the viewer a choice. Should we not also use this rationale for public settings etc? When watching in home or cinemas there are opportunities for people to control/choose what they watch (if the above steps are followed) eg: look up the guide; avoid certain channels, programs or time slots; change the channel; turn off the device; walk out or simply close ones eyes. But with an enormous bus size advertisement such as this I have no warning and no choice. I certainly cannot close my eyes as the driver of a car and I would think it reasonable to hope that my children can safely look out the car window when concerning regulated material.

I believe what we watch and expose ourselves to can greatly influence and impact our well being and choices. I don't believe such movies/content lend itself to promoting well being of any kind, but I do recognise that others have the freedom to and do choose this kind of content for themselves – I would also like that same freedom, but to choose NOT to be exposed to it.



With the current situation I feel this is not the case. As a result we have felt a lack of safety when in public. I find this unacceptable and surprising since the awareness around the importance of (freedom of choice and) well-being, which includes mental health, is greatly recognised to the point that apparently some councils are planning to place focus and resources towards this effort. The advertisement which this letter concerns, I would suggest is counterproductive to this effort.

It would be encouraging to see the well being etc of the population prioritised above the revenue goals and ambitions of product/movie etc makers.

Therefore, especially when a warning concerning the approaching content is not possible (eg: advertising on public buses, bus stops, billboards etc), is it not possible to advertise/present/convey a movie/book/event/topic etc which holds a rating higher than G, in a manner and with selective content that is of a G rated nature (or at the most PG rating) when in public settings, on public services and/or in places or events where people of all ages may/will be present?

In summary, I respectfully beg you to reconsider the appropriateness of advertising this type of content and in this manner in a public place where people of all ages (especially children) are present and no warning is possible. I am asking to be given a choice.

THE ADVERTISER'S RESPONSE

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

The transport 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 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 transport 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 bus 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 transport 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 the image. The majority considered that in the context of this horror movie promotion, the static 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 transport advertisement 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 bus 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.