



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0345/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	08/08/2018
6	DETERMINATION	Upheld - Not Modified or Discontinued

## ISSUES RAISED

- 2.2 - Objectification Exploitative - women
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.4 - Sex/sexuality/nudity S/S/N - nudity

## DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features lingerie titled "Renee". It features a woman posed with her hands on her hips wearing a black lace bodysuit. The bodysuit has a deep V neck, and her nipples are visible. The crotch region of the bodysuit is black mesh but her genitals are not visible.

## THE COMPLAINT

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

*I have no problem with the sale of such items. I have a problem with the context & size of the advertising, I believe that it is oversexualised, it emphasizes certain female body parts. Is inappropriate in a public window space where you may happen upon it without warning with particularly minors. I did not expect this in a family friendly shopping centre & I was quite shocked, also being with elderly relatives at the time.*



*They are soft porn and an unavoidable display to everyone in the shopping centre! Shopping centres are frequented by all ages from children to the elderly. Have these posters inside the shop where they are not so visible to all passing by. Their posters are continually inappropriate and getting worse. I have photos but cannot attach them here. Very willing to email if you need them. They are selling sex and need sexy, but these posters should be kept in store and less explicit posters displayed to the public. I am with my children in a suburban shopping centre, not walking Oxford St sex shops with my husband.*

### **THE ADVERTISER'S RESPONSE**

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

*Advertiser did not provide a response.*

### **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' concern that the advertisement featured a sexualised image of a woman that was inappropriate for a broad audience which would include children.

The Panel viewed the advertisement and noted that the advertiser did not provide a response.

The Panel 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 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.



The Panel noted the complainants' concern that the advertisement objectifies women and focuses on the models body parts.

The Panel first considered whether the advertisement used sexual appeal.

The Panel noted the poster advertisement featured lingerie titled "Renee". It featured a woman posed with her hands on her hips wearing a black lace bodysuit with a deep V neck and high cut sides. The Panel considered that the style of the lingerie in combination with the woman's pose did constitute sexual appeal.

The Panel then considered whether the advertisement used sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel considered that there was a particular focus on the woman's breasts in the advertisement, however considered that this focus was relevant to the style of lingerie being sold.

The Panel considered that the advertisement did not suggest the woman was an object, or was for sale, rather the advertisement featured the woman wearing the underwear that was for sale.

The Panel considered that the advertisement did not use sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel then considered whether the advertisement used sexual appeal in a degrading manner.

The Panel considered that the advertisement depicted the woman as confident, and considered that the advertisement did not depict the woman in a way which lowered her in character or quality.

The Panel considered that the advertisement did not use sexual appeal in a degrading manner.

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

The Panel 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 Panel noted that this poster advertisement was in the window of a store and was visible to people walking past the store, and considered that the relevant audience for



this poster would be broad and would include children.

The Panel considered the complainants' concerns that the advertisement is pornographic and that models nipples and crotch were revealed which was contrary to community standards.

The Panel noted that the bodysuit the woman was wearing was predominately lace and considered that there was a suggestion that her nipple was visible, although this was not overly clear.

The Panel noted that the bottom half of the bodysuit was sheer and was high cut. The Panel considered that the design and cut of the lingerie featured in the advertisement left a large proportion of the models pubic region visible with only a small piece of fabric covering her genitals.

The Panel considered the pose of the woman was sexualised and that her buttocks were visible through her legs, in addition to the amount of pubic area visible, was imagery that did contain a high level of nudity and sexual suggestion.

The Panel considered that the level of nudity was at the higher end of the scale and the image was highly sexualised and as such the image included on a poster that is visible to members of the community standing outside the business was not appropriate for the relevant broad audience which would likely include children.

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.

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

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

We do not agree with the Ad Standards decision to uphold these complaints. How is it that men's nipples do not warrant complaint, however a highly faded female nipple that is covered by a lace bra can now lead to sexual assault. How offensive?!

Ad Standards are fully aware that we are a target. No child is looking at an image of a woman in lingerie and saying 'I'm offended'. It's a frightening development for the modern woman and Ad Standards decision is one we do not agree with. We are here to empower women and we are going to continue to do that.

