



CASE REPORT

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| 1. Complaint reference number | 7/06 |
| 2. Advertiser | Take 2 Interactive Software Pty Ltd (|
| 3. Product | Toys & Games |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Tuesday, 14 February 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features gangs of combatants fighting, using martial arts' skills, guns, hitting with sticks and pushing a man off a building.

THE COMPLAINT

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

...to promote such mindless violence ...is absolutely despicable.

I find it extremely socially irresponsible in today's climate of violence on our streets

...promoting a game that encourages players to assume the part/s of gang members fighting each other.

promoted a game that depicted urban terrorism/gang warfare.

...evident racial overtone in the depicted fights and demonstrations of extreme violence.

THE ADVERTISER'S RESPONSE

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

The game is based directly on the seminal Walter Hill movie of the same name from 1979. The movie and game both have absolutely no racism either overt or implied.

...the violence in the game is far below many other games developed for a mature audience

the suggestion that the game is not suitable for children is not surprising given its rating. The game is not meant for anyone under the age of 15 hence its rating...

Our marketing for this game has been running since the game release in October...The idea that we would run an ad to cash in on such vile events as the Cronulla riots is more than a little offensive.

THE DETERMINATION

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

The Board considered whether violence in the advertisement was justifiable in the context of the product being advertised – that is, an MA15+ rated computer game. The Board noted that the

classification of the game was clearly shown during the advertisement and that the advertisement was not shown before 8.30pm . The Board considered that the violence could be shown as the violence shown is shown as extracts from the game itself, the advertisement is for a computer game targeted as an adult product and is shown in an adult timeslot.

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