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Viewfinder.

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Know you rights - Shooting in public

By Paul Clark

Recent events once again shine a light on the rights of photographers to capture images in public spaces. Paul Clark investigates to highlight just exactly what's within your legal lights.

Internationally renowned landscape photographer, Ken Duncan made the news last year when he was accosted by 'customer service staff' for taking photos at Sydney's new Barangaroo Reserve.

As was widely reported at the time, on the day of the altercation, Duncan had gone to Barangaroo to take some photos – at no charge - for friends at a sandstone quarry who had supplied material for the park. Barangaroo Delivery Authority (BDA) staff saw Duncan looking too 'commercial', as he had a tripod, and went to question him. He was told that police could be called, though that didn't eventuate.

© Dean Sewell

The humble photograph seems to be more controversial now than at any time in its long and distinguished history. The modern day fears of terrorism, perverts, and brand devaluation seem to be a sort of unholy trinity driving a push to restrict photographers. Pushing from another direction is a social media fuelled love of exposing every aspect of our lives through photos and video on social media. In this article, we separate fact from fiction, and make some sense of this strange and conflicted world.

Fact vs fiction

In photography, as in many other areas of life, there is a significant divergence between what the average person believes to be the law, and what is in fact the law. Photographing people on the street is one of these

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Federation of Camera Clubs [NSW] - http://www.photographynsw.org.au/
Australian Photographic Society - http://www.a-p-s.org.au/
Gurushots - https://gurushots.com/
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Viewfinder cover photo taken by.

Jenny Hale in Zurich on hols.

areas where divergence between belief and reality is common. Detail of legislation varies by country, and in Australia by state and territory, so photographers need to check local laws where they are shooting. For those shooting in Australia, most state jurisdictions have some things in common.
In Australia, contrary to popular belief, there is no 'right' to individual privacy enshrined in law. Generally, photographers can freely photograph everyday objects or people, provided they break no other laws. Commonwealth and State privacy laws protect stored personal information, but do not cross into the territory of photographing people or objects. There is nothing, for example, to prevent a photographer standing on a footpath and photographing a person at their front door. This is why it happens all the time for 'doorstop' interviews.

Shooting from the pavement

If a photographer stands on a person's land, they may be trespassing and can be asked to leave. This applies to shopping malls and similar privately owned spaces, where although frequented by members of the public, are not 'public' space. A media photographer trying to get a story who is asked to leave private property will generally do so, and resume shooting from the footpath. The footpath, with a few exceptions, is not somewhere a person can be prevented from taking photographs.

© Dean Sewell

Our hypothetical photographer on the footpath could be moved on by police if their presence creates a nuisance, perhaps if they blocked the way or caused some other disturbance, but generally they are acting entirely within the law. Otherwise, Australian police generally cannot prohibit photography. The NSW Police media policy is a good example of typical Australian police powers. It states that "Police have no specific rights or powers to do anything to prevent the media taking photographs of or filming police officers or family members at crime scenes, if the media remain out of the crime scene itself and obey all other laws".

© David Stowe - Society Photography

What can police do?

In NSW, the Police media policy is clear: "Police may have powers to prevent a member of the public from taking photographs or filming, or confiscate equipment or deleting images only in certain limited circumstances." These are words that need to be read carefully, especially the words 'only' and 'limited circumstances. Those circumstances are: "Where they have been given special powers under anti-terrorism legislation; or where taking photographs or filming images amounts to offensive conduct under the Summary Offences Act 1988".
One of those summary offences might be attempted 'upskirt' photography without consent. In any such case, one imagines that deleting images on the spot would not be a very smart idea if the images were to be needed for evidence of a crime. So, in the absolute worst theoretical case, a photographer could be arrested on suspicion of taking indecent photographs without consent, but would not have their equipment or storage media damaged in any way.
Let's ensure this is clear. There is a right to take photographs on a phone or a camera in most circumstances. The NSW Police Media Policy states: "Members of the public have the right to take photographs of or film police officers, and incidents involving police officers, which are observable from a public space, or from a privately owned place with the consent of the owner/occupier."
In the normal course of events, excluding the Defence Act, no one can legally demand that a photographer delete images and an attempt to do so by force would be assault. Vigilante citizens, surf lifesavers, security guards and so on certainly cannot do so.
By comparison, in the UK, the Metropolitan Police state that it is legal to film or photograph incidents or police personnel. They do, however, already have the power to stop and search people and seize equipment if they believe the person may be engaged in terrorism (s43 Terrorism Act 2000). Section 58A of this Act goes further and provides that it may be an offence to publish information – including photographs – about

members of the security forces.
Equally, the UK Metropolitan Police may question any individual taking photographs provided they do not inhibit that person from doing something which is legal. Of course, the vast cast of private security guards and concierges and so on also found in the UK have no police powers, but could call the police if they thought a photographer might be a terrorist.

Photographing private homes

In Australia, there is usually nothing to prevent a photograph of a home, home owner or person on a property being taken from the street. A home owner coming out the door, or standing at the window, is all fair game if the photographer is on the street. Poking a lens through the bedroom window is not fair game, however. This would fit into a broad category of laws against various forms of voyeurism as well as trespass.
Similarly, in Australia, various laws prohibit attempts to take so-called 'upskirt' photographs, or other indecent photographs of people where they have a legitimate expectation of privacy, such as in changing rooms.

© Dean Sewell

Politics and journalism

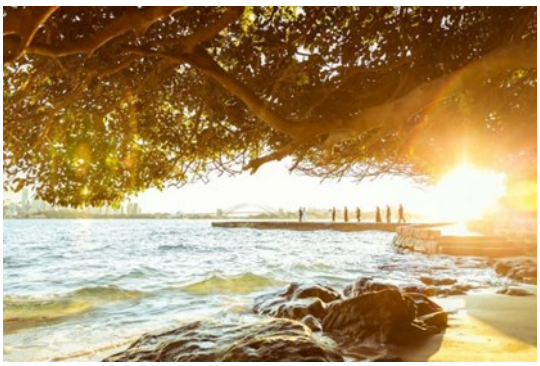
When a story must be told it is usually the photojournalists who are in the front line – literally and figuratively – and may be criticised for being too intrusive. Renowned photojournalist Dean Sewell says that he has "never really been concerned with the legalities of photographing in public places. Rather, it has been my moral code and ethical conduct that has governed my practice as a photojournalist and street photographer." Sewell is determined that scenes happening in public should be recorded, even if the images are uncomfortable for some.
What does that mean in practice? Sewell describes covering the story of anti-coal seam gas demonstrators at a clandestine camp in the bush, at a location we won't disclose. Both they, and he, were trespassing. Sewell says that a complex legal framework meant fines of up to $2000 against protestors or anyone else caught in the forest. "Documenting these actions meant that I was, like the protestors, at risks of heavy fines if caught within the forest," he says. "I would often find myself in a dually compromised situation, being trespassing on a mining lease whilst within restricted crown land. I would often have to travel under the cover of darkness in the early hours of the morning with the protestors, photograph their illegal actions, and then get out of the forests with my material before the arrival of the police."
Sewell also describes events on the street where his legal right to shoot in a public space was not sufficient to allow him to keep shooting. Photographing a car search carried out by police in an inner city suburb, Sewell was approached by several plain clothed police. "They told me to move along, and I told them I was within my rights to remain on the footpath out of their operational space," he says. "They disagreed and told me if I didn't remove myself they would physically remove me. I refused to go and so two burly officers grabbed hold of me on each arm and dragged me for 50 meters down the street."

© Ken Duncan

Shooting the military

An old but perhaps not that well known restriction is on the photography of defence equipment, establishments, and even personnel. In Australia, the Defence Act 1903 (Cth) prohibits photography of Defence bases. In fact, according to section 82 of the Act: 'If a person makes a sketch, drawing, photograph, picture or painting of any defence installation in Australia or of any part of one; and the person has no lawful authority to do so,' they can be fined $200 and/or jailed for six months.
The Defence Act goes on to state that: 'Any member of the Defence Force, member or special member of the Australian Federal Police or member of the Police Force of a State or Territory, may, without warrant, arrest any person who he or she has reasonable ground to believe has committed an offence against this

section.' Think about that next time you are photographing Amphibious Assault Ships at Garden Island, in Sydney. Australia, despite this, is quite liberal compared to some countries where photographing defence bases or coming too close to security forces could result in injury, such as the gunshot wound suffered by AFP photographer, Asif Hassan during an anti -Charlie Hebdo demonstration in Karachi, in 2015.



© David Stowe - Society Photography

Publishing your images?

Taking images is one matter – publishing them or profiting from them is another. It's worth examining the case of the Sydney Opera House (SOH). Their website states that they consider wedding photos 'acceptable'. But does that mean that it's OK to put those shots on the Internet? Well, not entirely.

For the wedding couple, photos taken at the SOH are considered 'for personal use' so they can Facebook away all they want. The photographer may wish to use the wedding photos taken there to promote his or her business, but the Opera House may not hold this to be acceptable. The Opera House guidance says: 'In instances where SOH merely forms a backdrop to the wedding couple or only a small proportion of the wedding photo, it is possible that SOH will have no objection to your use of the SOH image to advertise your wedding photography services. If you are not sure whether your proposed use raises concerns, please contact us and we can provide you with specific guidance.' Well, that all sounds a bit dire.

Of course, the Opera House having an objection may not automatically mean that the photographer cannot use the image, but this is enough to put many people off. The Opera House has also taken the additional step of making the exact image of the building a registered trademark. This allows the Sydney Opera House control over commercial use of images of the building, such as on clothing or souvenirs. It does not prohibit photography of the building from another public place, but might be used as an argument against a photographer using an image commercially.

It's not only the Opera House. Regulation 12.38 of the Environment Protection and Biodiversity Conservation Regulations 2000 (Cth) says that a person must not use a captured image of a Commonwealth reserve, which includes iconic areas, such as Uluru, to derive commercial gain. 'Captured image' includes an image that was not captured for a commercial purpose. If personal photographs are accessed for commercial purposes (for example, copied off social media), the user, not the photographer, will be in breach of the regulation.

© Dean Sewell

Does the Public really own 'public places'?

Some public places appear to be quite open for anyone to do whatever legal activity they wish but are actually regulated by some authority or other. In NSW, railway stations are a good example. Large, crowded and seemingly very public, you cannot shoot there – at all – without permission. According to Transport for NSW, even a 'hobbyist' or amateur photographer must seek permission to take photos.

Astonishingly, even a photography student has to apply for a permit at a processing cost of $110. A professional seeking to do a 'low impact' shoot involving 1-25 people must pay an application fee of $550. It is understandable that government departments need to control what takes place on their properties, but $110 seems a high price for a student.

It's not all bad news. City of Sydney does not charge an application fee for filming and photography in Council open spaces as long as you cause no disruption. You are still expected to apply, and Council will also check that you have insurance cover.

© Ken Duncan

Permits to stop clashes

In practice, what seems to be a long list of regulations does not always get in the way. For example, the Sydney Opera House staff are courteous and friendly, says wedding photographer, David Stowe. Stowe has shot there many times and never had any problems, although he has had problems elsewhere – not with officials, but with wedding parties

crowding into popular photography spots when he has a permit, and they do not. “A permit system can be good from a management perspective,” says Stowe. “Shooting wedding photos at a popular spot like the pier of Bradleys Head, you don’t want groups clashing or getting in each others’ way.”
Some parks such as Sydney’s Middle Head allow photographers to register at no charge for a standing permit to shoot there. “It’s just a management procedure so they know who’s on site,” says Stowe. “It’s the same at QVB. You don’t pay to shoot there, but you do need to check in for safety briefings and so on.”

How to spot a professional – a field guide

One of the things that really annoys Duncan about his situation at Barangaroo is that he was singled out by ‘customer service’ essentially for having a tripod. He thinks it is needlessly intrusive to have authorities questioning people who are doing innocent things. “Why are we comfortable with ‘security’ going and questioning people in a public place?” he asks. “Furthermore, why is it OK to take pictures with a tripod during some festival like ‘Vivid’ [where Sydney is lit up at night for art] and then when it’s finished it’s not OK again?”
Duncan argues that it is dodging the issue to just pay the fees, if any, for ‘commercial photography’. He says that in Australia, there are too many authorities in charge of too many locations such as national parks, public parks, buildings and landmarks. Not only is it a bureaucratic tangle working out who can give permission to shoot where, but also, according to Duncan, the administrative hassle is harming business development.
Duncan is not suggesting that photographers be allowed to block access or restrict other people from enjoying parks. “As long as a photographer doesn’t want more rights or access than anyone else,” he says, “why shouldn’t we take photos without special permits?”
Stowe agrees that there’s no need for iconic sites to be scared of professional photographers. “Professional photography is good to help maintain the status of those locations,” he says. “It helps them retain an image as prestigious and desirable.” He also agrees that professionals should not be discriminated against on the basis of supposed equipment load, as amateur shooters may carry the same, or even more equipment compared to pros.

Nip bureaucracy in the bud

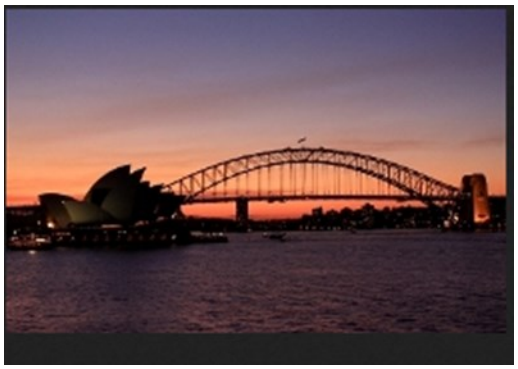
Duncan is concerned that the public space environment for all photographers is what is at risk. “This is the real issue,” he said after the incident at Barangaroo. “If we don’t act now, things will get worse. Photographers already get bailed up, just taking personal photos. We should not get treated like criminals.” When we interviewed Duncan again recently, he said that he planned to follow up with NSW Premier, Mike Baird, who had taken an interest in the matter, to see what had been done to deal with the issue. If nothing’s been done, Duncan suggests it is time for a photographers’ protest rally.

Snapping In the Street

By *Jo Teng*

Cameras are everywhere nowadays. They range from the tiny lens in your smartphone to convenient point-and-shoots right up to huge digital SLRs with interchangeable lenses and flashes. Anyone can do photography these days, but while aspiring photographers learn about ISO, the rule of thirds, f-stops and so on, awareness of the legal issues around the taking of photographs is less common. In this article, Arts Law looks at some of the key issues around popular photography subjects in public spaces.

Buildings & architecture

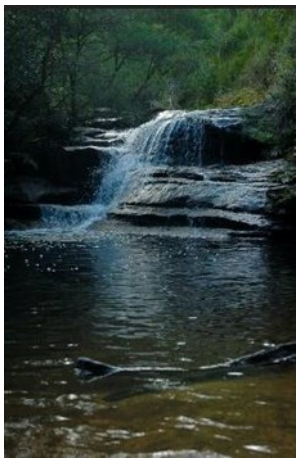


Under sections 66 and 68 of the *Copyright Act* it is not an infringement of copyright to photograph a building, or to publish that photograph. There are, however, issues of access and restrictions on activity surrounding some building and architectural sites.
Public spaces, particularly ones that attract a lot of people, are controlled by a local council or a government authority which can impose restrictions on people and activities that take place in that space. For example, the New South Wales Sydney Harbour Foreshore Authority which manages Darling Harbour, Circular Quay, the Rocks and Luna Park prohibits commercial photography in these areas without permission, and any person who causes an annoyance or inconvenience in these areas – say a photographer stubbornly blocking a walkway with his tripod awaiting that perfect shot – can be removed by ranger or police. Sydney Olympic Park takes this fur-

ther in that anyone causing an annoyance or inconvenience by taking photographs can have their camera confiscated by an authorised person if the photographer doesn't comply with directions to stop.
Government property such as power stations, railway yards, and military stations are restricted areas, and trespassing into these places may lead to arrest and prosecution. With military stations and areas declared 'prohibited' for purposes of Commonwealth defence, photography is actually illegal, and the mere possession of a camera while in such an area can result in its confiscation and destruction along with any pictures and equipment. In serious cases, you yourself may face fines or even imprisonment.
Private property requires permission from the land owner prior to access, otherwise you may be liable for trespass. The land owner will have a right to impose restrictions on activities, for example only allowing certain areas or objects to be photographed. This is done by many museums and galleries which restrict photography of artworks as a condition of entry.

Parks, pools, reserves & beaches

Parks, pools, beaches, nature reserves, etc. are not works for the purposes of the *Copyright Act* and as such there is no need to seek copyright permissions to photograph them. They are, however, managed or controlled by either a local council or government authority which as described above can make rules regulating photographic activities.



Local councils: These have responsibility for local parks, pools, and most beaches. In the wake of public concern over photography of unsuspecting swimmers in bathing suits, many local councils such as Waverley which manages Bondi Beach have imposed restrictions on photography at beaches and/or public pools. These restrictions have in some cases been extended to other sites such as streets and cemeteries. Most of these restrictions would seem to apply to commercial photography however photography of any sort may be prohibited in specific spaces such as pool changing rooms. If you are going to take photographs in a public space controlled by a local council – pool, beach, cemetery, etc. – you should check with the managing council as to whether any restrictions apply and if so, what.
Government authorities: These have responsibility for national parks and wildlife reserves. It is necessary to identify whether the government authority is a State one or a Federal one. For example, the Federal Government has control over Commonwealth Marine Parks and Reserves, Kakadu National Park, Australian National Botanic Gardens, and restricts the taking and commercial use of photographs in these areas without a permit. State and Territory governments will also control various parks in their jurisdiction such as regional parks, historic sites, and state conservation areas. If you are planning a trip to these types of sites for photography you should make inquiries as to which specific body manages it in order to identify the laws and regulations that may affect you.

Public art & street art

Murals and sculptures enhance a public space and are attractive photography subjects, however because they are artworks, they are likely to be protected by copyright. This means a photographer will need to seek permission to reproduce the work in a photograph unless an exception applies. Whether or not there is an exception will depend on the type of art work being photographed.
Sculptures: Under section 65 of the *Copyright Act*, it is not an infringement of copyright to photograph or publish a photograph of a sculpture if the sculpture is permanently situated in a public place or in premises open to the public. This would include sculptures in a park or city street, but also sculptures such as headstones and statues in a publicly accessible cemetery.
Murals and graffiti: Although murals and graffiti are generally situated in a public place, because they are two-dimensional artworks the section 65 exemption does not apply. As such, if you substantially reproduce a mural or graffiti work in a photograph you may be infringing the copyright in that mural or graffiti work. Substantial reproduction is not a question of how much has been reproduced like 10% of 70%, but rather a question of quality (i.e. what has been reproduced). This means a photograph looking down a street that happens to have a mural wall running down one side adding perspective is less likely to infringe copyright than a photograph that focuses on a key part of the mural making it the main subject of the photograph, even though the first photograph shows more of the mural.

Logos and trade marks

The way advertising and marketing work nowadays, it is almost impossible to take pictures in an urban area without catching some company's logo or trade mark. A trade mark, especially a registered

one, gives a trade mark owner exclusive right to use the trade mark and authorise its use on particular goods and services. However, a trade mark is only considered infringed if it is used *as a trade mark* by another person without authorisation. That means while it's okay to take a picture of yourself standing in front of the gigantic Coca-Cola sign in Kings Cross and share it on Facebook, using that picture in association your own line of drinks will not be.

People

Finally, people. The first thing to know about people photography is that there is no personal or publicity right in one's personal image, so there's no need to 'clear' anything before taking pictures of someone's face. Current privacy laws are concerned more with the collection and storage of personal information meaning there is no right of privacy, and neither is there (at least thus far) a tort of invasion of privacy. As such, snapping a picture of someone in the street in an urban scene or because you like their fashion sense is generally allowed.

Things get a little more complicated when you photograph people for a commercial purpose, such as a poster where someone's face is used to sell or advertise a product or service. In this case the subject of the photograph will need to have signed a model release form in order for their picture to be taken. If a photograph of a person is used commercially without that person's permission, you could potentially be liable for misrepresentation, the tort of passing off, or defamation.

Be aware also that their sensitivities around the photography of people in certain circumstances, and also children. Snapping pictures of people in a private act where they would reasonably expect to be afforded privacy without their permission such as in the bath, on the toilet, or engaged in sexual activities, is a punishable offence under New South Wales law. With children, charges can be laid in many states such for taking "indecent" photographs of a child under the age of 16 without a legitimate reason, even the child was in a public place. These are criminal offences and can result in a fine or imprisonment.

Conclusion

As far as photography in public goes, there is no need to seek permission to take a picture whether the camera is aimed at a building or a person. There may, however, be issues of access to the space, and, where people are concerned, how the photograph is going to be used. And of course, there is one important thing to always remember as a photographer, namely that any photograph you take is protected by copyright owned by you.

Jo Teng is a solicitor at Arts Law who enjoys taking photographs in her spare time.

Photo Tip of the Week: Shooting Architecture

From Australian Photography

Capturing buildings and structures in dynamic ways presents some unique challenges for photographers. Rob Ditessa talks to three architectural specialists to find out how they get their images.

Peter Bennetts is interested in how a building fits into its environment, both physically and culturally, and how it responds and gives back to the city or landscape in which it finds itself, rather than the building as an object. He never works on an assignment as a "cold call". He says he always finds out as much as he can even before seeing a building, in the same way you would do in preparing for a portrait or documentary shoot.

He asks for plans, and any construction images which might have

been taken. Often, his assignments involve people whose work he already knows, and he may do a walk around with the architect. He will walk about "to get a feeling of what's going on, and then it's pretty much instinctive and reflective. I obviously follow the play of light across a building's face, but I think firstly about photographing space, and the occupation of space."

***Islington Silos by Michael Evans. Canon EOS 1Ds Mk III, 16-35mm f/2.8 L, 331seconds @ f/8,* ISO 100.**

DIFFERENT APPROACHES

A Melbourne-based architectural photographer of 20 years standing, Bennetts' images have been published in *Conde Nast Traveller (UK)*, *Travel & Leisure (USA)*, *Time, Domus, Frame and Architectural Review.* His work ranges from Sydney to Perth, and he can find himself in many different shooting environments. At the time of writing he had just been on a helicopter shoot photographing Melbourne's CBD. His field is hard work, and there are long days, especially in summer, and at times it can be physically arduous. Nothing happens if you stay at home, and he says young photographers should get out and put themselves in the right place, because fortune most often favours the brave – and hard working!

Another pro, Andrew Krucko, explains his own approach to architectural photography. "There is so much information that I process subconsciously." After 20 years of professional work and a lifetime of looking at architecture, he says, there is no checklist he works through. It's now instinctual. Even as a youngster, before he was conscious of design, he remembers paying special attention to the stylish residential buildings along Botany Bay's Grand Parade in Sydney, when his family drove along it on their annual holiday trip.

Nordpark by Peter Bennetts. Image made in 2008 in Innsbruck, Austria. Zaha Hadid Architects. ALPA 12SWA, HR Digaron-S 28mm/F4.5 Rodenstock HR, Leaf Aptus 75 Digital Back.

On a project, the first thing he notices is how a building resonates within its space, and his response, which is all to do with the basic rules of composition, and design. He will look for where the structure sits best in its environment, so it will be pleasing to the eye when an image is published. The brain hides many things that do not look right, but the camera does not, and he aims to reduce them. To enhance the look of the composition, he will find the best time of day to take advantage of the light, and use the sun as a compositional device.

Michael Evans fell in love with photography while working as the photo archivist in London's Fitch and Company, then the world's biggest commercial and industrial design firm. His first camera was a Nikon F3, and then he bought a Sinar F2 4x5 large-format camera for its quality and tilt-shift capabilities. The projects he has photographed include a Canadian shop selling vodka to the Ukrainians in Kiev, Heathrow Terminal 4, and department stores in Finland. Around 18 years ago he moved to Australia to run a successful architectural photography practice.

He says, "Although this may sound a little clichéd, I am really looking to capture the essence or soul of the building. This really begins with taking a detailed brief from the client, establishing just how the building works and what problems if any that the architect or designer overcame to ensure success. For example, if promoting pedestrian circulation within a space is a perceived issue at the design stage of the building, I will often find myself photographing a 'hero' staircase or escalator system at the project's conclusion. Essentially, I suppose, I see my job as trying to make the finished project look better in print or on the web than it does in real life."

AAMI Stadium in Melbourne's sporting precinct, by Michael Evans. Canon EOS 5D Mk III, 24-105 f/4 L, 2 seconds @ f/8, ISO 100.

TIPS FOR SHOOTING

Before putting the camera to your eye (and assuming you're not working to a particular client brief) Evans urges a study of the building. He says, "Ask yourself what you like about it, why, and the essence of the building in a close-up detailed image. Just because you can get all of the building in the frame, it does not mean you end up with a better image.

You can get carried away with a building that looks fantastic to the eye and senses, but when you look at the image on the screen you notice the lighting is bland, or there is too much sky, or perhaps the building is now no more than a silhouette. Look for interesting shapes, and most importantly the light. I strongly recommend using an app called 'The Photographer's Ephemeris' when planning an architectural shoot; it gives me the exact light and weather conditions for the site prior to my arrival, allowing me to plan my shot list around the conditions, or if necessary to reschedule."

Krucko says that because architectural photography takes a lot of precision, shooters should avoid using cheap lenses which have complex distortions that can't be corrected easily in post-production. Take care with your composition when using a wide-angle lens, because it's difficult to judge whether your lines are perfect. Waiting for the best light is a big part of the job, as is working on dusk and dawn shoots. He urges newer photographers not to rush their work.

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LIMS Building, by Michael Evans. Canon EOS 5D Mk III, 17mm TS-E f/4 L, 1/160s @ f/8, ISO 200.

Often you'll see elements like power lines going through the frame, and if they're distracting, he looks to remove them in post-production. If the image is taken for a competition, or a publication, or to sell it, you don't want to misrepresent it, but otherwise you want to make it the best that you can, he says. Bennetts says that often a student will show him work where they have made no judgement about the building being photographed. "Photographing good architecture is easier. Do yourself a favour and photograph the best of the built environment," he says.

STARTING OUT

To start out Bennetts suggests including in your equipment the best tripod you can afford, but nothing fiddly. For lighting, always think about the sun's angles, the play of shadow and time of day. Timing is paramount. Work with a minimum of gear. He explains that in mountaineering terms, he favours 'an alpine-style ascent', taking no more than is self-sustainable, photographing only with what he can comfortably carry for a day, as opposed to a 'siege-style' ascent where you take everything with all the support you might need. Be ready to grasp the opportunity when it pops up, for instance, getting access to a rooftop. You need to take yourself there and shoot with a minimum of fuss.

Often an enthusiast will buy a 17mm tilt-shift lens for their architecture work. Bennetts cautions that peo-

ple should use such a lens carefully because it can distort, exaggerate and distend a building. It's also manual, and you need to know about metering in a straight axis position and not off axis, and controlling flare. He suggests starting out a fixed 24mm lens, and you can photograph on the street rather than slow yourself down with particular equipment. "It used to be that the only way to correct perspective was with a view camera, and it really dictated when and how you could shoot. You needed a smaller aperture which necessitated longer exposure, and it was very hard to capture any movement", he reflects.

Krucko's equipment list for beginners includes any good DSLR with at least 95% frame coverage for more accurate framing. He suggests coupling it with a wide-angle lens without complex distortions, though some barrel distortion is acceptable as any decent RAW convertor will fix it. A tilt-shift lens is a valuable tool, but expensive. A polarising filter will work for any reflections in the glass. A sturdy tripod with a quality head which doesn't move after it's adjusted is required, and a step ladder can come in handy. If your camera doesn't have an inbuilt spirit level, buy one for the hot shoe, he says. For interiors, using hot lights means you can see in real time the effect of the light, as opposed to a bomb flash going off. The idea is to augment the interior lights, and not to overpower them, in such a way that the viewer can't tell the scene has been lit.

Holman House, by Peter Bennetts. Taken in 2011 in Dover Heights, Sydney. Durbach Block Jaggers, by Peter Bennetts. ALPA MAX, HR Digaron-S 28mm f/4.5 Rodenstock HR, Leaf Aptus 75 Digital Back.

TECHNICAL DETAILS

Evans says he mainly uses the Canon 5D Mk III as his workhorse, with a Canon 1Ds Mk III as a back-up. His favourite lens is the 17mm TS-E f/4, which he says is superbly sharp from edge to edge. While he rarely uses the tilt function, he appreciates the capability. When he finds that space constriction prevents him from fitting all of a building into one frame, by shifting the lens he can panoramically stitch two or more frames together, and create an image of the building as a whole.

"Because I also do a great deal of industrial work in the mining, energy and construction fields, I need the convenience of autofocus and so I also have the 16-35mm f/2.8 L II. I have never found this lens to be particularly sharp in the corners. Indeed it pales in comparison to the 17mm, and I have recently bought the 16-35mm f/4 L IS and I have found it to be a stellar performer. It certainly outperforms the f/2.8 version in terms of sharpness and flare resistance. The other lenses in my kit are a 24-70mm f/2.8 L II, a 50mm f/1.2 L, a 85mm f/1.2 L, a 70-200mm f/2.8 L IS II, and a rarely used 24-105mm f/4 L."

For filters, he prefers the Lee filter system. Although it isn't cheap, he has always found it to be versatile and high quality. He explains, "I use the 0.9 Soft-Edge Graduated Neutral Density Filter to hold back the skies, and I often combine this with the 105mm circular polarising filter, although this does cause a degree of vignetting on the 16-35mm at anything below 18-20mm. Trying to use filters on the 17mm TS-E is, of course, a challenge with such a protruding front element. However, the best option I have found is manufactured by Photodiox WonderPana, which allows me to use slide-in filters."

His main tripod is the Really Right Stuff TVC-34L which he combines with the RRS BH-55 LR Ballhead. He finds this carbon-fibre kit to be very lightweight, but extremely sturdy, particularly as it doesn't have a central column. He's found using the central column on his other tripods the cause of soft images. The 5D Mk III includes an internal spirit level which he finds useful. Because in the past he found the hot shoe-mounted bubble spirit level was another piece of kit to carry and lose, he is fond of the built-in version.

With an interest beyond architecture, Evans owns a relatively large lighting kit which he is able to take on location. This includes the Elinchrom Ranger Quadra, and Bowens Monoblocs. "Having said that, I tend to use the Canon Speedlites 600 Ex-RT system when photographing interiors. I love the fact that they produce a reasonable light output in a small, easy to conceal package. I trigger these using the ST-E3-RT transmitter, which does offer TTL capability, although I always find myself using the flashes in manual mode. I also carry a brace of PocketWizard flash triggers which I can use as a backup system if for some reason the ST-E3-RT fails," says Evans. He uses ThinkTank and Lowepro bags.

CAMERA SETTINGS

Across all his lenses, Bennetts says his default setting is an aperture pretty much between f/5.6 and f/8.

Mostly he uses manual exposure and for the Leaf camera he sets ISO 100, while for the Canon 1DX ISO 200, 400, or 800. Krucko says, “I like to shoot auto white balance and use a grey card for post colour neutralisation. I always use the base ISO. An aperture of f/8 works in 95% of situations, but I’ll go to f/11 if pressed, and I bracket the exposure for each shot.” Evans says with aperture, he tends to work in the range of between f/8 and f/11 because he wants the sharpest possible image without the degradation caused by diffraction. When depth of field becomes a problem, he will often shoot single scenes focusing across different points and then blend the resulting images together in Photoshop to produce one that exhibits front-to-back sharpness.

Shooting in RAW, he says, gives him control over the white balance. While he doesn’t bother to set a particular white balance on camera on location, he always uses a colour checker and photographs himself holding it under the light sources as an accurate point of reference. “I make a guess of the initial exposure since the 17mm TS-E plays havoc with the on-camera metering when shift is applied. I work in manual mode anyway, and so I simply adjust the exposure based on my test image histogram. I know some photographers swear by a hand-held light meter, but I have the Sekonic L-308B and I haven’t used it in years,” he adds.

Umbrellas. Image made in 2005 in Melbourne. Matej Andraž Vogrincic collaboration, Peter Bennetts. Sinar P2 4x5in, Schneider 72mm Super Angulon, Kodak Portra 160NC.

STRAIGHTENING LINES

The best way to deal with the issue of perspective when using a tilt-shift lens, says Evans, is always in camera. “I still tweak the image in post-production if necessary using the free transform command, but it’s important to remember that in doing so the software is essentially making up extra pixels in order to alter the image. On a small scale this isn’t a problem, but it is important to be aware that it will ultimately impact on image quality if you apply it too liberally.”

Krucko agrees about the advantages of doing everything in camera, and says having a camera with built-in spirit levelling has been a great advantage. He will tilt up a little bit and then fix it in post production, but if he gets to the point where the amount of tilt will cause the post to get out of hand, he will simply seek another position for the camera. Bennetts sums up, “I’m always concerned with the natural representation of the built environment, and getting it right in camera without overt dramatisation. Perspective should be natural. It needn’t be absolutely correct, but if you’re going for a photograph with one point perspective, get it right in the camera with perspective correction. Don’t rely on post.”

Bennetts reflects, and echoes the sentiments of Evans and Krucko, “It’s an incredible privilege to see what I do on a daily and weekly basis. If you’re photographing in other genres you don’t get to experience private homes like I do, or the opening of an art gallery, or a new building. It’s all I can do. I’ve never done anything else. I always consider myself to be so lucky for the opportunities where I get to see a bit of the wider world, and see the vanguard of architecture and design.”

A Beginner’s Guide to Capturing Motion in Your Photography

By: Darren Rowse

Emily Hancock, a professional Hampshire Photographer, *submitted the following tutorial on capturing motion in photography.*

Want to know how to capture motion in photography? Want to create the kind of motion photos that take people’s breath away?

You’ve come to the right place.

For instance, you may want to capture a dog running, a train barreling down the tracks, or trees blowing in the wind. Each of these scenes can come alive within your photographs if you learn how to convey motion

properly.
Today, I'll describe how you can use different shutter speeds and panning to capture motion in your photography. I'll also explain a potential issue you might experience when photographing moving subjects – along with tips to resolve it.
Let's get started!

Reasons to capture motion

Beginning photographers have likely seen captivating photographs that capture motion. There are several ways to achieve these photos, and each has a slightly different goal.
You see, sometimes there is a need to blur certain elements in the image while focusing sharply on a few subjects in the foreground. Other times, you may want to freeze or blur everything. The direction you take depends on your objective for your photograph.
A lot of photographers capture motion simply to convey that an object is moving. But there are also other reasons to do this. Movement can communicate mood. Trees rustling in the wind suggests serenity, while throngs of people on a busy city block implies hurried activity.
You can also use motion to eliminate elements in a scene that may serve as distractions to the viewer. For example, you may want to photograph a person standing on a sidewalk corner as cars move behind them. By blurring everything but your primary subject (i.e., the man on the corner), you can eliminate potential distractions and focus the viewer's attention.

Two primary techniques for capturing motion in photography

The shutter speed you use while photographing a scene plays a key role in capturing motion in your image. The faster the shutter speed, the sharper the focus on your subject. On the other hand, a slower shutter speed will blur a moving object. There are two main approaches here (though I'll discuss a couple of alternatives in a moment).

1. Blurred subject with the background in focus

Let's assume you're photographing a speeding train against a wall of trees in the background. You can blur the train while leaving the trees in focus. Doing so would instantly communicate to the viewer that the train is moving quickly.
To accomplish this, you would use a slow shutter speed. (It's also important to use a tripod. That way, your camera remains steady.)
You'll often see this technique used in night time photographs with car headlights cutting through the image.

2. Blurred background with the subject in focus

This second technique keeps your subject in sharp focus while the background is blurred.
Using our train example, the train would be in focus and the wall of trees would be blurred, thereby conveying the train's movement.
Similar to the first method, you'll need to use a slow shutter speed. However, instead of using a tripod, you'll be panning your camera along the directional path of your subject.
But what actually is panning?
Panning explained

Most beginning photographers are trained to "secure" their cameras. That is, beginners are taught that the camera should remain as still as possible for certain types of shots. By contrast, panning requires that you move your camera with your subject. Specifically, you'll be matching your

subject's rate of movement and the direction in which it is traveling.
In our bike example, assume the man on the bike is moving from east to west. In that case, you'll need to pan your camera in the same east-to-west direction, matching the speed of the bike. The best results occur when you have a clear view of the moving object and ample room to swivel your camera along a parallel axis.
Panning effectively can be difficult. You can practice and perfect your technique by photographing athletes who move quickly (for example, basketball players). Try to capture their facial expressions while blurring everything in the background. It will take some time to get it right, but once you do, the technique can be a valuable addition to your repertoire.

Other techniques to capture motion

Besides the two main techniques described above, you can also freeze the entire scene or blur everything. Freezing the entire scene can give your photographs a unique look, especially if the objects strongly imply movement. For example, consider a bird flying in front of a waterfall. Both imply motion to the viewer. Freezing the entire scene captures all that motion and can produce a breathtaking image. You should use a shutter speed of at least 1/1000s for that type of shot.

Blurring everything produces the best results when the scene offers bright, contrasting colors or varying tones. In most cases, capturing motion in this manner is done purely for artistic purposes.

Another effective method for capturing motion within your images is "chrono photography."

Using the continuous shooting feature on your camera, you can capture a series of shots and join them together in the post-processing stage to create the effect shown above. A tripod is essential when attempting to shoot motion using this method.

Determine the proper shutter speed

A lot of novice photographers ask what the proper shutter speed is, given their objective.
But every situation is unique. One speed doesn't suit all circumstances. To identify the right shutter speed, you'll need to ask yourself a few questions:

1. How fast is your subject moving?
2. How much distance exists between the camera and the subject?

How much motion do you want your photograph to convey to the viewer?

The faster the shutter speed, the more frozen and crisply-defined your subject will be. Most cameras today will allow you to freeze a scene using 1/8000s or faster.
That being said, the numbers only serve as a rough guideline. You'll need to experiment with different shutter speeds in a variety of situations.

Potential issue: excess light

Here's a potential issue you may encounter when trying to capture motion in photography:
When you slow your shutter speed to blur elements in your image, there's a chance that too much light will enter and impact your photograph (which will result in overexposure).

This is a common problem, but there are a couple of ways to resolve it:
First, check the aperture on your camera. The wider it is, the more likely excess light will enter. Try adjusting the settings to reduce its size.
Second, review your ISO setting. When the ISO is high, the image sensor in your camera may be overly sensitive to light. This can create a too-bright image, as well as unwanted noise, so consider dropping your ISO.

Mastering the art of motion capture

Becoming proficient at capturing motion in photography requires practice and experience. You'll need to spend time learning how different shutter speeds impact the quality of your images. Even if you're just setting your camera on its tripod, timing a perfect shot of a fast-moving object can be difficult.
In the end, capturing motion in your photography is part technique and part art. Fortunately, with practice, you can master it!

At War with the Dust Bunnies: Tips for Changing Lenses on the Go

By David Coleman
There's nothing worse than thinking you've gotten the shot only to find out when you get home hours, days, or weeks later to process the shots that you have dust bunnies all over the frame. It's a lot like getting your negatives home and discovering that the processing lab scratched your negs or used tainted chemicals.
Lightroom and Photoshop both have very useful tools for getting rid of them in post-processing, especially on blue sky or other pretty even colours, but if the dust was over a part of the image that has intricate texture it can be tricky. And it still takes time to manually go in and remove them, especially if you've been shooting for timelapse. Try removing dust bunnies from 999 images at once on a part of the frame that's changing.
It's definitely one of those times that prevention is much better than the cure. The time that your camera is most vulnerable to dust is when you're changing lenses (and it follows, of course, that if you never change lenses, you're less likely to run into the problem.) Film SLR's have an extra barrier between the film and the entryway for dust in addition to the mirror, but that layer isn't there for a DSLRs where, apart from the mirror, the sensor is basically exposed. Modern zoom lenses are getting pretty good about being flexible enough to leave on for much of the day, but there are still times when you might want to change lenses. I'll often have two cameras on me at any given time with different lenses on, but there are times that just cry out for that super-fast prime lens for a specific shot–but those lenses are usually less flexible. Which is all to say, there are often compelling reasons to change lenses on the go. Ideally, you'd change lenses in a dust-free, still environment. That might work in a studio; on the road, though, is a different matter. But there are some things you can do to help minimize the problem. They won't eliminate the problem, but they can help.

1. Start with a clean sensor. It might seem obvious, but checking and cleaning your camera after each shoot is a good habit to get into. When I'm on the road, I try to make it a nightly chore back at the hotel room along with downloading and backing up my shots from the day's shooting.
2. Get out of the breeze. If possible, try to change the lens away from breezes and preferably in an area with as little dust as possible. Indoors is often better than outdoors.
3. Start with a clean lens. Be sure that the camera end of your lens is clean and free of dust. It's an easy thing to overlook when you're focusing more on the camera body.
4. Power the camera off. When digital cameras are powered on, the sensor maintains a small static charge. That static charge that goes through the sensor attracts dust. And the last thing you need here is to turn your sensor into a dust magnet.
5. Make it quick. Try to keep to a minimum the time that your camera body doesn't have a lens on it. The longer it's exposed, the more chance there is for dust to enter. I like to have the new lens ready to go before taking the old lens off the camera body.
6. Regular preventive cleaning. A dust-blower is a very useful addition to your bag, but I find that using it while out and about can often make the dust problem worse. So I'll often try to use it back at the hotel at the end of the day rather than trying to use it on the go. Nevertheless, I always try to have one with me, and sometimes it's the best option to use it while out and about.
7. Regular thorough cleaning. Periodically give the sensor a more thorough clean. There are a number of options available to do it yourself. It's careful business; if you've got a real problem, send it in for a professional cleaning.

Emergency tip. Sometimes there's just nothing you can do because conditions are just bad or it would take too long and you'd miss the shot. If you're really, really stuck with dust on your sensor and no chance in the short term to clean it, you can try using a larger aperture (eg. f/4 or f/2.8). That might help minimize the problem on the image. Smaller apertures (eg. f/22 or f/11) tend to be more prone because they have a much greater depth of field. It's not at all foolproof, but it can help.With a little luck, making these a matter of habit should help stop those pesky dust bunnies from breeding like, well, you know.

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