



Ad Standards Community Panel  
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## Case Report

1. Case Number :	0136-22
2. Advertiser :	Honey Birdette
3. Product :	Lingerie
4. Type of Advertisement/Media :	Poster
5. Date of Determination	13-Jul-2022
6. DETERMINATION :	Upheld - Modified or Discontinued

### ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading  
AANA Code of Ethics\2.4 Sex/sexuality/nudity

### DESCRIPTION OF ADVERTISEMENT

This poster advertisement in the front window of a store features a woman in leopard print lingerie standing on the street, posing with one hand to her head. Writing over the image states, "Chastity, Jaguar".

### THE COMPLAINT

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

*Its a family orientated shopping centre and young kids should not be subjected to this. You can see just about everything.*

*Its so explicit and so unnecessary.*

*Its is extremely revealing as you can see between her legs.*

*We should have a choice as to whether we see this when going to a family orientated shopping centre. This crosses a line as you just about see everything.*

*Overly sexualised image that is inappropriate in a highly public space of the shopping centre where young children will be exposed to this imagery and it is developmentally damaging to forcibly expose this image to them. It's detrimental at such a young age and honestly any age. As a women I'm in my early thirties I find it to be an offensive image but I understand this is not reality. Younger women, especially teenagers and preteens are not as emotionally and socially aware of the totally unrealistic images*



*and many think it is something to aim for. Again highly damaging to their self esteem and general emotional well-being*

*My young daughters passed this at Lakeside Joondalup today. Young children should not be exposed to pornographic images for reasons stated by multitudes of psychiatric professionals. I doubt there would ever be a case when men's testicles were exposed in the same way.*

*An inappropriate advertisement can be seen displayed in the shop window at the Honey Birdette Store at Lakeside Joondalup Shopping Centre. The advertisement is pornographic as a woman's vulva is exposed.*

*It shows nudity and is pornographic in nature. Shows BDSM. It is being displayed in a shopping centre full of underage children, and families. This is beyond what underwear advertising is. My children would never see imagery like this or be exposed to it at such a young age if it wasn't for Honey Birdette's disgusting and overtly sexual advertisements. Can my kids just stay kids without having their innocence stripped by the pornographic propoganda machine that spits out these posters and calls then advertising? This is a shopping centre, not a brothel!*

## **THE ADVERTISER'S RESPONSE**

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

*As a company that supports the empowerment of women and their right to pursue pleasure in a safe and inclusive environment, we were disappointed to learn about the recent complaints concerning our shopping centre displays.*

*Honey Birdette is a luxury lingerie retailer, which means it is only natural we would feature women wearing lingerie in our advertising. Unlike the complaints received, the models in the campaign in question are wearing lingerie that does not reveal their genitalia. In our opinion, the ads do not violate Section 2 of the Code of Ethics – and with respect to section 2.4, we have treated the subject of sexuality in a sensitive manner while also depicting a woman who is strong and empowered.*

*Per your standards, it is reasonable to depict attractive models in costumes associated with brands or products being sold when they are portrayed in a positive light. We believe we have upheld this standard in our ads. That said, this campaign has already ended, and the images are no longer displayed at our stores.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).



The Panel noted the complainants' concerns that the advertisement:

- is objectifying of women and degrading to women
- is overtly sexual and inappropriate for display in a public space.

The Panel viewed the advertisement and noted the advertiser's response.

**Section 2.2: Advertising should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.**

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

*Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.*

**Does the advertisement use sexual appeal?**

The Panel noted that the advertisement depicts a woman in sexualised lingerie standing outdoors. The Panel noted that part of the woman's outfit included a stylised chastity belt and the word 'Chastity'. The Panel considered that this image did contain sexual appeal.

**Does the advertisement use sexual appeal in a manner that is exploitative?**

The Panel noted that the advertisement was for lingerie available at Honey Birdette and considered that it was reasonable for the woman to be depicted wearing the products in the advertisement. The Panel considered that while there may be a focus on the woman's genital area, this was relevant to the product being promoted.

The Panel noted that the use of the word chastity in combination with lingerie that included a padlock was a reference to chastity belts and could be an indication that the woman is property. However, in the context of this image the woman is depicted in confident manner and not in a manner suggesting that she was submissive or an object to be used. The Panel considered that the overall impression of the advertisement is that the woman has chosen to wear the lingerie and feels comfortable and confident in posing in it.

The Panel considered that the advertisement did not employ sexual appeal in a manner which is exploitative of the woman.

**Does the advertisement use sexual appeal in a manner that is degrading?**

The Panel considered that the depiction of the woman was relevant to the promotion of lingerie and the products available for purchase at Honey Birdette and this in itself did not lower the woman in character or quality.



The Panel considered that the woman was posed in sexualised lingerie, but that this was relevant to the product being promoted and was not a depiction which lowered the woman in character or quality.

The Panel considered that the advertisement did not employ sexual appeal in a manner which is degrading to the woman.

### **Section 2.2 conclusion**

Finding that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual or group of people, the Panel determined that the advertisement did not breach Section 2.2 of the Code.

### **Section 2.4: Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.**

The Panel noted the Practice Note for the Code states:

*“Overtly sexual images are not appropriate in outdoor advertising or shop front windows.*

*“Although not exhaustive, the following may be considered to be overtly sexual:*

- *Poses suggestive of sexual position: parting of legs, hand placed on or near genitals in a manner which draws attention to the region;*
- *People depicted in sheer lingerie or clothing where a large amount of buttocks, female breasts, pubic mound or genital regions can be seen; The use of paraphernalia such as whips and handcuffs, particularly in combination with images of people in lingerie, undressed or in poses suggestive of sexual position;*
- *Suggestive undressing, such as pulling down a bra strap or underpants; or*
- *Interaction between two or more people which is highly suggestive of sexualised activity.*

*“Discreet portrayal of nudity and sexuality in an appropriate context (eg advertisements for toiletries and underwear) is generally permitted but note the application of the relevant audience. More care should be taken in outdoor media than magazines, for example.*

*“Images of models in bikinis or underwear are permitted, however, unacceptable images could include those where a model is in a suggestively sexual pose, where underwear is being pulled up or down (by the model or another person), or where there is clear sexual innuendo from the ad (e.g. depicting women as sexual objects).”*

### **Does the advertisement contain sex?**



The Panel considered whether the advertisement contained sex. The Panel noted the definition of sex in the Practice Note is “sexual intercourse; person or persons engaged in sexually stimulating behaviour”.

The Panel noted that the woman is standing alone outside and that the advertisement does not contain sex.

#### **Does the advertisement contain sexuality?**

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel considered that the woman was posed in a sexualised manner and that the advertisement did contain sexuality.

#### **Does the advertisement contain nudity?**

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted that the woman was depicted as wearing lingerie, and considered that this is a depiction of partial nudity.

#### **Are the issues of sex, sexuality and nudity treated with sensitivity to the relevant audience?**

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ requires them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement.

The Panel noted that this image appears in store windows and considered that the relevant audience includes retail workers, people shopping in the Honey Birdette store and people who are not shopping at Honey Birdette but who are walking past the store, and that this last group would include children.

The Panel considered that the woman was not posed in an overly sexualised manner, and that most children viewing the advertisement would not understand the reference to chastity belts.

The Panel noted that the cut of the underwear of the image meant that the woman’s vulva was not visible, but a large amount of her pubic mound was. The Panel



considered that many members of the community would find this to be a confronting level of nudity in a public space.

The Panel noted that the definition of overtly sexual images included those where clothing reveals a large amount of the pubic mound, and as such this image would be considered overtly sexual.

The Panel considered that the overtly sexual image was not appropriate for the relevant broad audience which would likely include children.

#### **Section 2.4 Conclusion**

The Panel determined the advertisement did not treat sex, sexuality and nudity with sensitivity to the relevant audience and did breach Section 2.4 of the Code.

#### **Conclusion**

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

#### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser has not provided a response to the Panel's determination, however the Panel notes the original response which confirmed that the advertisement had been removed.