



## **CASE REPORT**

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|-------------------------------|------------------------------|
| 1. Complaint reference number | 120/06                       |
| 2. Advertiser                 | Sunshine Toyota              |
| 3. Product                    | Vehicles                     |
| 4. Type of advertisement      | TV                           |
| 5. Nature of complaint        | Violence Other – section 2.2 |
| 6. Date of determination      | Tuesday, 11 April 2006       |
| 7. DETERMINATION              | Dismissed                    |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement shows a car being driven into a warehouse where a gangster boss wearing white suit with a black shirt, white tie and white hat and two young women draped across his arms addresses mob members “I hear we’ve got a problem”. The other two men brandishing machine guns and throwing photos of car models into a burning brazier, explain that a competitive dealer is putting them out of business with special offers and that “We should take them out”. One of the gangsters then fires the machine guns at the brazier and announce “Sunshine Toyota. It’s gonna be a blast!”

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*...appears to try to show that the gangsters are serious and will seek revenge if the cars are not sold. I believe this is a senseless display of violence...and includes the depiction of unnecessary operation of an automatic weapon.*

## **THE ADVERTISER’S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*The concern regarding the use of violence is completely out of text, as the characters are seen to be having fun and incorporating jokes into the script.*

*The toy gun used in the TVC was purchased from a local toy store.*

*The firing of bullets is clearly seen as animation.*

## **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 that violence should not be presented or portrayed unless it is justifiable in the context of the product or service offered.

The Board noted the gangster theme of the advertisement and that the entire advertisement was theatrical and so overacted that there was no suggestion of reality. The Board also noted that shots from the gun were fired at the bin not at any people.

The Board did not consider that the violence portrayed, which was minimal, was unjustifiable in the context of the gangster theme and the product advertised.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.