



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

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0475/18
2	Advertiser	Universal Pictures
3	Product	Entertainment
4	Type of Advertisement / media	Internet
5	Date of Determination	24/10/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Causes alarm and distress to Children

DESCRIPTION OF THE ADVERTISEMENT

This YouTube advertisement features scenes from upcoming film 'Halloween'.

THE COMPLAINT

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

My 4 year son wanted to watch 'Halloween songs for kids' for kids, a cartoon Halloween clip was being played followed by another similar clip 'for kids'. However, before this clip played there was an advertisement for the Halloween (horror) movie which is Rated R. This violent preview scared my son and he had to cover his eyes to block it. By the time I saw what was being played it was almost finished. I don't know why R Rated movies are being played before clips for kids.

THE ADVERTISER'S RESPONSE

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



Advertiser did not respond.

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 inappropriately violent, and was aired before a children's video.

The Panel viewed the advertisement and noted the advertiser did not respond.

The Panel noted that there are two versions of the YouTube advertisement which featured various scenes from the movie 'Halloween'. They were a 15 second version (ad 1) and a 30 second version (ad 2). The Panel noted that both advertisements being considered featured similar scenes with fleeting images of different scenes.

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 the complainants' concerns that the advertisement was too violent to be aired before a children video.

The Panel acknowledged that it can be challenging to select scenes for advertisements for films with a high degree of violence or menace that comply with the terms of the Code. The Panel noted that advertisers are free to select any scenes from films for use in advertisements, however noted that advertisers must take care to ensure that such scenes are justifiable in the context of the product and that justifiable includes consideration of the audience.

The Panel noted the practice note for Section 2.3 of the Code which states "a strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code. "

The Panel noted that this advertisement was for a film classified MA15+.

The Panel considered that the advertisement contained a number of scenes with violence or which contained menace, including:

- Various scenes showing the killer's face, a frightening mask
- Child in bed, woman opens closet to see killer with knife (in ad 2)
- Use of words kill/killing/murder (1 in ad 1; 3 in ad 2)



- Depiction of a knife (1 in ad 1; 3 in ad 2)
- Depiction of a gun (3 in ad 1; 4 in ad 2)
- A woman in the shower, curtain opening to show killer (in ad 1 and 2)
- A flashlight showing a child's bedroom (in ad 1)

In particular the Panel noted a scene shown in ad 2 of a child in bed asking an adult to check their wardrobe. When the wardrobe door is opened the killer is standing with a knife.

The Panel noted that the advertisement implies violence but considered that there is no depiction of anyone being attacked and no depiction of blood or gore bar one scene showing a man with a head injury and blood on his face.

The Panel noted that the advertisement has several scenes showing the killer walking across the lawn or showing just his face, and considered that although these scenes may be scary, they are directly relevant to the product and are a justifiable depiction.

The Panel noted it had considered this advertisement on Free-to-air television in case 0458/18 in which:

“The Panel acknowledged that some level of violence and menace is justifiable in the context of advertising a horror movie, however considered that the level of violence and menace in this advertisement, particularly relating to scenes showing the killer in the wardrobe and the shower exceeded the amount which most members of the community would consider to be justified, particularly in the context of the free to air television J classification.”

The Panel considered that YouTube was a site with a primarily adult and teenage audience and an advertisement which contained mild violence and a degree of menace was not inappropriate.

The Panel acknowledged that some level of violence and menace is justifiable in the context of advertising a horror movie. The Panel considered that the level of violence and menace in this advertisement, particularly relating to scenes showing the killer in the wardrobe and the shower was within the bounds of what most members of the community would consider to be justified, particularly in the context of an online, primarily adult and teenage audience.

In the Panel's view the violence portrayed in the advertisement was justifiable in the context of the product advertised and 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 complaint.

