

Entertainment & Media Law Signal

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"Goon" Movie Posters Stripped from Bus Shelters on Eve of Premiere

February 23, 2012 by Sara Perry

On Wednesday, February 22, the same night as the film's red carpet premiere, Astral Media removed 38 of <u>Goon's movie posters</u> from Toronto city bus shelters after the City of Toronto received numerous complaints. The Goon posters in question show Canadian actor Jay Baruchel making a sexually suggestive gesture with his fingers and tongue. Other posters for the film featuring co-stars Liev Schreiber and Seann William Scott are still standing.

According to the Globe & Mail, the film's distributor Alliance Films says that "outdoor advertiser Astral Media was told to rip down the signs from transit shelters Wednesday after the city apparently received numerous complaints about the sexually suggestive pictures". According to Alliance the posters have been up for two weeks. However, Elyse Parker of Toronto's transportation services says it was not the city that made the decision to remove the posters. According to her, "staff contacted Astral after they received at least one complaint Tuesday from a city councillor's office. Astral took down the posters without further discussion with the city."

This isn't the first time that advertisements for the Canadian hockey comedy have come under scrutiny. Commercials for the film were also reportedly prohibited by the World Junior Hockey League from airing during the championship game due to violence and its association with the sport of hockey. No doubt due in part to significant media coverage over the level of violence in hockey today and the recent deaths of NHL hockey players.

If the city of Toronto has received complaints, one can expect that Advertising Standards Canada ("**ASC**") will too. ASC is Canada's self-regulatory body that administers the <u>Canadian Code of</u> <u>Advertising Standards</u> (the "**Code**"), which sets the criteria for acceptable advertising in Canada and forms the basis for review and evaluation of consumer, trade and special interest group complaints. With limited exceptions, the Code applies to all advertising of products and services in any medium in Canada. In this case complaints would likely fall under Clause 14 "Unacceptable Depictions and Portrayals" which sates that:

Advertisements shall not:

(a) condone any form of personal discrimination, including that based upon race, national origin, religion, sex or age;

(b) appear in a realistic manner to exploit, condone or incite violence; nor appear to condone, or directly encourage, bullying; nor directly encourage, or exhibit obvious indifference to, unlawful behaviour;



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(c) demean, denigrate or disparage one or more identifiable persons, group of persons, firms, organizations, industrial or commercial activities, professions, entities, products or services, or attempt to bring it or them into public contempt or ridicule;

(d) undermine human dignity; or display obvious indifference to, or encourage, gratuitously and without merit, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population.

If the advertisement were found to be in violation of Clause 14 of the Code, ASC would likely determine that the poster was degrading to women and/or offended standards of public decency prevailing among a significant segment of the population. A significant number of complaints received and pursued by ASC each year fall under this provision. If ASC agrees that the advertisement raises a valid issue, it will notify the advertiser of the complaint. Depending on the nature of the complaint, the advertiser will either respond directly to the consumer or to ASC. If the consumer or ASC is not satisfied with the response, the matter may proceed to the Standards Council (the "**Council**"), an independent review body made up of volunteers from across a number of sectors (e.g., legal, marketing, media, etc.). If the Council upholds the complaint, the advertiser is asked to amend or withdraw the ad. If either side disagrees with the decision, an appeal may be requested. Council findings on upheld complaints are published in ASC's Ad Complaints Reports (the "**Report**"). Note that if an advertiser withdraws or modifies the ad appropriately before the Council hearing, the advertiser's identity will not be disclosed in the Report.

While the advertisements have been removed in Toronto this wouldn't prevent the ASC from receiving complaints and/or determining that the posters violated the Code.

Goon is set to open this Friday, February 24th.

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