[GB] Dwarf joke in breach of Broadcasting Code

IRIS 2016-3:1/18

David Goldberg
deeJgee Research/Consultancy

A well-known UK comedian (Jimmy Carr) was interviewed on an early-evening (7 p.m.) magazine show on BBC1 on 4 November 2015 to promote his new touring show. In the course of the interview, he retold a joke which he described as his “shortest”-ever joke - “in two words Dwarf shortage”. And he then said, “if you’re a dwarf and are offended by that - Grow up!” Towards the end of the programme, the anchor said that “we” are sorry if anything had been said on the show which might have been “close to the mark”. The comedian had also before that repeated a joke about a Welsh man which implied he had sexual relations with sheep.

Eleven people complained about the dwarf joke to Ofcom. Three of the complainants either had “dwarfism” themselves, or had family members who do. Dwarfism is an umbrella term for a wide range of conditions (most commonly achondroplasia) that result in an individual being short in stature (typically defined as those under 4’10’’).

Ofcom decided to investigate the matter as raising potential issues under Rule 2.3 of the Ofcom Broadcasting Code. This states: “In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context. Such material may include, but is not limited to, offensive language, violence, sex, sexual violence, humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability, gender, race, religion, beliefs and sexual orientation). Appropriate information should also be broadcast where it would assist in avoiding or minimising offence”.

The meaning of “context” is non-exhaustively defined as: the editorial content of the programme, programmes or series; the service on which the material is broadcast; the time of broadcast; what other programmes are scheduled before and after the programme or programmes concerned; the degree of harm or offence likely to be caused by the inclusion of any particular sort of material in programmes generally or programmes of a particular description; the likely size and composition of the potential audience and likely expectationof the audience; the extent to which the nature of the content can be brought to the attention of the potential audience, for example by giving information; and the effect of the material on viewers or listeners who may come across it unawares.

© European Audiovisual Observatory (Council of Europe) 2026

The BBC in response said that it was aware that humour alluding to disability had the potential to offend and in this instance “sincerely regrets any offence caused by it”. It referred to a letter which all guests had to sign before appearing which states “we are obliged to point out that you are about to go before a live family audience and to please refrain from swearing or using language that might cause offence”. It also referred to the fact that “clearly there is a limit to which the presenters can control what is said in the live elements of the show”. The BBC also claimed that it was not the particular condition per se that was the butt of the humour and the fact that the presenter had sort of apologised at the end of the show. The BBC stated that the joke was not appropriate for the show but it did not believe it amounted to an infringement of Rule 2.3.

Ofcom acknowledged the importance of the right to freedom of expression of both the broadcaster and the audience and that therefore the Regulator had to seek an appropriate balance. However, it emphasised that the right was not unlimited - and had to be warranted by the elements of “context”. It took the view that, in themselves, the joke and the follow up represented efforts to derive humour from dwarfism and that these statements had the potential to cause offence. As regards the issue of context, Ofcom disagreed with the BBC and the view that the joke was mainly about the shortest joke in the comedian’s repertoire: “In our view, it would have been clear to the audience - and a substantial level of offence would have been likely to have been caused - by Jimmy Carr combining his initial joke (“Dwarf shortage”) with his follow up statement (“If you’re a dwarf and you’re offended by that: Grow up!”) in order to derive humour from people with the medical condition of dwarfism.”

However, Ofcom also stated that it agreed with the BBC to the extent that ‘“it was not the case that similar material could never appear in our output without raising an issue” under the Code and that “this Decision does not in any way suggest that dwarfism is prohibited under the Code as a subject of humour in broadcast output.” Comedy often might cause offence but that has to be justified by “context”. It is also worth emphasising that the “pre-watershed” time of the output and the likely nature of the audience was a factor in the decision-making process. There was insufficient pre-warning of this content and the “apology” at the end of the show, thirty minutes after the telling of the joke and the follow-up, was insufficient to mitigate the offence caused.

Ofcom concluded that there had been an infringement of Rule 2.3 and that it has noted the BBC’s intention to amend the letter signed before appearing by guests to “make clear they should refrain from making jokes ‘at the expense of minorities’”.

Ofcom Broadcast and On Demand Bulletin, Issue number 297, 25 January 2016, p. 24

© European Audiovisual Observatory (Council of Europe) 2026

http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb297/Issue_297.pdf

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026