



Ad Standards Community Panel
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Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0181/18
2	Advertiser	Charlotte Pass Alpine Resort
3	Product	Travel
4	Type of Advertisement / media	Radio
5	Date of Determination	24/04/2018
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.1 - Discrimination or Vilification Physical Characteristics
- 2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement begins with a joke about blonde snowmen, specifically "Why does it take longer to build a blonde snowman than a regular one? You have to hollow out the head". The advertisement then lists the top five reasons to visit Charlotte's Pass.

THE COMPLAINT

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

This joke is insulting to blondes and is sexist

This ad implies that blonde people are stupid.



THE ADVERTISER'S RESPONSE

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

We do not agree that the commercial breached the AANA Code of Ethics.

The substance of the complaint is that the opening joke is degrading, exploitative, vilifying and offensive to women.

The commercial is voiced by John Burgess, former television game show host famous for his corny, good natured jokes on programmes such as The Wheel of Fortune and this provides context for the commercial.

"Why does it take longer to build a blonde snowman than a regular one? You have to hollow out the head."

The commercial is clearly intended to be humorous and does not degrade or exploit any individual or group of people.

The content is good natured and does not vilify any person or section of the community. It would be generally understood by listeners to be humorous and inoffensive.

It is obviously presented as a joke (note the punchline format and 'boom boom' tag) and an ordinary listener would not have been offended by it.

The joke does not mention or refer to women. It relates to a blonde snowman. It is difficult to see how this can be considered sexist or vilify females.

THE DETERMINATION

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

The Panel noted the complainants' concerns that the advertisement discriminates against blonde haired people.

The Panel listened to the advertisement and noted the advertiser's response.

The Panel 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, gender, age, sexual preference, religion,



disability, mental illness or political belief.'

The Panel noted that the Practice Note for Section 2.1 of the Code of Ethics provides the following definitions:

Discrimination – unfair or less favourable treatment

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.

The Panel noted this radio advertisement features a joke stating “Why does it take longer to build a blonde snowman than a regular one? You have to hollow out the head”.

The Panel noted the complainants’ concern that the advertisement is offensive and sexist, and implies blonde people are stupid.

The Panel noted that physical characteristics is not a category that is identified as a section of the community under Section 2.1 of the Code.

The Panel noted the advertiser’s response that the advertisement is not describing people, rather just an inanimate object, being a snowman. The Panel considered however that the implication is a reference to blonde people.

The Panel noted it had previously considered complaints about hair colour under Section 2.1 of the Code in case 0100/18 in which:

“The Panel considered that the advertisement referred to the ‘ginger gene’ and considered that in the context of this advertisement red hair is referenced as a hereditary trait contained in genes. The Panel considered that DNA can be considered to be related to ancestry and descent and therefore considered that in this context the reference to people with red hair falls within the definition of race and can be considered under Section 2.1 of the Code.”

The Panel considered that hair colour is a genetic trait and can be considered under the category of race.

The Panel noted the advertiser’s response that the joke in the advertisement is obviously presented as such and an ordinary listener would not be offended. The Panel considered that the stereotype that blonde people are less intelligent is a negative one and that it is gratuitous humour at the expense of a section of the community.

The Panel noted that one of the complaints referred to the advertisement being sexist. The Panel noted the advertiser’s response that the advertisement does not mention women.



The Panel considered that although the advertisement does not specifically refer to women, blonde jokes are stereotypically at the expense of women and that implication can be inferred in this advertisement.

The Panel considered that the overall impression of this advertisement is one of an outdated and poor stereotype that blonde women are unintelligent, which is a negative stereotype and in the Panel's view incites ridicule of blonde women.

The Panel determined that the advertisement did depict material in a way which discriminates against or vilifies a section of the community on account of gender and race and did breach Section 2.1 of the Code.

Finding that the advertisement did breach Section 2.1 of the Code, the Panel upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We the advertiser, totally disagree with the findings of the Panel. The commercial is clearly intended to be humorous and we believe it does not degrade or exploit any individual or group of people. Whilst we do not agree in any way with the Panel's determination, the use of the joke has been discontinued.