



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0489/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	14/11/2018
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

This poster advertisement features a blonde woman standing, leaning on her hands with her head tilted back. She is wearing a high cut black bra and a garter belt with underpants.

THE COMPLAINT

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

The Australian Government is sending a clear message via advertising that it is no longer acceptable for females to be consciously or unconsciously referred to or exploited sexually within the community. I have grandchildren and the message sent to both boys and girls is degrading to females.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this





advertisement include the following:

Advertiser did not respond.

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 is degrading to women.

The Panel viewed the advertisement and noted the advertiser did not respond.

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 complainant’s concern that the advertisement is degrading to 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 titled “Madonna” featured a woman wearing a black bralette, underpants and garter. She is posed standing, leaning on her hands with her head tilted back. 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 style of the bralette accentuated the model's cleavage in the advertisement, however considered that the focus was relevant to the cut and style of lingerie being promoted.

The Panel considered that the advertisement did not suggest the woman either was an object, or was available for sale, rather the advertisement featured the woman 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 complainant's concern that the woman in the advertisement is in a sexualised pose showing her body for sexual gratification.

The Panel noted the underwear on the 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 may be considered to be sexually suggestive, 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 complaint.

