



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

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0051/19</b>
<b>2</b>	<b>Advertiser</b>	<b>Honey Birdette</b>
<b>3</b>	<b>Product</b>	<b>Lingerie</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Poster</b>
<b>5</b>	<b>Date of Determination</b>	<b>20/02/2019</b>
<b>6</b>	<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
- 2.6 - Health and Safety Body Image

## DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features a brunette woman in a strappy bra, garter and underwear set leaning on a motorcycle. The picture is taken from behind and the womans back and buttocks are visible. The lingerie style is 'Kukuro'.

## THE COMPLAINT

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

*Content was highly sexual used and went beyond necessary to promote underwear. Looks more like advertising for sex workers.*

*bondage, scantily clad, body issues, sexualization*



*I find this advert pornographic in nature and highly inappropriate to be placed in a shop front in a shopping centre that has a high volume of children and families in attendance. Young children and others faced with these images have their innocence threatened.*

*The placement of these ads were in the shopping mall where families with children and teenagers are walking by. I assume that it is the same at all their stores Australia wide. People have no opportunity of shielding their children from these images. The pictures are provocative and explicit with some images showing a woman's naked bottom. Ads like these expose young people to sexually explicit content that they are not developmentally equipped to deal with and are impacted by them. As a community we ought to be protecting children from early sexualisation so that they can grow up with healthy attitudes around body image and self worth. These ads should not be placed in so public an area. My personal opinion is that they demean women by objectifying them as sex objects and I have no doubt that young girls, in particular would be detrimentally impacted by them.*

*I find this offensive as I have young children and we often go to shops. I didn't have to go inside Honey Birdette to see this picture. It was a large print in the display window. I understand they market lingerie, but can we please consider that there are children walking around the shops too. This is not something my children are exposed to at home and it is disappointing to see this at the shops. Please take down the pictures.*

## **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 complainants' concerns that the advertisement is highly sexualised and features nudity, is demeaning to and exploitative of women and promotes an unhealthy body image.

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 black strappy lingerie leaning on a motorbike with her back facing the camera. The Panel noted the lingerie style was titled “Kukuro”. 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 advertisement depicts the woman in very strappy lingerie that has metal chains and hoops in some areas, and that there is no actual solid fabric to her underpants that is visible. The Panel considered that this style of lingerie that is very strappy and features metal hoops or clips is considered to be bondage style lingerie.

The Panel considered that the woman is depicted in a pose commonly called ‘presenting’, where her chest is pushed forward and her buttocks are pushed back. The Panel considered that the style of lingerie in combination with the woman’s pose and the motorbike she was leaning on was interpreted to imply that the model was available for sexual relations, and that this theme was objectifying and exploitative of the woman.

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 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 complainants' concerns that the advertisement is highly sexualised and contained 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 considered the pose of the model is strongly sexualised, with her torso pushing forward and buttocks pushing back. The Panel considered that as the model was not posed in a side-on stance, but rather more back facing the camera, the image displayed a significant amount of bare buttocks.

The Panel considered that the component of the image was highly sexualised and as such the image included on a poster that is visible to members of the community in a shopping centre 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.

The Panel considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Panel noted a complainant's concern that the advertisement is promoting imagery which could be detrimental to young women's body image.

The Panel noted the Practice Note for Section 2.6 Provides:

"Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices."



The Panel considered that the woman in the advertisement is slim, however considered that she appears to be a healthy body size.

The Panel considered that the advertisement did not portray a woman with an unrealistic or unattainable body shape and that the advertisement did not depict material contrary to prevailing community standards on health. The Panel considered that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement breached Section 2.2 and 2.4 of the Code, the Panel upheld the complaints.

#### **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.