



## **CASE REPORT**

1. Complaint reference number	235/00
2. Advertiser	PAN TV Ltd (World Movies - The Visitors)
3. Product	Entertainment
4. Type of advertisement	Outdoor
5. Nature of complaint	Violence Other – section 2.2 Other - Causes alarm and distress to children
6. Date of determination	Tuesday, 8 August 2000
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

The foreign language outdoor video advertisement is set in hill country and begins with two men in armour and the English subtitle, ‘The King may not be taken, even in chess!’ One of them brandishes his sword, removing from a third armoured man his helmet which rolls on the ground. The victim’s head emerges from his armour and he laughs. The subtitle, ‘Die’, appears on-screen and a sword is again brandished, decapitating the victim. The headless suit of armour stumbles about, finally falling. His two attackers laugh to the subtitle, ‘He won’t be watching World Movies tonight’. The advertisement concludes with the World Movies logo, contact details and a voiceover: ‘Are you ready for World Movies?’

## **THE COMPLAINT**

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

*‘Decapitation and watching the headless figure totter around is NOT appropriate viewing for young children who are captive audience members by virtue of their waiting for a train.’*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board determined that the advertisement portrayed violence unjustifiable in the context of the product’s being advertised on the Street Vision medium at Town Hall Station and, accordingly, that it breached Section 2.2 of the Code. The Board upheld the complaint on this basis.

Section 2.2 of the Code provides that:

‘2.2 Advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised.’

In making this determination, the Board noted that the advertisement had received an ‘M’ classification from the Federation of Australian Commercial Television Stations (FACTS), restricting its broadcast on television to 12 noon until 3 p.m. on weekdays and daily from 8.30 p.m. until 5 a.m.

The Board noted, however, that its screening on the Street Vision medium at Town Hall Station effectively placed the advertisement on unrestricted exhibition to the general public, including children.

The Board further noted that Street Vision had withdrawn the advertisement following receipt of

complaints and commended both the advertiser and Street Vision for their prompt response in this regard.

#### **ADVERTISER'S STATEMENT**

PAN TV confirms that 'The Visitors' advertisement for World Movies was never produced for unrestricted exhibition to the general public and concurs that it is not appropriate viewing for children.

While PAN TV supplied a number of advertisements to Street Vision for market research trials (with their FACTS numbers), the company was not aware that the advertisement was being screened in an unrestricted manner.

In future, PAN TV will ensure that Street Vision will only have access to G rated World Movies advertisements.

PAN TV offers its sincere apologies for any distress that may have been caused by the unrestricted exhibition of the advertisement.