

EDITORIAL POLICY GUIDANCE NOTE STILLS, PHOTOGRAPHS AND IMAGES

(Last updated: October 2010)

EDITORIAL GUIDELINES ISSUES

This guidance note should be considered in conjunction with the following Editorial Guidelines:

- Accuracy
See Editorial Guidelines Section 3 Accuracy
- Impartiality
See Editorial Guidelines Section 4 Impartiality
- Harm & Offence
See Editorial Guidelines Section 5 Harm & Offence
- Fairness
See Editorial Guidelines Section 6 Fairness
- Privacy
See Editorial Guidelines Section 7 Privacy
- Reporting Crime and Anti-social behaviour
See Editorial Guidelines Section 8 Reporting Crime and Anti-social behaviour
- Politics, Public Policy & Polls
See Editorial Guidelines Section 10 Politics, Public Policy & Polls
- Religion
See Editorial Guidelines Section 12 Religion
- Re-use and Reversioning
See Editorial Guidelines Section 13 Re-use and Reversioning
- Editorial Integrity and Independence from External Interests
See Editorial Guidelines Section 14 Editorial Integrity and Independence from External Interests: Product Prominence
- The Law
See Editorial Guidelines Section 18 The Law

SUMMARY OF MAIN POINTS

- What does the image represent in the context in which it is being used? When and where the image was taken may be a relevant factor. Who or what is featured or identifiable?
- Who is the image of and is their age and/or vulnerability an issue? The issue of consent may need to be considered. On occasion an image can identify someone e.g. a car number plate or the inside/outside of a person's home.
- The role of when to anonymise an image. The reason for this could vary from someone being vulnerable to avoiding a contempt of court.
- Images can be very powerful and consideration should be given to harm and offence in relation to audience expectation.
- A revealing image could also raise privacy issues where there is a legitimate expectation of privacy. This is both a regulatory and legal issue.
- Sensitivity surrounding the use of an image should be taken into account as well. In particular in relation to religion and minority groups. Care should be taken not to reinforce stereotypes.
- Product prominence will apply to images and stills in the usual course of how this restriction operates.
- Images and their use sometimes raise legal issues; defamation, contempt of court, copyright and/or privacy. The relevant BBC lawyer should be consulted. Images of BBC presenters and contributors should show them complying with relevant health and safety requirements, e.g. wearing a seat belt.
- Pictures sent by Press and Promotion should consider the various ways the media can utilise the pictures and the fact that they may be viewable at any time. In addition to this consideration should be given that the context of the image will

be lacking and if it is a powerful image and the impact can be greater.

- Legal issues regarding images should be referred to the relevant BBC legal department.

GUIDANCE IN FULL

- Introduction
- Accuracy, Impartiality and Fairness
- Fairness (Contributors, Consent) and Privacy
- Reporting Crime and Anti-social behaviour
- Harm and Offence
- Tragic Events
- Political, Religious and topical sensitivities
- Editorial Integrity, Re-use and Reversioning
- The Law
- Safety

Introduction

Images should be appropriate for all audiences and suitable for display both within BBC environments and on any platforms (print and digital) where BBC content may appear. Images should maintain the integrity of the BBC, its programmes, and any talent or contributors appearing in them.

Accuracy, Impartiality and Fairness

- The BBC strives to be fair to all - fair to those we feature or portray in images and fair to our audiences.
- Care should be taken not to use images to mislead the audience.

- Any digital manipulation, including the use of CGI or other production techniques (such as Photoshop) to create or enhance scenes or characters, should not distort the meaning of events, alter the impact of genuine material or otherwise seriously mislead our audiences. Care should be taken to ensure that images of a real event reflect the event accurately.
- Any proposal to substantially change an image of a presenter through digital manipulation must be approved by the relevant senior editorial figure.
- Sets of images that represent a programme which requires the audience to vote should include every eligible contestant/organisation or none at all. The BBC should not be seen to endorse one competitor over another over the cause of a campaign.
- Images representing an international sporting event such as Six Nations Rugby or the Cricket World Cup should be mindful of all UK teams involved.
- Images representing an investigative report about products, companies or services should be selected with special care and in conjunction with the programme producer or Programme Legal Advise where appropriate. For example if the report is about a particular product, e.g. 'x' brand of organic milk, then it is appropriate to show that product in isolation and not in juxtaposition with other similar products. If the report is about organic milk, then it is more appropriate to show a collection of organic milk rather than single one out.
- It is normal practice for Press and Promotion when supplying archive material to indicate relevant archive information e.g. date of first transmission

Fairness (Contributors, Consent) and Privacy

- Clear consent must be obtained from vulnerable contributors. If images are re-used after a publicity campaign, consent should be re-visited via the relevant programme producer or contributor.
- Care should be taken over identifying features such as car number plates or house numbers.
- Images must not contain children or young people's presenters or children or young people in inappropriate situations.
- Written permission must be gained from actors who are depicted in a state of nudity. Careful editorial consideration must be made before releasing any images of actors in a state of nudity.
- Care should be taken not to undermine the reputations of contributors.
- Contributors who need to be anonymous in the programme must remain anonymous in the images. The programme producer should be consulted before any such images are released.
- Consideration needs to be given whether the subject matter has a legitimate expectation of privacy in the circumstances. An image even if taken in a public place may be private. What the person is doing, where they are photographed and their age will be factors requiring consideration.
- Press and Promotion should normally speak to the producer of the programme when there may be sensitivity due to the subject matter in relation to consent e.g. inmates in prison, patients in hospital, people in distress.

Reporting Crime and Anti-social behaviour

- Care should be taken when selecting images showing contributors using illegal substances e.g. smoking cannabis which can result in criminal investigation for the contributors.
- Images of sex offenders who have served their sentences may only be released if the police have decided to release this information to the general public. Any proposal to release images of paedophiles or sex offenders who have not been publicly named by the police must be referred to the Director Editorial Policy and Standards.

Harm and Offence

All images must comply with BBC's Editorial Guidelines on Harm and Offence.

(See Editorial Guidelines Section 5 Harm and Offence)

Images should not normally feature the following:

- Graphic violence, torture, or any extreme violent behaviour.
- Gratuitous nudity or graphic/extreme sexual acts.
- Images depicting children (under the age of sixteen) in a sexual context.
- Explicit drug use.
- Self-harm, suicide, or attempted suicide.
- Hangings or other forms of execution.

Any proposal to feature any of these acts should be discussed with Editorial Policy.

Images featuring the following should be selected with special care and with editorial justification.

- Images showing adult behaviours such as smoking, drinking, gambling and drug use.
- Images seen to be encouraging or glamorising harmful or illegal behaviours.
- Images that reinforce prejudicial perspectives or depict groups in stereotypical ways.
- Images containing; knives, guns, or weaponry of any kind. Particular care must be taken when picturing the use of weapons. Images in particular showing the use of a gun or knife must be edited carefully.
- Images portraying dead or dying humans.
- Images showing scenes of physical abuse.
- Images showing hypnotism.
- Images that could be seen as offensive to ethnic, religious or minority groups.
- Images that could be considered offensive to those with disabilities or mental health conditions.
- Images featuring activities or stunts that could cause children or young people to imitate dangerous behaviour.

- Juxtaposition of images should be considered particularly with iPlayer in the scroll bar.

Tragic Events

- Image selectors should be aware of events that may cause distress to some users. Special care should be taken when selecting images of significant events outside of a news context.
- When the aftermath of a tragic event requires scheduling changes in television and radio, we should consider whether associated images are still appropriate for release and, where necessary, withdraw inappropriate images already released to avoid offence.
- May raise privacy issues as well (see above).

Political, Religious and topical sensitivities

Images should be mindful of the sensibilities of political, regional, ethnic, disabled and other minority groups. They must also protect the legal status of contributors and not endorse dangerous or antisocial behaviours. Care must be taken to ensure that:

- Images do not reinforce prejudicial perspectives or depict groups in stereotypical ways. When possible we should ensure a diverse range of ethnic groups is depicted in any image.
- Due care and consideration must be made regarding the use of religious symbols in images which may cause offence. The Prophet Mohammed must not be represented in any shape or form.

- There also should be an awareness of religious sensitivities about smoking, drinking and certain foods.
- Choice of images must reflect awareness of political sensitivities in the Nations and Regions. In particular the choice of colours and symbols such as:
 - Prominence of the colours Green and Orange (Northern Ireland/ Scotland (West)).
 - Combination of the following colours: Red/White/Blue, Green/White/Yellow and Green/White/Orange (Northern Ireland).
 - Visibility of shamrocks, flags or political banners (Northern Ireland).
 - Depiction of the four Nations in a map form must be geographically accurate.
- Care should be taken to place the Union flag in situ the right way up.

Editorial Integrity, Re-use and Reversioning

- We must never represent a product or service in images in return for cash, services or any consideration in kind. This is product placement.
- In images, no undue prominence should be given to any branded product or service unless editorially justified. The BBC and its presenters must never be seen to be endorsing or promoting any product or service. The appropriate action will be to remove any branding off the products in question i.e. clothes, food and bottle labels.
- Due care should be exercised with images of sports personalities who have endorsement deals. Such images should

be presented to ensure that the BBC is not seen to be capitalising on this endorsement.

- Press and Promotion should normally refuse requests from third party, locations, charities and agents when it is deemed that the request for the material is to use the BBC to endorse the third party. However a distinction should be made when the request is being made for a personal record of a factual event or for a non-promotional reason.

The Law

Images should comply with BBC legal requirements. Particular care should be taken with:

- Images that have the potential to be defamatory. These should be checked with Programme Legal Advice before being used, or should not be selected at all.
- Captions that accompany images must be factually correct. It is possible to defame people by juxtaposition of words and pictures.
- Careful consideration regarding captioning should also be made for images representing undercover documentaries and current affairs, or when children are involved. Surnames are generally avoided. The programme producer should be consulted about the appropriate level of information.
- Images relating to potential legal issues or court cases must be treated with great care. The programme producer and, where appropriate Programme Legal Advice, should be consulted. If images showing a contributor who is subject to a court hearing are released, the BBC could be held in contempt of court. Such images as these should be withdrawn from public access.

- Careful consideration should be given to who is the copyright holder in the image. More often than not it will be the photographer.
- The person featured in a photograph may have a legitimate expectation of privacy in the circumstances. This is a growing and rapidly developing area of law.

Safety

Images should comply with BBC health and safety guidelines/

In particular:

- Presenters and contributors should be shown to be abiding the law and following health and safety guidelines e.g. wearing seat belts and using the appropriate mobile phone equipment when driving.
- Images should show presenters, children and young people wearing the correct protection gear if engaged in sports or leisure activities e.g. cycling helmets, rock climbing harnesses.