Photographic Ethics: Module 3

The Ethics of Photographic Consent

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Goals

• Learn what “informed consent” means and who it protects
• Learn what information needs to be conveyed before photographing
• Learn when to take photographs and when not to take them
• Become familiar with good and bad examples of gaining consent

*FETP workers all probably familiar with the idea of consent in relation to the delivery of medical treatment and the code of medical / global health ethics. While, perhaps less obvious, consent forms the backbone of photographic ethics – as it aims to promote clear communication and empower populations and individuals to make decisions about their and their community’s representation.
Terms

- Informed Consent
  - Permission granted in the knowledge of the possible consequences
  - (Krogstad et al. 2010): Consent rests on culturally determined factors such as the autonomy of the individual, power dynamics, verbal agreements or sometimes written documents that require signatures.
  - The informed-consent process cannot simply be transferred across national and cultural boundaries without considering the gendered cultural, socioeconomic, and educational factors that influence perception, agency, and understanding.
Why does consent matter?

**Protection of the Photographic Subject**
- Photographic Subjects ought to be seen as equal participants in the photographic process.
- The goal is to ensure that the subject(s) are fully aware both of the fact that you are taking pictures, AND of how those images might be used so that they can responsibly evaluate their risks.
  - Keep in mind that FETP images are used in: Medical conferences, articles, social media, photo competitions, program publications) & TEPHINET (social media, marketing, print materials, website use, for donors.

**Legal Protection of the Agency**
- One should check with their agency to see what their policy is – some organizations require signed forms, other use a ‘common sense’ type of consent that requires verbal acknowledgement of the acceptance of photography, but does not require individuals to sign paperwork.
What Your Subjects Need to Know

• Who are you (the photographer)?
• What agency / organization are you photographing for?
• What do you intend to do with the photographs?
  • Necessary to think about all possible uses
  • Err on the side of thinking the image might be seen widely. It is also possible that no one might see the photographs, and that should be conveyed too
• Is there benefit to the subject for being in the photograph?
• How might FETP benefit from the image?
• Will they be able to see their images anywhere?
  • Will a copy be returned / sent?
The Ability to Deny Consent

• It is essential that one lets photographic subjects know that they can decline to have their image taken AT NO CONSEQUENCE TO THEMSELVES. There should be no repercussions for an unwillingness to be photographed.

• Equally, if possible, it is best to provide an email, phone number, or means to contact you should for any reason the subject changes their mind on the consent to use the image. While this is not always possible to accommodate, it is a good act to practice and to be ready to field.
Not Everyone Can Give Consent

- **Not all subjects**, especially minors, and others in special circumstances, are able to consent. Minors require parents or guardians to also consent to the image.

- Using good judgement with an emphasis on the care of the subjects is more important than the “good photo.”
When the Answer is ”NO”

• Accept their declination and move on
• Ask if you can feature them in a way that will not show their identity (see next module)
• Ask if it is OK to photograph the physical parts of life around them – think landscapes and still-lives of how they are living in that space.
“Negative” Examples

Avoid manipulation / Forms of coercion / not providing information / sneakily taking pictures
“Positive” Example
SUMMARY

• Err on the side of too much information.

• Always approach photographic subjects as equal participants in the photographic process

• No is OK
  • If individuals or groups don’t want you to take a photograph, it is worth thinking about why *that photo* is one that you want.
Next Module: Power Dynamics

Photographic Ethics: Module 4
Ethics, Images, & Power Dynamics