

## Filming Consent Guidance

Although there is no simple and strict law that prohibits the filming of people in public spaces, there are several considerations on the rights of people in public that should be considered by filmmakers.

### The Legal Rights of People in Public

Both the European Rights Act 1998 and European Convention on Human Rights say that everybody has a right to a respect for their private and family life, their home and correspondence.

Exposing or misusing a person's own image in your filmed footage or photography could potentially breach that person's right to privacy. There are many considerations to be aware of and assess depending on who the person in question is and what they are doing. For example, the image of a child should not be published without written consent from the legal guardian. However, a public figure may be considered differently to someone not in the public eye.

Wherever possible and necessary, any person within the filming area should be consulted, or informed that they may enter shot (if filming on the street for example).

Compliance with the Data Protection Act should also be revised, considered, and applied where necessary.

Persons should not be defamed, and their image should not be manipulated beyond reasonable understanding without their permission. If they are, filmmakers should ensure they have evidence to verify what they are showing.

### Useful Tips when Filming People

- Obtain written consent from anyone shown in the footage wherever possible; essentially if they are the focus or if they are in the background and clearly identifiable. Whilst this wouldn't constitute a formal agreement of rights, it would demonstrate their compliance to the production's inclusion of their image.
- If filming in public but not people specifically, adequate signage should be placed around the designated location (with the permission of the local authority or landowner).
- People should not be filmed in 'private' situations, such as attending appointments etc.
- Footage of children should not be shown under any circumstances without the written consent of their legal guardian.
- If you haven't been able to obtain consent, you should consider if you can still include the person's image; whether they are easily identifiable and have an expectation of privacy. If so, you may need to obscure that person's face.

