



Policy: Member Protection Policy - Part D - Photography & Videography

Version Control

| Adoption Date | Version | Details | Author |
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| 12 th April 2023 | 1 | New | Hans Moravej |
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Purpose and Background

This policy is designed to provide an understanding of issues surrounding the acquisition and display of images of BGLS members participating in class activities and other BGLS functions/events. It also serves as an administrative reference in relation to the management of photography and videography by any person at BGLS classes and functions/events. This Policy should be read in conjunction with the suite of BGLS Member Protection Policies (available at www.bgls.org.au) as well as the BGLS Compliant Handling, Mediation & Discipline Policy (available at www.bgls.org.au).

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/videos 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 BGLS venues are located on Private School facilities, Community halls and Community Radio Stations which are considered semi-open to the public. If the BGLS is hosting a sanctioned event all individuals taking photographs or video images will be subject to the rules and policies contained within this document.

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.

The BGLS requires the privacy of others to be respected at all times.

The BGLS will only use appropriate images of a child, relevant to BGLS language and cultural activities and depict the child suitably clothed in a manner that promotes participation in our community.

When using a photo of a child the BGLS 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.

The BGLS 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 the BGLS at BGLS sanctioned functions and events for three purposes:

- Teacher/coordinator training and development
- BGLS promotion and publicity
- Participants and family use

Where the BGLS uses venues that already have particular photography/video restrictions or guidelines in place, as a user of the centre, the BGLS is required to follow these.

Upon signing up as a member to the BGLS, a check box is provided which seeks permission to use photo/video content for BGLS promotional purposes. Those that do not provide consent shall not have their photos/videos published, or the image must be distorted such that their identity remains hidden.

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 the BGLS. In such cases the BGLS will use its best endeavours to prevent the taking of such images/videos.

Photography for Publication or Commercial Use

Where a photographer / videographer has been contracted by the BGLS to acquire images of individuals 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 the BGLS has the obligation to advise the contractor of any limitations as prescribed by a court order or law. A general Image and Video Release Form is to be used whereby a third party is taking photo/video content on the BGLS's behalf where names may be published or made publicly available.

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 BGLS 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 teachers, coordinators and committee members) taking images for development purposes 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 the BGLS, the BGLS will do the following:

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