



Case Report

1	Case Number	0442/17
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	11/10/2017
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

he electronic billboard visible at the shop front contains an image called "Paris" that is highly sexually explicit.

The woman's nipples are both visible in the photo.

THE COMPLAINT

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

I have no problem with the store product, I would like to purchase items in there for my wife but do not see the need to have such sexualised and explicit posters in the store window of a family centre like Westfield, especially when that store was next door to Smiggle which I was taking my 2 daughters to. Our young boys or girls do not need to be seeing such images.

*Completely inappropriate to take my sons aged 9, 11 and 13 past.
Breast fully visible including brown nipple through a white lace bra.*

*This photo is too sexually explicit to be in a shop entrance in a shopping complex, where my children aged 2 and 4 years frequently accompany me to shop.
I believe this kind of sexually explicit advertising breaks the moral and advertising standards*

of our community.

THE ADVERTISER'S RESPONSE

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

The new imagery has been approved and will be rolled out nationally by the end of the week (advised 4 Oct 2017)

THE DETERMINATION

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

The Board noted the complainants' concerns that the advertisement depicts sexually explicit material of a woman in lingerie that exposes her nipples.

The Board viewed the advertisement and noted the advertiser's response.

The Board 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 Board noted that the advertisement features a woman posed in front of the Eiffel tower. The woman is wearing white lacy lingerie and the words Paris – Finoulla appear on the poster. The woman's nipple is visible through the lingerie.

The Board noted that the pose of the models in the advertisement is in keeping with typical lingerie advertising and considered that it is not inappropriate for an advertiser to depict women wearing the advertised product as long as it is appropriate for the relevant audience. The Board also considered that in the context of a lingerie advertisement, a depiction of women wearing this lingerie is not of itself a depiction which breaches the code.

The Board noted the Practice Note to Section 2.4 of the Code which provides: "Full frontal nudity...is not permitted...Images of nipples may be acceptable in advertisements for plastic surgery or art exhibits..." 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 a high level of nudity.

The Board considered that in this instance the eye is drawn to the woman's breasts and the style of lingerie is more risqué than the usual style of lingerie advertised in store windows. The Board considered that this image of a woman in lingerie with her nipples visible through the bra and the full outline of the breasts highlighted by the detailing on the bra is not an

appropriate image for a broad audience of a shopping mall which would include children.

The Board noted that it had upheld a similar image for the same advertiser where the model was wearing white lacy lingerie 0307/17.

The Board noted the advertiser's response that the image was being replaced with a new creative.

Overall, in the Board's view the advertisement did not treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that it did breach Section 2.4 of the Code.

Finding that the advertisement did breach Section 2.4 of the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We switched to our new campaign. All posters have therefore been removed from the windows.