



Making and publishing images of children

Making and publishing images of children is usually enjoyed by children and parents and can bring useful publicity, but there are some important issues to note.

The issues are the same for still photographs, digital images or films, and regardless of the particular technology used. For convenience they are all referred to as images.

Images count as personal data under the Data Protection Act 1998, and therefore the eight principles of the Act apply. These are as follows:

Personal data should be:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept for longer than is necessary;
- processed in line with your rights;
- secure; and,
- not transferred to countries without adequate protection.

Legitimate journalism is a 'special purpose' under the Data Protection Act, which exempts it from the requirement of security.

It is important that the consent of the children and their parents is obtained for the making and use of images of children.

Those taking photographs need to bear in mind that parents and carers may have good reasons for refusing consent, for example:

- some children may have been involved in legal disputes, local authority care, or adoption, and their whereabouts should not be too widely known; parents and carers of the affected children will know this and will appropriately withhold consent without necessarily giving the reason;
- if individual children are identified, it would be possible for potential abusers to use them to target prospective victims;
- images made using digital cameras can be manipulated for child pornography, which is a growing problem on the internet; this is particularly relevant if children are scantily dressed.

Good practice is therefore as follows:

- Obtain consent from parents and children before making images. Consent need not be in writing if it is not proposed to publish the pictures in any way, but if they are going to be posted up, used in a newspaper including the diocesan newspaper *Pathways*, or put on the internet, then a specific consent should be obtained. Bear in mind that traditional media such as newspapers also nowadays also have social media outlets and they will assume that permission is given for these unless it is explicitly withheld and that fact communicated to them. Images are usually made in the context of a specific activity. If the event is a church service, nativity play or similar, then an oral notice can be given out at the beginning for the leader of the service or event, asking that any parent or carer who objects to images being made of their child should either remove their child from view of the camera or approach the leader afterwards to ensure that any image they object to is not used.

Alternatively, if the event is one for which specific parental consent is sought, add a suitable wording to the parental consent form, such as:

- I consent to images and video recordings being made of my child and for these to be used in printed publications and on websites (adapt and delete as necessary).
- Where possible, each child should be part of a group.
- If the photograph is to be published, avoid naming the child. If a name needs to be used, it should be only a first name.
- If the child is named in full, avoid using their image.

If children are scantily dressed, e.g. for swimming, then:

- Focus on the activity rather than a particular child;
- Avoid full face and body shots
- Be clear about whether the image is to be retained for further use.
- Store the image securely and dispose of it when it is no longer required.

Schools, including church schools, will have their own policies, which apply to children on school premises or engaged in school-sponsored activities. The Department for Education and Skills also publishes advice on this issue, available on their website.

Newspapers and other print media are bound by the Press Complaints Commission Code of Practice, of which the current version was published in January 2011. There are numerous restrictions on photographing children. These are not likely to be relevant to church use, but advice is available from the diocese if needed.

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