



## Case Report

1	Case Number	0563/16
2	Advertiser	Roadshow Film Distributors Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Cinema
5	Date of Determination	18/01/2017
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

### DESCRIPTION OF THE ADVERTISEMENT

The complaint relates to the theatrical trailer for the movie called "The Edge of Seventeen" and contains scenes from the movie. The movie has a theatrical release date of January 5, 2017 and has received the following classification for release: Rating – M, Consumer Advice – Sexual references and coarse language.

### THE COMPLAINT

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

*My fiancé and I took our 11 year old son to see the movie Magnificent Beasts. He has been really excited to see it as he is a huge Harry Potter fan. He's read all the books and watched all the movies. We were sitting watching the previews and waiting for the movie to start. They had 2 movie previews for cartoon movies that are coming out soon along with a preview for King Kong and Brad Pitt's new movie. They were all as you would expect to be shown before a movie like this. Then they showed the preview for the movie "On the edge of 17" during this preview the girl was sending a message to a boy she liked and reading it out allowed. She wrote " I want you to suck on my tits and feel you inside of me" if hearing that once wasn't bad enough she took it to her teacher and he read it again.... I was in shock and my 11 year old son was horrified. I don't know how they would think that this sort of preview would be appropriate to show before a movie that is going to attract a lot of families with kids. I have*

*spoken the manager Andrew at that cinema and he advised there is nothing they can do. They get a package and they have to show it.*

## **THE ADVERTISER'S RESPONSE**

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

*The complaint relates to the airing of the EDGE OF SEVENTEEN trailer before the airing of FANTASTIC BEASTS in a cinema. At the time, the complaint was made to the cinema manager who advised "there is nothing they can do. They get a package and they have to show it".*

*Roadshow films in fact did not attach this trailer to the feature DCP and had LEGO BATMAN Trailer F4 attached to FANTASTIC BEASTS DCP's. The package we supplied was in line with the content of the film. It was therefore the cinemas choice to play EDGE Trailer. Even with LEGO BATMAN Trailer soft locked to Feature the cinema does not have to show this and the cinema has an opportunity to swap out the content.*

*Regardless, both EDGE OF SEVENTEEN and FANTASTIC BEASTS are M rated films. The rating for M films is classified as follows -*

*M-rated films for cinema viewing for children*

*The content of M-rated films is considered of moderate impact and therefore is not recommended for children under 15 years. The M (Mature) classification is an advisory category which means there are no legal restrictions that the cinema has to uphold and parents and guardians need to find out more about the film before deciding whether the material is suitable for children.*

## **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 complainant's concerns that the advertisement features sexual references which are not appropriate for children to hear and see.

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

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Board noted this cinema advertisement is promoting a new movie, Edge of 17, and features scenes from the movie including a teenage couple in bed, the use of the F word and verbal references to sexual activity.

The Board noted the complainant's concern that the advertisement was aired before a screening of 'Magnificent Beasts and Where to Find Them'. The Board noted that this movie is rated M, as is the movie being promoted in the advertisement, and considered that while the complainant may find the content of the advertisement to be inappropriate for their 11 year old son, in the Board's view the M rating does make it clear that the content is not recommended for children under 15 years.

The Board noted the scene where a girl is caught in bed with her friend's brother. The Board noted that the boy's chest is naked, the girl is wearing a white bra and the bed sheets cover the rest of their bodies. The Board noted that the scene suggests that the couple is engaging in sexual activity but considered that this is inferred rather than explicit and in the Board's view the level of nudity and sexuality is relatively mild.

The Board noted the scene where the main character talks about performing a sex act on her friend's father in retaliation for her friend's relationship with her brother. The Board noted that the main character makes hand gestures to accompany her reference to a 'hand job' and considered that in the context of an M rated advertisement this reference to a sexual activity is not inappropriate.

The Board noted the scene where the main character composes a text to a boy she likes and considered that although the text contains sexual language and references in the Board's view these are relevant in the context of the advertised movie and are not inappropriate in the context of an M rating.

The Board acknowledged the complainant's concern that Magnificent Beasts is part of the Harry Potter world and therefore likely to attract a younger audience, but considered that while parents may be more comfortable with their children watching fantasy violence than sexual material, the M rating does not distinguish between the type of content in a movie and in the Board's view the content of the advertisement was not inappropriate in the context of the relevant M audience of persons aged over 15.

The Board considered that the advertisement did not depict sex, sexuality and nudity and determined that the advertisement did not breach Section 2.4 of the Code.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Board noted the advertisement features use of the F word. The Board noted that some members of the community would find this word to be strong and/or obscene but considered that its use in the context of movie promotion aired in the cinema prior to an M rated movie is not inappropriate for the relevant M audience of persons aged over 15.

The Board considered that the advertisement did not use strong, obscene or inappropriate language and determined that the advertisement did not breach Section 2.5 of the Code.

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

