

Photographing People – a Guide for Not for Profit Organisations

Model releases should be signed by people in pictures where at all possible.

Having a model release means that:

- The person has given permission for the photo to be used
- The person is traceable if further permissions are required for use of the picture

A model release does not however allow for defamation of a person's character, and any organisation using images has a moral and legal obligation to use pictures sensitively even if there is a model release. (See bullet-proof model release)

Model releases need to be archived in a retrievable way. These records should be kept centrally by the Picture Library person.

Most problems will occur if a picture is used out of context in what we can call 'sensitive' areas. Some of these are; Abuse, Homelessness, Violence, Drugs, Crime. But there are many more

Example

If a woman has given permission for pictures of her and her child at a family centre to be used, this does not mean that it is acceptable for those pictures to be used on a leaflet about homeless women and children. Anyone seeing the picture will assume that the woman and her child are homeless.

In general, it is important to help people who sign a model release understand how their pictures could be used. Communication is an important cornerstone of a legal and moral policy.

The following guidelines may help:

- Assume a model release gives permission for pictures to be used broadly in their original context, or for general purposes
- Avoid use in any specific context which may lead to assumptions about the people in the picture which could be seen as defamatory.
- Use the 'what if it was me' test. How would you feel if a picture of you was used to illustrate drug abuse/violence/homelessness without your permission?
- Always ensure that model releases can be connected to a picture so that further permissions can be sought if necessary.

Use of paid/professional models

Using paid models to illustrate particular topics is different from using images of real people in a documentary context.

Paid models are selling use of their image for money, and should be aware of the various uses to which the pictures can be put. They may want to restrict use to certain topics.

In general, it is a good policy to shoot model shots specifically for certain purposes and be clear about the usage.

Case studies

This is a difficult area, as the cases are very specific, and there is a danger of defamation if any pictures are used which have not been shot specifically for such purposes.

It is not acceptable to use a documentary library picture and label it 'posed by models', unless there is permission from the model for that category of use. The statement is simply not true, as the people in general library shots have not posed for this purpose.

It is advisable to keep shots linked to particular case studies.

Model Releases for Children

Model releases for children have to be signed by a parent or carer. But what happens when the child grows up? They may object to pictures of themselves being used. (There has been a case involving a child who took action over a picture on reaching adulthood.)

If child models are paid (over and above expenses) a licence should be procured from the Local Authority in compliance with the European Directive of August 1998.

- Use posed model shots where possible for general use in sensitive areas
- Use documentary shots with care
- Adopt a policy of withdrawing images from the Photo Library after a set period of time, especially if young people are involved.
- Involve the whole organisation in awareness of image usage

A policy on image usage for your organisation

- Photographers credits should be consistently applied
- Use images and accompanying case studies consistently. A database of case studies will help.
- Label pictures to indicate when models have been used, especially in conjunction with case histories.
- There should be a specified time span for using images
- Make sure *all* picture users and project managers understand the issues and comply with the guidelines.