



## **CASE REPORT**

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|-------------------------------|--------------------------------|
| 1. Complaint reference number | 68/01                          |
| 2. Advertiser                 | Night Train Theatre Restaurant |
| 3. Product                    | Entertainment                  |
| 4. Type of advertisement      | TV                             |
| 5. Nature of complaint        | Violence Other – section 2.2   |
| 6. Date of determination      | Tuesday, 10 April 2001         |
| 7. DETERMINATION              | Dismissed                      |

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement features a dramatically costumed and face-painted presenter answering his own question of *'How would I describe the Night Train?'* with a series of audio visual excerpts of the theatre restaurant's show ahead of a graphic of a human skull and a bleeding *'Night Train'* alongside a caption promoting *'Great Food, Great Show, Great Party.'* The advertisement concludes with a belch from the presenter.

## **THE COMPLAINT**

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

*'My three year old and I were flicking through channels to find the weather forecast when this commercial came on...Most children don't go to bed before 6.30pm , why should they be subjected to nightmare material prior to sleep?'*

## **THE DETERMINATION**

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

While acknowledging the viewpoint of the complainant, the Board determined that the material within the advertisement did not contravene prevailing community standards on the portrayal of violence, and that the advertisement did not breach the Code on this or any other ground. The complaint was accordingly dismissed by the Board.