

COMPLAINT NUMBER	17/330
COMPLAINANT	N Khouri
ADVERTISER	Roadshow
ADVERTISEMENT	Roadshow, Out of Home
DATE OF MEETING	10 October 2017
OUTCOME	Not Upheld

SUMMARY

The advertisement for the Roadshow Films promotion of the movie IT featured on the back of a bus, showed a ghostly arm holding a balloon out to a child in a yellow rain coat.

The Complainant was concerned the image featured in the advertisement would frighten children and felt it was inappropriate and offensive to advertise horror movies in a public place.

The Complaints Board said the Complainant's concerns relied on pre-existing knowledge of the IT story line. Without this knowledge, the Complaints Board said the image shown in the advertisement did not unduly play on fear and was unlikely to cause serious or widespread offence.

Therefore, the Complaints Board ruled the advertisement had not reached the threshold to breach the Code of Ethics and had been prepared with a due sense of social responsibility.

The Complaints Board ruled the complaint was Not Upheld.

[No further action required]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the advertisement with reference to Basic Principle 4 and Rules 4, 5 and 6 of the Code of Ethics. This required the Complaints Board to consider whether the advertisement contained anything which clearly offended against generally prevailing community standards or was likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services). The Complaints Board was also required to consider whether the advertisement unjustifiably played on fear and whether the advertisement had been prepared with a due sense of social responsibility to consumers and to society.

The Complaints Board ruled the complaint was Not Upheld.

The Complaint

The Complainant was concerned the image featured in the advertisement would frighten children and felt it was inappropriate and offensive to advertise horror movies in a public place.

The Advertiser Response

The Advertiser confirmed that the campaign had finished its run but did not agree any code had been breached by the depiction of a hand holding a balloon out to a child. It said the image was relevant to the movie being promoted

The Media Response

The Media responded to confirm the promotion had finished and that the creative for the advertisement had been widely used including on book covers for the IT novel. The Media view was that without prior knowledge of the specific movie genre, it was unlikely that viewers, including children, would find the advertising imagery unduly frightening.

The Complaints Board Discussion

The Complaints Board began by discussing the consumer take out of the advertisement. A minority of the Board had never heard of the IT story and therefore the image featured on the bus held no meaning or suggestion of fear for them.

The Complaints Board noted the image used on the advertisement was also used on the cover of recent reprints of the Stephen King novel IT, upon which the film is based.

The Complaints Board agreed that when viewed in isolation, the image in the advertisement was not overtly graphic or frightening. While the Board acknowledged the Complainant's concern, it said the Complainant was well informed about the narrative of the IT story and this knowledge resulted in a different view of the advertisement than an uninformed consumer or a child would draw from the same imagery.

The Complaints Board discussed precedent rulings for Out of Home advertising such as the advertisement for Spookers Horror Theme Park, Decision 12/333, which was upheld by the Complaints Board, due to its graphic nature. In comparison, the Complaints Board said the advertisement before it did not show violence or indicate it was advertising a horror movie and was unlikely to scare consumers without background knowledge of the IT narrative.

The Complaints Board did not consider the advertisement had reached the threshold to breach the Code of Ethics by causing serious or widespread offence and it had been prepared with a due sense of social responsibility.

Accordingly, the Complaints Board ruled to Not Uphold the complaint.

DESCRIPTION OF ADVERTISEMENT

The advertisement for the Roadshow Films promotion of the movie IT featured on the back of a bus, shows a ghostly arm holding a balloon out to a child in a yellow rain coat.

COMPLAINT FROM N KHOURI

This poster advertisement appeared on the back of a bus (see photo) and also outside my workplace at Eden Crescent, Auckland CBD, It is a graphic and eye-catching image that depicts a small child in a yellow raincoat being lured by a balloon towards a person, You can only see the hand of the person, which is clad in a clown costume The implication is that the

person intends to do harm towards the child. It is an image that would deeply frighten my five year old daughter and also makes me - as a mother - deeply uncomfortable. The IT movie is described online as "When children begin to disappear in the town of Derry, Maine, neighborhood kids band together to square off against Pennywise, an evil clown whose history of murder and violence dates back for centuries." It is rated R16 in New Zealand. I have no problem with horror/thriller movies, but I do not want to see them myself. We have enough child abuse in our society. It is inappropriate and offensive to advertise this type of movie in a public space.

CODE OF ETHICS

Basic Principle 4 All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 4: Decency - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

Rule 5 Offensiveness - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

Rule 6 Fear - Advertisements should not exploit the superstitious, nor without justifiable reason, play on fear.

RESPONSE FROM ADVERTISER, ROADSHOW FILMS

Contact person for advertising complaints	Helen Mladenis/ Roadshow Films
Name and contact at creative agency	Helen Mladenis/ Roadshow Films
Name and contact at media agency	OMD Melbourne
A basic, neutral description of the advertisement	The advertisement is for the theatrical release of the movie IT.
Date advertisement began	On bus backs – 7 th August
Where the advertisement appeared (all locations e.g. TV, Billboard, Newspaper Website)	There was TV, Outdoor and Online advertisings for the film. The bus back activity specially was in AKL, WGTV, CHCH and HAM.
Is the advertisement still accessible – where and until when?	The campaign was booked to run up until 17 th September only, so should now have been removed.
Who is the product / brand target audience?	The product is the movie IT (campaign was targeted to PPL 18- 39)
Clear substantiation on claims that are challenged by the complainant.	In relation to the decency and offensiveness of the advertisement, the advertisement contains no discriminatory material, exploitative or degrading material, strong or obscene language, nudity, or material

	<p>contrary to health and safety standards.</p> <p>The advertisement contains an image of a clown that is handing a red balloon down to a boy, which is not a graphic image and is one that is relevant to the film being advertised.</p>
--	---

RESPONSE FROM MEDIA, QMS MEDIA LTD

This communication is in response to the letter we received from ASA regarding complaints for IT movie bus back advertisements in the Eden Terrace, Auckland area (complaint 17/330).

The advertisement was booked by Roadshow to promote the release of the movie, IT to New Zealand Cinemas. This advertisement is no longer displayed with the booking complete on the 3rd of September.

We have reviewed the advertisement in question in regards to Code of Ethics Basic Principle 4, Rule 4, Rule 5 and Rule 6 with our response below.

We are confident that the bus advertisements do not breach the code of ethics. The image is of a hand holding a balloon, with a child standing in a yellow raincoat.

The creative displayed is widely used not only to promote the 'IT' film but also on book covers throughout the country of the well-known Novel that the film is based on. There is no offensive, indecent or scary imagery in the advertisement itself.

With viewers having knowledge of the book, film and the genre, viewers are likely to relate the advertisement to this specific movie genre however the image itself does not suggest violence.

The complaint suggests that the "implication is that the person intends to do harm towards the child". However this implication is not inherent in the image. It is only there if the viewer already has knowledge about the film or the genre. A child would not have this awareness.

The complaint details the plot of the film, but this detail is not on the bus advertisement. To know this you would have to search online, as the complainant explains they have done. From looking at the bus advertisement alone it is not clear what the film is about or what genre it belongs to. The complaint expresses distaste for the movie, which is their right. But the advertisement has no offensive content in and of itself.