

Introduction

This set of ethics guidelines has been developed to assist individuals, organisations, community and sporting groups, schools and colleges with the process of developing video footage to form part of the Drug Education Network's (DEN) *Promotion, Prevention and Early Intervention (PPEI) Champion's Project*. This document is not meant to be directive nor is it all-inclusive.

The Drug Education Network (DEN) was established in 1986 to actively build connections with community groups, education providers and concerned individuals to support and build capacity for community change in relation to drugs. The *PPEI Champion's Project* (hosted by the *Everybody's Business* website) intends to reduce stigma surrounding Alcohol, Tobacco and Other Drug (ATOD) use and to encourage compassionate grass-root community action as part of ATOD Harm Reduction and Prevention at every level, by sharing some of the inspiring stories and showcasing community efforts across the state, country and the world.

As the filmmaker, you have a responsibility to monitor any ethical challenges which may arise, primarily for the participants, and it is often best to respond to these on a case-by-case basis. The DEN aims to raise awareness of responsibilities the interviewer (and organisation or group) may have toward the interviewee. Ethics are important as a set of principles which govern the correct conduct of activities, and guide what is right or wrong in our actions. The DEN seeks to present a series of issues for both parties to discuss prior to commencing the video interview. For example, consideration should be given to any potential negative ramifications for the interviewee in sharing their story, being publicly 'out' and ultimately making it accessible via the worldwide web. In order to minimise harm to video participants, practices such as obtaining informed consent and assessing potential risk of involvement are outlined in this document.

Video footage is able to deliver valuable documentation to challenge stereotyping, to promote behavioural change and provide positive reinforcement, particularly when discussing potentially illegal activities such as drug use. However, deciding to participate in and share the footage publicly is not a simple process. Some videos have the potential to put individuals and communities at greater risk of harm if released, shared widely or misused. It is important we ask ourselves questions prior to filming, for example:

- are we respecting the individual's human dignity;
- is there a risk of social marginalisation for the individual and/or community;
- are we empowering the individual; and
- how do we minimise harm in this process?

Consider the filming in the context of public interest vs individual risk, and/or public interest vs individual dignity. Reflect on any possible social and economic power imbalance between yourself and the interviewee.



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Related Documents

Champion's Project: Consent to Use of Media Form

Submission Process

Capturing video footage to form part of the Drug Education Network's (DEN) *Promotion, Prevention and Early Intervention (PPEI) Champion's Project* must follow the process as outlined. Failure to follow the submission process or to provide the necessary documentation will result in automatic denial of uploading and linking via Everybodys.Business.

Pre-Interview

The interviewer must ensure that the Project goals and planned recording sessions meet the guidelines drawn in this document prior to any recording.

Consent

The Interviewer must ensure the **Consent to Use of Media form** is completed and signed *at the time of the recording*. Multiple or concurrent recordings may require additional forms to be completed, i.e. if recording is paused and set to continue on a different day.

For interviewees with low literacy or vision impairment, the interviewer must run through each question verbally.

If the interviewee at any point indicates a lack of understanding, steps must be taken to ensure full understanding before proceeding. Should the interviewee fail to reach understanding or if they revoke or not give consent, recording must NOT continue.

Recording

All efforts should be made while recording to ensure the consent, comfort and privacy of all interviewees. During long recording sessions and after breaks, interviewers should check in to ensure the interviewee is comfortable to continue and to give the opportunity to revoke consent.

Submission

Final edited videos and all consent forms can be submitted to DEN via multiple methods:

- Via email to admin@den.org.au;
- Via third-party file sharing services such as Dropbox;
- A private YouTube link and emailed consent forms;
- Video and consent forms mailed or delivered on a USB drive.

Submissions will be reviewed to ensure that all required documents are present and that the final video meets the standards set by these ethics guidelines.

Submitters will be notified via email or phone of the result of the review. Rejected submissions may be given the opportunity to correct any issues. Accepted submissions will be uploaded to DEN's YouTube account and linked via Everybodys.Business.

Australian Privacy Principles (APP)

The thirteen APP's from Schedule 1 of the Commonwealth Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988, regulate the handling of personal information by agencies and organisations and the collection, use and disclosure of personal and sensitive information. The Privacy Act protects personal information that is held or collected for inclusion in a 'record'. A record includes video images of a person. If a person's identity is apparent or can reasonably be ascertained from such a representation, the collection, use and disclosure is covered by the Act. In meeting the Privacy Act 1988, the requirements of the Personal Information Protection Act 2004 (TAS) are met.

Sensitive information includes health information and information of a highly personal nature, including criminal record information. It is provided with additional protection in the Privacy Act as, by its very nature, such information has the potential to give rise to unjustified discrimination against individuals.

The APP permits a non-government organisation (in this case the DEN) to collect and use sensitive information if the:

- individual consents to the collection; and
- information is reasonably necessary for the organisation's functions or activities.

Sensitive information must not be used or disclosed for a secondary purpose unless the secondary purpose is directly related to the primary purpose of collection and within the reasonable expectations of the individual. Sensitive information cannot be used for the secondary purpose of direct marketing.

Personal data/information is information that identifies or could identify a person. Personal information can include name and address, photos, videos and information about personal preferences and opinions; any information where a person may be reasonably identifiable.

Privacy issues affecting children and young people

In line with policy, legislation and for the purposes of the DEN's *PPEI Champions Project*:

- video images of children and young people may not be taken or used for this purpose without first obtaining appropriate consent from parents and guardians, in line with our **Consent to Use of Media form**;
- it is good practice to also seek the child or young person's consent to ensure their privacy is not breached. Informed consent may be obtained verbally from a child or young person in the presence of their parent or guardian;
- video images must portray children and young people in positive ways;
- no video images are to be taken of children or young people involved in the family court; the child protection system or juvenile justice system, including identification of their location or school;
- filmmakers should be supervised throughout the process;
- consent may be required from the appropriate administrator if filming takes place on private property, for example a school or sport club;
- no personal information such as the child or young person's name, address or telephone number should accompany the images, neither should any detail regarding specific clubs, schools or other memberships of which the child or young person may be part;
- care should be taken when using images of children or young people in sports settings that involve minimal clothing such as swimming or gymnastics;
- parents, guardians, children and young people should be made aware of potential risks such as loss of privacy and identification of particular children when images are uploaded on the website.

Informed Consent

Informed consent is a legal and ethical obligation which protects the safety, security, and dignity of interviewees. In recording, photographing and videoing people, you must obtain their written permission to do so. There are four main elements to informed consent:

DISCLOSURE: The use and the purpose of the interview must be fully explained. This helps protect the interviewee's safety, and maintains an honest relationship between interviewer and interviewee.

VOLUNTARINESS: The interviewee must voluntarily give their permission for the interview to be used, and express whether they are willing to be identified by name.

COMPREHENSION: The interviewee must fully comprehend the implications of the interview and the intended distribution, including potential consequences of online distribution. They have the right to rescind their permission for future use of the footage – however, ensure they comprehend that it is not possible to permanently remove materials from the internet. Provide an example of a worst-case scenario.

COMPETENCE: The interviewee must be able to comprehend the implications of her or his participation. This is an especially important issue with children, young people, and in adults who may be involved in illegal activities such as drug use.

Steps to Informed Consent

Step 1:

a: Determine if the interviewee is unable to give legal consent (e.g. people under 18 years, adults with a temporary or permanent incapacity). If so, consent must be obtained from a legal guardian for that person to participate, and it may be preferable to have a counsellor present to manage any issues which arise.

b: Determine if the interviewee is a person who may need specific advice, information or protection, i.e. someone of an identified vulnerable group, a person currently participating in illegal activities, etc. If so, efforts must be made to appropriately inform and protect the interviewee.

c: Check the comprehension and understanding of the interviewee. Do not proceed if unsure of the interviewee's comprehension of the filming implications and potential risks.

Step 2:

Begin with an off-camera interview to introduce yourself and the DEN's *PPEI Champion's Project*. Make sure the interviewee knows about you and the people involved in the Project.

Step 3:

Describe why you are filming and how you plan to use the interview. Ensure the interviewee is participating voluntarily and that they clearly understand the purpose of the Project, the implications of participating, how the video will be used, and who may see it.

Step 4:

Ask the interviewee if they want their identity protected. If anonymity is needed, offer and explain any anonymising options you have available.

Step 5:

Proceed with formal written consent using the **Champion's Project: Consent to Use of Media Form**.

Risk Assessment

The National Health and Medical Research Council (2015) classifies a risk as a potential for harm, discomfort or inconvenience. Prior to engagement in this Project, all parties have a mutual responsibility to identify any risks to participation for the interviewee including:

- psychological harms such as feelings of distress, fear of disclosure, guilt or anger;
- devaluation of personal worth such as experiencing humiliation;
- social harms such as damage to social networks, discrimination in access to employment, social stigmatisation;
- legal harms such as prosecution of criminal conduct.

The severity, consequences and probability of occurrence should be gauged, an assessment undertaken on the extent to which they can be minimised and/or managed, and most importantly, it must be determined whether the risk of involvement justifies the benefits.

All video productions approved by the DEN will be uploaded to DEN's YouTube channel (www.youtube.com/drugeducationnetwork) and a link placed on www.everybodys.business. It is important to understand that external sources could publicly share this footage via a hyperlink on other online forums such as by sharing the YouTube URL, and that third-party sites and software exists that are able to download YouTube videos onto a personal computer.

Illicit Drug Use Considerations

It is important we understand why special consideration of the ethical implications is required when, in our video productions, we involve people who use or have used illicit drugs (AIVL, 2003). The following points highlight the need to have a frank and open discussion with the interviewee prior to their consent being given and the filming process commencing such as:

- their general vulnerability in terms of discrimination and exploitation;
- the notional possibility of legal action and lack of protection; for example from a police search or court order to disclose further information;
- the conflict between morals, social class, positions of power and other differences that may exist between the interviewer and interviewee (in this case the person who uses or has used illicit drugs);
- a lack of appreciation of how the release of the footage may severely compromise their confidentiality, health and safety, including into the future;
- the fact that this community is in an extremely isolated and marginalised situation in society, due to many decades of legal sanctions, health and financial problems, assumptions and stereotyping. This can result in a range of significant barriers based on trust, respect and human dignity.

Whilst the above points are specific to people who use or have used illicit drugs, many elements are equally important for people who use or have used licit drugs.

It is important both parties understand the interviewer or organisation may have a statutory obligation to disclose information revealed or discovered, such as ongoing harmful illegal activity.

Anonymity

Anonymising data may be required for ethical reasons to protect a person's identity, for legal reasons to not disclose personal data and to protect the identity of an individual or organisation. An interviewee may not want their name, voice, face, image or any identifiable feature disclosed. Techniques exist to assist in the concealment of a person's identity during filming, such as by using lighting techniques or recording an unidentifiable image (e.g. their shadow or only their hands). It may be necessary to cover tattoos and jewellery to further protect identity. Alternatively, you can propose to blur (or otherwise digitally obscure) their face or distort their voice when editing. These abilities are available in most standard video editing software suites, and in third-party tutorials and software. Voxal (<http://www.nchsoftware.com/voicechanger/>) is a free voice distortion software (preventing the original voice from being recorded) that must be turned on before recording.

As many options as practicable should be made available, including the use of pseudonyms and removing direct identifiers such as name or address.

Uniforms and Identifying Livery

When interviewing community members as part of a school, college or sporting group, the DEN recommends the interviewees are not in uniform when appearing in the video. To do so may infer compliance with the school/college/sporting groups' social media policy or that the views reflected in the video are those of, or the culture of, the school/college/sporting group.

Location

When filming be aware of what is visible in the background of the footage which may be identifiable, such as vehicle registration plates or the location of filming. For example, ask the question: Is it appropriate for the interviewee to be filmed in front of signage from a drug treatment program or rehabilitation centre, even if they are a participant? It is important to consider if the purpose of the video is more about the story rather than an advertisement, and if it is one which may also have the potential for the interviewee to be long term associated with a situation rather than their personal achievement over adversity.

Evidence-based Information

Whilst the DEN does not seek to place constraints on the story telling process, it is important that any advice given in the footage is evidence-based and in line with best practice principles. For example, if focusing on personal experiences of binge drinking and tips to overcome this, you may wish to discuss what is appropriate with a DEN staff member prior to filming, or source information from reputable websites such as the Australian Drug Foundation: www.adf.org.au/information-research.

Music and Imagery Copyright

The work of established music and print artists (including photographers, painters etc.) is protected by copyright. As such, without their permission to copy, distribute, display or perform their work or a derivative of their work, you will not be able to put songs over the top of the video or use images to support the filming. Be aware that permission to do so may take some time and come at a cost. If granted, you will be required to acknowledge the artist and their work in the video footage. There are websites available where royalty-free music may be sourced, including www.freemusicarchive.org, and sites which provide royalty-free images and photography, such as www.flickr.com/creativecommons/. It can be helpful to seek media which is Public Domain, or licensed under Creative Commons (CC), as CC licenses are very clear, widely used, and many items require only simple attribution (such as in credits).

Disturbing Content

The footage should not contain the following:

- Graphic details about possible harms to self or others (e.g. drug use methods);
- Disrespectful representation of people, cultural and subcultural groups (e.g. women, people who use drugs, socioeconomic groups and ethnic communities);
- Racist, sexist, bullying or discriminatory language or comments;
- Comments inciting hatred, violence or vilification of individuals or groups on the basis of religion, gender, sexual orientation, race or drug use;
- Visuals which are sexually inappropriate, explicit or show nudity;
- Excessive swearing or inappropriate language;
- A platform for hateful beliefs or false rumours, propagating fear or stereotypes;
- Aggressive, abusive or defamatory comments about individuals or groups;
- Views that are overly imposing or disrespectful of the views of others;
- Images which contribute to vicarious trauma, horror, sadness or a sense of hopelessness;
- Infringements of copyright, moral rights, confidentiality rights or intellectual property rights of any person;
- Identifying or personal contact details of individuals including infringements of privacy;
- Encouragement, endorsement or approval of any dangerous or illegal activities or breaking of any laws including copyright infringements.

References

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