



## Case Report

1	Case Number	0408/17
2	Advertiser	Roadshow Films
3	Product	Entertainment
4	Type of Advertisement / media	TV - On Demand
5	Date of Determination	27/09/2017
6	DETERMINATION	Upheld - Modified or Discontinued

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

The complaint relates to ON DEMAND advertising for IT and shows a group of young kids in a house and a clown holding balloons.

### THE COMPLAINT

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

*I object because the ad came up during a family friendly program which is aimed at young children. The ad was too scary for my kids and I'd imagine everyone else's children to be exposed to. Since it was being watched through on-demand TV, the Channel 7 app, its impossible to turn off the ad or fast forward it. You have to sit through it so you can continue watching the program. The ad came up during every single ad break for the show. It needs to be removed and unlinked with shows that children will obviously be watching.*

*The ad for this horror movie is placed in the middle of a family show that many people will watch with very young children. The content is frightening and is constantly repeated when watching the on demand version of Little Hot Shots.*

*Advertising for a MA15+ movie while watching a family rated program. My children (6 yo and 8 yo) were terrified by the images and music.*

*I was watching with my 3 year old son the first episode of Little Big Shots, which was advertised as a family show, the offending ad came on in the middle of the episode and there was no way to skip past it. The ad was frightening to my son and me, I don't think ads for horror movies should be shown during a family program whether on catch up TV (as in this case) or otherwise.*

*This movie is being advertised during a PG program that I watch with my seven year old son. The movie must be rated either M or R. Either way it is entirely inappropriate to be advertising a scary movie during a program that is aimed at families.*

## **THE ADVERTISER'S RESPONSE**

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

*We have put into action the following measures to ensure safety:  
Time targeting as per the IO, 7pm – 3am (however we have pushed this to 9pm)  
Demo targeting (18+) across CUTV on Desktop and Mobile \*this is second party data coming from Yahoo.*

*Despite doing this, we can see from the complaints that majority of them have come from parents who may be logged in as themselves, but are watching with their children.*

*Due to this, we have reached out to our partners at Yahoo and will do so too with Nine to ask for deals to be sent specifically for the duration of the campaign where all G and PG shows are excluded.*

## **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 the advertisement was aired on On-Demand Television, each featuring scenes from the new movie, ‘IT’ which is currently airing in cinemas. The advertisement

included scenes of a frightened looking boy and a clown holding a bunch of red balloons. The scary voiceover is saying “you look like a nice boy, I bet you have a lot of friends.”

The Board noted there had been various advertisements which had received different ratings from CAD based on their content ([http://www.freetv.com.au/media/CAD/Placement\\_Codes.pdf](http://www.freetv.com.au/media/CAD/Placement_Codes.pdf)). The Board noted that Freeview is not a broadcaster and that CAD ratings are not required for advertisements aired during television shows viewed via on-demand television. The Board noted that the advertisement was aired during Little Big Shots and considered that this program is directed at families and would likely include children amongst the viewers.

The Board noted that the scenes from the movie included in the current advertisement are not especially graphic but it 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 alike.

The Board noted this version of the advertisement opens with an adult male voice saying “you look like a nice boy” and considered that the depiction of the speaker - a clown holding a bunch of balloons which slowly rise to reveal his face – is scary and likely to cause alarm to some members of the community.

The Board noted that the depiction of the clown, the scenes showing a child running away from something unseen, screaming, and the horror-movie style background music are all relevant to the advertised product and add to the suspense of the advertisement.

The Board noted that advertisers can choose which scenes to use to promote their movie and considered that although these scenes are all brief and are clearly in the context of a movie in the Board’s view they are outside of the bounds of what is acceptable for an advertisement shown in a program such as Little big shots” that would have a large child audience and advertisers should take care in selecting appropriate content as not all adults are comfortable with scenes of horror and suspense.

The Board noted it had previously dismissed complaints about the same version of the advertisement when aired on Free to Air Television (0384/17) with a CAD rating of M.

The Board noted the overall tone of the advertisements and considered that whilst the content is relevant to the advertised product the in contrast to the above mentioned case (0384/17), the level of implied violence as well as the sinister tone and use of children means that the content is not appropriate for a broad audience which would include young children as it would likely cause alarm and distress.

The Board determined that this version of the advertisement, in this context - aired on ON-Demand television did breach Section 2.3 of the Code.

Finding that the advertisement did breach the Code the Board upheld the complaints.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

Please note that the campaign for IT is now over and all advertising activity has ceased.

