



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0340-20
2. Advertiser :	Honey Birdette
3. Product :	Lingerie
4. Type of Advertisement/Media :	Internet - Social - Facebook
5. Date of Determination	11-Nov-2020
6. DETERMINATION :	Upheld – Not Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.2 Exploitative or Degrading
AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This Facebook advertisement features of a woman's crotch in black bikini. She is holding a dripping icy pole in front of her crotch. The word "WET" is superimposed across the image. The caption to the advertisement reads, 'ready to get wet? Coming soon'.

THE COMPLAINT

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

The word "WET", emblazoned over the woman's crotch, is an obvious reference to a woman's vaginal lubrication in a state of sexual arousal. The dripping icy pole between the woman's legs is also clearly intended to reference her vaginal lubrication. The promotional text underneath reads "Ready to get wet?"

The image dehumanises and sexually objectifies the woman by reducing her to her sexual functions/responses, and through reducing her to a single sexualised body part. Decades of empirical research on this sexualising and objectifying treatment of women in advertising has found a range of harms to women, including higher levels of body dissatisfaction, greater self-objectification, greater support of sexist beliefs and of adversarial sexual beliefs, and greater tolerance of sexual violence toward women, as well as leading both men and women to have a diminished view of women's competence, morality and humanity and has been linked to men's violence against women (Ward 2016).



<https://www.tandfonline.com/doi/abs/10.1080/00224499.2016.1142496?journalcode=hjsr20>

Honey Birdette continues to demonstrate their contempt for women through their consistent pornified and misogynistic representations of women. This image reduces women to nothing more than wet vaginas. Women should not have to tolerate this hateful and dehumanising treatment, or unsolicited exposure to images that portray us as objects for men's sexual use.

This was a paid promotion- a sponsored post that showed up in my Facebook feed without my having visited Honey Birdette's Facebook page. This content is not limited to Honey Birdette's customers or those who have visited their page.

THE ADVERTISER'S RESPONSE

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

It should be noted that the complainant has made a key error at the outset by referring to our swimwear as 'underwear'.

At no point during their lengthy complaint (that often veers away from the image at hand) do they acknowledge that this is an ad for swimwear.

It's a significant point, and leads to their subsequent and possibly deliberate misreading of our slogan and imagery, which we actually thought was pretty straightforward.

The complainant says that our use of the word 'Wet' was "an obvious reference to a woman's vaginal lubrication in a state of sexual arousal" which is a clear misreading in the context of an advertisement for swimwear.

'Wet' was in fact the name of the campaign for our swimwear collection, because - quite simply - people will get wet when they wear it.

And the misreadings are compounded from there.

A dripping iceblock also gets dragged into the outrage for supposedly simulating vaginal lubrication, with the text 'Ready to get wet?'

The iceblock and the slogan might have seemed a lot less ominous to the complainant if they had realised or acknowledged that this was an ad for swimwear, in which people get wet. Or if they just spent less time trying to attribute meaning to advertisements of businesses that they have a vested interest in opposing.

If it's true that the iceblock was intended to simulate vaginal lubrication, there are a lot more physiologically-appropriate colours we could have used than red.



And if the complainant really wants to take it down that road, surely menstruation would have been the more accurate similarity to draw? They didn't though because it doesn't align with the narrative they're trying to construct, albeit from an erroneous starting point.

The complaint says a combination of the invitation to get wet and the iceblock "dehumanises and sexually objectifies the woman by reducing her to her sexual functions/responses, and through reducing her to a single sexualised body part".

Or - as we say - invites people to buy our swimwear and go swimming.

I won't quote the paragraph that starts with "Decades of empirical research..." I've read it hundreds of times as it's exactly the same diatribe that's so often copied and pasted into these complaints and on social media by a small interest group.

And on that point, I might be able to solve a little mystery. The complainant says this image showed up on their feed as a sponsored post without them having visited our Facebook page. I don't think that's quite the truth, and given the very obvious source of this, the writer spends a lot of time online consumed by what I and my business are doing.

That's the thing about Google and Facebook - there's no hiding from them, and they'll tailor their advertisements to whatever your search history reveals you're interested in. So they can't blame me for that one.

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 dehumanises and sexually objectifies the woman by reducing her to her sexual functions/responses, and through reducing her to a single sexualised body part
- The use of the word 'wet' and the dripping iceblock was a reference to vaginal lubrication.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.2: 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.

Does the advertisement use sexual appeal?

The Panel noted the advertisement included a close-up image of a woman's upper thighs and groin, with the woman dressed in black underwear or swimsuit. The Panel considered that the use of the word 'wet' and the image of a dripping iceblock may be interpreted as a reference to sexual arousal. The Panel noted the advertiser's response that this was not the intention and the use of the red iceblock and the word 'wet' were a reference to the swimwear being promoted.

The Panel considered that the advertisement does not state anywhere that it is an advertisement for swimwear, and that it is not possible to tell whether the woman in the image is wearing swimwear or underwear. The Panel considered that the advertisement does contain sexual suggestion and does use sexual appeal.

Does the advertisement use sexual appeal in a manner that is exploitative?

The Panel noted the advertiser's advice that the product being promoted in the advertisement is a new swimwear brand. The Panel noted that it may not be clear to those unfamiliar with the brand that this is what is being promoted, however it is clear from the context of the advertisement that it is from a women's lingerie brand. The Panel considered that the depiction of a woman in swimwear to promote the brand was appropriate, and that the focus on the woman's upper thighs and groin area was directly relevant to the product being promoted.

The Panel considered that there is no interaction between the woman in the advertisement and anyone else. The Panel considered that although the woman's full body was not shown, there was no suggestion in the advertisement that she was an object or available for purchase. The Panel considered that the advertisement did not depict the woman as an object or commodity.

Overall the Panel considered that the advertisement did not employ sexual appeal in a manner which is exploitative of the woman.

Does the advertisement use sexual appeal in a manner that is degrading?

A minority of the Panel considered that the use of the word 'wet' and the depiction of the woman's legs was mildly sexually suggestive, but was not used in a manner which would lower the woman in character or quality.



The majority of the Panel considered that the sexual appeal in the advertisement was overt and that the image was a suggestion that the woman could be reduced to a single, sexualised body part. The Panel considered that this was a depiction which lowered the woman in character or quality.

The Panel considered that the advertisement did employ sexual appeal in a manner which is degrading of the woman.

Section 2.2 conclusion

Finding that the advertisement did employ sexual appeal in a manner which is degrading of an individual, the Panel determined that the advertisement did breach Section 2.2 of the Code.

Section 2.4: Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Panel noted the Practice Note for the Code states:

“Images which are not permitted are those which are highly sexually suggestive and inappropriate for the relevant audience. Explicit sexual depictions in marcomms, particularly where the depiction is not relevant to the product or service being advertised, are generally objectionable to the community and will offend Prevailing Community Standards.”

Does the advertisement contain sex?

The Panel considered whether the advertisement contained sex. The Panel noted the dictionary definition of sex most relevant to this section of the Code of Ethics is ‘sexual intercourse; sexually stimulating or suggestive behaviour.’ (Macquarie Dictionary 2006).

The Panel considered that the use of the word ‘wet’ in combination with the woman’s legs and groin was a depiction which was suggestive of sexual arousal. The Panel considered that this was a reference to sex.

Does the advertisement contain sexuality?

The Panel noted the definition of sexuality includes ‘sexual character, the physical fact of being either male or female; The state or fact of being heterosexual, homosexual or bisexual; sexual preference or orientation; one’s capacity to experience and express sexual desire; the recognition or emphasising of sexual matters’. The Panel noted that the use of male or female actors in an advertisement is not by itself a depiction of sexuality.



The Panel noted that the advertisement could be interpreted as referring to sexual arousal and this was a reference to sexuality.

Does the advertisement contain nudity?

The Panel noted that the dictionary definition of nudity includes ‘something nude or naked’, and that nude and naked are defined to be ‘unclothed and includes something ‘without clothing or covering’.

The Panel noted that the woman’s genitals were fully covered, and that although her thighs and legs were bare this was consistent with how swimwear is worn at the beach or pool. The Panel considered that the depiction of a woman in a swimsuit which fully covered her genital region was not a depiction which included nudity.

Are the issues of sex and sexuality treated with sensitivity to the relevant audience?

The Panel considered the meaning of ‘sensitive’ and noted that the definition of sensitive in this context can be explained as indicating that ‘if you are sensitive to other people's needs, problems, or feelings, you show understanding and awareness of them.’ (<https://www.collinsdictionary.com/dictionary/english/sensitive>).

The Panel considered that the requirement to consider whether sexual suggestion is ‘sensitive to the relevant audience’ requires them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle sexual suggestion is or might be is relevant to the Panel considering how some sections of the community, such as children, might perceive the advertisement.

The Panel noted that this advertisement was a sponsored post on Facebook.

The Panel noted the complainant’s concern that the advertisement showed up in their Facebook feed without them having visited the Honey Birdette Facebook page.

The Panel noted that the advertiser hadn’t provided details on how the advertisement was targeted, and as such the audience for the advertisement is not known. However, the Panel considered that the audience is most likely Facebook users who have visited pages associated with women’s fashion or lingerie.

A minority of the Panel considered that the sexual innuendo in the advertisement was not appropriate for a medium which had teenage users, and that the suggestion of a woman being ‘wet’ was not appropriate for the relevant Facebook audience.

The majority of the Panel considered that while the advertisement could be interpreted as a reference to vaginal lubrication, however this was not explicit and is



not an interpretation which would be reached by everyone viewing the advertisement.

The Panel considered that the sexual innuendo in the advertisement was not explicit and was not inappropriate for the relevant Facebook audience.

Section 2.4 Conclusion

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

Conclusion

Finding that the advertisement breached Section 2.2 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.