

# GRAFTON HOCKEY ASSOCIATION INC PHOTOGRAPHY – ACQUIRING AND DISPLAYING IMAGES OF CHILDREN POLICY

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POLICY NAME:	Grafton Hockey Association Inc Photography – Acquiring and Displaying Images of Children Policy
DATE OF ISSUE:	
POLICY COVERAGE:	All events and activities organized or sanctioned by Grafton Hockey Association Inc including competitions, tournaments, training and coaching sessions, education events, meetings and seminars.
REVIEW DATE:	October 2011 and annually in October each year thereafter until otherwise decided
CONTROLLING BODY	Grafton Hockey Association Inc

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## **Part 1 – Introduction**

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Most people taking photographs and other images at sporting events are doing so for acceptable reasons and are using appropriate methods. For example, family members photographing or videoing other family members or a professional photographer capturing images for a club or reputable media outlet.

Many photographs are taken in public places will include subjects including children who have not consented to their photographs being taken. Images are frequently taken by security cameras without knowledge or permission.

The issue of photography and other imagery recording has become contentious in more recent times because of advances in technology which allows the capturing of images in digital format and the reproduction of those images without the intervention of third parties such as a printing laboratory.

The small size of many cameras and the convergence of digital cameras and mobile telephones make it easier to take photographs and more difficult to monitor. Digital photographs can be printed at home and images can be altered and transmitted quickly to a vast audience by posting the image on the internet or sending the image to mobile phone users. The ease of taking and modifying images has raised concerns about potential risk of child abuse posed directly and indirectly through the inappropriate use of photographs and images on sporting websites and in publications.

The problem has been exacerbated with unauthorized display of images on the internet. The issue was first high-lighted in 2002 when a number of unauthorized photographs

of children were posted on voyeuristic websites. In February 2002, the media reported the discovery of a website containing photographs of teenage Melbourne boys taken without consent. The website featured pictures of male students involved in a variety of sporting activities such as rowing and football.

In April 2002 concerns were again raised when photographs featuring a 16 year old male surf life saver were discovered on a sports fetish website. The photographs had been taken without consent.

Other conduct raising concern has included inappropriate use of otherwise innocuous images on the internet. Examples include the use of images of children which were not otherwise contentious but were placed with links to inappropriate websites.

Despite the best intentions of sporting organizations, children's images can end up being misused. This policy is intended to reduce the risk of images of Grafton Hockey Association (GHA) members (particularly children) being used for inappropriate purposes and to provide a procedure that will ensure GHA events and other activities protect the health, safety and welfare of children.

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## **Part 2 - The Legal Position**

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The legal position is reasonably clear. There is no law restricting photography of people including children in public places as long as the images:

1. Are not considered as indecent.
2. Are not being used for voyeurism or made for the purpose of observing and visually recording the other person's genital or anal region.
3. The person is not protected by a Court Order (for example, child custody or witness protection).
4. Are not intended for commercial purposes such as the person's likeness is to be used to entice people to buy or it appears they are endorsing a product.
5. Do not depict a child in a provocative or sexual manner.

Where a sporting event is held on a club's private property, privately owned land, a school or on Council owned facilities, the owners or occupiers of the property are able to restrict or ban photography. For example, in the context of hockey, photography within the enclosure may be restricted by the Association. Photography on the grass fields on Lower Fisher Park are on public land and the Association cannot restrict or ban photography.

Many facilities do not allow the use of mobile phones (regardless of whether they have camera features) in change rooms and some local government pools require permission for photography anywhere in their venue.

If a person is taking photographs inappropriately, then venue management can request the person to stop. If the person refuses, the Police may be called to escort them off the property.

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### **Part 3 – Statement of Principal**

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GHA is committed to providing the highest levels of membership service. This includes protecting member's privacy, promoting positive behaviours and attitudes and protecting the health, safety and wellbeing of members. By introducing a policy and procedure regarding the acquiring and displaying of images of children, this policy reiterates this commitment to our members.

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### **Part 4 – Scope of the Policy**

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This policy applies to participants, spectators, officials, coaches, selectors, umpires and staff at all GHA events and activities including competitions, tournaments, training and coaching sessions, education events, meetings and seminars.

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### **Part 5 – Acquiring Images**

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#### *5.1 Notification and consent*

GHA will advise all participants in competitions, tournaments and other events conducted by the Association that their photograph may be taken during such events and may be used by the GHA on its website or in publications. This notice will be printed permanently on the website and on material promoting the events of the Association as well as the Association's registration form.

If an individual does not want their image taken at an Association event they should indicate this in writing to the Association prior to entering or participating in an event.

All players on teams including GHA representative teams and their parents must be notified if a coach wants to video the players as a tool to analyse and improve performance.

In the unlikely event that a photography or video session is to occur outside of a competition event, the event venue, a representative team performance, usual training venue, the express consent of the parent or guardian and their agreement to be present, or represented by a person nominated by them, must be obtained before the photography or video session occurs.

### *5.2 Parents and Spectators*

GHA permits parents to take photographs of children participating in games provided all images are appropriate.

Parents should take images primarily of their own children, unless they have the express approval of parents of other children. In a team game, other children will be incidentally photographed and this will be regarded as reasonable. Parents who suspect that other spectators are taking images focused on their children, or taking images of other children that is other than incidental, may report the incident to a committee member or umpire. For the purposes of this clause, the taking of such images is considered inappropriate behavior and shall be dealt with in accordance with Part 7.

### *5.3 Unsupervised Access*

No photographer including but not limited to professional photographers, spectators, fans, coaches or members of the media, shall have unsupervised or individual access to children.

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## **Part 6 – Displaying Images**

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### *6.1 Personal information with photograph*

GHA will not publish a person's name, or personal information such as their residential address, email address or telephone numbers with photographs unless prior permission has been sought and given.

No information about hobbies, likes/dislikes and the school shall be posted with a child's photograph as this information has the potential to be used as grooming tools by pedophiles and other persons.

### *6.2 Photographs taken by GHA at events*

GHA may take photographs at GHA events for use on its website and in other publications. If notified by a player or player's family that they do not wish to have their photograph taken, GHA will not take player's photograph.

### *6.3 Diversity*

GHA will endeavour to ensure the photos published on the GHA website and in printed publications reflect the diversity of the organization and its membership.

### *6.4 Health and Wellbeing*

GHA is concerned with the health and well-being of its members, and as such should exclude images that may be deemed offensive or unflattering. Furthermore, GHA will not publish imagery which suggests the use of tobacco, alcohol and prohibited drugs. In selecting photographs for use in GHA publications and on its website, GHA shall not intentionally expose any person to ridicule or contempt.

### *6.5 Duplication of images*

GHA shall take all reasonable steps to reduce the ability to duplicate images of children used on its website.

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## **Part 7 – Reporting Procedure**

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It is GHA's policy that parents and spectators are permitted to take photographs at Grafton Hockey events provided all shots are appropriate as defined in this policy (see definitions at Parts 5.2 and 14). The Chief Executive of GHA or other committee member should be alerted to anyone taking inappropriate images or in any way acting suspiciously.

The representative of GHA will approach the suspicious photographer and ask for the following information:

- Name which is to be verified by inspecting the driver's licence;
- Whether the individual is a parent or family friend of a participant, and who that participant is;
- Which club the participant(s) being photographed is representing.

The responsible member of GHA should advise the person that a complaint has been made regarding the photographs being taken. The representative should subsequently provide the person with an opportunity to verbally respond to the claim.

If the representative is not satisfied with the response provided they may ask the person to refrain from taking photographs or the representative may ask the person to leave the venue. The representative's decision is final.

An incident report should be completed by the representative to record any reports of inappropriate photography whether acted upon by them or not. The report should be provided to the Secretary of GHA as soon as practicable following the event.

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### **Part 8 – Authorised Photographer**

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To become an authorized photographer at a GHA event, the photographer must prior to the event apply to GHA for authorization to take photographs. The Association may require references and evidence of past work. The Association will require completion of a prohibited employment declaration and a commitment to comply with GHA policies.

An event authorized photographer should dress appropriately, follow instructions from the event manager and wear identification provided by GHA. Failure to observe the requirements of the Association may result in revocation of an authorization.

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### **Part 9 – Concerns or Complaints**

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If a parent, guardian or other person has a complaint with respect to the acquiring or displaying of images of children by GHA or any of its affiliate members and the complaint would not fall within Part 7 “Reporting Procedure” of this policy, the complaint may be lodged with the secretary of the Association.

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### **Part 10 – Policy Breaches**

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It is a breach of this policy for any person or organization to which this policy applies, to have been found to have done anything contrary to the policy. All people that breach this policy will be subject to GHA disciplinary procedures.

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### **Part 11 – Policy Promotion**

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This policy will be made available to all members by the Grafton Hockey Association website a [www.sportingpulse.com/assoc\\_page.cgi?assoc=2487&pID=4](http://www.sportingpulse.com/assoc_page.cgi?assoc=2487&pID=4)

This policy will be communicated to all board members, sub-committees and clubs.

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**Part 12 – Review**

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This policy will be reviewed by the GHA Board following the conclusion of each season of hockey.

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**Part 13 – Additions or Amendments**

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In addition to the annual review of this policy, recommended changes to the policy may be submitted to the GHA Board for consideration at any time. In the event that the changes are accepted, the policy will be updated, dated and circulated to all relevant persons and organizations.

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**Part 14 – Definitions**

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“Inappropriate behavior” means images which are considered:

- Indecent photographs taken covertly in change rooms, toilets or other invasions of privacy;
- Being used for voyeurism or made for the purpose of observing or visually recording the other person’s genital or anal region;
- Contrary to a Court order (eg. child custody or witness protection);
- Defamatory;
- Being for commercial purposes (person’s likeness used to entice people to buy or it appears they are endorsing a product);
- Consensual photos of a child (including you own child) also contravene criminal law and censorship laws if a child is photographed in a provocative or sexual manner;

“Photography” means any still or moving image taken by a camera, mobile phone, video, DVD recorder or any other medium used to take still or moving pictures.