



# COMPANY POLICY

**TITLE:**

**PHOTOGRAPHY POLICY– ACQUIRING AND DISPLAYING IMAGES OF CHILDREN**

<p><b>Purpose</b></p>	<p><b>STATEMENT OF COMMITMENT</b></p> <ul style="list-style-type: none"> <li>• Most people taking photos of children at sporting events/clubs 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. Certain individuals will also visit sporting events/clubs to take photographs or video footage of young sports people for inappropriate adaptation and use. The end result is that, in spite of the best intentions of the sporting organisation, children’s images can end up being misused. (This information has been adopted from the information sheet ‘Acquiring and Displaying Images of Children’ released as a part of the Australian Sports Commission Harassment Free Sports Information Sheet Series 2007. The 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 their own legal advice in relation to these issues) This policy aims to reduce the risk of SCGA</li> </ul>
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**SOUTH COAST GYMNASTICS ACADEMY**

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	<p>members' images being used for inappropriate purposes and to provide procedures that will ensure SCGA events and other activities protect the health, safety and welfare of children.</p>
	<p><b>APPLICATION OF POLICY</b></p> <p>SCGA is committed to providing the highest levels of membership service. This includes protecting members' privacy, promoting positive behaviours and attitudes, and protecting the health, safety and wellbeing of members. By introducing policy and procedure regarding the acquiring and displaying images of children, this policy reiterates this commitment to our members.</p> <p>This Policy applies to all members of South Coast Gymnastics Academy; employees, officers, administrators, volunteers, coaches, judges, athletes and officials and at all SCGA events and activities including competitions, education events, meetings, seminars or any other activity organized by SCGA</p> <p><b>RELATED DOCUMENTS</b></p> <hr/> <p>Related documents include:</p> <ul style="list-style-type: none"> <li>▪ Privacy Policy, which governs the collection and use of personal information;</li> <li>▪ SCGA Occupational Health and Safety Policy;</li> <li>▪ SCGA Member Protection Policy (including codes of behavior) which sets out the procedures where members have a grievance regarding discrimination, harassment, sexual harassment, child protection, or sexual relationships;</li> <li>▪ SCGA Discipline Policy, which sets out procedures for disciplinary action where members are accused of misconduct and/or failing to comply with the rules of the Association;</li> <li>▪ SCGA Child Safe and Child Friendly Policy, which establishes the interests of children above all other competing considerations.</li> </ul> <p><b>THE LAW</b></p> <hr/> <p>In New South Wales and Australia, generally speaking, there is no law restricting photography of people (including children) in public spaces as long as the images are not considered as:</p> <ul style="list-style-type: none"> <li>• indecent</li> <li>• being used for voyeurism or made for the purpose of observing and visually recording the other person's genital or anal region</li> <li>• protected by a court order (for example child custody or witness protection)</li> <li>• defamatory</li> <li>• being for commercial purposes (person's likeness is used to entice people to buy or it appears they are endorsing a product).</li> </ul> <p>This may require a Model Release/Consent Form to be signed. Consensual 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. There is nothing, however, to prevent a person from photographing</p>

outside the property boundary unless it is taken for indecent purposes, as previously discussed. 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 (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 (without threatening violence, detention, or confiscation of the camera or film). (Please note that this information has been adopted from the information sheet 'Acquiring and Displaying Images of Children' released as a part of the Australian Sports Commission Harassment Free Sports Information Sheet Series 2007. The 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 if they have any questions)

## **ACQUIRING IMAGES**

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### **Notification and consent**

SCGA will advise all members, families and coaches that their photograph may be taken during a SCGA class/event and be used in SCGA publications and on the SCGA website. This notice will be on registration or on the entry form to the event. If an individual does not want their photograph taken at a SCGA event, they should indicate this, in writing at the time of registration or entering the class/event.

### **Authorized Photographers**

Only SCGA authorized photographers are permitted to take photographs during classes or at a SCGA event (Please see Authorized Photographers terms of reference)

### **Flash photography**

Flash photography is prohibited at all SCGA competitions

### **Parents and spectators**

SCGA does not allow parents or spectators to take photographs from the viewing area and only allow photos to be taken during competitions or events provided all shots are appropriate. Parents should only take images (still and moving) of their own children, unless they have the express approval of the parents of other children. Parents who suspect that other spectators are taking images of their child, or taking photos of another child that is not the child of the person taking the image, may report the incident to the Competition Manager. For the purpose of this clause the taking of such images is considered inappropriate behaviour and shall be dealt with in accordance with the procedure for reporting the taking of, and use of, inappropriate images at a SCGA Event

### **Unsupervised access**

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

## **DISPLAYING IMAGES**

### **Personal information with photograph**

SCGA shall not publish a person's full name, or personal information such as their residential address, email address or telephone numbers with photographs.

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

### **Photographs taken by SCGA at events**

SCGA will take photographs at gymnastics events for use on the SCGA website and other publications. If notified by a member that they do not wish to have their photo taken, SCGA will not take the member's photograph.

### **Diversity**

SCGA will endeavor to ensure that the photos published on the SCGA website and print publications reflect the diversity of the organisation and its members.

### **Health and Well-being**

SCGA 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, SCGA will not actively publish imagery which suggests the use of tobacco alcohol and prohibited drugs. In selecting photographs for use in SCGA publications and the SCGA website, SCGA shall not intentionally expose any person to hatred, ridicule, or contempt.

### **Duplication of images**

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

## **PROCEDURE FOR REPORTING THE TAKING OF, AND USE OF, INAPPROPRIATE IMAGES AT A SCGA EVENT/CLASS**

It is SCGA policy that parents and spectators are permitted to take photographs from the spectator area at SCGA events/competitions only, provided all shots are 'appropriate' as defined by this policy (see definitions within document). The Events Manager should be alerted to anyone taking inappropriate images, or in any way acting suspiciously. The Events Manager will approach suspicious photographers and ask for the following information:

- Name, which can be verified by inspecting the drivers license;
- Whether the individual is a parent or family friend of a participant, and who that participant is;

- Which club the participant is representing.

The Events Manager should advise the person that a complaint has been made regarding the photos being taken. The Event's officer should subsequently provide the person with an opportunity to verbally respond to the claim. If the Event's Manager is unsatisfied with the response provided they may ask the person to refrain from taking photos, the camera or other videoing device may be confiscated, or the Events Manager may ask the person to leave the venue. The Event Manager's decision is final. An incident report should be completed by the Events Manager to report any reports of inappropriate photography whether acted upon by them or not. The report should be provided to the SCGA Operational Team as soon as practicable following the event.

### **AUTHORISED PHOTOGRAPHER TERMS OF REFERENCE**

To become an Authorized Photographer photographers must: Prior to the event:

- apply to the Event Manager by completing all sections of the application form and returning it to the Events Manager.
- show references and past work.
- complete a prohibited employment declaration.
- sign an agreement which states that they will comply with all relevant SCGA policies. When all criteria have been satisfied the Event's Manager will confirm whether authority will be given to take photographs from the floor at a competition.

At the event authorized photographers should:

- dress appropriately (uniform is preferred)
  - follow all instructions of the Events Manager
  - wear the identification provided to them by the SCGA Events Manager.
- Failure to follow any of these criteria may result in the removal of Authorized Photographer status and may result in removal from the competition floor.

### **CONCERNS OR COMPLAINTS**

If a parent, guardian or other person has a complaint with respect to the acquiring or displaying images of children by SCGA or any of its members and the complaint would not fall within the clause with respect to the 'Procedure for reporting the taking of, and use of, inappropriate images at a SCGA event.', contained within this policy, the complaint should be made in accordance with the SCGA Grievance Policy or SCGA Member Protection Policy, whichever is relevant. A copy of the policy may be found on the SCGA website.

### **POLICY BREACHES**

It is a breach of this policy for any person or member to which this policy applies, to have been found to have done anything contrary to this policy. All people that breach this policy will be subject to the SCGA Discipline Policy.

	<p><b>POLICY PROMOTION</b></p> <hr/> <p>This policy will be made available to all members via the SCGA website at <a href="http://www.scga.com.au">www.scga.com.au</a> and through the annual Handbooks, or its equivalent publication. This policy will be communicated to all annually.</p>
	<p><b>REVIEW</b></p> <hr/> <p>This policy will be reviewed by the SCGA Operational Team prior to the commencement of every calendar year.</p>
	<p><b>DEFINITIONS</b></p> <hr/> <p>‘inappropriate behaviour’ means images which are considered:</p> <ul style="list-style-type: none"> <li>• indecent (such as “up skirt” or “downblouse” photographs taken covertly in change rooms, toilets or other invasions of privacy);</li> <li>• being used for voyeurism or made for the purpose of observing and visually recording the other person’s genital or anal region</li> <li>• protected by a court order (eg. child custody or witness protection)</li> <li>• defamatory</li> <li>• being for commercial purposes (person’s likeness is used to entice people to buy or it appears they are endorsing a product).</li> </ul> <p>This may require a Model Release/Consent Form to be signed. Consensual 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.</p> <p>‘Photography’ means any still or moving images taken by a camera, mobile phone, video, DVD recorder or any other medium used to take still or moving images.</p>
<b>Responsibility</b>	All Staff-Members-Families-Community

**POLICY VERSION AND REVISION INFORMATION**

Policy Authorised by:Liz Medway

Original issue: 1/08/2009

Title: Operational Team Manager

**Approved:**  
**Liz Medway**  
Operational Team Manager

Current version: 14

Review date end of each year