



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0363/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Roadshow Film</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>23/08/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children

### DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this M rated television advertisement promoting the new movie, Annabelle 2. Both feature scenes from the movie including visuals of a large house, a young girl, and a creepy looking doll. The voiceover describes the movie and the release date is provided at the end.

### THE COMPLAINT

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

*High level horror content been shown too early in the evening. Not all children go to bed at 7.00.*

*Horror movie should not be advertised until at least 9:30pm - if not 10pm. Too creepy for young children still awake.*

*I felt that the content was inappropriate for the time of night and also was totally unexpected. I do not watch horror films and was involuntarily subjected to a scene of a supernatural force choking a child when I looked up from my ironing.*

*I object to both my children 9 and 11 screaming in horror at watching the adverts of this movie. Every night for the last week my kids have been terrified about this advert. Both children have sleeping problems which is why the TV is on in 2 separate rooms. I strongly object to this advert airing before 12 am and I am sure plenty of parents do. Thank you.*

## **THE ADVERTISER'S RESPONSE**

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

*PLACE: Chanel 7 WHEN : 8.48 PM Thursday 10th August 2017 ADVERTISER: Annabell creations*

*PLACE: Channel 9, Shepparton WHEN : 9:15pm, 9/08/17*

*PLACE: Private viewing at my residence. Chanel 9GO! WHEN : at about 9.40pm on 8/82017 ADVERTISER: Annabelle*

*All of the complaints received have been post 8.30pm. We have been able to pinpoint the exact key numbers that have run on Ch 9 and 7, but have not been able to pinpoint what material ran on GO! as we are unsure what market the complainant is from.*

*The material for both key numbers we have been able to confirm contain no discriminatory material, exploitative or degrading material, strong or obscene language, nudity, or material contrary to health and safety standards. The advertising material does depict violence and contains scary and supernatural themes. This however is relevant to the Film being advertised which is of the horror genre and accordingly unavoidable.*

*The advertisements also received M classification ratings from CAD, therefore were approved to run in their allocated time slots. Roadshow Films have taken care not to advertise to children with their campaign for ANNABELLE and most activity has appeared post 8.30 in suitable programming.*

## **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 depicts material from a horror movie which is frightening and not appropriate for children to view.

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 there are two versions of the advertisement, each featuring scenes from

the new movie, ‘Annabelle Creation’ which is currently airing in cinemas.

The Board noted that both versions of the advertisement have been rated M by CAD and that these versions can be aired after 7.30pm. The Board noted the advertiser’s response that they have taken care not to advertise to children and that most activity has appeared post 8.30pm. The Board noted the complainants had all viewed the advertisement after 8.30pm and considered that the advertisement had been aired appropriately in accordance with its M rating.

The Board noted the content of the two versions of the advertisement. The Board noted it had previously upheld complaints about an M rated advertisement for a horror movie in case 0266/16 where:

“The Board noted all 5 M-rated versions include scenes such as human-like shapes coming through walls or appearing in mirrors, a girl levitating and then thrown against a wall, a girl crying in bed and a girl standing in a room full of crucifixes and trying to get out of a locked room while crying and reaching out to her mother. The Board noted that all the scenes used in the advertisement are taken from the advertised movie but considered that the declaration that the movie is based on a true story means that the footage appears more realistic rather than just a normal horror movie based on fiction. The Board noted the use of crucifixes rotating on their own accord and considered that this is suggestive of *The Exorcist* and although it could be viewed as a clichéd scene in the Board’s view the focus on the young girl’s reaction to the crucifixes is distressing. The Board considered that each version of the M-rated advertisement contains content which would cause alarm and distress to children and in the Board’s view would also cause alarm and distress to many adults.”

The Board noted it had also previously dismissed similar complaints in case 0211/15 where:

“The Board noted there are two television advertisements featured and that they both contain scenes from the movie including supernatural themes and vision of a young girl in one and a young boy in the other. The details of when the movie is to appear in Cinemas are seen at the end...

...The Board noted that whilst some of the images used in the advertisement do depict supernatural activity, these scenes are relevant to the movie and are clearly presented in the context of excerpts from the movie.

Noting the CAD rating and that the advertisement includes quite stylised and unrealistic images, the Board considered that the advertisement presented violence in a manner which is justifiable in the context of the product advertised and did not breach Section 2.3 of the Code.”

The Board noted the 15 second version of the current advertisement and considered that consistent with previous determinations for similar advertisements, (0448/14, 0211/15, 0310/16) the images in the advertisement are supernatural rather than violent and are clearly presented in the context of excerpts from a movie.

The Board noted the 30 second version of the current advertisement and considered that this version has a strong sense of menace and the scene at the end showing the Annabelle doll crawling towards a screaming girl is distressing. The Board noted however that this scene is clearly presented in the context of a movie promotion and in the Board’s view the

supernatural tone of the advertisement lessens the impact of the images being realistic and unlike in the upheld case 0266/16 the advertisement does not claim to be based on a true story. The Board noted that the advertisement uses a dramatic voiceover and sound effects to increase the impact of the footage shown and considered that the actual visuals are not inappropriate in the context of an M rated promotion for a horror movie.

The Board acknowledged that some members of the community would prefer that horror movies not be advertised at all but considered that in this instance the content of both versions of the advertisement depict or portray violence in a manner which is justifiable in the context of the product advertised.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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