



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0535/18
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	12/12/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a woman in white lingerie and the text "Leave Santa a treat" and is described as the "Jessica Set".

THE COMPLAINT

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

The ad features women with one liners inviting men to have sex with them. It's objectifying and pornographic and is featured in window displays. Completely inappropriate! Offends because I am a decent human being, an empowered woman and most especially a mother of young children who have to view this rot less than 20m away from where they greet Santa!



THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Advertiser did not provide a response.

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 objectifying of the model and pornographic.

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 complainant's concern that the advertisement is objectifying of the model and features text inviting men to have sex with the model.

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 a woman in a white bra, garter belt and underpants standing in front of a background of candy canes and the text "Honey B's Guide to Christmas – LEAVE SANTA A TREAT!" 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 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 considered that the model in the advertisement was well covered and that the advertisement focus was relevant to the style of lingerie being sold.

The Panel considered that the advertisement text of “LEAVE SANTA A TREAT” was slightly sexualised language, however considered that this language was not obviously sexual and was not a depiction which implied the model was an object or commodity and was not exploitative of the woman.

The Panel considered that the depiction of the model and the accompanying text did not lower the character or quality of the model and did not degrade the model.

On that basis, the Panel determined that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of an individual and did not breach Section 2.2 of the Code.

The Panel then 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 noted the underwear on the model, and considered that the woman is well covered, the woman’s nipples and genitals are covered and the style of the underwear is similar to some contemporary fashions.

The Panel noted that the model is depicted standing with her hand on her hip and her chest pushed forwards and considered that while the woman’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 sexually explicit and does not depict nudity.

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.

