

Football Northern Territory

FNT Photography and Video Use Guidelines

Background

The increasing use of digital photos and videos for social media has led to questions about when and where it is appropriate to take photos and video in relation to FNT matches and events. FNT pursues high standards of safety in all aspects of football in its jurisdiction. This guideline provides guidance for clubs, players, coaches and managers, and parents and friends, at FNT matches and events regarding photography and video recording. This policy is not legal advice and must not be relied upon as such.

Note: This policy does not apply to FNT accredited media personnel, or professional photography or broadcasting matters such as copyright infringement.

Current Legislation

Public spaces

In Australia there is generally no law restricting photography of people (including children) in public spaces. As a general rule, photography is not restricted in public spaces provided the images are not: (i) indecent (ie, taken covertly within change rooms, toilets, stadium stairs (upskirt images) or other invasions of privacy) or provocative in relation to minors; (ii) being used for voyeurism, or for the purpose of observing or recording a person's private regions; (iii) protected by a court order (ie, child custody); (iv) defamatory; or (v) for commercial purposes (ie, used for endorsement without permission).

If a person is taking photographs inappropriately as above or breaching the restrictions or ban in place for that venue, then venue management should request the person to stop. If the person refuses, the police or security will be called to escort them off the property. If anyone has reasonable concerns that a person (adult or child) is taking photographs that are indecent or in areas like toilets/changerooms should contact the venue management or Club personnel in the first instance and then the police.

Private property

Where an event such as a football match is held on private property the owners of the private property are able to restrict or ban photography or videoing. Private property in this example includes: a privately-owned stadium; other privately-owned land; a school; or enclosed council-owned facilities (but not, for example, a council park or unenclosed council oval or pitch that the public may freely enter). Where a club leases or licences a council park or pitch, restricting photos or videos will depend upon the provisions of the lease / licence (a licence is unlikely to grant such rights, whereas a lease may be more likely to grant such ability). Clubs should check the specific provisions of their agreement.

Note: that a person may still be able to photo or record from outside the private property of things occurring inside the private property (unless for indecent or improper purposes).

FNT sanctioned football matches and events in a public place

The general starting point is that photos or videos of people in a public place may be taken. At football games, this is often parents and friends taking photographs of their children, or amateur or professional photographers filming a match. Some people however may consider photos or videos of themselves or their children to be unwarranted or obtrusive. Whilst there is no generally recognised legal right to privacy in these situations, common sense and courtesy must always apply.

In short the key points to remember: - It is not illegal to take photographs in a public place, nor is consent required. - Respect the privacy and wishes of others. - Courtesy is the first position to take.

FNT sanctioned football matches and events in a privately owned or leased facility like the Darwin Football Stadium or Gray Oval.

Games and events held at the stadium require permission in writing from FNT before private photography or video recording can take place. An email to admin@footballnt.com.au outlining the reasons for photography or videoing, the date and time of the activity and received at least 48 hours prior to the activity is required.

Courtesy and commonsense

If you do not wish to be photographed or videoed (or do not wish your child to be either) you should approach the photographer and politely request that no photos or video be taken of you / your child. You are not entitled to confiscate a person's camera or mobile phone (and neither are clubs, coaches or team managers). If you have politely asked the person to stop taking photos or video, and they refuse: You should report the matter to the Host Club personnel including the reasons why you are concerned. The Host Club may be able to assist you, or alternatively, you or the Host Club may wish to report the incident to the FNT. Confronting the individual or acting aggressively toward the person may inflame the situation and lead to a member protection matter. Always act with respect and courtesy. If you have reason to believe that a person is taking inappropriate images or video: Notify the Host Club. If possible, also notify FNT staff who may be present and send a message to admin@footballnt.com.au.

If you believe it is necessary to notify police or other relevant security (eg venue security), please advise FNT and the Host Club of your decision; it may have already been done. Take steps to remember the person's attire and appearance, including any other identifiable characteristic (eg, car registration, team supported, whether known to any other persons, etc) and report it to FNT.

Photo and video as promotion

From time to time, FNT clubs and teams may seek to promote football in posters, flyers, traditional and digital media. In football, this often involves the use of images of children. FNT recommends that clubs and teams follow the *Sport Australia's* best practice guidelines:

Firstly; obtain permission from parents or guardians and clearly outline your purpose: how is the image going to be used? Where is the image going to be displayed? For how long? Then; If the image is going to be taken at a place away from the Club's usual venue, make sure that parents are aware of this. Give them the option to be present. Then; If your Club uses professional photographers, make sure they are aware that any images taken will remain the property of your Club and cannot be used or sold for other purposes. Any negatives must also be destroyed or handed over to the organisation.

Then; There should be no identifying personal information accompanying photographs, such as the child's name, address or telephone number. Group shots reduce the risk of identifying individual children. Only use images of children that are relevant to the Club's activities and services, such as children participating in football or training. Take care that appropriate attire is displayed. Then; Decide who will have access to view the images of the children posted to a website. Most websites are public places that any person can access; however, some websites can be more secure by using private pages accessible only to registered members. The practice of using private pages enables members of groups, clubs or other organisations to share information with each other more securely.

Then; Provide details for parents or other persons about who to contact if they have concerns or complaints around the use of inappropriate images or inappropriate behaviour in obtaining images. The Club President, Registrar or Member Protection Officer. Clubs should develop permissions (part of the membership sign-on) for obtaining and using images of children. If your Club films children or the team for analysis purposes to improve performances, advise parents. Finally, don't allow photographers to be unsupervised or be alone with children.

Indigenous and CALD communities

Photos or videos of indigenous or CALD communities requires sensitivity and commonsense. Not all cultures and communities are comfortable with photography or video recordings. We ask all in the football family to be particularly careful when taking photographs or videos involving such communities. It is just about paying respect and asking first.

Photography and videography at official and sanctioned FNT events must be officially accredited. You should contact FNT a minimum 48 hours prior to an event to ask whether media accreditation is required.**All accreditation is granted on the express condition that any photograph / film / imagery taken of registered participants during or in connection with any of these events may only be used for editorial and non-advertising purposes. Any commercial reproduction of photographs (including selling of images or forwarding to external organisations) must receive prior written approval by FNT.

** Note: from time to time, FNT or its Clubs carry out photography of FNT registered participants for promotional purposes at major events where it may not be practical to obtain consent in all situations. In these cases, either a disclaimer should form part of the event entry criteria or participant registration process or a disclaimer should be displayed in a prominent position at the entry to the event site.