



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0389/18</b>
<b>2</b>	<b>Advertiser</b>	<b>Roadshow Films</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>12/09/2018</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.3 - Violence Graphic Depictions

## DESCRIPTION OF THE ADVERTISEMENT

There are three versions of three versions of this television advertisement for the upcoming film "The Meg".

Version one – “Everybody out of the water” – depicts a large group of people in the water at a beach when someone yells that there is a shark. Everyone panics and tries to get out of the water. A large shark attacks a raft people are standing on and then continues to attack people in the water.

Version two – “Megadeath” – depicts a series of fleeting scenes of the large shark and the ocean before showing a young girl wearing fairy wings standing in front of a large under-water window. The girl turns to see the giant shark attack the window.

Version three – “Witness” – depicts a a series of fleeting scenes including a girl on a raft at a crowded breach yelling ‘shark’, a man behind a computer describing ‘a massive prehistoric killing machine’, the large shark biting the window of a submarine in front of a young girl, and a shark leaping out of the water to attack a diver who swings out of the way just in time.



## **THE COMPLAINT**

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

*A new movie trailer about a big shark killing people. It was visually scary, red blood seen in the water and every scene shown was scary and inappropriate for adds on at this time at night. I felt scared and do not appreciate seeing this add at all, let alone if any children saw that. Please take it off. Thank You.*

## **THE ADVERTISER'S RESPONSE**

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

*The advertisement was for the movie MEG. MEG released into AU cinemas on 16th August and received a classification rating of M for theatrical release with the consumer advice of "Science Fiction Action".*

*The TV advertisements contain no discriminatory material, exploitative or degrading material, strong or obscene language, nudity, no supernatural themes, or material contrary to health and safety standards. The tv advertisements do include some violence and contain scary footage of the shark. This however is relevant to the Film being advertised which is accordingly unavoidable.*

*The TV campaign for MEG has also now ended and is no longer on air.*

## **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 complainant's concern that the advertisement was violent and not appropriate for television.

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

The Panel noted that there were three versions of this television advertisement which feature scenes from the movie 'The Meg'. The Panel noted that two versions of the advertisement had been rated 'P' by CAD, and one had been rated 'J'.

Version one – "Everybody out of the water" – depicts a large group of people in the water at a beach when someone yells that there is a shark. Everyone panics and tries to get out of the water. A large shark attacks a raft people are standing on and then



continues to attack people in the water.

Version two – “Megadeath” – depicts a series of fleeting scenes of the large shark and the ocean before showing a young girl wearing fairy wings standing in front of a large under-water window. The girl turns to see the giant shark attack the window.

Version three – “Witness” – depicts a a series of fleeting scenes including a girl on a raft at a crowded breach yelling ‘shark’, a man behind a computer describing ‘a massive prehistoric killing machine’, the large shark biting the window of a submarine in front of a young girl, and a shark leaping out of the water to attack a diver who swings out of the way just in time.

The Panel 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 Panel noted the practice note to the Code states:

“The Community Panel has also found that a strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code.”

The Panel considered the first version of advertisement “everybody out of the water”. The Panel noted that there was a suggestion of violence and threat in the advertisement, such as when the shark is seen attacking someone under the water. The Panel considered that while there is an assumption that people are being injured and killed, the images are fleeting and there is no depiction of what happens after the shark has attacked.

The Panel noted that this advertisement had been given a ‘J’ rating by CAD ([http://www.freetv.com.au/content\\_common/pg-cad-placement-codes.seo](http://www.freetv.com.au/content_common/pg-cad-placement-codes.seo)) which provides that it: “May be broadcast at any time of the day, except during P and C [Preschool and Children’s] programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children.”

The Panel considered while this version of the advertisement may have been alarming and contain a suggestion of violence, the depiction is exaggerated and there is no focus on any violent acts. The Panel considered that some menace is justifiable in the context of advertising an action movie about sharks and considered that this version of the advertisement did not breach Section 2.3 of the Code.

The Panel then considered the second version of the advertisement “megadeath”. The Panel noted that this advertisement had been given an ‘P’ rating by CAD and noted Free TV’s Placement Code which provides: “May be broadcast at any time of the day, except during P and C [Preschool and Children’s] programs or adjacent to P or



C periods”.

The Panel considered that this version of the advertisement consisted of a series of fleeting scenes with a short focus on the shark attacking the window near where the young girl is standing. The Panel considered that there is a low level of violence in the advertisement that is appropriate in the context of advertising a movie about a giant shark. The Panel considered that while there is a level of menace for the audience when the shark is seen to attack the window near the girl we do not see what happens and there is no depiction of the girl being harmed.

The Panel considered that this version of the advertisement did portray violence in a way which was justifiable in the context of the product or service advertised, and did not breach Section 2.3 of the Code.

The Panel then considered the third version of the advertisement “witness”. The Panel noted that this advertisement had been given an ‘P’ rating by CAD and noted Free TV’s Placement Code which provides: “May be broadcast at any time of the day, except during P and C [Preschool and Children’s] programs or adjacent to P or C periods”.

The Panel considered that the scenes in this version of the advertisement are fleeting and considered that there is no high level of menace in this advertisement. The Panel considered that while the scene with the girl may be briefly alarming, it is fleeting and there is no depiction of anyone being harmed. The Panel considered that some menace is justifiable in the context of advertising a horror movie and considered that this version of the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

