



Case Report

1	Case Number	0463/16
2	Advertiser	ING Direct
3	Product	Finance/Investment
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/11/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Physical Characteristics

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features Kelly, a real ING DIRECT customer, taking the spotlight from Isla Fisher (who is standing in the wings). Kelly shares to camera that she recommends ING DIRECT to all her friends; Isla interjects because she is threatened by Kelly's authenticity but still believes she would be the better choice to deliver this message. Simon, the director, tries to explain to Isla that Kelly is a real customer and that's why she is on the stage but Isla is determined to prove to Simon that she is also 'real' in hope that he will reconsider her role in the ad.

THE COMPLAINT

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

I find that reference to red hair and red heads in general very offensive. My wife and other members of my extended family have red hair and constantly live with negative comments about their hair colour. If the reference to hair colour was exchanged with words like "being a girl" or being a particular skin colour, there is no way this ad would be aired.

I was offended by this ad because when Fisher was questioned about being a real customer to ING direct she say "do you think this hair is intentional?" this was offensive to me because I'm a red head and I know she was a blonde before so the colour was intentional.

I have 3 sons who suffered abuse and bullying when they were young because of their red

hair. I have noticed an increase in legitimising discrimination of red haired people, and I think this ad is offensive as it gives tacit approval to the notion that red haired people are somehow of lesser value than other hair colours. It may sound trivial but when you've witnessed the discrimination and bullying, it is not trivial.

THE ADVERTISER'S RESPONSE

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

Description of Campaign:

Isla Fisher is the brand ambassador for ING DIRECT and she is a very proud spokesperson. Having held this position since the launch in 2015, Isla has delivered her messages to Australia through multiple TV commercials. In 2016 she has returned to continue the story and relationship with ING DIRECT.

Isla arrives on set, all bushy tailed and confident, until she finds out that she has to share the stage with real ING DIRECT customers. Isla has been searching for the truth in her performance, but nothing can be more real than a 'real' customer and this sparks some fear and jealousy in Isla that she will be replaced. She will do anything to prove to Simon, the director, that she is still the best choice for the role.

Isla's character is playful, irreverent and determined to be the star of the campaign (by proving her value as a Hollywood actress).

Isla Fisher portrays herself in each scene through the campaign series.

Description of Specific Advertisement:

Title: Savings, Great Deal (Ref: ING0052MRB30R)

Kelly, a real ING DIRECT customer, is taking the spotlight again from Isla (who is standing in the wings). Kelly shares to camera that she recommends ING DIRECT to all her friends; Isla interjects because she is threatened by Kelly's authenticity but still believes she would be the better choice to deliver this message. Simon, the director, tries to explain to Isla that Kelly is a real customer and that's why she is on the stage but Isla is determined to prove to Simon that she is also 'real' in hope that he will reconsider her role in the ad.

Substantiation of Creative Context:

- Kelly and Isla's relationship was first established in the launch TVC in June 2016 (Ref: ING where Isla feels threatened by Kelly who is a younger, taller version of herself. She attempts to cover up what she perceives to be her potential weaknesses to win Simon, the director's approval as the best choice as ambassador.*

- Isla Fisher (Artist) is co-creator of the scripts (contractually agreed) and collaborative in the development of all her performance dialogue.*

•Isla’s character is quirky, irreverent and pokes fun at herself rather than generic comment to others and in this specific scene, people with red hair.

•We are extremely proud to have Isla Fisher as our brand ambassador, who has natural red hair herself. This specific line was intended to make fun at herself, continuing her self-deprecating character, to prove her authenticity and in context to creative construct (Isla gets jealous of a real customer who is doing a fabulous job on stage and happens to have the same colour hair as Isla – a hair colour she is famous for in a very positive way).

•Isla is a proud advocate of having natural red hair and through her Hollywood career, has always remained true to her natural colour.

•Kelly, the ING DIRECT customer, also has naturally red hair and is portrayed in a very proud and positive light – a spokesperson for the brand.

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 discriminatory toward people who have red hair.

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, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this television advertisement depicts Isla Fisher trying to prove how ‘real’ she is by asking someone if he thinks she would have chosen her hair colour intentionally.

The Board noted the advertiser’s response that Isla was a co-creator of the script and that she has always been proud of her natural, red hair. The Board noted that the overall tone of the advertisement is mocking of Isla wanting to be the centre of attention and considered that her comment about choosing her hair colour is intended to be taken in this humorous context and not as a suggestion that she would rather not have the red hair for which she is well-known. The Board noted that Isla does not make any negative comments about her hair colour and considered that the use of a ‘real’ customer who also has red hair is a positive depiction of this particular hair colour rather than a suggestion that it is negative or should be thought of as negative.

The Board acknowledged the complainant’s concerns around the bullying of people with red hair but considered that in this instance the advertisement does not present red hair in a negative light or suggest that people with red hair should be thought less of.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of physical appearance.

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 complaints.