



## **CASE REPORT**

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| 1. Complaint reference number | 70/08  |
| 2. Advertiser                 | Nine Network Australia Pty Ltd (Terminator: Sarah Connor Chronicles) |
| 3. Product                    | Media  |
| 4. Type of advertisement      | Outdoor  |
| 5. Nature of complaint        | Violence Other – section 2.2   |
| 6. Date of determination      | Wednesday, 12 March 2008   |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

There are two outdoor executions in this campaign for the TV series "Terminator: The Sarah Connor Chronicles". Both images feature the character Sarah Connor kneeling, and looking at a high-powered rifle she is holding in her hands. Alongside one version the text reads "The mother of all destiny". In the second version her son John is standing behind her, his back towards the camera, with the words "Her son is our future".

## **THE COMPLAINT**

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

*I object because the image is able to be seen by my three young children. I do not think it is appropriate for a large sized image of a woman holding a gun to be on display in a public place where it can be viewed by young children. My daughter aged three asked me why the woman was holding a gun. I do not think she should be exposed to this image.*

## **THE ADVERTISER'S RESPONSE**

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

*At the outset, Nine maintains that having regard to the imagery and theme of the Advertisement and considering the Advertisement is for a program classified M, Nine maintains the Advertisement is clearly not "primarily directed at children" within the meaning of 2.4 of the Code. Consequently, in Nine's view, the Code of Advertising to Children does not apply.*

*Nine considers therefore that the only part of the Code that could be potentially relevant to the Advertisement is section 2.2, which states that advertisements shall not portray violence "unless it is justifiable in the context of the product or service advertised".*

*The image used in the Advertisement is the official promotional graphic for a television program based on the well known "Terminator" movie franchise. It depicts the main character, Sarah Connor, as she appears in the program. The image is a visual representation of one of the key elements of the series, in which Sarah Connor becomes proficient in weaponry in order to combat machines trying to kill her and her family.*

*In the past, Nine understands the Advertising Standards Board (the 'Board') considered the use of similar images in billboard advertisements. Most relevantly, the Board addressed the issue in relation to the Telstra "Scarface" campaign, where the Board considered that the image of Al Pacino holding a gun was "not overtly violent as it contained no depictions of blood or people being injured by the gun".*

*While acknowledging the advertisement was visible by children, in that instance the Board considered that the image of a gun was not per se a breach of the Code.*

*Nine submits that the image in the Advertisement is comparable. Nine maintains the image has a low visual impact with no actual depictions of violence or strong sense of menace. It is clear from the image that the gun is not actually being fired and is being depicted in a manner in keeping with the theme of the series.*

*Having regard to the above, Nine believes that the context of the Advertisement is self-explanatory and is justifiable by the context of the program in accordance with clause 2.2 of the Code. On this basis Nine maintains that the Advertisement is not in breach of the Code.*

## **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 that Section 2.2 of the Code requires that violence not be presented unless it is justifiable in the context of the product or service advertised.

The Board viewed the advertisement and observed the passive stance of the woman. It further noted that she was merely holding the gun and that she was not pointing at anyone nor was she holding it in a position where she could fire it. The Board determined that the woman's stance was neither aggressive nor violent.

The Board therefore determined that the advertisement was not portraying violence and did not breach Section 2.2 of the Code.

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