



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	Case Number	0451/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	24/10/2018
6	DETERMINATION	Dismissed

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

The poster advertisement features a woman in a tuxedo facing a woman in red lingerie. The caption says 'surrender to her command CANDICE'.

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).

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

These are soft porn , girl on girl advertising in a public place for children to see. Highly suggestive highly inappropriate.



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 objectifies women and is 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 noted that the advertised product is lingerie and the advertiser is justified in showing the product and how it would be worn provided that in doing so it meets the provisions of the Code.



The Panel first considered whether the advertisement used sexual appeal.

The Panel noted the poster advertisement featured two women, a brunette wearing red lingerie and a blonde wearing a tuxedo with the caption “surrender to her command – CANDICE”. The blonde model is depicted standing over the brunette model. 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 there was a large amount of skin shown in the advertisement, however considered that this focus was 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 woman as confident and comfortable, and considered that the advertisement did not depict the woman in a way which lowered her 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 brunette model, and considered that although her underwear is very brief, the style is contemporary and the woman's nipples and genitals were covered.

The Panel considered that while the women's pose is suggestive of a sexual relationship, the imagery included on a poster that is visible to members of the community in a shopping centre is not inappropriate for the relevant broad audience which would likely include children.

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 complaints.

