



# Use of photos & other materials including children

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There are various rights that need to be met with regard to the use of photos and other material generated by and about children, such as drawings, slogans, and stories from their lives, lists of recommendations and sometimes videos.

**RIGHT TO SAFETY.** Children have a right to be safe and as adults we have a responsibility to ensure this. Any publication or dissemination of information that might put them at risk is wrong. Any information that makes them appear or feel different from their peers may make them vulnerable - for example others may target them for harassment.

**RIGHT TO PRIVACY, DIGNITY AND RESPECT.** Children have the right to have all their private and personal information kept confidential, including details such as health, family life and any problems that might be in their lives. Photographic material is often be private and personal. Note that disclosing a child's HIV status is a criminal offence (unless this has a legally acceptable purpose).

**RIGHT TO OWNERSHIP OF INTELLECTUAL PROPERTY.** Children own the materials such as drawings and writings they have made, and can decide how they should be used – under adult guidance and with permission from parents or guardians.

## **BENEFITS OF PUBLICITY**

1. Media provide powerful tools in the campaign to give children the right to express their opinions and to make a difference in decisions that affect them.
2. Publicity for children can empower them and affirm their worth as human beings with opinions that are worth hearing.
3. Photos and articles can raise awareness of children's needs generally, or help raise funds for a good cause.

Do these benefits outweigh the risks? Can the risks be minimised by keeping the children's identity private, for example by using false names, and not revealing any details that might identify them.

## **FREE AND INFORMED CONSENT IS NECESSARY**

Young children cannot give consent to the use of their photographs without assistance from a parent or caregiver. Obtaining a child's consent is not enough to justify putting a child at risk.

Parents or guardians must give free and informed permission for the publishing of any such material after the risks and benefits have been explained to them.

Rewards should not be offered as an incentive to consent where the consent could indeed be compromising of the child.

As adults we need to protect children who might technically 'give consent' but in fact lack the maturity to understand the long-term consequences of negative publicity. We may decide (if possible with the child's assent) to use false names, blur images, and so on.

Even if permission is given, the organisers of the event should reserve the right to refuse to share information, stories, and pictures if they consider this refusal to be in the best interests of the child.

**Everybody takes pictures:**

The cell phone camera is ubiquitous and photo-taking is a possibility for many. It is more difficult to control the taking of photos, and any Code of Conduct for groups of children needs to include the wise and respectful use of photos.

Guidelines for Code of Conduct on photos:

- Always ask permission
- If a photo might in any way hurt anyone or put them at risk – delete it!
- If photos are used to illustrate albums informally do not show disrespect in your labels.
- All pictures used formally and publicly should have formal consent granted.

**EXAMPLE OF PUBLICATION OF MATERIAL:**

**Photo-documentary Exhibition from the Children's Rights Centre:  
*Visions & Voices: Children's Rights and Realities in South Africa***

***Benefits:***

*Children loved learning to use cameras to tell their stories and make images of themselves and their lives. This joy was a plus! They also felt affirmed as individuals as they were vital to the process – their voices were the foundation of the exhibition.*

*They knew they were part of a bigger initiative aimed at improving the lives of all children in South Africa, and found the process healing.*

*The exhibition was displayed throughout South Africa, with media coverage, and has raised awareness on children's rights and also on the harsh realities so many face. It is on the internet on the CRC website.*

*It has brought the topic of children's rights alive in many training and capacity-building workshops for adults and children and is a most useful training aid.*

***Risk reduction***

*The children's real names were not used, and their location was only identified as such-and-such Province.*

*The children were recommended by community-based organisations that helped and supported them before, during and after the process.*

*The photo-documentary facilitator stayed with the families and built a good relationship with them. Consent for publication of specific photographs and material was obtained from the parents or guardians, from the children, and from the community-based organisation supporting them.*

*Some harrowing details in their stories were glossed over to protect not only the child concerned but also young children who visited the exhibition.*

**SAMPLE CONSENT FORM for use of photographs and information  
USE OF MATERIALS:**

*Photographs taken of participants while busy with the workshop and artwork and written materials that are produced may be used in the following ways:*

- *To record the activities of this event and as such be kept as a record in organisational files.*
- *To illustrate a report to funders and supporters, to show what was done.*
- *To illustrate resource materials such as a teaching unit in a training guide, or a power-point presentation, on a handout.*
- *As a picture focal point for the evaluation of an activity.*

*Photos in the above materials will not have the names of individuals or any information about that person or group unless there is a good case for honouring that person or group for their achievement and/or this is what they have specifically requested.*

*The pictures and materials will not be sold, given to others, or used in any way to make a profit. The photographs will become the property of the organisation.*

**CONSENT OF CHILD:**

**Name of participant:** \_\_\_\_\_

**Contact phone number:** \_\_\_\_\_

**Group/ school you belong to:** \_\_\_\_\_

**Name of adult facilitator:** \_\_\_\_\_

**Contact phone number:** \_\_\_\_\_

I give my consent for photographs to be taken of me and I give my consent for the photos, and also any artwork and written materials by me, to be used as above:

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**OR:**

**I do not give consent for photographs to be taken of me and to be used in the way described:**

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**CONSENT OF PARENT OR CAREGIVER:**

**I consent that photographs of my child (name) \_\_\_\_\_  
and artwork and written materials produced at this event may be used by the  
organisers in the way described above.**

**Signed: \_\_\_\_\_ Date: \_\_\_\_\_**

Please note: If you do not want pictures taken of yourself, inform the photographer and remove yourself from the 'photo take'.

It may be necessary to take a sample picture of yourself to attach to this form to remove any other pictures that might have your image included. Even if permission is given, the organisers reserve the right to refuse to make public any information, stories, and pictures and so on, if they consider this refusal to be in the best interests of the child.