



**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>0124/19</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>08/05/2019</b>
6	<b>DETERMINATION</b>	<b>Upheld - Not Modified or Discontinued</b>

## ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 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 woman in a sheer lace black bra, garter belt and underpants sitting on a lounge with her legs spread.

## THE COMPLAINT

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

*I don't think seeing her nipples is necessary to sell the lingerie. I think it objectifies women.*

*Imagery and styling mimics imagery used in porn publications. There is clear use of sexualised styling (pose, bare thighs and hips) in this ad. It is not suitable as the backdrop for common family activities like shopping and children's Easter events.*



*Image is stylised in keeping with porn themes. It is unequivocally sexualised, featuring a spread-leg woman in lingerie. This is in breach of child safety and community standards and does not belong on public display in suburban shopping centres.*

### **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 features a highly sexualised, porn-like, image of a woman in lingerie which is inappropriate to be seen by children and which is a breach of community standards

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

The Panel noted that the poster advertisement features an image of a woman wearing black and tan lingerie sitting on a blue lounge with one of her legs out to the side. The text accompanying the image reads 'London Calling Victoria'.

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 considered that the style of the lingerie the woman was wearing 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 the pose of the woman with her legs open and her gaze directed at the viewer in a sexualised manner. The Panel considered that in particular the depiction of the woman with her legs open where she is reclining on the couch was a depiction which shows the woman as being available for sex. The Panel considered that this is a depiction of the woman as an object and that this was exploitative of the woman.

The Panel determined that the advertisement did employ sexual appeal in a manner which is exploitative of an individual, and did 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 concerns that the advertisement is highly sexualised and inappropriate for a broad audience.

The Panel noted that this poster advertisement in the front 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 that the depiction of the woman in lingerie was relevant to the product being sold and that the level of nudity in the advertisement was not inappropriate for a broad audience which would include children.

However, the Panel considered the pose of the model is strongly sexualised, depicting her reclining with her legs open, her head tilted down but her gaze directly at the viewer. The Panel considered that the sexual pose of the woman in combination with the depiction of her in lingerie amounted to a sexualised image which was not appropriate for a broad audience which would 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 2.2 and 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.