



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0398/18</b>
2	<b>Advertiser</b>	<b>Honey Birdette</b>
3	<b>Product</b>	<b>Lingerie</b>
4	<b>Type of Advertisement / media</b>	<b>Poster</b>
5	<b>Date of Determination</b>	<b>12/09/2018</b>
6	<b>DETERMINATION</b>	<b>Upheld - Not Modified or Discontinued</b>

## ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 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 a woman wearing a sheer lace bodysuit with a black embroidered pattern. She is standing on a doorstep with her hand on one hip. The hand of a woman in black leather glove can be seen in the foreground. The image is captioned: "The Arrival...MARIA".

## THE COMPLAINT

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

*The images are in public view. Large billboard with sexually suggestive images and near naked women wearing lingerie.  
Breasts and nipples are visible.*



*The poster showing full breasts and nipples were in a shopfront clearly visible to any passerby in the shopping centre, including one of my children who were with me at the time. Although this is my first complaint, I understand that I'm not the first to raise this particular issue and after looking into it, I am feeling frustrated with the inability of our controlling bodies to stop this particular company from doing this repeatedly. In media reports of interviews with Eloise Monaghan, creator of the Honey Birdette brand, concerned parents are made out to be ultra conservative prudes, but the truth of the matter is that ordinary citizens like myself do not consider it appropriate to have private parts of the female anatomy openly displayed like this in a public space, particularly in a sexualised manner. And we have deeply important reasons for believing this, to do with the very fabric of a healthy society. These type of images are not about freedom and empowering women, as the Honey Birdette's creator describes her company's approach. I would argue it does the exact opposite. We should be teaching our children about the respect our society has for women's bodies, because this is part of respecting women in total.*

*Apart from my views on this, I understand that a similar image (exposing even less than the one described above) by this company have resulted in identifying a breach with Section 2.4 of the Code, which I understand states that "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".*

*that I don't object to the store, what it sells, etc. I think in a free society women should be able to express themselves sexually and buy lingerie like this in an easily accessible store. And although I'm not happy about the rest of the sexualised images they display in their shopfront in a family friendly shopping centre, I have not bothered to complain previously - I think in general our children are over-exposed to sexualised imagery of women in the media, shopfronts, etc. so we try our best to teach them a good way to view women, both in terms of my daughter's self-image and my son's respect for women. This image, however, surely can't be ignored. It goes well beyond what is acceptable on public display in a respectful society, where we care about what our children see at impressionable ages, because we understand the larger, long-term impact on our society. And I don't buy into the rhetoric of the Managing Director of Honey Birdette (which her shop assistants also use as a response to e.g. concerned parents who complain) that people are too sensitive about a women's nipple showing, and that 'they wouldn't complain if it was a man's nipple'. If a women's nipple was the same as a man's, Honey Birdette would have no reason to exist. It would be like putting lace on an elbow and calling it sexy – rather pointless. Putting it the other way around, if a man's chest had the same type of sexual connotation as a women's, Honey Birdette would be selling men's lingerie too. It's not the same thing, whichever way Honey Birdette's management try to swing it for their own commercial gain. Judging from reported comments, I understand they see complaints and action by Ad Standards as 'white noise' (and presumably enjoy the extra publicity). Are there no*



*tougher measures available to stop Honey Birdette from repeatedly doing this? From what I've seen, their response to this type of complaint is to airbrush the nipples to be slightly closer in tone to the area next to it, but really no less visible. I'm really struggling to understand how they keep getting away with this.*

## **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 complainant's concern that the advertisement was overly sexualised and inappropriate for a broad audience which would include children.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

The Panel noted that this advertisement featured a woman wearing a sheer lace bodysuit with a black embroidered pattern. The image is captioned "The arrival...Maria".

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 first considered whether the advertisement contained sexual appeal.

The Panel considered that the image features a woman posing in highly sexualised lingerie. The Panel considered that this image did contain sexual appeal.

The Panel then considered whether the advertisement employed sexual appeal in a manner which is exploitative of any individual or group of people.

The Panel considered that the product being advertised was lingerie and it was appropriate for an advertiser to feature women wearing the lingerie in advertising.

The Panel considered that the woman was depicted as posing confidently with one hand on her hip and that there was no suggestion that the woman was an object or commodity.

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

The Panel then considered if the advertisement employed sexual appeal in a manner which is degrading to women.

The Panel considered that the woman was depicted as confident and in control and considered that there was nothing in the advertisement which would lower the woman in character or quality.

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

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

The Panel 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 Panel considered that while the advertisement was inside the store and not in the window, it was still in clear view of anyone walking past the store. The Panel considered that the relevant audience for this advertisement would be broad, and include children.

The Panel considered that the woman's nipples could clearly be seen through the sheer fabric of the bodysuit. The Panel also considered that the bottom of the bodysuit was very high-cut and left a lot of the woman's skin exposed. The Panel



considered that the level of nudity in the advertisement would be considered by many members of the community to be inappropriate and not suitable for a broad audience which would include children.

In the Panel's view the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did breach Section 2.4 of the Code.

Finding that the second image in the advertisement did breach Section 2.4 of the Code the Panel upheld the complaint.

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

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the advertiser and other industry bodies regarding this issue of non-compliance.