



Case Report

1	Case Number	0351/16
2	Advertiser	Roadshow Film Distributors Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Billboard
5	Date of Determination	24/08/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Mental Illness
- 2.5 - Language Inappropriate language
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This digital billboard advertisement for the forthcoming movie, Suicide Squad, features comic-book style imagery of the main characters as well as the actors' names and the release date of the movie.

THE COMPLAINT

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

I believe the use of the word "suicide" goes against the AANA Code of Ethics, particularly section 2.6 on health and safety, which does not allow the depiction of or reference to suicide. This ad appears to promote suicide and even depict it as a laughing/fun matter. This caused me distress and I'm sure some people find it an encouragement to suicidal ideation. I don't believe this should be shown in a public venue where children can see it. My toddler was attracted to the images which was distressing to me while we were eating lunch.

I also believe sections 2.1 & 2.5 may be contravened, as the ad appears to discriminate against people with mental illness and does not use appropriate language for the situation.

Since mental illness is such a large public health issue at the moment, I find it very surprising such an ad would be shown.

THE ADVERTISER'S RESPONSE

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

Suicide Squad is a superhero film that released in Australian cinemas on August 4. The movie is based on a long-running and hugely popular DC comic book franchise created in 1959, whereby a secret US government agency recruits a team of the world's most dangerous incarcerated super villains and sends them on missions to defeat enemies too powerful for regular army forces.

The advertisement in question is a digital outdoor panel displayed in shopping centres. The artwork is very colourful and displays the characters from the movie in a comic book style. The characters are clearly fictional and there is little animation other than a quick zoom in/out of the title treatment for the movie. There is no nudity or violence - however some of the characters do hold weapons that form part of their personas in the movie. The reference to "Suicide" is only in relation to the films name which is "Suicide Squad".

The particular panel in question is also no longer up in shopping centres and came down on Sunday 7th August.

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 complainant's concerns that the advertisement features the word 'suicide' in a manner which is discriminatory to mental health sufferers, is not appropriate language to use where children can read it, and that the topic of suicide should not be used in advertising due to the risk of copy-cat behaviour.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted this digital billboard advertisement promoting the new movie, Suicide Squad, features comic book-style images of the movie's main characters with the name of the movie and the tagline, "Worst. Heroes. Ever." superimposed over the top.

The Board noted the complainant's concern that the advertisement is discriminatory toward people with mental illness.

The Board noted that the advertisement is clearly promoting a movie and considered that it is not inappropriate for an advertiser to use the name of the movie it is promoting in its advertising material. The Board considered the focus of the advertisement is the movie characters and there is no suggestion that these characters have mental illnesses or that they should be thought less of due to mental health issues.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of mental health.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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 it had recently dismissed complaints about similar advertising for the same movie which was used on transport in case 0312/16 where:

“The Board noted that the advertisement appears on the side of a bus and has the words, ‘suicide squad’ and ‘ha ha ha’ written across stylised cartoon images from the film. The Board considered that the cartoon-like image on the side of bus would be attractive to children and acknowledged that unlike a television commercial, cannot be ‘turned off’.

The Board noted the advertiser’s response that there are words used such as ‘POW’ to emphasis the link back to the comic book franchise and words such as HAHA next to the Joker character which is a well know phrase associated with his character and that all characters are fictional and illustrated using bright colours in the artwork.

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 ‘Suicide Squad’ is the name of the movie.

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 is clearly depicted as such.

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 but noted that the reference to suicide in the advertisement is a reference to the name of the movie.”

The Board noted that the current advertisement features images of the cast of the movie, ‘Suicide Squad’ and considered that consistent with its previous determination in case 0312/16, the advertisement is clearly promoting a movie and the use of the word ‘suicide’ as part of the movie’s name is not of itself a portrayal of violence.

The Board determined that the advertisement did not breach Section 2.3 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 the complainant’s concerns that using the word ‘suicide’ in the advertisement is distressing and could encourage people to commit suicide.

The Board acknowledged that the word ‘suicide’ could be confronting to some members of the community due to their own personal experience however the Board considered that in the context of the name of a superhero movie the word ‘suicide’ is not likely to encourage copycat behaviour and the manner in which the word is used is not inappropriate.

The Board determined that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety around the issue of suicide.

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