



CASE REPORT

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| 1. Complaint reference number | 235/03 |
| 2. Advertiser | Austereo Group Ltd - Fox FM |
| 3. Product | Media |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1
Violence Other – section 2.2 |
| 6. Date of determination | Tuesday, 12 August 2003 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on an obvious parody of a famous television talk show, with a Jerry Springer-style host reporting the favourite pastime of one of the guests on stage as “dwarf throwing.” The audience indicates disdain and the guest says he’ll take on all-comers. He is set upon by a number of small people, one of whom he is indicated to throw into the audience. The advertisement ends with the Jerry Springer character saying: “So wrong. So very wrong,” followed by a full-screen graphic promoting the FOX FM radio station.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

“The commercial: condones violence, particularly violence against people with a disability; reinforces stereotypes of short-statured people as ‘freaks’ and comic material; displays no sensitivity to the feelings of short statured viewers of the ad or listeners of the radio show. This can not be tolerated.”

“Although the short statured people involved in producing this commercial may have participated for financial reasons, they do not represent the wider short statured population of Australia... We are extremely concerned that this advertisement will influence particularly young people, at whom it is aimed, to believe it is amusing and acceptable to lift and throw short statured people because they have seen it on television.”

“...we see Matt fighting with a half dozen midgets, one of whom gave the big fist in the air salute, then we see Matt tossing one of the midgets across the room (fake).”

“It is discriminatory and makes it look to others watching the commercial that is ok to discriminate (against) these people, treat them differently and badly. It promotes unacceptable behaviour .”

“This is highly offensive as it condones violence against a person, specifically a person with a disability. It reinforces unfair stereotypes of people of short stature being the subject of ridicule and as freaks who can be treated differently to other people.”

THE DETERMINATION

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

The Board noted a response from the advertiser stating that ‘it was in no way intended by us to be taken seriously as it is so clearly a parody of the extreme material that is covered by the Jerry

Springer show.’

Expressing the opinion that the material might be widely considered as being in bad taste, the Board nevertheless determined that it did not constitute violence, nor discrimination and/or vilification as represented in the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.