



Ad Standards Community Panel  
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[AdStandards.com.au](http://AdStandards.com.au)

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0348/18
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

- 2.4 - 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 "Amber". It shows a woman posing in a bodysuit which has a lace top half with visible nipples, and a black mesh bottom half.

## THE COMPLAINT

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

*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 the advertiser did not respond.

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 featuring lingerie titled “Amber” 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 models nipples were revealed which was contrary to community standards, and that the model’s pubic region was highlighted due to the sheer fabric.

The Panel noted that top half of the bodysuit that the woman was wearing was sheer lace and considered that her nipple was partially visible.

The Panel noted that the bottom half of the bodysuit was sheer, however considered that the models pubic region was covered and her genitals were not visible in the advertisement.

The Panel considered the pose of the woman was sexualised and that the way she had pulled her shoulders back emphasised the focus on her breasts.

The Panel considered that the level of nudity was at the higher end of the scale and



the image was 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.