



Case Report

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| 1 | Case Number | 0448/14 |
| 2 | Advertiser | Roadshow Film Distributors Pty Ltd |
| 3 | Product | Entertainment |
| 4 | Type of Advertisement / media | TV - Free to air |
| 5 | Date of Determination | 12/11/2014 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There are different versions of a television advertisement promoting the new movie "Annabelle". Each advertisement features scenes from the movie. There are references throughout to inform people that Annabelle is a doll and that it is doll aligned with the 2013 film 'The Conjuring'.

Scenes featured include the 'Annabelle' doll sitting in a rocking chair, a woman looking under a closed door at her baby who is locked in the room and then the doll suddenly appearing on the other side of the door and looking at the woman, and a pram rolling out in front of a vehicle.

THE COMPLAINT

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

This advertisement of the new movie Annabelle contains very disturbing horror images to children. It's just been school holidays so kids have been staying up later and there is no warning when this add comes on. My 11 year old daughter is constantly having nightmares from the images. Although we try and change the channel when it comes on straight away the images are very frightening.

The ad shows too much too quickly and with children around there is not enough time to

change the channel. Even as an adult I do not like seeing it.

THE ADVERTISER'S RESPONSE

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

Our television campaign for Annabelle included 5 different creative executions between 14/9/2014 – 1/10/2014, including both 30 and 15 second commercials. The campaign has ended and is therefore no longer in market.

Prior to receiving confirmation of the film rating (22/9/2014) all ads carried the "Check the Classification" logo as required by the Australian Classification Board/Commercials Advice (CAD). The film received an MA 15+ rating from the Australian Classification Board on the 22/9/2014 and all TV spots were updated to include.

All commercials received T classifications from CAD (both 30s and 15s), with the exception of one 15 second spot that received a J rating.

Although T classified commercials can be broadcast from 12 noon until 3.00pm schooldays (except during P and C programs or adjacent to P or C period) we decided to not run our Annabelle spots until after 8:30pm each night.

The J classified spot was a 15 second spot and was only scheduled to run from 7:30pm onwards. For your reference this spot was used for approximately 10% of our TV campaign, therefore T classified spots running after 8:30pm made up the majority of the campaign.

Our buy has adhered to all rules and regulations stipulated by CAD and as explained above we also took further precautions to lessen the chance of it being seen by people under the age of 15 by limiting ourselves beyond the CAD restrictions.

Overview of commercials used throughout the campaign:

"Origin" 30 ANN16098/30 CAD NO: T07NDEPE

"Family" 30 ANN16099/30 CAD NO: T07NEEPE

"Teaser Cutdown"" 15 ANN16100/15 CAD NO: T07NFEPE

"Origin" 15 ANN16101/15 CAD NO: T07NGEPE

"Soft Trailer" 15 ANN16173/15 CAD NO: J07NHEPE

We do not believe that we have breached the ASB code of ethics as it is justifiable in the context of the product advertised.

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 features frightening scenes from a horror movie which are not appropriate for children to view.

The Board noted some complainants' concerns about the time in which the advertisement had been aired. The Board noted that placement is determined by the rating and that it generally has no jurisdiction over the placement or timing of advertisements, except when considering whether an advertisement treats the issue of sex, sexuality and nudity with sensitivity to the

relevant audience.

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 it had previously dismissed outdoor advertising for the same movie in case 0447/14. The Board noted in this instance that the advertisement was viewed on television and features scenes from the movie.

The Board noted that there are two versions of the advertisement and that the milder version, which made up 10% of the campaign's airtime, is played during traditional PG rated timeslots. The Board noted that this PG version (rated 'J' by CAD) features images of a doll called Annabelle with traditional horror movie style music playing in the background. The Board noted that other than a female character taking the doll out of a box and placing it on a shelf with other dolls there are no other scenes featuring the doll. The Board noted that the final screenshot shows the image of the doll used in the poster campaign considered by the Board in 0447/14 and considered that consistent with its determination in that case in the Board's view the PG style advertisement does not present or portray violence.

The Board noted that most of the campaign consists of 'T' rated advertisements which are 'M' style advertisements for 'M' and 'MA' rated movies. The Board noted that these 'M' style advertisements had been viewed in the relevant timeslots. The Board noted that there are a number of advertisements which all feature different montages of a handful of scenes from the movie, Annabelle. The Board noted the horror movie style music which accompanies these scenes and considered that whilst some members of the community would find the scenes to be scary in the Board's view they do not actually present or portray violence.

The Board noted that it had previously dismissed similar complaints about horror movie-style promotions in cases 0329/13 and 0434/14. The Board noted that some members of the community would prefer that these types of movies were not promoted on television at all but considered that overall the content of the advertisement is justifiable in the context of the advertised product, a horror movie.

Based on the above 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.

