



**NudeRide.com**

## Photography In Public

Version 1.0

We put this PDF together as it seems that the public do not always understand the law when it comes to taking pics in public.

The basic rule is, if it is public (not in a private building) one can take pics or vid of anyone without their consent in the UK.

On some Naked Bike ride websites, they seem to suggest that if you say no, that will mean they cannot take your pics. Sorry, but that is not the case.

In the Daily Mail online, dated 5<sup>th</sup> Jan 2022 in '[Video of naked bike ride is uploaded to PORN site: 'Disgusted' organiser of WNBR Brighton 2019 slams 'prying' spectators who arrive with 'huge telephoto lens cameras and step-ladders' to record charity event](#)', it is reported that Co-organiser of the event Steve Sims said that although the law in the UK allows the photography of anyone in a public place he said there was a 'fine line between taking pictures with the assistance of the subject, and the capture of images in a clandestine way.' As such it is clear that the event organisers must clearly know people can take photographs.

The reason I post this, is because on naked bike ride sites such as [wnbrlondon.uk](#) (as at 5<sup>th</sup> June 2022) states such as 'Images featuring individuals should only be obtained with their explicit consent.'. If one was to read this, one may believe a person can refuse consent from a photographer. This is not the case.

Our advise is, if you do not want to be photographed, then do not go on such events. There will be hundreds of people with camera and camera phones. Indeed, if you think you will not be photographed or filmed when you go to such events, then, to be blunt, you are a bit thick.

You cannot ask someone to delete pics from a phone or camera phone.

You also do not have the power to tell someone to leave the public area.

For reference, this is the text on the wnbrlondon as at 5<sup>th</sup> June 2022.

## Press and professional photographers

We will assist media to obtain good coverage provided they follow some basic rules to respect our participants – most of whom are supporting our cause but not seeking to become accidental soft porn stars. We ask you to follow these rules to respect the participants' privacy and thus merit our co-operation:

- Images featuring individuals should only be obtained with their explicit consent.
- Images featuring faces in a crowd should not be blown up to feature individuals without their consent.
- This is a ride, so images should be of people riding.
- We do not welcome images of people undressing, dressing or standing around waiting – these miss the point and appear exploitative.
- We have had problems with unwelcome photography by members of the public who are determined to get unauthorised close ups of naked people – so you can expect some adverse reactions if you do so.
- We advise you to have clearly visible PRESS identification so that you are not mistaken for problem photographers and so that people can avoid you if they wish.

Many riders will in fact pose fully nude before and after a race.

Again, if you do not want to be photographed, then you are best not to go on such events.

At least they admit that the photographers are 'probably' breaking no laws.

## Problem Photographers

Most people taking photographs are harmless, but they can be irritating and make participants feel uncomfortable or concerned. A few photographers are genuinely troublesome. They may be intrusive, or they may be taking closeups from a distance using long lenses. Their motivation in taking photos is unlikely to be morally acceptable. Nevertheless, **they are probably not breaking any laws by taking photographs in a public place**. We should all do our best to make them feel unwelcome and make it as hard as possible for them to get good photos.

When the presence of photographers makes people uncomfortable, riders could consider adopting the following measures:

- The most effective measure is to avoid disrobing at the assembly. Simply wear something that can be easily removed when the ride pauses on route. Likewise, slip something on just before you reach the finish. The problem photography rarely occurs during the ride.
- You can make yourself less recognisable with sunglasses, helmets, pollution masks, etc. (It's best not to wear full disguises as people might then think that you are a suspicious character.)
- You might wear mirror sunglasses. Why? Because there is a good chance that any photos will show the photographer meaning we can identify them and they are less likely to want to share them.

- We have a sign you can [download](#). Some riders have found this useful in dealing with problem photographers.
- If you have a camera, taking a photograph of persistent photographers and telling them to leave or you'll report them can work too. **Do send these to WNBR as we try to identify the culprits**.
- If the photographer's behaviour is so provocative that it could cause a breach of the peace you can ask the police to intervene. Problem photographers have sometimes been arrested.

Never ever take any action that might be viewed as a threat, abuse, assault or criminal damage; it will put you in the wrong and could lead to criminal charges or costs for the damage. It could also damage our reputation for being peaceful and well-behaved, making it harder for us to have supportive relations with the police and authorities.

We sometimes hear people suggesting direct action against photographers such as spraying water, breaking cameras, gungeing lenses, or shouting abuse. None of these is acceptable. Such reactions are understandable but they are probably criminal offences and could start a fight; you are likely to get arrested.

It would be interesting if WNBR is breaking Data Protection Act if they are using peoples details in this way. It also makes you wonder if WNBR try to identify riders on the event as well.

This is from the met police website: <https://www.met.police.uk/advice/advice-and-information/ph/photography-advice>

## Photography advice

We encourage officers and the public to be vigilant against terrorism but recognise the importance not only of protecting the public from terrorism but also promoting the freedom of the public and the media to take and publish photographs.

Guidance around the issue has been made clear to officers and PCSOs through briefings and internal communications. The following advice is available to all officers and provides a summary of the guidance around photography in public places.

### **Freedom to photograph and film**

Members of the public and the media do not need a permit to film or photograph in public places and police have no power to stop them filming or photographing incidents or police personnel.

### **Terrorism Act 2000**

Photography and Section 44 of the Terrorism Act 2000. The power to stop and search someone under Section 44 of the Terrorism Act 2000 no longer exists.

Police officers continue to have the power to stop and search anyone who they reasonably suspect to be a terrorist under Section 43 of the Terrorism Act.

Photography and Section 43 of the Terrorism Act 2000. Officers have the power to stop and search a person who they reasonably suspect to be a terrorist. The purpose of the stop and search is to discover whether that person has in their possession anything which may constitute evidence that they are a terrorist.

Officers have the power to view digital images contained in mobile telephones or cameras carried by a person searched under S43 of the Terrorism Act 2000 to discover whether the images constitute evidence that the person is involved in terrorism. Officers also have the power to seize and retain any article found during the search which the officer reasonably suspects may constitute evidence that the person is a terrorist. This includes any mobile telephone or camera containing such evidence.

Officers do not have the power to delete digital images or destroy film at any point during a search. Deletion or destruction may only take place following seizure if there is a lawful power (such as a court order) that permits such deletion or destruction.

## **Section 58A of the Terrorism Act 2000**

Section 58A of the Terrorism Act 2000 covers the offence of eliciting, publishing or communicating information about members of the armed forces, intelligence services or police where the information is, by its very nature, designed to provide practical assistance to a person committing or preparing an act of terrorism.

Any officer making an arrest for an offence under Section 58A must be able to demonstrate a reasonable suspicion that the information was, by its very nature, designed to provide practical assistance to a person committing or preparing an act of terrorism.

It would ordinarily be unlawful to use section 58A to arrest people photographing police officers in the course of normal policing activities, including protests because there would not normally be grounds for suspecting that the photographs were being taken to provide assistance to a terrorist. An arrest would only be lawful if an arresting officer had a reasonable suspicion that the photographs were being taken in order to provide practical assistance to a person committing or preparing an act of terrorism.

There is nothing preventing officers asking questions of an individual who appears to be taking photographs of someone who is or has been a member of Her Majesty's Forces (HMF), Intelligence Services or a constable so long as this is being done for a lawful purpose and is not being done in a way that prevents, dissuades or inhibits the individual from doing something which is not unlawful.

### **Guidelines for police staff on dealing with media reporters, press photographers and television crews**

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Contact with photographers, reporters and television crews is a regular occurrence for many officers and staff. The media influences our reputation so it's crucial to maintain good working relations with its members, even in difficult circumstances.

### **The press and the public**

If someone distressed or bereaved asks the police to stop the media recording them, the request can be passed on to the media, but not enforced.

### **Access to incident scenes**

The Senior Investigating Officer is in charge of granting members of the media access to incident scenes. In the early stages of investigation, evidence gathering and forensic retrieval take priority over media access, but, where appropriate, access should be allowed as soon as is practicable.