



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 525/08                                    |
| 2. Advertiser                 | Sony Computer Entertainment               |
| 3. Product                    | Toys & Games                              |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Violence Cruelty to animals – section 2.2 |
| 6. Date of determination      | Wednesday, 17 December 2008               |
| 7. DETERMINATION              | Dismissed                                 |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement from Sony Computer Entertainment for its Playstation 3 Motorstorm Pacific Rift game opens with an animated butterfly landing on a flower. Suddenly the peace is shattered when a cog flies through the air, killing the butterfly and destroying the flower. An animated red truck with large wheels ploughs through the scene and then viewers see several scenes where similar trucks and other vehicles are driven in animated races on mountain tracks, in an arena and in other lush scenery. The voiceover describes the game and tells viewers the game is available free with the purchase of a Playstation. The advertisement ends on a screen showing the logo and web address.

## **THE COMPLAINT**

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

*The other ad is a game with a remote control car who runs over and destroys a butterfly on a flower and the last image of the ad is a closeup of the rear tyre with the crushed butterfly and the flower on it. They are both disrespectful of animals and very awful that this is how we are showing kids to behave and treat animals.*

## **THE ADVERTISER'S RESPONSE**

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

*The Motorstorm Pacific Rift game is one where you race through a tropical island in an off-road race crashing through forest and brush..*

*Although you are correct in stating that an animated butterfly does in fact end up beneath an animated tire (not a real remote control vehicle) and the flower gets crushed in this animated game, please note that there was no intention to endorse cruelty to animals or plants. In many video game genre's today, your goal is to overcome obstacles which sometimes includes interacting with certain things from animate to inanimate objects. This game does not include any type of harm when it comes to animals or insects, the advertisement uses the analogy of a crushed butterfly to illustrate the off-road race in a tropical jungle where this game takes place. We hope that you understand that this does not mean that Sony or it's agencies condone any sort of animal cruelty or cruelty of any sort. The games we create are meant to bring adventure and imagination to life for consumer's entertainment and we hope that you understand that we meant no offence.*

*Please note that the advertisement you are referring to is no longer on-air.*

## **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 concern expressed by the complainant that the depiction of the animated butterfly being destroyed could encourage cruelty to animals.

The Board considered the application of Section 2.2 of the Code, relating to violence.

The Board considered that the animated scenes were clearly unrealistic and not intended to represent a real butterfly or flower being destroyed. While the Board recognised that some people may be concerned that this scene contained an implicit message of destruction of the environment, the Board considered the depiction was in the context of the product advertised.

The Board also considered the advertisement was not condoning or encouraging cruelty to animals. The Board determined that the advertisement did not depict "violence" as most members of the community would understand it and in any case the depiction was justifiable in the context of the product, and therefore found no breach of Section 2.2 of the Code.

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