



Ethical Considerations for Image Use

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Summary of version changes

v1.0. First publication of this report on our website. November 2023.

v1.1. Slight formatting changes for PDF layout. Removed links to policy docs to instead link to the [TMP site Policies page](#). February 2024.

v1.2. Name updates. June 1, 2024.

Introduction

Our goal is to make a tool that is welcoming, fun, and easy to use to discover trans filmmakers and their works. Displaying images is one important way to give users a great web experience and pique their interest in films and filmmakers.

However, visibility (and particularly portraits) can function as a “trap” for trans people, objectifying them and putting undue focus on their bodies. It can also make trans people more vulnerable to surveillance and harassment.

Our policy aims to balance the promise of images with their dangers. We are particularly careful with portraits of trans people. We try to be as ethical and transparent as we can while navigating this.

Types of Uses

Our project uses images in three different ways:

1. Images associated with database records

Our database captures information about people, media works, festivals, screenings, locations, archives, distributors, and funding bodies. In the database, images can be associated with any of these things. We prioritize collecting images for people and media works.

2. Static website pages

In addition to the searchable database, the website has pages with static content, including the homepage and pages devoted to: project overview, team, advisory board, Indigenous initiatives, writing, course outlines, bibliographies, supporting trans artists, finding support as a trans artist, and a help & FAQ page.

These pages feature images, ranging from “hero” images¹ at the top of the page to images in the background of clickable boxes like “Black Filmmakers” and “Two Spirit Filmmakers.”

3. Promotion

We also use images to promote the project. This includes:

¹ Hero images are the large images at the top of a page, serving as a visual representation of its content. For example, the hero image on the BIPOC Trans Filmmakers filtered search page would be a photo of one or more BIPOC Trans filmmakers.

- Our social media accounts (Instagram, Twitter, Facebook)
- Posters, postcards, and flyers

4. Knowledge mobilization

We use images in our presentations and writings on the project to academic and broad audiences. This includes:

- In-person and online talks
- Scholarly and journalistic publications

Image Metadata

Part of our ethical commitment is to publicly credit the people and institutions who have created and hosted the images we use and to make images accessible to blind and low-vision users.

For more information on titles and image descriptions, see *Image Accessibility on the TMP* on the [TMP Policies page](#).

Title: The title will name the person or object depicted, including the action and context if it can be summarized in one short sentence.

Alt_Text: 1-3 sentences that describe the object, action, and context, including descriptions of a person's identity/appearance and transcriptions of key text.

Date: The date on which the image was taken (if known)

Source: A link to where you found the image.

Credit: The name of the photographer/creator (if known).

Copyright_Status: The image's copyright status (if known)

Rights_Holder: The person/institution who owns the rights to the image (if known)

Copyright_Year: The year in which the image was copyrighted (if known)

People in the image, Media works in the image, Archives in the image, Awards in the Image, Distributors in the image, Festival Editions in the image, Festivals in the Image, Funding Bodies in the image, Locations in the image, Screenings in the image: Node IDs that link the image to any other nodes in the database that are represented in the image.

Protocols for Putting Images Up

These protocols describe the types of images that will be used across the Transgender Media Portal, laying out principles and instructions for how they should be used. The application of these principles will vary, however, and will be determined on a case-by-case basis by the lab members working with the images.

Group 1: Images of people

Images of people include portraits, group photos, pictures of people at events, and drawn portraits.

They are considered the most sensitive image type, especially because we will largely be working with images of oppressed groups of people who are the target of negative attention, misinformation, and hate campaigns. Most of the images of people that we will encounter are not made for explicitly promotional purposes.

For these reasons, we take special attention when dealing with these images. This section outlines our consent requirement and process with exceptions and alternative methods.

1. While we would prefer to get the explicit consent of the people in photos we display on our site, we also recognize that giving consent can be a demanding process that requires free labour and technological skills that can exclude filmmakers who do not have the time, energy, access to and/or proficiency with digital technology to do so. Also, our team does not have the capacity to correspond with hundreds (and potentially thousands) of filmmakers. Therefore, when using images of people in the database, we will notify filmmakers but not require their consent. We will do our best to only use images that we think they would be happy with. That is, we will only use images that are publicly available, accurate representations of the filmmaker that they have used to represent themselves.
 - 1.1. Where available, we will use images from a press kit or similar materials designed for public use and representation of the filmmaker.
 - 1.2. We will prioritize images from a filmmaker's public and professional websites.
2. We will notify all filmmakers prior to launching the TMP that the images we have selected will be used in the portal. Through this notification process, we will give them the opportunity to review and approve the images or request that they be



- removed entirely. If they consent to having their photos in the portal, this consent can be revoked at any point. If the individual(s) in the photo requests to have their image(s) removed, we will follow our [internal protocols for taking images down](#).
- 2.1. The filmmaker will have the chance to revoke consent for any images of them to be used in the database, throughout the website (e.g. Bibliography page), and in our social media feeds.
 - 2.2. If the filmmaker does not respond to this notification, we will use their images in the database, throughout the website, and on social media.
 - 2.3. All information related to image use will be provided in plain language with clear, accessible options made available to all filmmakers.
 - 2.4. Upon request, this process will be modified to meet access needs.
3. If the person in the photo is deceased and does not have a press kit, we will prioritize high-quality images from the peak of their career.
 - 3.1. We will not attempt to contact a deceased person's estate, living family members, or friends.
 - 3.2. If we are contacted by a person who claims to be the estate or family member of a deceased person included in the database, we will follow our [internal protocols for taking images down](#).
 4. We will be mindful of which images we are using and omitting. We will use high-quality portraits when possible. We will use images that we think the person would be proud of, that they have used to represent themselves.
 - 4.1. We will not use paparazzi photos, candid images, or other private photos.
 - 4.2. We will use images that best align with what we know about the person's presentation and identity. We will not include images from before a person's transition, whitewashed or lightened images of BIPOC, or edited photos that poorly represent the person.
 - 4.3. We will not use images that degrade or disparage the person in the photo. We will be mindful of text laid over photos, modified images, and other tactics employed to insult and attack trans artists.
 5. We will not include photos depicting anti-trans, racist, misogynistic, or ableist violence. For instance, if we find an image of a person who has been victimized, we will not use that image.
 6. If a person requests to have their entry removed, we will not include any photos of that person.

7. We will not share or sell photos or associated data with third party platforms or companies, including OpenAI and associated companies. Due, however, to the public nature of the website, we cannot ensure that these images will not be copied, saved and/or used by others outside of their intended purpose.

Group 2: Images from films and film posters

This includes scans of printed film posters, born-digital film posters, as well as frame enlargements and screenshots from media works.

These photos are relatively sensitive because they often include people and involve choosing how to represent an artwork.

However, posters have been designed for the express purpose of promotion and public use and films that have screened publicly have also been created with the purpose of sharing their content. Therefore, these types of images are not considered as sensitive as portraits of people and will follow different standards for consent and use.

1. Because posters and films are designed to be publicly screened and displayed, we will not notify anyone before using them.
 - 1.1. However, if the filmmaker or the actor(s) in the image request to have it removed, we will take it down.
2. We will prioritize film stills and posters submitted to the Transgender Media Portal by the artist.
3. Our next priority is high-quality images from the artist's website or a film festival program.
4. If film stills are not submitted or available on relevant websites, we will capture high-quality stills that we feel accurately represent the film. We will take screen captures that we think the artist would be proud to display, which show the film in a good light.
 - 4.1. These images should be taken in the highest resolution possible, taking steps to maintain its quality upon saving, storing, and displaying the image.
 - 4.2. We will not modify images in a way that alters their content, message, or structure. Only essential edits, such as cropping out black bars, are to be made.

5. We should remain conscious of the symbolic power embedded in the images we use and share and their ability to induce shock and pain.² When we are capturing our own still images from a film, we will avoid capturing images of excessive harm or violence inflicted upon oppressed people. We will avoid removing sensitive and vulnerable scenes from the contexts of their representations.
 - 5.1. The images we choose and omit should be in line with the core values and policies of the Transgender Media Portal (see the *Transgender Media Lab Handbook* and *BIPOC Community Relations Policy* on the [TMP Policies](#) page), including our representations of trans BIPOC and our conscious engagement with historical tropes.
 - 5.2. In the settler colonial context, visual sovereignty is vital to the self-determination of Indigenous peoples. It is important that we contextualize images of Indigenous peoples and culture using the language determined by the community rather than furthering the colonial practice of othering.

Group 3: Everything else

Other images we use include images of archives, venues, logos, and images that do not include people and are not directly tied to a film.

We consider images to be the least sensitive. Our main priority is with crediting and maintaining image quality.

1. We will not notify anyone when using publicly available images of venues, logos, and other images in the website and database.
2. We will not modify or falsely represent the image of an organization, group, or business by modifying or misusing their logo or images of their building.
3. We will use the highest quality images available.
4. When possible, we will credit the original photographer and link to the source of the photograph on the page.

² Fishman, Jessica M. “News Norms and Emotions: Pictures of Pain and Metaphors of Distress” in *Image Ethics in the Digital Age*, ed. Larry Gross, Stuart Katz, and Jay Ruby (Minnesota: University of Minnesota Press, 2003), 53-70.

Protocols for Taking Images Down

The TMP's People Notification & Take-down Plan is an internal document which outlines the steps to address taking images and records off of the Portal.

Using Images in Social Media, Promotion & Research Dissemination

Many social media platforms are image based. They make images available to a wider audience than our website and bring more attention to the people represented to them.

This can be a good thing, but, given the targeting of trans people online, it can also be a bad thing!

The use of images in social media, promotion, and research dissemination, also removes them from their context. On an Instagram feed, for example, image descriptions are not available until a user clicks an image. Where images of trans, BIPOC, and other oppressed people are already often decontextualized, misrepresented, and weaponized, we aim to take steps to ensure we have informed consent and can best represent the images we use.

1. When we notify filmmakers about their inclusion in the database, we will also ask whether they want photos of them and their works to be included in our social media feeds and if they want to be tagged. The person in the photo will have the option to be included in the database, website, and other materials but not on our social media, if desired.
2. We will be mindful of our use of filters over images, particularly avoiding any filter that lightens skin or alters features. Generally, we will avoid filtering or altering the colouring on images used for social media.
3. When using film stills, we will include relevant context and credit to the filmmaker(s) in the alt text³ and/or text of the post or promotional material.
4. We will respond quickly to requests for removal from social media pages, as these platforms are too often used to target trans people. We will monitor comments and direct messages, in accordance with the *Social Media Policy*

³ 1-3 sentences that describe the object, action, and context, including descriptions of a person's identity/appearance and transcriptions of key text. See *Image Accessibility on the TMP* on our [Policies page](#).

([view on the TMP Policies page](#)), to ensure that filmmakers are not being targeted through our social media pages.

5. When known, we will credit the original photographer in our social media post.