

Case Report

Case number: 0221-25
Advertiser: OUA
Medium: Poster
Decision date: 8-Oct-2025
Decision: No breach

ISSUES CONSIDERED BY THE COMMUNITY PANEL

- AANA Code of Ethics - 2.2 Exploitative or Degrading – no breach
- AANA Code of Ethics - 2.4 Sex/sexuality/nudity – no breach

AD DESCRIPTION

This poster ad at the front of a store features a woman wearing a brown bodysuit and heels, spraying a can of a dry shampoo on her hair. The woman is in a side pose with her right-side buttock visible.



SUMMARY

Complaint

A complaint was received on the grounds that the ad is inappropriate for a broad audience that would include children.

Advertiser response

The advertiser did not provide a response.

Decisions

The Panel found that the ad did not breach Section 2.2 of the AANA Code of Ethics as the ad was not exploitative or degrading, and did not reduce the model to a commodity or sexual object.

The Panel found that the ad did not breach Section 2.4 of the AANA Code of Ethics as the image was not overtly sexual, and did not contain imagery that would be harmful to children in a way that the AANA Code of Ethics seeks to prevent. The Panel considered that the model is not posing in an overtly sexual manner, does not appear to be engaging in any sexual behaviour, and is not nude.

ASSESSMENT AND DECISIONS

Section 2.2 (Code of Ethics): Advertising shall not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people

The Practice Note states:

Exploitative:

- (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or
- (b) focusing 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 persons

For material to breach this section of the Code, it must contain sexual appeal.

Material can be found to be exploitative or degrading even where the model is looking confident where the model is being depicted as a product or commodity or the focus on body parts is not relevant to the product or service being advertised. Advertising which used sexual appeal and suggests that a person is a product, or that they exist only for the enjoyment of others has been found to breach this section of the Code. Likewise, advertising which uses attractive models in revealing clothing, where the use of the model is not relevant to the product, has been found to be exploitative.

Panel assessment

The Panel considered that the AANA Code of Ethics seeks to prevent instances where sexual appeal is exploitative or degrading to any individual or group. The Panel noted that the full body of the model is used and the focus is not on her body parts such as breasts or genitalia.

The Panel further considered that, while the model is depicted in a manner that shows her entire leg and buttock, the focus of the ad was not on her sexuality in an undue manner. The Panel acknowledged that the ad used an attractive model, but considered this in-line with community standards for the promotion of a fashion or beauty product.

Panel decision

The Panel found that the ad did not breach section 2.2 of the Code.

Section 2.4 (Code of Ethics): Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Practice Note states:

Overtly sexual depictions where the depiction is not relevant to the product or service being advertised are likely to offend Prevailing Community Standards and be unacceptable.

Overtly sexual images are not appropriate in outdoor advertising or shop front windows.

Although not exhaustive, the following may be considered to be overtly sexual:

People depicted in sheer lingerie or clothing where a large amount of buttocks, female breasts, pubic mound or genital regions can be seen;

Images of models in bikinis or underwear are permitted, however, unacceptable images could include those where a model is in a suggestively sexual pose, where underwear is being pulled up or down (by the model or another person), or where there is clear sexual innuendo from the ad (e.g. depicting women as sexual objects).

Panel assessment

- **Does the ad contain sex?**

The Panel considered whether the ad contained a depiction of sex. The Panel noted the definition of sex in the Practice Note is “sexual intercourse; person or persons engaged in sexually stimulating behaviour”.

The Panel considered that the woman was not engaged in sexual behaviour and the ad did not contain sex.

- **Does the ad contain sexuality?**

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel considered that while the woman was not posed in an overly sexual manner, the woman was attractive, and her bare leg and buttock were visible and this contained a mild level of sexuality.

- **Does the ad contain nudity?**

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted that the woman was wearing a body suit, her leg and buttock were bare, and this was a depiction of partial nudity.

- **Are the issues of sexuality and nudity treated with sensitivity to the relevant audience?**

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel noted that this poster was displayed at the front of a makeup store and the relevant audience would include people shopping in the store, and people walking past the store, and this would include children.

The Panel considered that the ad did not feature or imply any sexual or otherwise inappropriate behaviour that could be considered contrary to community standards. The Panel noted that no breasts or genitalia were visible, and that the model was not posing in a sexually suggestive manner.

The Panel considered that the image was not overtly sexual, and the mild sexuality and partial nudity in the ad was treated with sensitivity to the relevant broad audience which would include children.

Panel decision

The Panel found that the ad did not breach Section 2.4 of the Code.

OTHER CONSIDERATIONS

The Panel found that the ad did not breach any other section of the advertising codes.