



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0373/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Medibank Private Ltd</b>
<b>3</b>	<b>Product</b>	<b>Insurance</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/10/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Other

### DESCRIPTION OF THE ADVERTISEMENT

Two women are in the kitchen discussing health insurance - one is confused (and who is looking through various health insurance documents, trying to work it out), and the other one is very clear on how much she'll get back (and who is casually waiting for some food to cook in the microwave). As they discuss the issue, the woman who is waiting for her food to cook mistakes the sound of the microwave as the doorbell. The voiceover then goes on to quip that one does not need to be a genius to work out what one can claim from their insurer, and describes how with Medibank, a customer can choose a level of health cover where they'll know how much they get back on services like physio and dental.

### THE COMPLAINT

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

*This advertisement offends me because they are implying that if you are a blond person you must be mentally challenged. I think that this advertisement shows it is alright to make fun of people because of their hair colour. Very sad behaviour coming from a leading health insurer.*

*This advert does nothing but perpetuates the belief that women (and in particular blondes) are not smart and continues with the ""dumb blonde"" stereotype from the 1970s; Medibank should get rid of their creative agency for this rubbish - surely we've moved away from such crass insulting advertising. I'm fed up with having to explain to my young daughters that*

*this is not how people see such women and that misogyny doesn't still exist but with such things like this on TV it makes this harder and harder.*

## **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 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 health insurance when attending a physio or dentist. The blonde woman is not in any way intended to be portrayed as mentally challenged and we do not agree that there is such an implication. Rather, the advertisement is light hearted and 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. Whilst the complainant may consider the advertisement to be in poor taste, we submit that 'taste' is not a determinant for compliance with the Code.*

*Accordingly, for the reasons above, we do not believe the commercial breaches 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 complainant's concerns that the advertisement is demeaning and stereotypes women and particularly 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 two young women in the kitchen discussing their health insurance circumstances when the microwave bell rings and the blonde woman heads to the door under the impression it is the door bell that has rung.

The Board noted the advertiser's response that the advertisement is intended to be humorous and light hearted.

The Board considered that the advertisement uses the cliché "blonde" to demonstrate in a funny way that Medibank's extras covers are easy to understand even if someone is absent minded.

The Board considered that the advertisement did depict the blonde woman in a stereotypical manner and that there was a negative implication about the woman's intelligence. The Board considered that some members of the community would find this depiction offensive but considered that most people would however see the humour in the advertisement and would not find the advertisement discriminatory.

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.