



PHOTOGRAPHY AND VIDEOTAPING (NON-COMMERCIAL) POLICY

Basketball Tasmania recognises that there are many legitimate reasons why still and video photography at basketball games is very common and does not wish to unnecessarily restrict or curb that activity.

It is perfectly normal and acceptable for parents to want to film their children's sports to keep as a memento of their growing up. This is becoming increasingly so with the types of technology currently available. It is also becoming increasingly popular for coaches to video their teams' games to assist them in training. Less common, but also becoming more popular, is the practice of videoing for the purpose of scouting another team that will be playing the videoing team, generally in the near future. Videos can also assist in referee training.

Having a video record of a game is also useful if there is a reportable incident during the game. The video can be used in evidence. At more senior levels, the competition organisers have made it compulsory for games to be taped for precisely this reason. In addition, the knowledge that a game is being taped may act as a deterrent to bad behaviour because players will know they may be captured on tape, even if a referee does not see the misdeed. So there is a safety angle to the issue as well. On the other hand, photographs and videos can also be used for nefarious purposes.

Basketball Tasmania is concerned to ensure that it and its affiliates take reasonable steps to ascertain that photographic depiction of basketball activities is being used for legitimate and harmless purposes.

This means that competition organisers have to be ever vigilant in protecting participants, particularly children.

Accordingly, the following policy will now apply to non-commercial operators:

1. PERSONS PHOTOGRAPHING ON AN IRREGULAR BASIS (OR OTHERS WHO DO NOT WISH TO GO TO THE TROUBLE OF OBTAINING ANNUAL APPROVAL)

Organisations should usually allow parents and relatives to take photographs and to videotape games or training sessions provided the parent or relative is known to the association. As a courtesy, the coach or manager of the opposition team should also be notified of the intention to photograph or video the game.

Coaches who wish to video their own team's games or training sessions for training purposes should also normally be allowed to do so. Again, the opposition should be informed and parents of the coach's own team should be advised by the coach if it is intended to regularly video games or training and the reason for it.

Referee coaches wishing to video games for training or evaluation purposes should advise the teams of their intentions prior to the game.

Some coaches desire to scout teams that they will be playing in the future and a convenient way of doing this is to video the game. If this is to occur then both teams should be advised in advance. However, this should usually be allowed.

Should any person take objection to the photographing or videoing, they should be asked (by an official of the organisation conducting the event) the reason why they object. It should be explained to them that normal policy in these circumstances is that the photography or videoing should be allowed. However, if the person objecting has a legitimate and strong reason why the objection is made, then a bar should be placed on the photography or videoing. A strong reason may be that the child concerned is the subject of contested custody proceedings or has been the subject of violence or threats and publication of a video or photograph may compromise the safety of the child.

Organising groups should exercise common sense in this matter, bearing in mind the above policy.

2. PERSONS PHOTOGRAPHING ON A REGULAR BASIS (OR WHO MAY DO SO IN THE NEXT 12 MONTHS) OR ANY PERSON WHO WISHES TO AVOID THE PROCESS DESCRIBED IN “1” ABOVE.

Any person may apply to Basketball Tasmania for the issue of an annual photography permit which will identify them as being a person who has submitted a current Tasmanian Department of Justice Working With Vulnerable Persons Registration. On submission of a valid request the Basketball Tasmania CEO or his/her appointed nominee, will issue a permit which will, for a 12 month period, allow the holder to photograph or videotape activities under the control of Basketball Tasmania or its CAMS or affiliates, subject to any additional requirements imposed by the organisation conducting the event.

Such a permit will not be issued to non-members of Basketball Tasmania. For any person who is not a current member of Basketball Tasmania (as a player or non-playing official), it will be necessary for the application to include an application for membership of Basketball Tasmania in the category of “volunteer”. There is currently no fee for this category of membership.

Again, should any person take objection to the photographing or videoing, they should be asked (by an official of the organisation conducting the event) the reason why they object. It should be explained to them that normal policy in these circumstances is that the photography or videoing should be allowed as it is being undertaken by a person who meets the requirements of Basketball Tasmania. However, if the person objecting has a legitimate and strong reason why the objection is made, then a bar should be placed on the photography or videoing. A strong reason may be that the child concerned is the subject of contested custody proceedings or has been the subject of violence or threats and publication of a video or photograph may compromise the safety of the child.

It should be noted again that this policy applies to non-commercial operators and further, that for safety reasons such persons may not operate from the playing floor level adjacent to the playing court.

It should also be recognized by all that Basketball Tasmania and its affiliates may have in place a contract or agreement with a commercial operator which may grant that operator exclusive rights to commercial sales and to courtside access.

Basketball Tasmania wishes to acknowledge the assistance of Basketball Victoria in establishing this policy.