

## Case Report

1. Case Number :	0032-23
2. Advertiser :	Paramount Pictures Australia
3. Product :	Entertainment
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	22-Feb-2023
6. DETERMINATION :	Upheld – Modified or discontinued

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This TV-on-demand advertisement features excerpts from the movie 'Scream 6'.

The advertisement starts with a person in a 'Ghost Face' mask chasing two women into a convenience store. He then stabs the store clerk in the stomach, before approaching the women. The store clerk shoots at Ghost Face, who then hits him, grabs the gun, and shoots the clerk.

Other scenes include:

- The Ghost Face character slashing downwards with a knife
- Someone jumping through, or being thrown through, a display case, with Ghost Face appearing on the other side with knives in either hand. Ghost Face then jumps towards a woman
- Ghost Face covering someone's mouth
- Ghost Face slashing downwards with a knife, followed by the word 'Scream' appearing on the screen with blood dripping from the 'M'.



## **THE COMPLAINT**

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

*It was an inappropriate time of day (5.30 pm) to show a scary movie trailer*

*I was watching escape to the chateau with my 8 year old daughter and the adverts came on. The movie advert for Scream came on. The advert had far too much of the violence in the movie and she screamed and I had to cover her face as I tried to turn off the television quickly (she disinterested finish watching the advert obviously but I did) I was horrified that an advert with this much graphic violence was on television. I will be putting in the complaint to the broadcaster due to the location and timing of the advert. My complaint here is the advert is far too graphic and violent for free 2 air television when we get no say on what pops up.*

*It is very scary and inappropriate to be on family tv channels during the day. After a certain time then it is acceptable, but not when I'm at home during the day watching tv with my children*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*We are not running and have not run any FTA activity for SCREAM VI, anything appearing on audiences' TV screens will be through BVOD environments (live and catchup) or on MTV channel through Foxtel.*

*The 60" AV ran through Finecast which serves the ad across all AU BVOD providers on connected TVs only. We restricted the Finecast campaign to serve ads in M/MA programs only during the day-time OR from 9pm – 3am. (There was the initial failure on 9Now's part setting up the restrictions as mentioned in the letter but was resolved promptly.)*

*The 60" ad stopped running completely on February 11.*

*Our media buyer provided the below:*

*I write regarding recent complaints to the Advertising Standards Bureau regarding TV spot placements for the advertising campaign for Paramount Picture's film 'Scream 6'. As the Client Partner responsible for planning and booking all media placement for this campaign I can confirm we have targeting protocols setup to only appear against M/MA programming between 6am and 9pm This activity was only targeted at M/MA.*

*On 30th of January Network Nine flagged an instance where placement fell outside M/MA programming on 9Now and confirmed that they had resolved the issue and*

*targeting was in line with the booked plan. Nine and partner, Finecast have confirmed all targeting and classification parameters continue to be in place.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts violence and is inappropriate for broadcast when children are viewing.

The Panel viewed the advertisement and noted the advertiser's response.

### **Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.**

The Panel noted that the Practice Note for this section of the Code states:

*"In considering whether the violence or menace depicted in an advertisement is justifiable, the Community Panel may have regard to the audience of the advertisement. Graphic depictions of violence or a strong suggestion of menace have been found to present violence in an unacceptable manner especially when visible to a broad audience which includes children. For example, advertising for violent or horror movies, tv shows or video games should take care not to include images that give the impression that a character has just committed violence against someone (for example, a weapon with dripping blood), was the victim of violence (for example, freshly severed limbs) or is about to commit violence against someone (for example, gun aimed directly at a person or the viewer) where there is a broad audience which includes children. More leeway is permitted where the depiction is stylised rather than realistic. However, advertisers should exercise caution when using cartoon violence as a cartoon style may be attractive to children."*

### **Does the advertisement contain violence?**

The Panel noted that the advertisement features scenes from the film.

The Panel considered that the advertisement did contain scenes of violence, including a person being stabbed, guns being fired and the main character appearing to have broken into a house.

### **Is the violence portrayed justifiable in the context of the product or service advertised?**

The Panel noted that complainants who had identified a time had viewed the advertisement during afternoon hours. The Panel noted that the advertiser had

enabled classification targeting (M/MA between 6am-9pm) however had acknowledged a failure in time targeting on one occasion.

The Panel considered that the majority of scenes in the advertisement contained violence that was reasonable in the context of advertising a violent film.

The Panel considered however, that two scenes were of particular concern:

1. The 'Ghost Face' character stabbing and hitting a cashier, and then firing the gun at him while he's on the ground (though the Panel acknowledged the gun impact is not visible)
2. A scene showing a person being thrown through a bookshelf, with the 'Ghost Face' character appearing in the gap and drawing a knife.

The Panel considered that these two scenes were not fleeting, and in combination with the overall menacing theme of the advertisement the cumulative effect did constitute a high level of threat and menace.

The Panel noted that while the use of violent images was relevant to the product being advertised, the advertiser could and should have chosen to shorten or show fewer of the scenes.

The Panel considered that many people would find the violent nature of the advertisement shocking, and the high level of violence and menace was not justifiable in the context of advertising the film at a time when children can view the advertisement.

### **Section 2.3 Conclusion**

The Panel determined that the advertisement did present or portray violence which was not justifiable in the context of the product or service advertised and did breach Section 2.3 of the Code.

### **Conclusion**

Finding that the advertisement did breach Section 2.3 of the Code, the Panel upheld the complaints.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser did not provide a response to the Upheld determination, however Ad Standards notes the initial response which advised the advertisement had been removed.