

# Photography and Video of Children and Young People

There are many situations where organisations take and publish photographs and videos of children and young people (e.g. for use in organisational publications or social media pages).

When taking photographs or video of children and young people in a parish, agency or entity context, it is important to ensure that the photographs or video are taken for an 'organisational purpose' which has been approved by parents and carers.

For example, a volunteer who takes photographs of children participating in an agency activity to keep for herself, or to post on her personal social media for her friends to see, is in breach of these guidelines.

Organisations intending to take photographs or record video of children and young people should establish a process to gather written consent from parents and carers through a photographic consent form authorising this activity and setting out how the images will be used. Photographic consent can form part of the registration requirements for parish, agency or entity activities.

Irrespective of online social media privacy settings, once a photo or video has been shared online, the way in which it is used by others cannot be controlled – content may be shared, copied, manipulated and/or used inappropriately.

When taking photographs or videos, it is important to:

- At all times, respect the parent or carer's decision for the child or young person to not participate. There are many reasons why permission may not be granted (e.g. child custody disputes, family may be escaping family violence and/or child protection matters may prevent a child or young person from being photographed to preserve their safety).
- Give children and young people an opportunity to consent to participating in the photography or video where appropriate.
- Take photographs and videos in the presence of others (i.e. with supervision, not alone or in secret).
- Ensure that children and young people are appropriately dressed and posed.
- Ensure that the content of the photograph or video is not offensive (e.g. sexual, racist, violent, threatening).
- If clergy, employees and volunteers are using 'personal equipment' (e.g. mobile phone) – transfer the images and video to the appropriate parish, agency or entity storage device or computer drive as soon as practicable, and delete them from personal equipment.

In addition, it is important to:

- Consider the potential of the child or young person to be stigmatised through public association. For example, posting a photograph of a child who is experiencing disadvantage collecting a food parcel may breach their privacy and potentially lead to teasing or bullying at school.
- Limit identifying information to prevent the child from being located. For example, consider not adding names to a photograph caption and adding a caption like 'Children attending Mass' rather than 'Josh Jolly and Stephanie Sims attending Mass on Sunday').

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## PARENT AND CARER GUIDELINES

### PHOTOGRAPHY AND VIDEO IN PUBLIC PLACES

It is not illegal to take photographs or video in a public place; nor is consent required. However, if a parent or carer does not wish their child to be photographed, they should politely request that no photos or video be taken of the child or young person.

If you have reason to believe that the person is taking inappropriate images or video, it is advisable to contact Victoria Police. A parent or carer cannot legally confiscate the person's camera or device.

### PHOTOGRAPHY AND VIDEO IN PRIVATE SETTINGS (E.G. SCHOOL, CHURCH, PARISH BUILDING)

In private settings, the owners of the property can restrict or ban photography or video. In parishes, agencies or entities, when families attend events, they will often want to take photographs or video to capture their child's participation.

Where this activity also includes other children and young people, it is important to consider the privacy of other children and young people and respect the wishes of parents (or carers) who do not wish their children to be photographed or videoed.

If parents or carers do not wish their child to be photographed or videoed, they should approach the parish, agency or entity representative prior to the program, activity or event to seek assistance to arrange for their child not to be photographed or included in videos.

If photos and video are being taken incidentally, a parents (or carer) may politely request that the photographer does not take photos or video of their child. If the photographer refuses the request, a parent (or carer) is advised to speak with a parish, agency or entity representative to seek assistance. A parent (or carer) is not entitled to confiscate the person's camera or device.

The matter should be referred to Victoria Police, if there is reason to believe that the person is taking inappropriate images or video.



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Version 1: July 2019  
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