



Case Report

1	Case Number	0217/16
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	11/05/2016
6	DETERMINATION	Upheld - Modified or Discontinued

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

There are three images for the Honey Birdette May window displays:

Image 1: A woman wearing black strappy lingerie and stockings is viewed from behind. The crack of her bottom is visible as it is not covered by any material or straps. Between her parted legs we can see another woman seated on a chair. This woman is wearing black lingerie and has her legs parted with her elbow resting on one knee.

Image 2: This image features two women. One woman has her back to the camera and is wearing black lingerie. Her briefs are sheer. The second woman is facing the camera and is wearing red and black lingerie.

Image 3: An image of a woman sitting down. She is wearing black lingerie.

All images have the text, "Room Service" at the bottom.

THE COMPLAINT

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

It had a scantily clad woman on large posters in both windows either side of the door in a very sexual pose with large words written ROOM SERVICE, suggestive of prostitution- soft porn

This is appropriate for a sex shop, or adult shop, but not in the local shopping centre where young children and teenagers are heavily influenced... This is offensive to me and my children, but also promotes females as being only sexual. In a very sexualised world, bringing this into the local shops is normalising it and it is disgusting given the appalling and staggering statistics of women in Australia killed recently by intimate male partners. Please have this removed.

It is unsuitable for this kind of graphic to be displayed in a shopping centre where people of all ages shop. Children's development should not be shaped by these kinds of images. I have no issue with what they sell inside their shop but I have a huge concern with how their product is promoted to the general public passing by.

This is overtly sexualized and degrading in that the composition of the image is predominantly a woman's legs and bottom, dressed in the sort of lingerie that only a porn addled man would crave for. No woman wants to be valued simply for her sexual attributes and this ad simply reinforces the message that arousal is what women are good for.

Honey Birdette's marketing reduces women to sexual objects and gives girls and women the clear message that they are nothing more than objects for the purpose of men's pleasure. They are expected to look like and be prostitutes.

The advertisement shows graphic nudity, full buttocks are clearly visible, this is totally inappropriate for a shopfront where people of all ages, including children can see it.

THE ADVERTISER'S RESPONSE

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

Please note the campaign images from the weekend were changed to the current collection "Natalie" on Sunday morning, see attached. In this signage the model is wearing one of our best selling sets, she is covered and wearing a full brief.

ACT

As far as the Canberra stores goes, the models are wearing the lingerie we stock and we see nothing wrong with this imagery.

I believe the influx of complaints that you received yesterday is the result of a campaign led by Collective Shout. Please see attached images.

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 features sexualised images which demean and objectify women and are not appropriate for children to view.

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 there are three images under complaint, each featuring women wearing lingerie.

The Board noted the advertiser’s response that the version of the advertisement featuring the rear view of a woman wearing strappy lingerie, which leaves most of her bottom visible, was removed on Sunday 1 May 2016 as it had been placed in error. The Board noted that there are two other images currently being used by Honey Birdette and these images will be considered by the Board.

The Board noted that the poses of the models in the two images are 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 noted that the advertisements feature the text, ‘Room Service’ under the images of the women. The Board noted that room service is generally understood to mean a delivery of a service or product to a hotel room and considered that in the context of images of women wearing lingerie there is a suggestion that the women are providing a service which in the Board’s view could be a sexual service.

The Board acknowledged that some members of the community would find this innuendo inappropriate 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 current 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 none of the three he advertisement breached Section 2.1 of the Code.

The Board then considered whether each of the advertisements complied with 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 the complainants’ concerns that the advertisement depicts women in a

demeaning and objectifying manner and noted that in order to breach this Section of the Code the images would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

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

Exploitative - purposefully debase or abuse a person for the enjoyment of others, lacking in moral, artistic or other values

Degrading – lowering in character or quality a person or group of people.

As noted above, the Board noted that some members of the community could find the use of women in lingerie to be exploitative however the Board noted that the advertised product is lingerie and considered that it is not inappropriate or exploitative, of itself, for an advertiser to depict women wearing the advertised product.

The Board then considered Image 1 ‘Frankie’ which depicts two women standing in the new range of lingerie. The image is accompanied by the text ‘Room Service. Knock twice then enter, Introducing Frankie’.

The Board noted that room service is generally understood to mean a delivery of a service to a hotel room and that the accompanying text ‘Knock twice then enter, introducing Frankie’ is a double entendre which references an illicit rendezvous as a means of introducing a new range of lingerie.

A majority of the Board considered that the advertisement is using the double entendre to clearly refer to new lingerie not to a sexual liaison.

A minority of the Board considered that the image is exploitative and that although this image is full length of both women, the double entendre creates a sexual context that suggests that the women are the product which is for sale. In the context of an advertisement for lingerie, the minority considered that the double entendre is debasing and that the women are seen to be sex workers. In the minority’s view this advertisement breached Section 2.2.

The Board considered that the image is quite explicit in terms of nudity and has a strong impression of two women in sexually provocative underwear and this context is accentuated by the text that accompanies. However, the majority of the Board considered that although some people would consider a suggestion of women providing sexual services as degrading, this advertisement in the context of this image did not debase women as they are not presented in a demeaning or subservient position, and an innuendo to sex work or a sexual liaison is not of itself debasing to women.

The Board then considered the second advertisement which features two images of the same woman wearing black, lacy lingerie, with one image including in smaller text, ‘Do not disturb’ and the other ‘Sheer delight’. Both images also included the text ‘Room Service’.

The Board noted the text, ‘Room Service’ and considered that the advertisement suggests that the woman is available for ‘room service’. The Board was of the view that the smaller text which reads, ‘Do not disturb. Introducing Natalie’ and the other ‘Sheer delight. Introducing

Natalie' further enforces the idea that this woman is available as a room service product or service.

The Board noted that room service is generally understood to mean a delivery of a service to a hotel room and that the reference to 'introducing Natalie' is a double entendre which references the availability of a new working girl.

A minority of the Board considered that the advertisement is using the double entendre to clearly refer to new lingerie not to a sexual liaison. Further, the minority of the Board was of the view that similar to advertisement 1 although some people would consider a suggestion of women providing sexual services as degrading, this advertisement did not debase the woman, who is not presented in a demeaning or subservient position, and in the context of this image, an innuendo to sex work or a sexual liaison is not of itself debasing to women.

However, the majority of the Board considered that this image differs to the first one as the close up on the woman's face and the text 'introducing Natalie' is a stronger impression that the advertisement is referencing the woman and not the lingerie. The majority of the Board considered that this advertisement presents the woman, due to the accompanying text, as the product and that this is of itself debasing and degrading.

In the majority's view this advertisement breached Section 2.2.

The Board considered that advertisement 1 did not employ sexual appeal in a manner which is exploitative and degrading to any individual or group of people and that advertisement 2 did employ sexual appeal in a manner that is exploitative and degrading to women

The Board determined that advertisement 2 did breach Section 2.2 of the Code.

The Board then 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 the complainant's concern that the placement of the advertisement on a shop inside a mall means that children can see this and it is not appropriate.

The Board acknowledged that some members of the community would prefer that this type of advertising not be prominently displayed in stores within shopping malls, particularly where children can view them, but considered that the advertiser is allowed to advertise the products available to purchase within the store as long as the advertising complies with the relevant Codes.

The Board noted the first image which features two women in lingerie: one has her back to the viewer and the other is facing the viewer.

The Board noted that the woman with her back to the viewer is wearing sheer panties and considered that the nature of the sheer fabric means that the woman's buttocks and her intergluteal cleft are still visible. The Board acknowledged that the lingerie worn by both women in this advertisement can be purchased in store, but considered that there is a high degree of nudity in this style of lingerie and in conjunction with the manner in which the lingerie is modelled by the two women is sexualised with the proximity of the two women to

one another suggestive of a sexual encounter between them. The Board noted that the text reads, 'Room Service' in large lettering, with the words, 'knock twice, then enter' written in smaller font underneath and considered that the overall suggestion is that these two women are available as 'room service'. Overall the Board considered that this version of the advertisement does not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board then considered the second version of the advertisement which features two images of the same woman wearing black, lacy lingerie. The Board noted that the lingerie worn by the model covers her private areas and considered that the level of nudity is consistent with similar advertisements for the same product. The Board noted the style of lingerie and considered that although it is lacy it is not sexualised and the woman is not posing in a strongly sexualised manner. However, the Board noted the text, 'Room Service' and 'Introducing Natalie' and consistent with its consideration of the previous two versions of the advertisement the Board considered that the advertisement suggests that the woman is available for 'room service'. The Board noted that one image has smaller text which reads, 'Do not disturb' and considered that this text further enforces the idea that this woman is available as a room service product or service. The Board noted the second image has the text, 'sheer delights' in smaller text and considered that the suggestion is that the woman will be providing the 'delights' as part of the room service she is providing. Overall, the Board considered that this version of the advertisement while containing less nudity still presented the woman in a sexualised context that did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

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

Finding that advertisement 2 did breach Section 2.2 of the Code, and advertisements 1 and 2 breached Section 2.4 of the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

All signage has been changed to SALE due to timing.