



Netball NSW

Photography Policy

Adopted by New South Wales Netball Association Ltd at its Board Meeting held on 11 August 2020

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1 Purpose of this Policy

- 1.1 This Policy addresses the acquisition and display of images of registered members, including children and young people, participating in netball activities throughout NSW.
- 1.2 It also serves as an administrative reference in relation to the management of photography and videography by any person at Netball NSW and Affiliate functions, events and matches.
- 1.3 This Policy applies to:
- a) Netball NSW and its members
 - b) Affiliates and their members;
 - c) Individuals sitting on Boards, committees and sub-committees of Netball NSW and/or its Affiliates;
 - d) All employees, volunteers, independent contractors and other workplace participants
 - e) Any other person or organisation that is an Individual member of or affiliated with Netball NSW;
 - f) Parents, guardians, spectators and sponsors and any other person or organisation to the fullest extent possible;
 - g) Any other person who has agreed to be bound by this Policy.
- 1.4 This Policy applies:
- a) at any Netball NSW or Affiliate competition or event;
 - b) during paid or voluntary activities, including dealing with members, media, sponsors, other support employees, volunteers, independent contractors and other participants in Netball in NSW;
 - c) during all netball related activities including games, training events and camps;
 - d) at all times when providing services on behalf of Netball NSW or an Affiliate; and
 - e) at all times when acting in any capacity, whether voluntary or paid on behalf of Netball NSW or an Affiliate.
- 1.5 This Policy should be read together with the Netball NSW Member Protection Policy (MPP).
- 1.6 A breach of this Policy may constitute a breach of the MPP and should be dealt with in accordance with the MPP and the Complaint Handling Procedures set out in Attachment B to the MPP.

2 Background

- 2.1 Most people taking images of children at sporting events are doing so for acceptable reasons and are using appropriate methods, for example, a parent videoing their child at a sports presentation, grandparents photographing their grandchild on the field during play or a professional photographer taking photos for a club. This may also include officials, coaches, umpires and administrators taking images for coaching purposes, umpire development or general publicity.
- 2.2 In Australia, generally speaking, 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).
- 2.3 Photos of a child (including your own child) may also contravene criminal laws and censorship laws if the child is photographed in a provocative or sexual manner.
- 2.4 Where a sporting event is held on a club’s private property, privately owned land, a school or council owned facilities, the owner of private property or venue is able to restrict, ban or require permission for photography anywhere in their venue. There is nothing, however, to prevent a person from photographing outside the property boundary unless it is for indecent purposes.
- 2.5 If a person is taking photographs inappropriately, for example, in breach of any restrictions in place for the private property or venue, the person should be requested to stop and if that person refuses, the police or security may be called to escort them off the property.

3 Acquiring Images

- 3.1 Wherever possible, Netball NSW requires every person and organisation bound by this Policy to obtain permission from a child’s parent/guardian before taking an image of a child that is not their own. They should also make sure the parent / guardian understands how the image will be used. Ideally, Affiliates should include an acknowledgement on their membership application attesting to the fact that they are aware that images are likely to be taken and that such images may be used for Netball NSW and/or Affiliate purposes.
- 3.2 If an individual does not wish to be photographed or recorded, they should approach the photographer and ask them to stop.
- 3.3 If they believe the person is taking photographs that are indecent or in areas like toilets/changerooms they should contact the police.
- 3.4 Netball NSW requires the privacy of others to be respected and prohibits the use of camera phones, videos and cameras inside changing areas, showers and toilets.
- 3.5 In the event the taking of any image is banned for example due to child custody matters, wards of the state, restraining orders and witness protection, it is the responsibility of the parent or guardian or individual to notify Netball NSW or the Affiliate including where appropriate the provision of a confidential copy of the order. A form that may be used is at Appendix A to this Policy. In such cases Netball NSW and/or the Affiliate will use its best endeavours to prevent the taking of such images.

4 Displaying Images

- 4.1 Netball NSW and Affiliates will not name or identify any child, publish personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian.
- 4.2 Netball NSW and Affiliates will not publicly provide or publish to any person or organisation information about a child or young person's hobbies, interests, school etc.
- 4.3 Netball NSW and Affiliates 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. Wherever possible, Netball NSW will seek permission from a child's parent / guardian before using the image.

5 Netball NSW Events

- 5.1 Netball NSW is responsible for a number of major events and competitions. For these events and competitions, the following conditions apply-
 - (a) All photographers/videographers must be officially accredited together with such other persons as may be reasonably requested by Netball NSW.
 - (b) Accreditation is obtained by completing the accreditation form available from Netball NSW prior to the relevant event, a copy of which is Appendix B to this Policy;
 - (c) Accreditation will be granted on the terms and conditions set out in the accreditation form.
- 5.2 Affiliates are encouraged to adopt the foregoing procedures for their own events.

6 Further Information

- 6.1 Concerns or queries over or with respect to this Policy can be made to:

Policy & Support
Netball NSW
policy@netballnsw.com
(02) 99515000

- 6.2 Further information may also be obtained from the following websites:
 - Play By the Rules Taking Images of Children at Sporting Events
<https://www.playbytherules.net.au/got-an-issue/child-safe-sport/taking-images-of-children>
 - Australian Government Australian Sports Commission Acquiring and Displaying Images of Children
<http://aofc.com.au/juniorfiles/2015%20Acquiring%20Displaying%20Images%20Of%20Children%20V2.pdf>

Appendix A - Application for Exemption to Photograph/Video/Film a Financial Member

[Name of Parent/Guardian/Financial 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 well-being 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:

(Parent/Guardian/Financial Member)

Print Name:

(Club Contact)

Date:

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

Reason application is approved:

Team Name:

Grade / Division:

Signed:

(Netball NSW/Association Official)

Print Name:

Date:

(Official)

Appendix B - Netball NSW – Accreditation

Terms and Conditions

1. Images/Footage taken during the accredited event are only to be used for editorial or association purposes only, not for commercial purposes unless prior written permission is provided by Netball NSW.
2. All accreditation passes are personal, unless otherwise stated.
3. The accreditation pass is the property of Netball NSW and as such retains the right at its sole discretion to suspend or revoke accreditations at any time.
4. All accredited media must wear an identification vest on the outside of their clothing, as supplied by Netball NSW and, together with all other accredited persons, clearly display their valid accreditation pass at all times while in an accredited match venue. These can be collected at the Netball Central reception or Events Office before an event and must be returned after.
5. Access is only permitted during the dates requested by the individual media.
6. Photographers/Videographers must position themselves in appropriate safe areas courtside for the duration of match-play and comply with all Netball NSW rules including with regards to the positioning of equipment. Wherever possible, no unsupervised or individual access to children is permitted.
7. Any images/footage taken during the accredited event must not be provided to other media, agencies, sponsors or similar (other than those the photographer/videographer is accredited for) without the prior consent of Netball NSW.
8. All accredited persons must comply will all reasonable requests from Netball NSW at accredited venues.
9. If approached by the public and/or questioned, please direct the persons to Netball NSW to handle the enquiry immediately.
10. At certain events, Netball NSW may have a list of teams which must not be photographed under any circumstances (legal reasons). It is essential that all media consult with the relevant staff member prior to commencing any onsite photography.

I wish to apply for photography/videographer accreditation to cover the (insert event):

For media please complete:

NAME:

POSITION:

ORGANISATION:

PUBLICATIONS/AGENCIES:

MOBILE:

EMAIL:

ADDRESS:

For all others please complete:

NAME:

ASSOCIATION:

RELATIONSHIP:

MOBILE:

EMAIL:

ADDRESS:

I agree to abide by the conditions of accreditation as outlined above

Signature:

Date: