



Case Report

1	Case Number	0351/17
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Billboard
5	Date of Determination	23/08/2017
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This advertisement consists of images of women in lingerie displayed on a digital billboard in the windows of Honey Birdette stores during July 2017. There are seven images in total:

1. Ashleigh - a woman wearing a pink bra faces the camera with her hands on her hips.
2. Blair - a woman wearing a black bra/corset with a zip up the front, black underwear and black stockings is standing on the steps outside a building.
3. Julienne - a woman in red lacy lingerie is outside a building with one hand raised and touching her hair as she looks over her shoulder.
4. Olivia - a woman wearing pink lingerie is standing in front of a large window with hand on her hip and the other resting on top of her head.
5. Tiffany - two women wearing white lacy lingerie are at a table. One woman is standing with her hands resting on the white table cloth, the other woman is seated.
6. Tyla - two women wearing black lacy lingerie are on a rooftop with a city skyline visible over their shoulders.
7. Issy - two women wearing lacy black lingerie stand facing the camera. The woman on the left has one arm raised with her hand behind her back and the other hand resting on her hip.

THE COMPLAINT

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

There are pictures of women wearing sheer bras and their nipples are clearly on display. This is not appropriate in a shopping centre frequented by minors as it is pornography. I complained to centre management and they said there was nothing they could do (not even get signs removed). This is not the first time i have seen posters like this on display in this shop. In fact last year my complaint for exactly the same reason was upheld. Why are they allowed to continue to expose minors to their inappropriate marketing? We should not be repeatedly subjected to this marketing ploy.

Due to the type of lingerie and the posing of the women, the images were highly sexual in nature and nipples were also visible on some images. This is displayed in a public mall and was visible to my children. The store attendant also said that it was an adult only shop and under 18s are not allowed in, but are allowed to view their images from the front of the store.

THE ADVERTISER'S RESPONSE

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

We are very sensitive to the views of our customers and greatly appreciate this feedback.

Our stores are all about making women feel safe and sophisticated and are not overtly sexualised. I believe in increasing women's power in society. We are a chain store for women by women. 95% of our 140,000plus customers are women.

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 focus test it with a wide range of people to ensure it is sophisticated.

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 women rather than demean them.

THE DETERMINATION

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement is sexually explicit, clearly depicts women's nipples, and is not appropriate for children to view.

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 this digital billboard advertisement features seven images of women in lingerie. The Board noted the images are in the store window of Honey Birdette and would therefore be visible to a broad audience which would include children.

The Board determined that each image would be individually assessed against Section 2.4 of the Code.

The Board noted the first image, entitled 'Ashleigh' which features a woman wearing a pink coloured bra. The Board noted that the bra fully covers the woman's nipples and considered that the level of nudity was not inappropriate in the context of a lingerie advertisement. The Board noted the pose of the woman in the advertisement and considered that she is not depicted in a sexualised manner. The Board considered that this image of a woman, entitled 'Ashleigh', does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board noted the image entitled 'Blair'. The Board noted the style of lingerie worn by the woman in the advertisement is sexy but considered that the woman's private areas are fully covered and in the Board's view the pose of the woman is not sexualised. The Board considered that in the context of an advertisement for women's lingerie this advertisement is not inappropriate and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board noted the image entitled 'Julienne' and considered that the lingerie fully covers the woman's private areas and the level of nudity is mild. The Board noted the lingerie advertised in this image is red and lacy and considered that while this style of lingerie is generally considered to be sexier than regular lingerie in the Board's view the manner in which it is modelled in the advertisement is not sexualised or inappropriate. The Board considered that this advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board noted the image entitled 'Olivia'. The Board noted that the lingerie in this image covers the woman's private areas and considered that the level of nudity is mild. The Board noted the pose of the woman and considered that whilst her pose is mildly sexualised, with her arm raised to her head and her chest thrust forward, in the Board's view the lingerie is not overly sexualised and the overall impact is not so strongly sexualised as to be inappropriate for a broad audience which would include children. The Board considered that this advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board noted the image entitled 'Tiffany'. The Board noted that the two women in this image are wearing white lacy lingerie and considered that their nipples are not obviously visible through the fabric of their bras and in the Board's view the level of nudity is relatively mild. The Board noted the pose of the two women in this advertisement and considered that

they are not presented in a sexualised manner. The Board considered that this advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board noted the image entitled 'Tyla'. The Board noted that the lingerie worn by the two women in the advertisement is black and lacy. A minority of the Board considered that while the women's nipples are not clearly visible in their view the style of lingerie is sexualised and the low-cut briefs means the level of nudity is higher than general for lingerie advertising. A minority of the Board considered that the advertisement entitled 'Tyla' did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience. The majority of the Board however considered that whilst the style of lingerie is more sexualised that the other images in this campaign, in their view the women's nipples are not visible and the level of nudity is consistent with lingerie advertising. The majority of the Board noted the pose of the women and considered that although the lingerie is sexy the women themselves are not presented in a strongly sexualised manner. Overall the majority of the Board considered that this advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

Consistent with a previous determination in case 0005/17, the Board noted that there is a level of community concern about the sexualisation of children and acknowledged the placement of the advertisement meant the relevant audience was very broad and would include children. The Board noted the style of lingerie worn by the women in the advertisements and that this lingerie is sold in the store and considered that although it is reasonable for advertisers to promote their products they should take care when using products which have a more sexualised look than regular lingerie. The Board noted that the type of lingerie being modelled in these advertisements is designed to be of visual appeal and considered that although the advertiser is targeting female customers it should be noted that the complainants are themselves women. The Board noted the lingerie does fully cover the women's private areas and considered that overall the level of nudity is mild in the context of the advertised product and that while the lingerie itself is sexy the poses of the women are not overly sexualised. The Board acknowledged that some members of the community might be offended by the images entitled 'Ashleigh', 'Blair', 'Julienne', 'Olivia', 'Tiffany', and 'Tyla' but considered that these images did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board then noted the final image, 'Issy'. The Board noted that this image is of two women wearing black lacy lingerie and considered that the cut of the bras the women are wearing means that their nipples are visible through the lace.

The Board noted it had recently upheld complaints about an image where nipples were visible through the lingerie worn by a woman in case 0307/17 where:

"The Board noted that while nipples may be acceptable in some circumstances, depending on the overall impact and relevant audience, the Board considered that in the context of a lingerie advertisement in a store window a depiction of nipples is not appropriate and does not meet the provisions of the Code."

The Board noted the current image features a similar level of visibility of nipples to the previously upheld image in case 0307/17 and considered that consistent with this previous determination the depiction of nipples in an image in a store window is not appropriate and does not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad

audience which would include children.

Overall the Board considered that the image entitled 'Issy' did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that this component of the advertisement did breach Section 2.4 of the Code.

Finding that the image entitled 'Issy' did breach Section 2.4 of the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We will change this signage on Monday 28 August.