



CASE REPORT

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| 1. Complaint reference number | 95/09 |
| 2. Advertiser | Activision |
| 3. Product | Call of Duty Game |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Other – section 2.2 |
| 6. Date of determination | Wednesday, 8 April 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement promotes the Call of Duty electronic game. The advertisement shows excerpts of the game, showing various battle scenes. Several scenes show close up images of soldiers.

THE COMPLAINT

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

The message is very violent - kill, kill, kill and enemy enemy enemy. And it seems that the "enemy" are all Asian or non -white at least. I found the ad highly xenophobic and offensive.

THE ADVERTISER'S RESPONSE

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

The advertisement in question was created and broadcast to support the launch of Call of Duty: World at War, a videogame set in World War II. The game is historically accurate and was developed in consultation with military advisors. It deals specifically with the Pacific and Eastern European theatres of war, depicting Allied operations against German and Japanese forces. The videogame and corresponding advertising material are designed for a mature audience, fifteen years or older, as designated by the MA15+ classification, clearly communicated on all advertising material, including this TVC, and game packaging.

The complainant has suggested that the advertisement is targeted towards "children/young people". As per broadcasting guidelines, the advertisement strictly adhered to the late evening time slots recommended by CAD. The specific advertisement referenced by the complainant was aired at 10:38pm. As mentioned above, the advertisement also clearly identifies the MA15+ classification symbol during both the 30 second and the 15 second advertisements, per classification guidelines.

The complainant also makes reference of "repeated images of figures killing each other". There is only one suggestive "kill scene", approx 25 seconds into the advertisement, which depicts a soldier using a bayonet in a slashing fashion across the inner thigh region of another soldier. In addition, the advertisement has two scenes of single gunshots, with unspecified targets, two flamethrower scenes, aimed at foliage, and two heavy artillery scenes, again with unspecified targets. None of the above scenes can be accurately referred to as depicting images of individuals killing each other, either in a single or repeated sense.

Lastly, the complainant accuses the advertisement of being "xenophobic". Because of the dark visual nature of the advertisement, set in a shaded jungle environment, it is difficult to accurately

discern the ethnicity of the characters depicted. However, both the game and the advertisement are contextual to the Pacific theatre of conflict and depict Allied and Japanese forces in combat. The advertisement in question in fact represents the heroic nature of the Japanese forces in combat.

In no way was the advertisement intended to offend viewers. In fact, as demonstrated above, we have taken great care in adhering to industry guidelines for this advertisement and feel that the complaints leveled against the advertisement are unfounded.

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 complainant's concern that the advertisement is violent and racially offensive.

The Board noted that the advertisement is for a computer game which is rated MA15+ and that this advertisement is only shown in a late night timezone. The Board noted that section 2.2 of the Code prohibits depictions of violence in advertisements if there is no relevance to the product. The Board noted that this advertisement is for a violent computer game and that the images in the advertisement are extracts from the game itself. Although the nature of the product does permit depictions of violence, the violence must be reasonable to the community. The Board considered that the images were not inappropriately violent considering the product and the late night timezone in which the advertisement is shown and that there was no breach of section 2.2 of the Code.

The Board also considered the images of the people shot in the advertisement. The Board noted that the game is set in a Pacific war context and that the depiction of Asian people being shot was in that context. However the Board viewed the advertisement and considered that the advertisement made it difficult to see clearly the ethnicity of the victims. Noting that the advertisement's violence was in the context of a Pacific War theme and the lack of clarity in the advertisement itself, the advertisement did not depict material that was racially offensive and did not breach section 2.1 of the Code.

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