



Case Report

1	Case Number	0095/12
2	Advertiser	Honey Birdette
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	14/03/2012
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Image of a woman in red lingerie, stockings and shoes. The bra is low cut and her nipples appear to be covered with gold shields. Above her it is written, "It's burlesque baby".

THE COMPLAINT

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

The graphic is larger than life pornography, overtly sexual in nature and is located in a family focussed shopping centre. I have contacted the centre's management however they believe it is acceptable. I don't believe that any child should be exposed to this kind of thing and given it's in two locations on the store both larger than life-sized it's not possible to miss. I find it incredibly disappointing that bringing them into this shopping centre now means that they will be exposed to larger than life pornographic images such as this one. I also find it sad that we as a society promote such objectification of women as being completely normal and acceptable for mainstream viewing.

This highly sexualised pose and image is taking away children's rights to be free to develop at their own pace and in their own way with guidance from their parents. Parents do their best to protect their children but we are losing the battle because our government legislation for advertising is not limiting sexualised advertising. This ad is opposite KMart in the Chermshire shopping centre that is a family shopping place. How long will it take to get this message through?

The picture of a woman posing proactively is completely inappropriate for outdoor advertising (children AND adults should not have to be exposed to this). If anybody had this up in the workplace it would be seen as sexual harassment.

THE ADVERTISER'S RESPONSE

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

The advertisement is our mid-March promotion and depicts a woman standing with Honey Birdette Coco Rouge set on which is a new lingerie line item that we sell in-store. We chose this image because she is wearing more clothing than most lingerie models would wear for a photo shoot. The corset covers her stomach, stockings on legs, a bra with the added cover of opaque pasties and we covered the model with a full brief rather than a g-string. This model is in fact a local from a burlesque performance group and we chose her because she is very wholesome, not too thin and is not your standard "heroin chic" style model that we see in most fashion images these days. You will also notice that we steer clear of any marketing that is regularly depicted in men's magazines. Our stores are all about making women feel safe and sophisticated.

It is important to note that this image appears in all 6 of our stores and we have not received one complaint from any other region. The complainant seems to be coordinating this complaint with a handful of other women who have now divulged my personal contact details on their Facebook page along with some fairly unbalanced and disturbing comments about myself and the model. Please note I have no problem responding individually to any email I receive and have received two since the campaign was launched.

After receiving the first email from this group this morning I once again stood outside the store this morning and once again not one child looked at this image. Utter disinterest. Our demographic is 25 plus. Our marketing and products are pitched specifically to this audience and in fact we actively discourage the younger demographic from visiting our store.

That said, we have always been very conscious of the sensitivity of the community. This signage changes once a month but as a small local company in a tough retail environment, please understand that we don't have the budget to change it because at whim because it is not in line with someone's moral views.

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 must say the reaction to the image has been a positive one for our sales and traffic in the store but once again as a very active Aunt I always welcome any concern a parent may have and will address it within reason.

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 demeans 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 overtly sexualised material which is inappropriate for a broad audience.

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

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 advertisement features a woman wearing red underwear and black stockings and that the advertiser states the woman’s nipples are covered with ‘opaque pasties’.

The Board noted that the bra does not fully cover the woman’s breasts and that the coverings placed over the nipples are clearly visible. The Board considered that the combination of the low cut bra and the ‘opaque pasties’ drew the viewer’s attention to the breasts and nipples of the woman in a manner which is not appropriate for a broad audience including children.

The Board noted that it is reasonable for an advertiser of lingerie to use their products in their advertising and noted that it had previously dismissed complaints for similar images for the same advertiser (172/10 and 293/11). In this instance however the Board considered that positioning of the image of the woman facing out of the shop window with attention drawn to her nipples made the advertisement sexualised and not appropriate for display in a shop window where a broad section of the community including children could see it.

Based on the above the Board determined that the advertisement did not treat sex, sexuality and nudity with sensitivity to the relevant audience and therefore breached Section 2.4 of the Code.

Finding that the advertisement breached Section 2.4 of the Code the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

We are replacing the image and are aiming for as soon as possible next week. I have organised the designs but am awaiting artwork which I can then book in with the signage contractors.

