



Ad Standards Community Panel
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Advertising Standards Bureau Limited
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Case Report

1	Case Number	0081/19
2	Advertiser	Universal Pictures
3	Product	Entertainment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	20/03/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Social Values
- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

Television advertisement which features scenes from the horror movie 'Us'. It features a family in a house being scared by figures outside and a series of scenes including a man on the beach in a mask, and a person holding scissors. The audio in the advertisement features the mother's voice saying, "We need to move and keep moving. They won't stop until they kill us, or we kill them."

THE COMPLAINT

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

It depicts the killing of a family while on vacation with what looks like a pair of scissors. Not needed to be seen at that time of night or any time of the day or night.

Why do we need to see a horrified scared child holding a weapon talking of killing slaying,



Whilst we watch the news as a family, this isn't the sort of entertainment ad you want to view, my 8 and 10 year olds were quite disturbed and frightened/ confused. Child who is missing, then a home invasion by unidentifiable humans.

*I was offended because my 9yo son who loves to watch Young Sheldon was watching with me. He saw the ad for "Us" and was terrified, especially that its his bed time straight after Sheldon.
Not impressed.*

It's extremely frightening and depicts blood and high levels of gore and a frightened family, plus the 'evil' characters.

THE ADVERTISER'S RESPONSE

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

The below response is in relation to the complaints received regarding the UNIVERSAL PICTURES advertising for Us, specifically in regards to the TVC advertisements depicting violence which causes alarm and distress to Children.

Universal Pictures International Australasia adhere to the AANA Advertiser Code of Ethics.

Section 2.3 of the Code states "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

Us is a horror & thriller film which contains numerous scenes which could be scary in nature and suspenseful. It would therefore be reasonable to justify that our advertising materials have been produced within the context of the product being advertised.

Universal Pictures strive to advertise films of this content in a manner that remains appropriate for all consumers.

All advertising content from Universal Pictures is broadcast on FTA TV once rated by the Commercials Advice Board which is industry compliant with the advertising standards code of conduct.

To ensure due diligence, prior to activity going live IMD (on behalf of Universal Pictures) liaises with CAD to obtain approval on the Us TVC spots.

Universal Pictures produced a number of TV spots for the Us TV campaign and each



spot was classified by CAD - the TV spot in question received a J rating (attached are the key number/material instructions which were provided to the TV networks)

In this instance, we obtained CAD clearance to display the advertisement according to the guidelines provided for a J rating.

The following approval was obtained by Universal Pictures from CAD:

Parental Guidance/Warning "J" Definition: Parental Guidance Recommended/Care in placement May be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children

The above CAD guidelines were adhered to and the spot was cleared for broadcast at any time of day except in P or C rated programming. However, since receiving complaints we have pulled this TV spot from all networks all together.

Universal Pictures and MediaCom exercised care with the planning and selection of the TV schedule and focused on programming that reaches our intended 16+ audience group.

Please also note that all advertising materials for this film have displayed the CTC (Check the Classification) logo for the required duration.

We apologise for any distress caused and would like to reassure all parties involved that we have adhered to all required standards and the industry code of conduct in relation to the advertising materials and placements for this film.

THE DETERMINATION

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

The Panel noted the complainants' concerns that the advertisement features frightening scenes that are inappropriate for the timeslot of a family television program in which it aired.

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

The Panel considered whether the advertisement's two versions were in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the



context of the product or service advertised".

The Panel noted the complainants' concerns that the advertisement contained scenes of violence and scary scenes that scared their children. The Panel noted that the complainants' saw the advertisement in evening viewing times.

The Panel noted that this television advertisement features scenes from the upcoming movie 'Us' which features a family being chased by people wearing masks who look like them. The Panel noted the advertisement includes a series of short scenes including:

- Four shadowy figures standing at the top of a driveway then running towards the house
- A mother screaming and holding her two children
- The mother wearing a bloodied top and carrying a metal rod
- A boy approaching a scarecrow figure on the beach
- The mother looking through her car windscreen to see a figure in a mask and a car on fire
- A person holding a pair of scissors
- The mother creeping through some bushes and being startled by an arm that reaches for her

The Panel also noted the voice of the woman in the advertisement which states 'they won't stop until they kill us, or we kill them.'

The Panel noted that this advertisement was for a film classified MA15+ and noted that the advertisement had received a J rating from CAD meaning that it "may be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children."

The Panel noted the advertiser's response that the advertisements were played at a time appropriate to the J rating. The Panel noted the complainants had viewed it during shows including 'Young Sheldon', 'Married at First Sight' and 'The Project'.

The Panel noted the advertiser's response that the advertisement was targeted towards a 16+ audience demographic. The Panel considered that the advertiser should ask for the advertisement to be placed in a later timeslot if the target is 16+.

The Panel considered that the advertisement did not contain any violent acts or graphic scenes and that there was no images of gore or wounds. The Panel considered that the music and sound-effects of the advertisement created a level of menace in the advertisement.



The Panel considered that the Practice Note for the Code provides:
“a strong suggestion of menace presents violence in an unacceptable manner and breaches this section of the Code.”

The minority of the Panel considered that while the advertisement did not contain any direct acts of violence, there was an overall feeling of aggression and menace. The Panel considered that children watching the advertisement would identify with the children in the advertisement and that this added to the level of menace. The minority of the Panel considered that there was a strong suggestion of menace in the advertisement which would be inappropriate for an audience which would include children.

The majority of the Panel considered that the advertisement is suspenseful rather than graphic but noted that some scenes in conjunction with the audio background may be frightening for children.

The majority of the Panel considered that the advertisement was for a horror film and therefore horror themes were relevant to the product.

The majority of the Panel considered that there is no specific violence in the advertisement and the horror themes in the advertisement are mild, and justifiable in the context of advertising a horror movie.

The Panel considered that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

