



Case Report

1	Case Number	0473/17
2	Advertiser	General Pants Group
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	19/12/2017
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - children
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

DESCRIPTION OF THE ADVERTISEMENT

The billboard was displayed in the large glass window of a General Pants Co. store in Sydney and consisted of three young women in swimwear lounging on pool toys overlaid with the caption 'Slippery when wet'

THE COMPLAINT

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

Sexist and disgusting and nothing to do with the product they are selling

This advertisement is overtly sexual and degrading in the way it alludes to 'wet' - as even the most basic of people could identify the sexual connotation of that phrase. The ad is sexist as it feeds into the rampant hyper sexualisation and objectification of the female body by retail giants like General Pants. The photograph used is not totally problematic, but the 'slippery when wet' text in the centre of the ad is degrading and mocks the legitimacy of female sexuality, as well as just being wildly unnecessary and inappropriate for the general public like children, who would see the ad. I was offended and object to it on the basis it is misogynistic, objectifying, inappropriate for such a public area and an utterly unnecessary

caption that doesn't even serve a constructive purpose.

This perpetuates the idea that young women are there for the sole purpose of titillation. There were no obvious signs of what was being advertised, but the clearly sexually suggestive wording and posing of the young women was inappropriate. That this was in a window in a high traffic area and that there was no way I (or my teen daughters) could avoid the ad if we wanted to shop in this area. I am so sick of having to subject my kids to this degrading imagery, reducing women to pieces of meat. It's so ridiculously unnecessary and damaging.

It's a disgusting way to market to young girls and it sends a message to boys about objectifying women for sexual purposes. Women are being subjected to more and more violence and rape these days, and this kind of advertising helps promote the idea that women are nothing but sexual play things.

Objectification of women, and a certain mocking innuendo pertaining to women's sexual function. I find this ad incredibly offensive, upholding gender stereotypes and also upholding damaging patterns of treatment of women that is all part of our oppression. It is totally unacceptable for my young sons to be asking me what is meant by it.

SECTION 2 CONSUMER COMPLAINTS Provides:

2.1 Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

2.2 Advertising or Marketing Communications shall not employ sexual appeal:

(a) where images of Minors, or people who appear to be Minors, are used; or

(b) in a manner which is exploitative and degrading of any individual or group of people.

2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

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

2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

2.7 Advertising or Marketing Communications shall be clearly distinguishable as such to the relevant audience.

The advertisement is exploitative and degrading of women as it depicts women as sexual passive objects for the viewer's pleasure. The image is overtly sexualised as the girls are not interacting with each other having 'beach or swim fun'. They are posed in a way that reveals the most flesh for the male gaze, their physical proximity suggesting intimacy but as they are gazing outward the interaction is plainly a sexual invitation to the viewer.

The words 'slippery when wet' makes the sexual overtones in the photograph explicit. It tells the viewer that when the young women are 'wet' they are ready for sexual consumption. It reinforces the message that swimwear, and the women who wear it are valued only for what they offer sexually.

Advertising of this kind has been shown to be associated with "body dissatisfaction, greater self-objectification, greater support of sexist beliefs and of adversarial sexual beliefs, and greater tolerance of sexual violence toward women. Moreover, experimental exposure to this

content leads both women and men to have a diminished view of women's competence, morality, and humanity". (The Journal of Sex Research Volume 53, 2016 - Issue 4-5: ANNUAL REVIEW OF SEX RESEARCH):
<http://www.tandfonline.com/doi/abs/10.1080/00224499.2016.1142496?journalCode=hjsr20>
The poster is displayed for the public in the mall which includes children and young people. I can provide a photograph of the poster on request.

THE ADVERTISER'S RESPONSE

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

Advertiser did provide a response

THE DETERMINATION

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainant's concern that the advertisement is offensive and inappropriately sexualising young women.

The Board viewed the advertisement and noted the advertiser did not provide a response.

The Board then 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:

- (a) where images of Minors, or people who appear to be Minors, are used; or
- (b) in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the advertisement features three young women sitting in their swimwear with one girl leaning against another. There is a blow up pool toy behind them and the words "slippery when wet" appear across the image. The poster appeared in the store window.

The Board noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading and in particular to the use of images where Minors or people who appear to be Minors are used:

" In advertisements where images of Minors, or people who appear to be Minors, are used, sexual appeal is not acceptable and will always be regarded as exploitative and degrading. Advertisements must not include sexual imagery, state or imply that Minors, or people who appear to be Minors, are sexual beings or that ownership or enjoyment of the advertised product will enhance their sexuality. Minors, or people who appear to be Minors, must not be portrayed in a manner which treats them as objects of sexual appeal."

The Board considered the depiction of the three models in the poster and noted that their appearance is young. The Board noted that the advertiser did not provide a response and the Board was unable to confirm the ages of the models. The Board noted however that the

Practice Note states that the actual age of the actors is irrelevant and that the Board can consider whether the people depicted “appear” to be minors.

A minority of the Board felt that the models looked over the age of 18 years and that their pose was not sexualised and the scene was a typical depiction of young girls at a pool or water park.

The majority of the Board however, felt that the models appeared to be under the age of 18 years and that their reclined positions and pouting mouths with exaggerated fullness in their lips, gave a sexualised tone and impression to the overall image.

The majority of the Board also considered the images of the women are in association with written text stating ‘slippery when wet’. In the view of the majority the phrase ‘slippery when wet’ has a sexual connotation and when used in conjunction with the image of the women, does amount to a depiction of the young woman in a manner that amounts to treating them as objects of sexual appeal.

In the Board’s view, the young women were portrayed in a manner that presented them as objects of sexual appeal and that based on the practice note and the intent of the Code, the Board considered that the models appeared to be minors and that the advertisement did breach section 2.2(a) of the Code.

The Board 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 Board noted the complainants’ concerns that the advertisement is suggestive and has illicit implications.

The Board noted that the image of the girls does not expose any of their private parts and the girls are not posed in an overtly sexualised way. The Board noted the inclusion of the words “slippery when wet” and considered what the general community understanding of what this term means.

The Board considered that a meaning meaning would suggest that when the models are wet from being in the pool, then they become slippery and the use of the pool toy and such become more challenging because of them being wet.

The Board however considered that there is a strong sexual connotation associated to this term and that most members of the community would be aware of the sexual innuendo contained in the use of these words. The Board agreed that the advertiser had used a play on words to link the image of girls in swimwear and the sexual connotation of the term ‘slippery when wet’.

The Board considered that overall depiction of the three young woman and the words ‘slippery when wet’ did amount to a portrayal that was of a sexual nature. The Board noted that the advertisement is a poster available to a general audience and considered that the depiction did not treat sexuality with sensitivity to the the relevant broad audience.

Finding that the advertisement did breach section 2.2 and section 2.4 and of the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Advertiser has verbally indicated that the advertisement has been taken down.