



Case Report

1	Case Number	0005/17
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Billboard
5	Date of Determination	08/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

These poster advertisements feature images of women in lingerie with "Sale up to 70% off written across them". The posters are placed in the windows of Honey Birdette stores.

THE COMPLAINT

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

I feel that overtly sexualized pictures of women in skimpy and sexually tantalizing underwear that is almost pornographic, is demeaning to women and a very poor role model for young people, especially young girls. One would expect this sort of advertising in red-light areas, not in the main corridor of a major shopping centre near Big W and other shops children are taken to. I was very disappointed to see that the shopping centre allows this. When I politely registered my disapproval in the shop, the shop assistant was loudly defensive and argued with me.

THE ADVERTISER'S RESPONSE

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

We are very sensitive to the views of our customers.

The styles on the posters are attached below and is the styles that we are selling and not any all overtly sexualised. You see more skin in a swim wear campaign by Target. We are a lingerie brand and in order to sell the items we need to be able to advertise the garments on the body like any other fashion retailer.

Please be assured that we put a lot of time and effort into to ensuring that it is not offensive whilst also representative of our brand.

I hope this helps you understand that to market and advertise lingerie, a certain level of skin needs to be exposed, however we do this in a way that empowers woman rather than demean them.

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 depicts sexualised images of women in lingerie which are demeaning and not appropriate for children to see.

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 advertisement is a series of 3 images on a digital billboard featuring women in lingerie and the words, “Sale. Up to 70% off” across the centre of the images.

The Board noted that the poses of the models in the advertisements is in keeping with typical lingerie advertising and considered that it is not inappropriate for an advertiser to depict women wearing the advertised product. The Board also considered that in the context of a lingerie advertisement, a depiction of women wearing this lingerie is not of itself a depiction which discriminates against or vilifies women.

The Board acknowledged that some members of the community would find a depiction of a woman in lingerie to be demeaning but considered that the overall impression of the advertisement does not present women in an inferior position or in a manner that is ridiculing or humiliating.

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

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that the lingerie is available for purchase in store and that it is reasonable to expect the advertiser to use available product in the advertising for that store.

The Board noted that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that in each version of the advertisement the woman is facing the camera and her full head and torso is shown. The Board acknowledged that some members of the community may find the use of a woman in lingerie to be exploitative but the Board considered that in the context of a lingerie advertisement it is not exploitative to use such images and in the Board’s view the manner in which the women are depicted is not degrading to these woman or to women in general.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people

The Board determined that the advertisement did not breach Section 2.2 of the Code.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the models are wearing underwear which is sold in the shop and that the advertisement is a poster in the window of the advertiser’s shop. The Board considered that the image is relevant to the product.

The Board noted there is a level of community concern about the sexualisation of children and acknowledged the placement of the advertisement meant that the relevant audience was very broad and could include children. The Board noted that the style of lingerie worn by the women in the advertisements is sheer and includes straps and neck collars. The Board noted that this lingerie is sold in the store and considered that although it is reasonable for advertisers to promote their products they should take care when using products which have a more sexualised, bondage look rather than just normal lingerie. The Board noted that the type of lingerie being modelled in these advertisements is designed to be of visual appeal rather than comfortable for the wearer and considered that although the advertiser is targeting female customers it should be noted that the complainants are themselves women. The Board noted the lingerie does fully cover the women’s private areas and considered that overall the level of nudity is mild in the context of the advertised product and the while the lingerie itself is sexy the poses of the women are not overly sexualised.

The Board acknowledged that some members of the community might be offended by the advertisement but considered that the images are only mildly sexualised and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.