



**ADVERTISING
STANDARDS
BOARD**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph: (02) 6173 1500 | Fax: (02) 6262 9833
www.adstandards.com.au

ACN 084 452 666

Case Report

1	Case Number	0490/17
2	Advertiser	Toyota Motor Corp Aust Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Pay
5	Date of Determination	08/11/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a young couple sitting in their Toyota Corolla at a drive-in movie. The movie being viewed is an action movie, with two male characters are struggling on screen. One of the characters is grasping the other from behind. The young couple are in the vehicle discussing the various features of the Toyota Corolla as well as the price and capped price servicing. The two characters in the film appear to overhear this discussion and interact with the couple, noting that it sounds like great value, before returning to their struggle.

THE COMPLAINT

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

In the movie, one man is attempting to murder another man using a hook / knife to the throat and strangling him

THE ADVERTISER'S RESPONSE

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

We refer to your recent letter in relation to Complaint Reference 0490/17 (the Complaint).

Your letter refers to a retail advertisement by Toyota Motor Corporation Australia Ltd (Toyota) featuring the Toyota Corolla (the Advertisement). Toyota takes any complaints relating to its advertisements seriously and responds as follows.

THE COMPLAINT

In your letter, you advise that the Complaint stated:

“In the movie, one man is attempting to murder another man using a hook/knife to the throat and strangling him”.

You have advised that the Complaint falls under section 2 of the AANA Advertiser Code of Ethics (AANA Code). Whilst specific subsections of section 2 have not been identified, Toyota assumes that the content of the Complaint relates to:

Section 2.3 – Violence; and Section 2.6 – Health and Safety.

Toyota is of the view that sections 2.1, 2.2, 2.4 and 2.5 are not relevant to the Advertisement.

TOYOTA RESPONSE TO COMPLAINT

As the issue raised in the Complaint relates to concerns that fall under both Sections 2.3 and 2.6, Toyota will respond to both together.

The Advertisement is intended to use fantasy, exaggeration and humour to emphasise that the value proposition of the Toyota Corolla is such that even movie characters are amazed. It clearly depicts a fantastical scenario in which the young couple viewing the action movie are instead distracted by the Toyota Corolla and its price. The sense of fantasy is added to when the characters in the movie break out of character and speak to the viewers, apparently overwhelmed and distracted from their task by the great value.

Contrary to the allegation in the Complaint, neither character is attempting to kill the other. The two men are depicted in a clichéd action scene environment full of fire and tension struggling. One of the characters has his arm around the other preventing his escape and demands to know where an unnamed woman is. In the context of the scene, the character is seeking information from the other.

Neither character is depicted strangling the other or using any weapons at any time during the scene in the Advertisement. Toyota went to lengths to ensure that the Advertisement at no time depicts any form of restraint or conduct that either explicitly nor implicitly depicts violence or risk to health and safety. The restraining character is depicted with his arm around the other’s shoulder, gripping onto the other’s shirt front, and not his neck or throat. At a certain point in the Advertisement, the restrained character’s necklace falls out of his shirt. Toyota confirms that at no time does the restraining character grip or otherwise handle the necklace.

In light of the above, Toyota submits that Complaint has misinterpreted the content of the Advertisement and the Advertisement has not breached the AANA Code.

Consequently, Toyota requests that the Complaint be dismissed.

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 movie which is violent and inappropriate.

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 features two people in a car at the drive-in. The couple are watching a movie on the big screen and the woman is talking about some of the features of the car – a Corolla Ascent Sport CVT. The man comments that it was only \$23990. At this time, the actors in the movie respond to the price and engage with the male driver about the great value. The actors in the movie are in the middle of a fight and one man is holding a hook/blade near the throat of the other man. The details of the car and price appear on screen

The Board noted the advertisement for the free-to-air versions were given a W rating by CAD based on their content (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf). The Board noted however that the CAD rating does not apply to Pay TV.

The Board noted that the product being advertised is the car and that it is clearly identifiable that the couple are watching a movie at a drive in. The Board noted that the interaction between the characters in the movie and the people in the car is clearly farcical and that it is not possible to talk to the characters of a movie.

The Board noted that the focus of the advertisement is not intended to be on the movie itself other than by showing that the product is such good value that the movie characters break out of character. The Board noted that the scene of the actors fighting is a subsidiary part of the overall advertisement and is not the focus of the promotion.

The Board noted the complainant’s concern that the one man is “attempting to murder another man.”

The Board considered that most members of the community would be able to easily discern that the men are being viewed in their capacity as actors and the advertisement is not promoting or encouraging violence.

The Board considered that overall the advertisement and this scene especially did not encourage or condone unsafe behaviour and was unlikely to create copycat behaviour.

In the Board’s view the advertisement did not consider the visuals were menacing and determined that this advertisement, in the context of Pay TV did not breach Section 2.3 of the

Code.

Finding that the advertisement did not breach the Code on any other grounds the Board dismissed the complaint.