

 <p>FOOTBALL SOUTH AUSTRALIA</p>		FOOTBALL SOUTH AUSTRALIA	
		Procedures and Policies	
Subject:	Acquiring and Displaying images of Children	Date Implemented	2 June 2015
	This policy will be reviewed annually.	Date Amended	

Football South Australia follows and implements the fact sheet developed by the Australian Sports Commission (ASC) in regard to Acquiring and Displaying images of children. This fact sheet is to be implemented by all clubs that are affiliated to Football South Australia.

Australian Sports Commission information on Acquiring and Displaying images of Children

Most people taking photos of children at sporting events are doing so for acceptable reasons and are using appropriate methods, for example, a parent videoing their child at a sports presentation or photographing their child on the field during play or a professional photographer taking photos for a club.

It is worth noting that many photographs taken in public places will include subjects who have not consented to their photo being taken, and people, including children, are frequently photographed by security cameras without their knowledge or permission.

The small size of many cameras and the advent of mobile phone cameras make it easier to take photos and harder to monitor. Digital photo publication can now be printed at home and photos can be taken, altered, and transmitted quickly to a vast audience by posting on the internet or 'on sending' the photo to mobile phone users.

This greater ease of taking and modifying images has raised concerns about the potential risks of child abuse posed directly and indirectly to children and young people through the inappropriate use of photographs on sports web sites and in publications. Evidence in Australia and internationally, indicates that information posted on an internet site or published in a magazine or newspaper has the potential to be used to target children, to locate them, and then to condition or „groom“ them for abuse or exploitation.

The following information and suggested strategies have been provided for sporting clubs and associations to consider when acquiring and displaying images of children and young people on web sites and in other publications. It is not intended to restrict people taking photos for legitimate reasons.

Please note that this information is not intended to be, nor should it be relied upon as a substitute for legal or other professional advice. Organisations and individuals should seek legal advice in relation to these issues in your state or territory.

The Law

In Australia, generally speaking, there is no legal restriction on photographing people (including children) in public spaces as long as the images are not:

- indecent (such as 'up skirt' or 'down blouse' photographs taken covertly in change rooms or toilets).
- being used for voyeurism or made for the purpose of observing and visually recording a person's genital or anal region.
- protected by a court order (eg. child custody or witness protection).
- defamatory.
- being for commercial purposes (person's likeness is used to endorse or entice people to buy a product).

Photos of a child (including your own child) also contravene Criminal Codes and censorship laws if the child is photographed in a provocative or sexual manner. ([Criminal Law Consolidation Act](#))

Where a sporting event is held on a club's private property, privately owned land, a school or council owned facilities, the owner of private property or venue is able to restrict, ban or require permission of photography anywhere in their venue (e.g. some council owned facilities will not allow mobile phones or cameras in change rooms or toilets). Where a sporting event is held on private property not owned by the organisers, it is good practice to determine a mutually agreed photographing policy.

If a person is taking photographs inappropriately (e.g. breaching the restrictions or ban in place for that private property or venue), then venue management can request the person to stop. If the person refuses, the police or security may be called to escort them off the property.

Strategies for Acquiring Images

- The club is to clearly outline and publicise what is considered appropriate behaviour in obtaining images and what is considered appropriate image content.
- Do not allow photographers (professional photographers, spectators, fans, coaches or members of the media) unsupervised access to children.
- Ensure the coach informs any athlete and parent(s) if the coach wants to video the athlete as a tool to analyse and improve performance.
- Obtain the consent of parent (carer) and their agreement to be present before approving photo/video sessions outside the event venue or at the home of a child. Where possible, have the photo taken at the event venue.
- Provide details of who to contact within the club or organisation if concerns or complaints of inappropriate behaviour in taking images or content are raised. Ensure that the contact person understands the application of relevant legislation and policies.
- Provide members of the media and professional photographers with an identification pass (bib) to be worn for the duration of major/large events.

To further assist clubs in acquiring images, whether this is through photography or videoing, Football South Australia provides the following additional information;

- It is recommended that all clubs obtain permission for photographs or video to be taken of children participating in their activities.
- If a club is videoing at their home ground it is appropriate to notify the visiting club to ensure that there are no issues. If the visiting club does have exceptions, for example a child custody issue, then the club must address this and edit or avoid images being taken of the child. The club should also be made aware that the content is only for private use and will not be uploaded to the internet or distributed inappropriately.
- The filming of a game by a club should mainly be for coaching purposes only and used within the club.
- Where a club may film a game as a keep sake for the player, for example a cup final, each individual parent (carer) must request a copy and must be provided with the rules of use and on receipt sign agreeing to use the video according to the rules of use.
- Prior to providing the footage, the club must ensure that no children appear in the video that parents had requested not to appear and any embarrassing incidents, particularly if they may be deemed offensive, where a child or spectator may be embarrassed are edited out. This will minimise the risk of this material being uploaded to defame or ridicule a person.
- When visiting another club, a club may make a request to video the game however it must be acknowledged that the club is able to deny this request at their own venue and this is to be respected.
- Parents may take video/photos of their own children but they must also be made aware of the expectations of use according to the club's policy.

Strategies for Displaying Images

- Consider using models or illustrations for promotional / advertising purposes.
- Obtain permission from the child's parent/guardian prior to taking the images of a child or young person. Ensure that all concerned are aware of the way in which the image is to be used and how long the image will be displayed.
- If an image is used avoid naming the child. If this is not possible avoid using both a first name and surname.
- Avoid displaying personal information such as residential address, email address or telephone numbers if images are being posted on websites or distributed in publications.
- Do not display information about hobbies, likes/dislikes, school, etc as this information has the potential to be used as grooming tools by paedophiles or other persons.
- Only use appropriate images of the child, relevant to the sport or activity, and ensure that the athlete/child is suitably clothed. Images of athletes participating in sports or activities that involve minimal clothing (e.g. swimming and gymnastics) or unusual body positions/poses could potentially be misused.
- Reduce the ability for direct copying of pictures from a website to another source (i.e. disable the 'right mouse click' function).

- Clearly outline in a written contract to photographers who are contracted or paid to take photos, who will retain the images taken, include arrangements made for negatives, digital file and proofs and outline any restrictions for use and sale.
- Provide details of who to contact and what to do if concerns or complaints of inappropriate image use are raised.

Additional Information

When a participant registers with Football South Australia or affiliated association, permission is given through the registration process for Football South Australia to use an image in any form or media format for the purpose of marketing and promotional activities. These purposes may include but are not limited to Football South Australia websites and social network sites, media covering Football South Australia competitions and events and Football South Australia publications.

Football South Australia provides accreditation to photographers to attend competitions and events. Accredited photographers are issued with a media bib that identifies them as an accredited photographer, which must be worn at all times.

Football South Australia is committed to following the principles and strategies outlined in the ASC fact sheet, if a participant is not willing to be photographed or filmed this must be communicated to their club, who in turn will notify Football South Australia. Football South Australia will respect the individual request and will work with the club and accredited photographers to prevent any images from being taken.

If a person has any concerns regarding the conduct of anyone taking or displaying of images, this information should be relayed to the club or Football South Australia immediately.

For further information relating to this document or the ASC fact sheet. Please contact your club or Football South Australia on 8340 3088.