



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

# Case Report

1	<b>Case Number</b>	<b>0435/18</b>
2	<b>Advertiser</b>	<b>Sony Pictures Releasing Pty Ltd</b>
3	<b>Product</b>	<b>Entertainment</b>
4	<b>Type of Advertisement / media</b>	<b>Transport</b>
5	<b>Date of Determination</b>	<b>10/10/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

The outdoor advertising on APN portrait bus sides, mega sides and JC Decaux tram sides are promoting the superhero movie VENOM, releasing in cinemas on October 4, 2018. It shows half of the face of Tom Hardy, in character as Eddie Brock, and half of the superhero character Venom, based on the Marvel comic book of the same name. The advertisement displays the title of the film, release date and OFLC 'Check-The-Classification' logo, according to advertising guidelines prior to film classification.

## THE COMPLAINT

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

*This movie is M rated. The image portrayed on this poster is visually disturbing. These images, which are horror film images, should not be displayed so publicly, particularly at public transport stops where you must sit very close to the actual image. It is an M rated movie and there is a reason for that - the content is not suitable for children under 15. Therefore, the strong visual content from the film should not be displayed in public areas where children are present. I request these film posters be replaced with*





*a G rated image.*

*Very graphic horror. Not appropriate for advertising time and place where it is accessible to children.*

*Not suitable for young eyes and minds. My 5 year old was very scared and disturbed after viewing. And keeps popping up on TV advertising during times when kids are awake and bus stop Adshell.*

*The depict very scary imagery and are on bus backs and sides that can be viewed by any member of the public. As a mother of a 4 and 6 year olds I have had to shield them from the bus adverting on walks. This sort of content is not appropriate for public viewing!*

*We have movie classification standards to protect children and this movie is clearly rated MA or above. The image chosen to promote the movie is graphic, menacing and frightening. My 7 year old is scared to catch buses or look out the window of the car. Same classification standards should apply to advertising in public places.*

#### **THE ADVERTISER'S RESPONSE**

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

*The outdoor creative for the VENOM advertising campaign were sent to the applicable outdoor companies for their approval prior to printing. Both APN Outdoor and JC Decaux approved the artwork with no requests for alterations.*

*The outdoor advertising creative for VENOM does not breach any part of Section 2 of the AANA Code of Ethics. It does not discriminate, exploit or degrade any individual, nor does it employ sexual appeal in an exploitative or degrading manner. It does not use obscene language and it doesn't depict material contrary to Prevailing Community Standards on health and safety. In regards to the specific part of Section 2 (2.3) identified in the complaint, the TV commercial in question does not present or portray violence at all, and certainly not out of context to the film being advertised.*

*VENOM was approved for advertising on the likelihood that it will be classified M. Films classified M are recommended for mature audiences but carry no legal age restrictions. VENOM received an M classification from the OFLC on Friday September 28, 2018.*

#### **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' concerns that the advertisement was too graphic for a public forum and caused alarm and distress to children.

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

The Panel noted that this transport advertisement was for the film 'Venom' and featured an image of half of a man's face and half of a monster's face.

The Panel considered whether the advertisements were 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 that the image could be alarming to some members of the community due to the scary look of a half man, half alien creature.

The Panel considered that the advertisement did not depict blood, gore, or any material of a graphic nature and there was no threat or implication of a violent act.

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 that while some people may find the image to be alarming, it was not threatening and did not contain a strong suggestion of menace.

On that basis, the Panel determined that the advertisement did not depict violence and considered 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 Panel dismissed the complaints.

