



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0399/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	12/09/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a woman in a black lingerie set lying on a tiled floor. She has one hand touching her neck and the other resting on her thigh. The caption reads, "Savour every sweet sensation EDEN".

THE COMPLAINT

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

I am against the extremely sexual advertisements that are constantly on display at this store. These photos are pornographic and our children are forced into looking at them. The location of Honey Birdette at the Northlakes Westfield Shopping Center is in a high traffic area - you can not get to the food court without passing this store. I have sons and daughters and have concerns for both genders looking at this material.

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 in black lingerie lying on a tiled floor with the caption 'savour every sweet second...EDEN'.

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 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 being happy and having fun, 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 as a poster in the window of a store the relevant audience for this advertisement would be broad, and include children.

The Panel considered that the woman's nipples and genitals were covered and that the lingerie was not overly revealing.

The Panel considered that while the woman's pose lying on the floor was slightly sexualised, there was no suggestion of sexual activity.

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

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

