



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0013/12
2	Advertiser	Medibank Private Ltd
3	Product	Insurance
4	Type of Advertisement / media	Internet
5	Date of Determination	08/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

A picture of a girl reading a magazine upside down accompanied by text which states you don't need to be a genius to know what you will get back from your health insurer.

THE COMPLAINT

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

Is it necessary to depict yet another blonde woman looking stupid? This advertisement is offensive.

THE ADVERTISER'S RESPONSE

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

We believe that the relevant section of the AANA's Code of Ethics (Code) is Section 2.1, and accordingly we have limited our response to addressing this Section.

We believe that the recent Medibank “Genius” advertisement complies with Section 2.1 of the Code. The advertisement does not portray people in a way that discriminates against, or vilifies a person or section of the community, on account of:

- race, ethnicity or nationality - there is nothing in this advertisement that relates to a specific race, ethnicity or nationality;*
- sex - there is nothing in this advertisement that objectifies or vilifies women, or portrays women in a negative light;*
- age- there is nothing in this advertisement that makes a comment about particular age groups.*
- sexual preference - there is nothing in this advertisement that relates to a particular sexual preference.*
- religion - there is nothing in this advertisement that relates to a particular religion.*
- disability - there is nothing in this advertisement that relates to disabilities.*
- political beliefs - there is nothing in this advertisement that relates to political beliefs.*

This advertisement is intended to portray that people who join Medibank will know how much they can claim on their Medibank extras health insurance. The advertisement uses the cliché “blonde” to demonstrate in a humorous way that Medibank’s extras covers are easy to understand even if someone is absent minded (as the woman depicted in the advertisement appears to be).

The advertisement calls to mind the television campaign Medibank ran in 2011 covering the same subject matter and using the same actress (a complaint about the television advertisement was dismissed by this Board – refer to Advertising Standards Bureau reference number 0373/11).

Medibank does not intend to cause offence by the advertisement. Rather this is a light hearted advertisement and is intended to be interpreted as such by the general public. Medibank submits that for the reasons set out above, the commercial does not breach the AANA Code of Ethics.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement is offensive to blonde women.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that the advertisement features on Medibank’s website and shows a woman reading a magazine which is upside down. The Board considered the woman was not blonde and that the depiction of a woman as not a ‘genius’ was not a deliberate attack on women but

rather a humorous use of a stereotype to encourage and promote the benefits of signing up with that particular health care fund.

The Board noted the advertiser's response that the advertisement is intended to be humorous and light hearted and considered that the advertisement was stereotypical but no negative reference was made to the physical characteristics of the woman and that reasonable consumers would not perceive this as a deliberate attack of people with blonde hair but rather a humorous way to encourage and promote the benefits of signing up with that particular health care fund.

Based on the above the Board determined that, in this instance, the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.