

# CDNA Photography Policy

Reviewed: Apr 2021

## **Purpose**

The purpose of the Photography Policy is to define and document a clear Photography Policy for Caulfield and District Netball Association (CDNA), covering still photography and video filming of and by Association members. It is also to safeguard the privacy and safety of people participating in events managed or operated by CDNA. It aims to clarify CDNA's position on photography and videography and provide clarity on the definitive processes for acquiring and displaying photography / videography by any person at CDNA sanctioned events.

CDNA is bound by the Netball Australia's Member Protection Policy and this policy operates closely alongside Netball Victoria's Child Safety in Netball Policy and Child Safety in Netball Conduct, as well as CDNA's Social Media Policy and Codes of Behaviour.

## **Context**

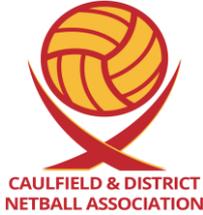
It is not the intention of CDNA via this policy to prohibit those with a legitimate interest in filming or photographing children, volunteers and officials participating in sport related activities associated with CDNA. Most people taking photos of children at sporting events are doing so for acceptable reasons and are using appropriate methods. It is accepted that photos and videos create great memories for players, their families and the Association and that the use of recorded images can also be a valuable coaching aid. However, many photos and videos taken in public places will include subjects who have not consented to their image being taken and those who have no knowledge of it being taken at all.

CDNA takes the privacy of its members and children very seriously and is committed to maintaining a safe physical and emotional environment for everyone. A vital part of this commitment is ensuring that all necessary steps are taken to protect our members from inappropriate use of their images online, on display or elsewhere.

Photographic and recorded images can be used as a means of identifying young people if personal information is included. They can also be used or adapted for inappropriate use. Young people may feel uncomfortable or vulnerable when their image is being captured and it also exposes them to individuals seeking to identify or even 'groom' them for abuse or exploitation.

Whilst cases such as these are rare, the Association, along with all clubs and their members, should be vigilant about the possibility. All of our members are somebody's child, family member, friend or someone under our care and this Policy has been developed as the best practice in trying to ensure the safety of all of them in netball at CDNA.

Our aim is to prevent unsuitable images or recorded data from being produced, to deter unsuitable people from misusing netball to obtain images or recorded data and to protect the identity of players, volunteers, officials and parents.



CAULFIELD & DISTRICT  
NETBALL ASSOCIATION

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## **Scope**

This policy applies to all members of CDNA, including affiliates, staff, Committee members, volunteers, spectators, parents, players, coaches and officials. It covers all forms of technology that can be used to record images, including all forms of film-based and digital photography such as video and mobile phone cameras. It also covers all CDNA sanctioned events, programs, activities and competitions.

## **The Law**

In Australia, generally speaking, there is no law restricting photography of people (including children) in public spaces, as long as the images are not:

- Indecent
- Being used for voyeurism
- Protected by a court order (eg, child custody or witness protection)
- Defamatory
- Being used for commercial purposes

There is also nothing to prevent a person from photographing outside the property boundary, unless it is taken for indecent purposes, as above. Consensual photos of a child (including your own) also contravene Criminal Codes and censorship laws if the child is photographed in a provocative or sexual manner.

However, where a sporting event is held on council owned facilities, the owners of the property are able to restrict or ban photography and videography and may have a discussion with leaseholders to determine a mutually agreed photographing policy.

Federal privacy laws protect the personal information of all people and images of individuals in photographs or videos may be treated as personal information where a person's identity is clear or can be reasonably worked out from that image.

CDNA is also bound by the Netball Australia Member Protection Policy, which states:

*(Clause 7 – Position Statement: Taking Images of Children)*

*7.1 Images of children can be used inappropriately or illegally. Netball Australia requires every person and organisation bound by this Policy, wherever possible, to obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should make sure the parent/guardian understands how the image will be used.*

*7.2 Netball Australia, Member Organisations and Affiliates also require the privacy of others to be respected and prohibit the use of camera phones, videos and cameras inside changing areas, showers and toilets.*

*7.3 When using a photo of a child, Netball Australia, Member Organisations and Affiliates will not name or identify the child or publish personal information without the consent of the parent/guardian.*



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7.4 *Netball Australia, Member Organisations and Affiliates will not publicly provide or publish to any person or organisation, information about a child's hobbies, interests, school, or the like, as this information can be used by paedophiles or other persons to groom a child.*

7.5 *Netball Australia, Member Organisations and Affiliates will only use the images of children that are relevant to netball and will ensure that they are suitably clothed in a manner that promotes participation in netball. Wherever possible, the organisation will seek permission from a child's parent/guardian before using the image.*

## **Acquiring Images**

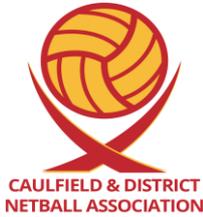
The CDNA Process (outlined below) must be followed when acquiring images. The additional following must also be adhered to:

- A coach must inform and gain permission from all players and parents if they wish to video the team as a tool to analyse and improve performance. It is recommended that an appropriate approved adult also be present during filming.
- 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/guardians and young people have a right to decide whether images are to be taken and how those images may be used.
- Care should be taken to ensure that images are not inadvertently or deliberately sexual or exploitative in nature, nor open to obvious misinterpretations and misuse
- All photos should ensure the context is directly related to participation in Netball
- Players under the age of 18 participating in an Open age competition are still covered under this Policy and the Netball Victoria Child Safety in Netball Policy
- Cameras phones, videos and cameras are not permitted inside changing areas, showers, first aid room or toilets
- Photographers, professional or not, are not allowed unsupervised or individual access to children
- Facebook Live or Instagram Live may not be used unless consent is given for every single person on the court, including junior umpires

## **Displaying Images**

The CDNA Process (outlined below) must be followed when displaying images. Sometimes it is not the acquiring of images that may be of concern, but how the image will be used. Therefore, the additional following must also be adhered to:

- Avoid naming a young person in an image. If this is not possible, avoid using both a first and last name
- Personal information such as a residential address, email address, phone number, social media name, hobbies, likes/dislikes, school etc must not be displayed
- Only use appropriate images of young people, avoiding positions or poses which could potentially be misconstrued or misused and ensuring suitable dress is worn in each image



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- Except in the case of young people and their parents/guardians distributing images of themselves or their own children to each other or appropriate others, images are not to be distributed to anyone outside of this without knowledge and consent
- Images are not to be exhibited on affiliated clubs' websites without parent/guardian knowledge and approval. Any caption or accompanying text may need to be checked and authorised
- The publisher of photos/videos must obtain permission of parents/guardians of children under the age of 18
- It is also desirable that adults are asked for permission to be published too

## **Storing Images**

Care should be taken when safely storing digital files, negatives and proofs to avoid unauthorised access and inappropriate use

- Hard copy images should be stored in a locked drawer or cabinet
- Electronic images should be stored in a 'password protected' folder
- Secure destruction of all images should be arranged
- Association photos of regular competition may remain on the CDNA website for one month
- Special Association event photos may remain on the CDNA website for one year

## **The CDNA Process**

The following process has been put in place specifically at CDNA to ensure this Policy is adhered to and must be completed every time any individual wishes to take photos/videos of young people other than their own children. CDNA has this Policy available at any time to all members but also ask that Clubs make their members well aware of the Association's expectations as well.

- Anyone wishing to take photos/videos of young people other than their own children must approach the competition Control Box and identify themselves, explaining the purpose of their photography/videography and request the official Photography/Video Permission Record book (Appendix A)
- The photographer/video operator must take the official book to the parent/guardians or coach of the other young people and/or team, distinctly outlining the way in which the images are to be used and how long for, and get their consent with a signature and legible name
- There may be legitimate reasons for consent being denied (eg, legal restrictions etc) and these must be accepted
- The photographer/video operator must fill out their details and the match details legibly in the official book, including their name and signature, therefore agreeing to unreservedly abide by this Policy
- The photographer/video operator must return the official book back to the Control Box before the game and photography/videography has commenced, ensuring the Control Box Supervisor checks all details have been entered and also signs their authorisation



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- A green sticker will be issued, which the photographer/video operator must put in a clearly visible place on their person whilst taking their images, identifying them as having authorisation to do so. This sticker is only valid for that one day.
- CDNA reserves the right to refuse permission to photographers/video operators if the correct process is not followed or for any other valid reason

## **Professional Photographing, Recording and Filming**

This applies to professionals who have been organised to attend CDNA specifically to capture images for a special event and not to spectators whose regular vocation may coincidentally be as a professional photographer themselves.

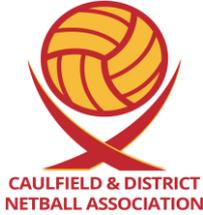
- Professional photographers/filming/video operators who wish to record Association events should seek accreditation from CDNA by producing a letter from the club/company/organisation outlining the motive and reasons for attending and recording it. They must register on the day using the CDNA Process and be made aware of this Policy.
- Student or amateur photographers/filming/video operators who wish to record Association events should seek accreditation from CDNA by producing a letter from the club/company/organisation outlining the motive and reasons for attending and recording it. They must register on the day using the CDNA Process and be made aware of this Policy.
- Professional photographers/filming/video operators who are invited, requested or employed to record Association events should be from an accredited company or business. They must register on the day using the CDNA Process and be made aware of this Policy.
- If necessary, a contract may be written to clearly outline who will retain the taken images, as well as any restrictions for use and sale

## **Reporting Procedure**

CDNA takes the misuse of photographic or recorded images very seriously and any concerns are acted upon swiftly and appropriately. If a member of CDNA suspects or becomes aware that any images of our members are being used inappropriately, they can:

- Inform the Court Supervisor or Control Box Supervisor immediately
- Report the issue with a formal written grievance lodged to CDNA as soon as possible using the official [CDNA Complaint Form](#)
- Inform the police immediately if the conduct may be unlawful or dangerous

CDNA will thoroughly investigate any information or official complaint received in accordance with the CDNA Bylaws, Netball Victoria Competition Complaints Handling Regulations and Netball Australia Member Protection Policy, which may result in a notification to Police where CDNA is legally obliged to do so. A notification to Police will not nullify CDNA of its responsibility to fully investigate a complaint and CDNA will welcome as well as completely cooperate with any such Police investigation.



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## **Non-Compliance**

If a person is taking photographs/videos without permission, then the Association may request the person to stop. CDNA may ask for information such as:

- name
- if they have a relationship with a participant and which participant it is
- which club they are representing
- if they have a legitimate reason to take photos/video

If a person is taking photographs/videos inappropriately, then the Association will immediately ask them to stop. In both cases, CDNA may then explain this Policy and if/how it has been breached or how to comply correctly. The person will be provided with an opportunity to respond and if their response is deemed unsatisfactory, they may be asked to refrain from taking further photos/videos and also for proof that the photos have been deleted. If the person refuses, a club delegate may be called to intervene (if appropriate) or the police or security may be called to escort them off the property.

An incident report should be submitted to the Netball Operations Manager by all staff members involved as soon as is practicable following the event.

Breaches or failure to comply with this Policy may result in appropriate disciplinary action, including, but not limited to:

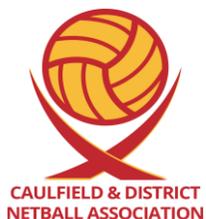
- Reprimand
- Signing and submitting of CDNA Photography Policy and Codes of Behaviour
- Official warning
- Suspension
- Expulsion from the Association

## **Appeals**

Any registered member who is sanctioned under a disciplinary process for breach of this, or similar policy has a right of appeal under Netball Victoria's Competition Complaint Handling Regulations.

## **Policy Review**

This Policy is subject to ongoing monitoring due to the continual evolution of technology, the needs of the Association and to ensure it remains relevant and practical. It will be reviewed on an annual basis by CDNA.



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### APPENDIX A: Photography/Video Permission Record Book

DATE	COURT	GAME	NAME	CLUB	PHONE
		VS			
		PHOTOGRAPHER	OPPOSITION	COURT SUPERVISOR	
<b>TIME</b>					
	<b>SIGNED:</b>		<b>Name:</b> _____	<b>Name:</b> _____	
		<i>By signing this declaration, I acknowledge and will abide by all of the CDNA photography policies and procedures</i>	<b>Signed:</b>	<b>Signed:</b>	

DATE	COURT	GAME	NAME	CLUB	PHONE
		VS			
		PHOTOGRAPHER	OPPOSITION	COURT SUPERVISOR	
<b>TIME</b>					
	<b>SIGNED:</b>		<b>Name:</b> _____	<b>Name:</b> _____	
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