



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0452/18
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

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a woman wearing a black lace bra with the caption 'The most indecent affair yet SIENNA'.

THE COMPLAINT

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

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

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 complainant's concern that the advertisement featured a sexualised image of a woman 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 2.4 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 the poster advertisement featured a woman standing in sheer black lingerie.

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 her groin region is covered. The Panel also noted that the shadowing in this section of the advertisement does not draw attention to her lower torso.

A minority of the Panel noted that there was a suggestion that the models nipple is visible in the advertisement, but considered that this is not clear. The minority considered that the advertisement is not overly sexualised and is relevant to the broad style of product available in this lingerie store.

The majority of the Panel considered the pose of the blonde model is overly



sexualised, with her breasts being the main focal point of the advertisement. The majority noted that the eye is drawn to her breasts and considered that one of the woman's nipples is clearly visible.

The Panel considered that the image contained nudity 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 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.