



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0052/19
2	Advertiser	Honey Birdette
3	Product	Lingerie
4	Type of Advertisement / media	Poster
5	Date of Determination	20/02/2019
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a brunette woman in a sheer bodysuit sitting on a motorcycle. Text on the poster states "#NOTYOURVALENTINE". The lingerie style is 'Vienna'.

THE COMPLAINT

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

I was in a shop opposite, waiting for my wife and saw the posters from across the corridor. I wanted to take a photo to include in my complaint but literally felt like a voyeur just "seeing" the posters. My greatest concern is that this advertisement sexualises young women and is in full view of all public passing by. I'm sure newsagents are not permitted to place such posters for "men's magazines" in their windows. These posters are not required to display "what's for sale inside". I'm sure



any customer of Honey Birdette would be well aware of the stores merchandise. These ads, in an age in which pornography is so easily available, only add to this community problem. ensuring that advertising:

Your own statement states your purpose is to ensure advertising “does not breach the AANA Code of Ethics or community standards in relation to the use of sexual appeal in an exploitative or degrading manner, and is positive, responsible, suitable for general viewing and contributes to the elimination of the use of sexual appeal in an exploitative or degrading manner.”

In my opinion, Honey Birdette is in breach of these standards, especially in regard to the use of “sex appeal” and “suitable for general viewing”.

I’m thankful my sons are now adults, but would have been most annoyed had I walked them past these posters. My only explanation would have to have been that Honey Birdette is treating women only as sex objects. I have 3 granddaughters and I know their parents would also have difficulty explaining such posters to them.

Honey Birdette is notorious for such degrading and sexualised advertising. Surely “community standards” also define these as such and need addressing by this bureau.

Image is overtly sexualised and contains nudity. It comprises sexual harassment. It is causing harm.

THE ADVERTISER’S RESPONSE

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

The 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 overtly sexualised and contains nudity.

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 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 an image of a woman in a black sheer bodysuit standing astride a motorbike with one of her arms placed behind her. The Panel noted the lingerie style was titled “Vienna”. 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 there was a particular focus on the woman’s breasts in the advertisement, however considered that this focus was relevant to the style of lingerie being sold.

The Panel considered that the advertisement did not suggest the woman was an object, or was 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 empowered, and considered that the advertisement did not depict the woman in a way which lowered the woman or women in general in character or quality.

The Panel considered that the advertisement did not use sexual appeal in a degrading manner.



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 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 complainant’s concern that the advertisement is overtly sexualised and contains nudity.

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 that the bodysuit the woman was wearing was sheer and that, due to her posing side on, one of her breasts were clearly visible. The Panel considered that it appeared the advertiser had edited out the woman’s nipple, however her breast is still prominent.

The Panel considered the pose of the woman was sexualised and that the way her arm was positioned behind her pushed her upper torso forward and emphasized the focus on her breasts.

The Panel considered that the image contained nudity and was sexualised and as such the image included on a poster that is visible to members of the community standing outside the business 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.

INDEPENDENT REVIEWER'S RECOMMENDATION



THE DETERMINATION ON REVIEW

ADVERTISER'S RESPONSE TO IR DETERMINATION