



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0449/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	24/10/2018
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 2.2 - Objectification Exploitative - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features two women in black lingerie, one of them is straddling the other. The caption states 'The most indecent affair yet...SIENNA'.

THE COMPLAINT

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

In an age of sexism and violence against women, I don't think this is acceptable subliminal messaging to the young boys that will pass by or maybe sit in front of it (there are seats around).

Young children of any age should not be subjected to looking at such a picture whilst shopping with their parents it is pornographic explicit shows bi-sexual behaviour and is just disgusting for a young family who goes shopping to have to look at.





The product is not offensive however the suggestive sexual positions of the models depicted is more inline with the porn industry and not general

Inappropriateness of sexually explicit images in a public shopping centre frequented by children. Children and the general public should not be subjected to these kind of porn images whilst out at a shopping centre which has children's facilities, children's rides, children's clothing stores etc! This is not the place for these kind of advertisements. To make matters worse they are full floor to ceiling window displays which makes it very difficult not to notice.

THE ADVERTISER'S RESPONSE

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

Ad Standards are fully aware that we are a target. The most recent Collective Shout Campaign is evidence of this:

https://www.collectiveshout.org/collective_shout_responds 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?! 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 so.

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' concerns that the advertisement featured a sexualised image of two women that was inappropriate for a broad audience which would include children.

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

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 noted the complainants' concern that the advertisement objectifies women.

The Panel first considered whether the advertisement used sexual appeal.

The Panel noted the poster advertisement featured two women in sheer black lingerie with the caption 'the most indecent affair yet - SIENNA'. A blonde model is reclined in a chair with a brunette model sitting in close proximity. The Panel considered that the style of the lingerie in combination with the woman's pose did constitute sexual appeal.

The Panel then considered whether the advertisement used sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel considered that the advertisement did not focus on particular body parts, but that the overall scantily clad depiction was directly relevant to the style of lingerie being sold.

The Panel considered that the advertisement did not suggest either woman either was an object, or was available for sale, rather the advertisement featured the women wearing the underwear that was for sale.

The Panel considered that the advertisement did not use sexual appeal in a manner that was exploitative of an individual or group of people.

The Panel then considered whether the advertisement used sexual appeal in a degrading manner.

The Panel considered that the advertisement depicted the women as confident and comfortable, and considered that the advertisement did not depict the women in a way which lowered them in character or quality.

The Panel considered that the advertisement did not use sexual appeal in a degrading manner.

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



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 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 advertisement is pornographic and too explicit for a shopping centre.

The Panel noted the underwear on the models is sheer considered that the tagline of the advertisement “the most indecent affair yet” is indicative of a sexual relationship. The Panel noted that the blonde model is shown with her head tipped back and her thumb is placed inside the suspender strap of the brunette model, and considered that the breasts of the two women are connecting.

The Panel considered that the pose of the women is highly sexualised and suggestive of an intimate or sexual relationship, and considered that such a pose would not be considered to treat sex with sensitivity by most members of the community.

The Panel considered that the component of the image was highly sexualised and as such the image included on a poster that is visible to members of the community in a shopping centre 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

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.

