



CASE REPORT

1. Complaint reference number	531/06
2. Advertiser	Simon & Schuster (The Red Dahlia)
3. Product	Retail
4. Type of advertisement	Transport
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 16 January 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This advertisement featured on public transport advertises Lynda La Plante's latest novel "The Red Dahlia". The left hand image coloured red, and is that of a woman with eyes closed and her left hand held up. The words "Two women, mutilated and murdered 50 years apart." An image to the right duplicates that on the left, but is coloured black as if in shadow. Text continues "The similarities? Terrifying. The difference? D.I. Anna Travis" A footnote reads "The Black Dahlia was the most notorious, unsolved murder in L.A. history. Now a copycat killer stalks London in Lynda La Plante's most sinister thriller yet."

THE COMPLAINT

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

I found the words "mutilation and murder" particularly offensive. If I go into a bookshop and read the "blurb" on the bookcovers, that is my choice. I do not expect to have such lurid descriptions in my face, as I was stuck in traffic behind this school-bus.

THE ADVERTISER'S RESPONSE

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

The words "mutilated" and "murdered" and the graphic employed in no way portray violence per se, and the language used is appropriate in the circumstances. The words and the image together present and portray material which is totally justifiable in the context of the "product" (book) advertised, and in no way sensationalise it. Indeed, they are entirely appropriate as descriptive of the very plot of the book which is a thriller novel based on a famous (and true) murder case.

We submit that in the context of the whole advertisement no reasonable person would interpret any words used as an unjustifiable portrayal of violence, or even as strong or obscene language.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the advertisement and considered whether the advertisement breaches Section 2.2 of code dealing with violence.

The Board agreed that the use of the words "mutilation" and "murder" were justifiable in the advertising of a murder/crime novel. Hence the Board agreed that the advertisement did not breach

Section 2.2.

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