Guidelines for Taking Photographs, while on Electives, for publication or public presentations

Principles

- Staff and students on elective placement have a duty to act ethically
- The ethics of taking photos of people is concerned with principles of privacy, the sharing of personal information and issues of informed consent
- A photo of an individual that can be identified is treated the same way as any other personal information (PI), and so is subject to the usual PI laws
- There are sensitivities in taking photos of people especially in some cultures

Guidelines

Please refer to the following UTAS guidelines in regard to personal consent for taking photos:

- Guidelines (Legal Office)
- Consent form
- Privacy policy

You need to specify the usage and then use the images only as specified. The consent form is where the usage statement is made, and signatures gained (with guardian if under 18yo).

All students taking photos for use in UTAS publications or for audio visual presentations need to obtain consent for any individuals easily identified in the image. They should explain to those photographed the purpose of the photo. This particularly applies to clinical photos.

Which images are deemed to have apparent identities, is determined by the publisher to judge on each photo. As a guide, a class photo of dozens of people would require signatures from all, whereas a photo of rioters who have covered their faces would not.

If the photograph is taken for personal use and not to be used in publications or public presentations then no written consent is required but general ethical principles should be applied.
Use of children’s images for work related purposes

When photographing or filming a child for work related purposes, it is recommended that:

- before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images;
- before photographing or filming a child, obtain consent from the child or a parent or guardian of the child. As part of this explain how the photograph or film will be used;
- ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner
- ensure images are honest representations of the context and the facts;
- ensure file labels do not reveal identifying information about a child when sending images electronically.

Copyright

The other issue, of course, is copyright. The guideline linked to above states that the best way to deal with it is to ensure that UTAS staff members are the ones to have taken the photos within the course of their employment, otherwise we should seek the assistance of the Legal Office. I have used images in the past from websites where the usage terms have been stated, usually meaning I’ve just had to use the words they’ve specified alongside the image. This doesn’t bode too well for logos, though!

Definitions

“Personal information” according to the UTAS policy is “Any information or opinion given orally or in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion”. There is nothing in the policy specific to any media.

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