



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	<b>Case Number</b>	<b>0491/18</b>
2	<b>Advertiser</b>	<b>Honey Birdette</b>
3	<b>Product</b>	<b>Lingerie</b>
4	<b>Type of Advertisement / media</b>	<b>Poster</b>
5	<b>Date of Determination</b>	<b>14/11/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

## 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. A blonde woman is pictured standing in a leather-look skirt and top and holding a crop while a brunette woman is pictured sitting. The tagline of the advertisement is "Craving a thwack?"

## THE COMPLAINT

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

*It is offensive to women on many levels but primarily because it suggest that the women enjoy being hit (with a whip, I think). Given the impact of violence on women generally and in Australia and the amount spent on anti-violence campaigns, this ad is particularly offensive. It is in a very public place on display to thousands of men, women and children every day. I also object to the women being portrayed as sex objects and find it very degrading for women.*

*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 complainants' concerns that the advertisement is degrading to women, objectifying of women and promotes violence against 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 complainants' concern that the advertisement is degrading and objectifying of 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 a



black bra top and underpants, and a blonde wearing a black bra top and skirt with side slits with the caption “Craving a thwack? - CLEO”. 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 the models in the advertisement were well covered and that the advertisement focus was relevant to the style of lingerie being sold.

The Panel considered that the advertisement did not suggest the either of the women 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 then considered whether the advertisement breached Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Panel noted the complainant’s concern that the advertisement promotes violence towards women by suggesting that they enjoy being hit.

The Panel considered the phrase “Craving a thwack?” and noted the blonde model is holding a crop. The Panel noted that the definition of thwack in this context is to “strike forcefully with a sharp blow”.



The minority of the Panel considered that the phrase is reflective of BDSM which is predominately associated with sexual aggressiveness or violence. The minority considered that this depiction is inappropriate for a public shopping area.

The majority of the Panel considered that there is no depiction of violence in the advertisement. The majority noted that the blonde model is holding a crop, however considered that it is not a focal point of the advertisement. The majority of the Panel considered that although the advertisement may be considered to be suggestive of sexual violence, the depiction of the blonde model with a crop and the phrasing of "Craving a thwack?" as a question is likely to be considered by most members of the community to be a depiction of non-traditional sexual relations, rather than a depiction that promotes or encourages violence towards women.

In the Panel's view the advertisement did not depict violence and did not breach Section 2.3 of the Code.

The Panel finally 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 women in the advertisement are in a sexualised pose with a sadomasochistic theme.

The Panel noted the underwear on the models, and considered that the women are well covered, the women's nipples and genitals are covered and the style of the underwear is similar to some contemporary fashions.

The minority of the Panel considered that the advertisement is reflective of BDSM. The minority considered that such a depiction alluding to what some members of the community may consider to be extreme sexual practices is inappropriate for a broad audience.

The majority considered that while the women's pose 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 explicit or graphically representative of sexual practices, and 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.

