



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

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Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0392/18
2	Advertiser	Roadshow Films
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	12/09/2018
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Religion
- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement has four versions, all featuring scenes from the movie "The NUN".

THE COMPLAINT

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

The trailer and image were extremely terrifying. The trailer contained scary noises and frightening scenes. The image was graphic and petrifying. Advertisements should not be placed/aired on daytime TV where it can be viewed by children and others who wish to not see such things. Even my 17-year-old daughter was disturbed by this.



It's advertising a horror movie and is just disgusting.

The add makes myself and my wife feel extremely anxious. We are not scared by things, but the very supernatural/demonic nature of the add puts us extremely on edge. Neither myself nor my wife wish to view this sort of material while we are watching a movie. We also have young children that could be awake at that time. We shouldn't have to scramble for the remote/jump from our sofa to change the channel or turn off the TV or hide our children while watching TV.

The ad was disturbing in nature, and given the type of movie I was watching, I was not expecting or prepared to be exposed to such disturbing content. I go out of my way to avoid being exposed to this genre of movie entertainment, and do not appreciate being exposed to this during my general TV viewing.

It should not be allowed to be advertised before 10pm. My children were watching television and the advertisement popped up suddenly. This is a very scary ad for the new horror movie. There was no notice and this time I wasn't quick enough to change channel as I was surfing between stations. My 10 year old is now having nightmares of the graphic horror scene of a Nun. This is terrible and should be advertised much later at night.

THE ADVERTISER'S RESPONSE

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

THE NUN is a feature film in the horror genre. The film received a classification rating from the Classification Board of MA15+ for theatrical release. The TV spots contain no discriminatory material, exploitative or degrading material, strong or obscene language, nudity, or material contrary to health and safety standards. The tv spots do 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 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' concern that the advertisement vilified Catholics and was inappropriately violent and caused alarm and distress.



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

The Panel noted that there were four versions of this television advertisement which feature scenes from the movie 'The nun'. The Panel noted that one version of the advertisement had been rated 'J' by CAD, and three had been rated 'M'. The Panel noted that the classification is based on the rating of the content of the advertisement and not the rating of the movie being promoted.

Version one – "Pedigree" – depicts an oil painting of a demonic nun and a conversation between a man and a young nun about nightmares she had had about a nun. At the end of the ad we see the young nun in the dark holding a lantern. She turns to view a dark figure in a habit behind her, and she is attacked from the side.

Version two – "Coffin" – depicts a screaming man falling backwards into an open coffin and the lid closing on top of him. He screams and tries desperately to turn on a light, before using a lighter. Two hands then grab him on either side of his face and a face can be seen behind him.

Version three – "Darkest" – depicts a fleeting scene of a nun jumping out a window and a young nun and man saying they are investigating the death of a nun. A number of fleeting scenes show a group of nuns marching and baring a door, a hand thrusting out of frozen ground and a young girl being grabbed around her head and dragged backwards.

Version four – "Mask" – depicts a man with a shotgun standing in a room full of hooded nuns. The nuns walk away and he turns to see another hooded nun suspended above the floor. He moves towards her and takes off her hood, she screams and he flies across the room.

The Panel noted the complainants' concern that the advertisement is vilifying of nuns and those of the catholic faith.

The Panel 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 Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."



The Panel considered that the advertisement featured a depiction of a nun who was possessed by a demon and that this is a representation that is clearly unrealistic. The Panel considered the advertisement identifies 'the nun' and does not suggest that all nuns are villains and considered that the advertisement also featured nuns who weren't the villains.

The Panel considered that the advertisement did not show nuns receiving unfair or less favourable treatment, or in a way which humiliates, intimidates, incites hatred, contempt or ridicule of nuns or people who follow the catholic faith.

The Panel 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 religion and determined that the advertisement did not breach Section 2.1 of the Code

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 considered that the advertisement did not depict blood, gore, or any material of a graphic nature.

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 "pedigree". The Panel noted that there was a low level of menace in the advertisement which concluded with a 'jump scare' of the woman being attacked from the side.

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) 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 initially been alarming, there is no ongoing threat in the advertisement. 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.



The Panel then considered the second version of the advertisement “coffin”. The Panel noted that this advertisement had been given an ‘M’ rating by CAD and noted Free TV’s Placement Code which provides: “May be broadcast...7.30pm – 6.00am”.

The Panel considered that the man’s screams and cries which last for the duration of the advertisement and the depiction of someone being trapped or buried alive is one with a high amount of menace. The Panel considered that the high level of menace continues throughout this advertisement and was a depiction that would be likely to cause alarm and distress to people viewing the advertisement.

The Panel acknowledged that some level of 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.

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

The Panel then considered the third version of the advertisement “darkest”. The Panel noted that this advertisement had been given an ‘M’ rating by CAD and noted Free TV’s Placement Code which provides: “May be broadcast...7.30pm – 6.00am”.

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 final scene of the girl being grabbed may be briefly alarming, it is fleeting and there is no ongoing threat in the advertisement. 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.

The Panel then considered the fourth version of the advertisement “darkest”. The Panel noted that this advertisement had been given an ‘M’ rating by CAD and noted Free TV’s Placement Code which provides: “May be broadcast...7.30pm – 6.00am”.

The Panel considered that while initially there is some tension in the advertisement the focus is on the unusual situation the man is in, and considered that there is a feeling of tension rather than menace in this advertisement. The Panel considered that while the final scene of the man flying across the room is alarming, it is expected and there is no ongoing threat in the advertisement. 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 second version of this advertisement did breach Section 2.3 of the



Code the Panel upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The particular Tvc that breached the code; "Coffin", has not been on air since 8th September. All TV advertising for the THE NUN will cease on 23rd September.