

COMPLAINT NUMBER	18/414
COMPLAINANT	W Hurrell
ADVERTISER	SKY Television
ADVERTISEMENT	Neon, Television
DATE OF MEETING	22 January 2019
OUTCOME	No Grounds to Proceed

Advertisement: The Sky television advertisement for the Neon streaming platform shows a montage of various promotional programmes available on the platform, including an image of a screaming woman with a bloody face.

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, W Hurrell, said: This complaint is in relation to the Neon advertisement that aired during an ad break of the G rated Prime TV programme, Great Rail Restorations, which I was watching with my 8 year old daughter.

The advert displayed a blood soaked screaming face as the most disturbing part of a very adult themed or AO Neon advert that should definitely not be played during a G rated TV programme or for that matter shown before 8.30pm at night

I stated above that the advert breached children's interests, which it certainly does however it also breached good taste and decency.

I believe Sky and Prime are biased in their assertion that the advert is suitable because the advert is also promoting their own product. Please refer to the following text from Sky TV's Chris Major

Chair, SKY Broadcasting Standards Committee in reply to my complaint ...` We are sorry that the content was upsetting to you and your family. It was not intended to offend. Prime follows the industry standard for television advertisement classifications. In this case, the Commercial Approvals Bureau classified the Neon ad PGR which means that all broadcasts of the TVC can air after 7pm. '

I am asking the following question of the ASA - do they think it is appropriate to broadcast adult themed, AO or PGR material during a G rated programme and/or as stated above by Mr.Major, any advert featuring this sort of adult themed or AO content is acceptable to be shown in any TV programme after 7pm?

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c), Rule 1(g);

The Chair noted the Complainant's concern the advertisement showed disturbing images at inappropriate times when children were watching.

The Chair viewed the advertisement and considered it could be scary for some members of the audience. However she noted the advertisement had been classified PG (Parental Guidance) by the Commercial Approvals Bureau, which meant it could be broadcast after 7:00pm. The advertisement was played during the programme *Great Rail Restorations*, which is targeted at adult audiences and not directed at children. The Chair noted the

audience viewing figures obtained from Sky TV showed that 97.6% of the viewing audience for this programme, which aired on the 20th November 2018 were 18 years of age or over.

While acknowledging the concern the advertisement caused, the Chair said in the context in which it played, the advertisement did not reach the threshold to cause serious or widespread offence to most viewers.

The Chair said there was no breach of Principle 1, Rule 1(c) or Rule 1(g) of the Advertising Standards Code.

Therefore, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint No Grounds to Proceed

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.