

## **Guidance on Ethical Issues in Visual Research (photographs, film and video)**

Visual methods are increasingly being used in research and raise particular ethical challenges when identifiable or potentially identifiable material is produced. The focus here is on photographs, film and video images which may have been created by the research participants, the researchers or others. While all the principles outlined in the University policy on Research Ethics Policy and Procedures apply, visual research raises some specific challenges for the researcher to consider.

### **Legality**

#### **i) Public spaces**

Under UK law individuals can take photographs or film individuals or places that are in the public domain. However, definitions of public domain can be difficult. If individuals have a reasonable expectation that a space is private, taking images of them in that place can be construed as an invasion of privacy under UK law. Whether a hospital, shopping centre, concert hall, or lecture theatre is considered a public space is debatable. The guidance in relation to public spaces suggests that it is ethical to ask for permission from the owners of the space wherever possible and to advertise the presence of the researcher and obtain consent from participants if this is feasible.

#### **ii) Private spaces images taken by the researcher**

Capturing research participant images in private spaces requires that the individuals obtain consent to take the images and also for them to be used in the research subsequently. The copyright of images is owned by the person taking the image or their employer. If the image is accompanied by discourse from research participants, the research participant has copyright of the text. For this reason it is important to get copyright consent to use the data from research participants in videoed interviews for example.

#### **iv) Images taken by the research participant**

Where research participants capture images for the research, the copyright of these images is owned by the research participant. Here the researcher needs to get written consent from the research participant to transfer the copyright to the researcher. If the researcher only wants to analyse the images this is sufficient but should the researcher wish to use some of the images in papers or presentations etc., he/she needs to ensure that there is consent for this also. The latter is a difficult area in law so the advice is to obtain all necessary consents ideally in writing on the consent form.

#### **iv) Children and young people**

In relation to visual research with children the law is very complex and care needs to be taken. It is good practice to get parental/guardian consent even where the child is old enough to have the cognitive capacity to give consent. Consent may also be required from gatekeepers such as Head Teachers. DBS checks may also be required and researchers need to consider very carefully how they are implementing safeguarding requirements when working with children both in relation to their own behaviour and the steps they will take should a child disclose that they are being abused in some way. Safeguarding guidelines are available separately. Practice varies about blurring the images when working with children. It will depend on the context and FREC advice should be sought.

**Consent**

A well written Participant Information Sheet plays an important part in the consent process as it allows researchers to specify clearly how they intend to use the images in their research study, academic papers, conference presentation, websites etc., and in any future research. Researchers then need to obtain specific consents covering all of the proposed usage. With photographs for example it may mean getting written clarification about which images can and cannot be used and in which contexts.

**Anonymity and confidentiality**

While these are considered to be central ethical principles they may be difficult to achieve with visual imagery research. It may be difficult to anonymise locations or individuals. Research participants sometimes do not want to be anonymised in such research which adds to the complexity. Researchers need to consider these issues carefully and explain their decisions with a rationale on their ethics review application. The issues then need to be discussed with the research participants and their consent obtained regarding how these issues are to be handled. It may be that images are blurred or participants may give permission or actively wish for their images to be used. In the latter case it is good practice to share the images being used with participants and check that they still consent.

**Further Guidance and examples of consent forms can be obtained in the following publication:**

Wiles, R., Prosser, J., Bagnoli, A., Clark, A., Davies, K., Holland, S., & Renold, E. \*( 2008). ESRC National Centre for Research Methods Review Paper: Visual Ethics: Ethical Issues in Visual Research. National Centre for Research Methods. NCRM/011.

[https://www.research.manchester.ac.uk/portal/en/publications/visual-ethics-ethical-issues-in-visual-research\(17f0a3ff-c6b9-4c19-a1fd-4adf3e5da8cb\)/export.html](https://www.research.manchester.ac.uk/portal/en/publications/visual-ethics-ethical-issues-in-visual-research(17f0a3ff-c6b9-4c19-a1fd-4adf3e5da8cb)/export.html)

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December 2018.