



Case Report

1	Case Number	0052/15
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	11/03/2015
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.3 - Violence Violence
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Poster in store windows featuring a woman wearing a black bra and briefs and matching black handcuffs. She has her arms raised up against her chest so we can see the chain between the handcuffs and she has a finger resting in her open mouth. The text reads, "Under lock and key...view the short film series at HoneyBirdette.com".

THE COMPLAINT

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

This is a public shopping centre and I object to young people being exposed to this type of inappropriate advertising. It sends the message that it is normal behaviour to restrain and oppress women for personal gratification. It normalises bondage which can lead to abuse and domestic violence, which is already a growing concern in our community.

These images are huge and one of the pictures had a woman in underwear with handcuffs on that were chained together. It is clearly a bondage picture. This is in a PUBLIC shopping centre with families and children constantly walking past. Is anything allowed in these shopping centres? Who deems what is appropriate for children to see?

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 and greatly appreciate this feedback.

The style on the poster is our best-selling range and the cuffs are a novelty item that have actually sold out over February due to popular demand.

Our stores are all about making women feel safe and sophisticated!

Please be assured that we put a lot of time and effort into ensuring that it is not offensive whilst also representative of our brand. We also focus test it with a wide range of friends and family to ensure it is sophisticated.

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 complainants’ concerns that the advertisement depicts a sexualised image of a woman which normalises bondage and is inappropriate for a broad audience which would include children.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted the advertisement features an image of a woman wearing black leather/pvc style lingerie and similarly styled handcuffs on her wrists.

The Board noted the complainants’ concerns that the advertisement suggests it is normal to restrain and oppress women and that the overall image is suggestive of sexual violence toward the woman.

The Board noted that the woman appears confident and happy and considered that there is no suggestion that she is being forced to wear the handcuffs. The Board noted that these handcuffs are not police issue and considered that in the context of an adult product which is legally allowed to be advertised the depiction of an adult female wearing toy handcuffs which match her lingerie is not of itself suggestive of sexualised violence.

The Board determined that the advertisement did not breach Section 2.3 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 it had previously dismissed similar advertisements for the same advertiser in cases 0281/13, 0300/14 and in case 0386/14 where:

“The Board noted that the models are wearing underwear available within the advertiser’s shop and that the advertisement is a poster in the shop window. 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 acknowledged that some members of the community may be offended by images of lingerie clad women in the context of the promotion of products available in store that may be seen by a broad audience that would include children. The Board considered that the image is only mildly sexualised and is not inappropriate.”

In the current advertisement the Board noted that the woman’s private areas are covered by the lingerie she is wearing and considered that the level of nudity was consistent with advertisements for lingerie used in store windows and billboards by a range of advertisers.

However, the Board considered that this advertisement was more sexualised than previous advertisements. In particular, the Board noted the pose of the model with her finger in her open mouth and she is wearing PVC/leather style lingerie and handcuffs. The Board considered that this pose is sexualised and that the overall impression is more sexualised than the images used previously in cases 0281/14, 0300/14 and 0386/14.

The Board noted that the display of the image in the store window means it is visible to a broad audience which would include children and considered that overall the depiction of a woman in a sexualised pose wearing PVC/leather look lingerie and handcuffs does not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board determined that the advertisement did breach Section 2.4 of the Code.

Finding that the advertisement did breach Section 2.4 of the Code the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Thank you for sending through the determination of the Advertising Standards Board. Please note that the signage has already been flipped for our next campaign.

