

RISK MANAGEMENT INFONET: RM9 PHOTOGRAPHY/VIDEO FOOTAGE

Last Updated: January 2008

Photography and video footage should only be required at Netball Victoria (including affiliated Associations/Clubs) sanctioned events for three purposes:

- Player / Umpire training and development
- Association / Club promotion and publicity
- Participants and family personal use

Depending on the venue type and requirements, strategies may be put in place by Associations to manage photography and video issues. The majority of Netball Victoria affiliated Associations / Clubs venues are public open space. Neither Netball Victoria nor an Association / Club can stop anyone taking photographs or video images in this instance. Someone unknown to the Association / Club who arrives at the venue and starts filming can be asked (in a tactful manner – they may be from the local paper) for what purpose they are filming. If the answer is satisfactory they can be requested, but not forced, to register as per the recommended guidelines below. If the answer is not satisfactory and the person continues to behave in a 'suspicious' manner then the Police may be called.

Indoor venues such as sport centres may already have particular photography/video restrictions or guidelines in place which an Association, as a user of the centre, is required to follow.

Where a photographer / videographer has been contracted by the Association or Event to take footage for the purpose of selling images to participants or interested persons, prior consent from teams or individuals, including umpires must have been obtained. Any non-consent must be clearly articulated to the engaged contractor so that images of non-consenting teams or individuals are not obtained nor made available for purchase.

Netball Victoria Recommended Guidelines;

The simplest administrative method to manage the photography/videography issue is to include participants consent/non-consent as a condition of entry to the competition and means that the club or team sign on behalf of all team members. In this case the procedure is as follows:

1. Insert the paragraphs in Sample A into a competition entry form. A special exemption to this condition may be granted provided the team/individual states the reason(s) for which the exemption is sought. If an individual(s) within a particular team does not consent, then the non-consent details must be completed for that person(s).
2. If a team has **not provided consent, no photography / video will be permitted** for any of their matches. If an individual has **not provided consent, no photography / video will be permitted** of that individual. (Please note - this cannot be enforced at a venue on public open space). Competition Supervisors or a nominated individual should manage the registrations and be provided each week with a list of any teams/individuals refusing consent. The Supervisor should then monitor any photography / video requests, complaints and filming involving these teams accordingly.
3. As umpires may inadvertently be photographed / videoed, a consent clause should be included in the Association's Umpire Agreement / Letter of Offer (sample clause is provided in B). If an Umpire does not provide consent, this must be managed as per 2) above.
4. All individuals seeking to acquire images at Association / Club venues / events should be required to register for permission at the venue. Permission will be granted for the date(s) specified only. This can be for a season / competition. (Sample C attached). Please note - this cannot be enforced at venues on public open space.

5. Individuals granted permission should be clearly identifiable to Association / Club officials and members (i.e. sticker, badge etc). Identification should be collected from and returned to the Association / Club venue on each photography / video occasion. Any team/individual who has not provided consent to film/video needs to be identified to the photographer at this stage - on EACH occasion of filming.
6. Ensure guidelines are clearly outlined in the Association handbook, distributed to all Clubs and clearly visible at all venues.

Use of Images on website or publications

The following guidelines have been developed by the Australian Sports Commission to assist sporting clubs and associations when acquiring and displaying images of children and young people on web sites and in other publications.

Acquiring and Displaying Images

- Permission needs to be obtained from the participant or parent / guardian (if under 18) prior to taking their image. Ensure that they are aware of the way in which the image may be used.
- Request that professional photographers and/or spectators taking photographic / video images register at an event or facility.
- If the Association/Club appoints an official photographer, clearly outline to professional photographers that all images taken will remain the property of the sporting organisation, and can not be used or sold for any other purpose.
- Do not display personal information such as residential address, email address or telephone numbers without gaining consent from a parent / guardian first.
- Only use appropriate images of the athlete, relevant to the sport or activity, and suitably clothed.
- Reduce the ability for the direct copying of pictures from a website to another source (i.e. disable the 'right mouse click' function)
- Provide details of who to contact if concerns or complaints of inappropriate image use are raised.

For further information:

Federal Privacy Law: <http://www.privacy.gov.au/act/index.html>

Australian Sports Commission: <http://www.ausport.gov.au/ethics/childimages.asp>

Netball Victoria
PO Box 60, North Melbourne 3051
Phone: (03) 9321 2222
Fax: (03) 9321 2233
E-mail: reception@netballvic.com.au
Website: www.netballvic.com.au

"The information in this publication (Infonet) is of a general nature only and is not intended to be relied upon as, nor to be a substitute for, specific professional advice. No responsibility for the loss occasioned to any person acting on or refraining from action as a result of any material in this publication (Infonet) can be accepted"

A) SAMPLE – CONSENT AS CONDITION OF COMPETITION ENTRY

PHOTOGRAPHY / VIDEO FOOTAGE CONSENT

The <Association/Club name> may wish to record images of participants during this competition for promotional and training/development purposes. These images may be used in mediums including: publications and promotional material, and broadcast, print and electronic media.

The <Association/Club Name> agrees not to use any photo in a manner that may be deemed adverse or defamatory to the person(s) involved and it will not use the photo for any commercial gain. The photo will remain the property of the <Association/Club Name> and any personal details regarding this photo will be kept confidential and will not be used for any purpose other than related to this photo.

During this competition parents and family of players may wish to record images of their family members participating for personal use only. Where possible such requests will be authorised and subject to certain conditions, noting that on public land this is not enforceable.

It is a condition of entry into the <Association/Club Name> competition that participants may be subject to photography/filming as described above and that consent is provided for this purpose.**

As Team Contact I advise that all team members and parents/guardians (if under 18) are aware of the above conditions and agree to comply.

Signed:

(Club Contact)

Print Name:

Date

(Club Contact)

**** Under special circumstances an exemption may be granted – the team/individual needs to state, in writing, the reason an exemption is being sought.**

Consent is **NOT** granted to <Association/Club Name> and any authorised parents / family members of <Association/Club Name> participants to use images of the named team member/s for the purposes as described above.

Reason _____ exemption _____ is
sought: _____

Team Member Name(s)

Team Name:

Grade / Division:

Signed:

(Player or Parent/Guardian if under 18 years)

Print Name:

Date:

(Club Contact)

<Association/Club Name> Office Use Date added to non-consent list: _____

C) SAMPLE – PERMISSION TO PHOTOGRAPH/FILM

<ASSOCIATION/CLUB NAME> - PHOTOGRAPHIC/FILMING REGISTRATION FORM

This form must be completed by any individual taking photographs/video footage at the <Association/Club Name> venue. Permission to take photographs/video footage is granted for the date(s) specified only.

Name

Address:

P/Code:

Date(s) of Photography/Filming:

Authorisation for filming/photography at the <Association/Club Name> on the date(s) specified above is provided under the following conditions:

- Photographs/Video footage is for personal use only and will not be used in a manner deemed adverse or defamatory to the subject(s) nor used for any commercial gain.
- No photography/video footage will be taken of any team/individual who have/has not provided consent. (This information to be provided by <Association/Club Name> on EACH date permission is granted).
- Accept the right to privacy of every person.
- Images taken are relevant to the sport or activity.
- Images and sound will not be manipulated in an inappropriate manner.
- Exercise particular care for the welfare of children in photography/filming involving them

I have read the above conditions and agree to comply.

Signed:

Date:

<Association/Club Name> Office Use

Competition Supervisor _____

(Print Name)

Signed: _____ Date: _____

B) SAMPLE - UMPIRE LETTER OF OFFER

This is a sample addition to your existing umpire letter of offer.

Photography / Video Consent

The <Association/Club Name> may wish to record images of participants during this competition for promotional and development purposes. These images may be used in mediums including: publications and promotional material, and broadcast, print and electronic media.

The <Association/Club Name> agrees not to use any photo in a manner that may be deemed adverse or defamatory to the person(s) involved and it will not use the photo for any commercial gain. The photo will remain the property of the <Association/Club Name> and any personal details regarding this photo will be kept confidentially and will not be used for any purpose other than related to this photo.

During this competition parents and family of players may wish to record images of their family members participating for personal use only. Such requests must be authorised and are subject to certain conditions, noting that on public land this is not enforceable.

Umpires may invariably be photographed / videoed in the above situations.

Please tick one box:

- Consent is granted to <Association/Club Name> and any authorised parents / family members of <Association/Club/Organisation name> participants to record images of me for the purposes as described above.

- Consent is **NOT** granted to <Association/Club Name> and any authorised parents / family members of <Association/Club/Organisation name> participants to record images of me for the purposes as described above.

Umpire Name

(Please print clearly)

Signed:

Date

(Umpire or Parent/Guardian if under 18 years)

<p><Association/Club Name> Office Use Date added to non-consent list:</p>
--