



POLICY – Human Resources

Policy Number 03-024– Member Protection Policy - *Part I - Member Protection Policy - Photography*

Version Control

Date	Version	Details	Author
8 th August 2014	1	New	Netball NSW
8 th August 2014	2	New	Liana Roccon
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1 st September 2014	4	New	Liana Roccon
16 th September 2014	5	New	Mullins Lawyers
20 th October 2014	6	New	Anna Carroll

Approval

Delegation required for approval: Chief Executive Officer

Name: Anna Carroll

Position: Chief Executive Officer

Signature:

Date: 24th October 2014

Purpose and Background

This policy is designed to provide an understanding of issues surrounding the acquisition and display of images of registered members participating in netball activities throughout Queensland.

It also serves as an administrative reference in relation to the management of photography and videography by any person at Netball Queensland functions, events and matches.

Policy Scope & Procedure

In Australia there is no law restricting photography or videography of people including children in public spaces as long as the images are NOT:

- Indecent (such as 'upskirt' or 'downblouse' 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 (e.g. child custody or witness protection),
- Defamatory, or
- Being for commercial purposes (person's likeness is used to endorse or entice people to buy a product).

The majority of Netball Queensland venues are located on Local Government Council playing fields and parks open to the public however if Netball Queensland are hosting a sanctioned event all individuals taking photographs or video images will be subject to the rules and policies of Netball Queensland.

The publishing of a photograph or image can from time to time be used either inappropriately or illegally. Images of a child (including your own child) if photographed in a provocative and sexual manner can contravene Criminal Codes and censorship laws.

Netball Queensland requires the privacy of others to be respected and prohibits the use of camera phones, videos and cameras inside changing areas, showers and toilets.

Netball Queensland will only use appropriate images of a child, relevant to netball and depicting the child suitably clothed in a manner that promotes participation in netball.

When using a photo of a child Netball Queensland will not name or identify the child or display personal information such as residential address, email address or telephone numbers without gaining written consent from the parent/guardian.

Netball Queensland will not display information about hobbies, likes/dislikes, school etc as this information has the potential to be used as 'grooming tools'.

Photography and video footage is only taken by Netball Queensland at Netball Queensland sanctioned events and matches for three purposes:

- Player/Umpire training and development
- Netball Queensland promotion and publicity
- Participants and family use

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

It is recommended that staff and volunteers of Netball Queensland sign an acknowledgement that they are aware that all images and video footage taken may be used for legitimate purposes by Netball Queensland. This policy applies to all Netball Queensland sanctioned events.

Exceptions to Freedom to Photograph

There are specific instances in law where the taking of any image is banned. Such instances generally relate to child custody matters, wards of the state, restraining orders and witness protection. It is also possible that from time to time other circumstances may also preclude the taking of any image of an individual.

Where such orders are in place it is the responsibility of the parent or guardian or individual to notify Netball Queensland including where appropriate the provision of a confidential copy of the order. In such cases Netball Queensland will use its best endeavours to prevent the taking of such images.

Photography for Publication or Commercial Use

Where a photographer / videographer has been contracted by Netball Queensland to acquire images of individuals or teams for the purpose of selling images to participants or interested persons, the contractor is required to be suitably identified and provide their Blue Card issued by Queensland Public Safety Business Agency. Where a contractor has been engaged Netball Queensland has the obligation to advise the contractor of any limitations as prescribed by a court order or law. Attached is a general **Image and Video Release Form** to be used.

Photography for Private Use

There are no restrictions on parents, guardians and/or family members taking photos or video footage of their children participating in Netball Queensland sanctioned events provided the images are for personal use and do not encroach on the limitations as described in *Exceptions to Freedom to Photograph*.

Equally there are no restrictions on officials (including coaches, umpires and administrators) taking images for coaching purposes, umpire development or general publicity provided *Exceptions to Freedom to Photograph* is observed.

Inappropriate Photography

Where an individual is believed to be inappropriately photographing any member of Netball Queensland, Netball Queensland will do the following:

- Inform a Netball Queensland official
- Ask the individual to cease taking photos or video footage
- If the individual does not cease call the local Police

Application For Exemption To Photograph/Video/Film A Member

[Name of Parent/Guardian/Member] advises that a current court order is in place in respect of [Name of Protected Person]. The court order provides that in the interests of safety and wellbeing of the protected person that anonymity is required. As such it is requested that no images by way of still photography, video or film be taken and published.

I advise that all members of my team and club officials have been advised of the above matter and have agreed to comply.

Signed: _____

Print Name: _____

Date: _____

Application is approved. No images are to be taken of the protected person.

Reason application is approved: _____

Team Name: _____

Grade/Division: _____

Signed: _____

(Netball Queensland/Association Official)

Print Name: _____

Date: _____

Netball Queensland
Office Use
Date added to non-consent list:

The information in this publication (Photography Policy) is of a general nature only and it is neither intended to be relied upon as, nor to be a substitute for, specific professional advice. No responsibility can be accepted where an individual or group or by any person acting on behalf of any individual or group does not comply with the general policy or intent of the policy or any material in this publication (Photography Policy) can be accepted.



Image and Video Release Form

Netball Queensland Events

Date:

This is to verify that I
(please print name):

Of (please print
residential address):

I give my permission for Netball Queensland to use any photographic image and video taken of me to be used by Netball Queensland in printed publications, to be provide to media outlets, on the internet or including but not limited to Netball Queensland social media platforms. I understand that my name may be published with such photo/s video.

Upon signing of this form I understand that I have no rights to the same material.

If aged under 18, the person's parent, guardian or legal carer must sign on their behalf and identify their relationship to the person)

Signed: (athlete)

Date:

Signed Legal Parent Guardian (if under 18 years of age)

Relationship

Name:

Witness Signature:

Witness Name (please print):
