

AUSTRALIAN CHILDREN'S PRODUCERS

Australian Content for Australia's Children

MEDIA REFORM GREEN PAPER

ACP RESPONSE: 21 May 2021



Submission in response to Media Reform Green Paper from the Australian Children's Production Group

Introduction

The Australian children's screen production industry is at a watershed moment.

The release of the Federal Government's Media Reform Green Paper in November 2020 has shone a spotlight on this vitally important industry sector that has, as its primary focus, the interests, cultural and educational needs and entertainment of this nation's children. The independent children's production sector does this by having a genuine conversation with Australia's children in a way that reflects our nation's values, our national purpose, and our uniquely Australian diversity, history and our children's futures.

The Australian Children's Producers Group (ACP) represents more than thirty long-standing, successful and committed production companies that have collectively shared in the privilege and responsibility of communicating with Australia's children and their families through the powerful and ubiquitous medium of screen-based content.

ACP welcomes the opportunity presented by the Green Paper to help craft a vitally important, sustainable, commercially successful and future-focused Australian children's screen production sector. We urge the Federal Government to take on board this sector's concerns and our proposals to safeguard a dynamic Australian children's screen production industry.

This submission focuses on Chapter Six of the Green Paper – harmonising Australian content obligations. We also make comment on the other Chapters of the Green Paper as they relate specifically to children's television. Separate to this submission the ACP has provided additional comment on other areas of the Media Reform Green Paper, and responses to specific questions within Chapter Six with respect to thresholds, which are reflected in the Screen Producers Association response.

Chapter Six asks several questions in regard to the proposed harmonisation of Australian content obligations. For the children's production industry, the key questions are:

6.1 *Should the investment obligation apply to all types of SVODs, BVODs and AVODs?*

6.2 *Would a rate of investment of five percent of Australian revenue be reasonable? Is there an alternative rate that would be more appropriate?*

6.5 *Should the investment obligation be able to be fulfilled by any genre of Australia content or should there be specific sub-genre quotas?*

6.6 *Should the investment obligations be geared to commissioned content?*

In addition, the other key questions from the Green Paper for the children's production sector are:

8.1 and 8.2 *Are the timings proposed in the Green Paper realistic and are there any areas that require a greater or lesser period of time?*

Summary

We summarise our recommendations as follows and provide additional information below.

1. QUOTA

- A legislated Australian content quota should be imposed on **SVOD**, Broadcaster Video-on-Demand (**BVOD**), Ad-based Video-on-Demand (**AVOD**), Video-on-Demand (**VOD**) and equivalent services, (collectively the **Streaming Platforms**) reaching appropriate revenue and/or subscriber thresholds, that threshold being a minimum base of \$50million gross Australian revenue per annum.
- There should be no exclusion for broadcaster-owned or affiliated platforms.
- The Streaming Platforms should be obligated to spend a minimum of 20% of their Australian derived revenue on the commissioning of new independent Australian content.
- Of this 20% obligation, a sub quota of 20% should be directed to Children's screen content, (as defined by ACMA) ¹.
- The 20% local content expenditure should exclude all in-house productions by the Streaming Platforms and productions by any company owned or affiliated with the Streaming Platforms.
- **It is estimated that a 20% requirement with a 20% children's sub quota at this level of locally sourced revenue on commissioning new Australian children's content, would deliver an immediate injection of over \$60 million in Australian content investment, create 2,000 jobs and over 60 hours of Australian children's content for audiences on these pervasive platforms.**
- The local content quota should be supported by key terms of trade protecting Australian intellectual property and ensuring discoverability of Australian content to Australian viewers.
- The required expenditure by the Streaming Platforms must exclude any funds that are expended outside Australia, other than those funds expended in accordance with an official Co-Production Treaty.

1 ACMA: Broadcasting Services (Australian Content and Children's Television) Standards 2020

The ACP strongly believes that only by imposing and enforcing quotas on the now dominant Streaming Services will Australian children's content find its way into the domestic and international market place.

2. TIMING

- Given the very long lead times required for the production of children's content, but particularly animated series, the Streaming Platforms' Australian content obligations for children's content should be introduced immediately but no later than January 2022.

3. REPORTING/ACCOUNTABILITY/TRANSPARENCY

- The Streaming Platforms should immediately be held to account in reporting their expenditure on Australian children's screen content by providing a breakdown of their Australian expenditure on both newly commissioned works and acquisitions of already produced works.
- Given the very significant variation in financing and licensing arrangements of rights across children's content, representatives of the Australian Children's Production sector should be entitled to provide input on an ACMA audit of the Federal Government's aggregated Streaming Platforms' reporting surrounding these obligations for the commissioning of new children's programming and to report to the Federal Government any incorrect information or irregularities in the reporting.

SUBMISSIONS

1. CONTENT QUOTA

A. BACKGROUND

Australian revenues for the Streaming Platforms have been growing so rapidly in the past five years that they have caused a seismic shift in the traditional business model for all media companies.

Whilst the occurrence of the Covid-19 pandemic has accelerated the audience migration trend towards the Streaming Platforms the forecast for these platforms is for average annual growth rate of 3.1 percent year-on-year to continue, reaching revenue of AUD\$3.846b in 2024¹.

This is an unparalleled shift and requires an equally dynamic response for one of the most important stakeholder groups – those local companies who are responsible for creating, developing and producing the content that sits on those platforms.

¹ Source: PwC Subscription Television Entertainment and Media Outlook.

Traditionally Australian children’s screen content has been produced on one of two models which were centred on Australian Free-to-Air (FTA) broadcasters:

- ABC or other FTA broadcasters paid a full commission licence fee which triggered eligibility for significant Screen Australia investment, State Government screen agency investment, along with pre-sales from international partners and the Australian tax rebates such as the Producer Offset. Programming that was financed in this way qualified as Australian content under ACMA Guidelines.
- The FTA broadcaster paid a lower licence fee, making the program ineligible for Screen Australia investment, but still at a sufficient level to allow the producer to seek State Government screen agency investment, and international pre-sales or co-production investment. Programming produced in this way still retained sufficient Australian production levels to qualify as Australian content under ACMA Guidelines. As a testament to the success and determination of Australian children’s television producers, the majority of children’s screen content was funded in this way without the involvement or investment of Screen Australia.

Under the above models, like financing models for screen content the world over, a commission from a broadcaster or platform in the producer’s home territory is the key to unlock the full financing of the project.

However, without an Australian broadcaster commission to trigger the balance of the financing, producers are unable to access the Australian tax offset to structure a finance plan and are unable to access other funding such as that from Screen Australia, state agencies, or the Australian Children’s Television Foundation.

Since March 2020 when all Australian children’s quotas for commercial FTA broadcasters were removed, ACP – representing the majority of children’s producers in the country – is not aware of a single new Australian children’s series being commissioned by the Nine or Seven networks and Network Ten remains the only Commercial FTA to retain any commitment to children’s programming albeit at a greatly reduced rate to their previous levels.

“Where does the next Bluey come from if producers aren’t able to put the financing package together?”

Charlie Aspinwall, Founder, Ludo Studios, Producer of Bluey.



“Bluey”, Ludo Studios

The FTA broadcasters' position could be summarised as 'no obligation, no motivation'. In its latest report on compliance within the children's content sector from January-December 2020, ACMA made the following findings:

- First release children's drama:
 - Seven did not comply, with only 4 out of 25 hours
 - Nine hit the 25 hour target
 - Ten exceeded the 25 hour target (32 hours)
- All networks exceeded comfortably the repeat Australian children's drama obligation
- All children's programs:
 - Seven did not comply, reaching 87 out of a required 260 hours
 - Nine complied
 - Ten complied
- All Australian preschool programs:
 - Seven did not comply, with 41.5 hours from a required 130 hours
 - Nine complied

<https://www.acma.gov.au/publications/2021-05/report/2020-compliance-australian-and-childrens-content-compliance-tv-content-standards>

We've provided further comment below – (see below P. 11 “ABC Children's”) with respect to the ABC 'filling the gap' left by the commercial FTA broadcasters.

Given the paucity of children's content that has been commissioned in the twelve months since all obligations have been relaxed, the ACP Group believes that without obligation, there is no motivation by any platform to commission original Australian children's content.

Major territories around the globe including France, the European Union and Canada have implemented, or are in the process of asserting local quotas to include the Streaming Video-on-Demand services (SVODs) for their own children's content. It is therefore inevitable that those SVODs will focus their content commissioning choices on either the traditional major market providers, such as the US, or from those territories where they are obligated to spend significant revenue percentages. If Australia does not also impose similar content quotas the SVODs will have no reason to commission local content. This applies not just to children's content, but to all categories of programming.

Despite additional future funds being allocated to the Australian Children's Television Foundation (ACTF) at the same time as the removal of the FTA quotas were announced, this has not yet translated to any additional uplift

in the production of children’s content. In any event, the challenge for ACTF, along with every other producer, is to source platform opportunities and the ACTF cannot be a substitute for a broadcaster commission.



“dirtgirlworld”, mememe productions

“Australian Children’s Producers know how to make international partnerships. We are exceptional at it; bringing millions of dollars and opportunities back home; creating jobs and growth here in Australia while maintaining IP. The trigger in the mix, however, is a home territory broadcast partner. Without this home broadcast relationship, I fear we will be left out of the partnerships and opportunities that we have worked so hard to nurture over the years.”

Cate McQuillen , Regional Children’s Producer, mememe productions - home of dirtgirlworld

We note that recent announcements by the Commercial FTA broadcasters regarding the commissioning of new series are, largely, in relation to series that were commissioned prior to the removal of quotas, and while, as noted above, Ten continues to engage with Australian children’s programming, the other commercial FTAs have not. At the same time, Australian children are offered a continuous diet of foreign children’s content on the major SVOD services including Disney+, Netflix, Stan, Apple TV and Amazon Prime which have announced new programs on a near weekly basis.

Netflix’s Australian office have advised producers they do not intend to be commissioning any Australian children’s content with its focus to remain on content for Young Adult and Adult audiences. Currently we have been advised the Netflix strategy for Australia does not include original programming for children under 14 years.

“A show like Space Nova is aspirational and has proven to be popular with the Australian audience. Who knows, it might inspire a future Australian astronaut or scientist to travel beyond the stars. However, without any protection to make content for the Australian audience we stand little chance to continue making shows like this.”

Suzanne Ryan, CEO, SLR Productions



“Space Nova”, SLR Productions

B. QUOTA LEVEL

The proposal in the Green Paper for an obligation of 5% of Australian revenue to be spent on Australian content is manifestly inadequate and would not achieve the stated purpose for imposing an obligation in the first place. Linking the obligation on the new streaming platforms to the reduced obligation on Foxtel, which operates under an entirely different business and revenue model, is spurious.

For example, if a platform's Australian revenue was \$100.0m, a 5% obligation would amount to \$5.0m, which is substantially less than the budget for a single drama or animated series (whether children's or otherwise) or most Australian feature films. An obligation of this level could be fulfilled with the commissioning of a single production per year for which substantial additional financing would still be essential in order for the production to be carried out.

An obligation to spend 20% of Australian revenue on commissioning new local content as proposed by ACP and other peak industry bodies, would generate more substantial content and genuinely fulfill the stated intentions of the obligations to have local stories on local screens. It will also allow for the sustainability of the independent Australian industry, as set out in more detail below.

An obligation of 20% of revenue is approximately in line with, although lower than, the levels being imposed on the Streaming Platforms in other territories. As noted in the Green Paper, the imposition of obligations on these platforms in other territories has not resulted in the platforms withdrawing from the relevant territories or the overall provision of content.

The ACP proposes that a children's sub-genre quota of 20% of the total quota be imposed on the Streaming Platforms. Children represent approximately 20% of the Australian population and are therefore entitled to be supported by a pro rata level of Australian content.

“Without meaningful quota placed on all the Streaming platforms in Australia, we will become a service industry and our up and coming talent will be lost overseas as creative jobs in the Kids TV industry dry up.”

Gill Carr, CEO, Moody Street Kids



In this respect ACP notes that a sub-genre quota of 20% does not equate to an additional burden on the Streaming Platforms and in fact enhances their business model because children’s and family audiences represent the biggest demographic for retention of paid subscriptions. Families’ subscriptions are more likely to maintain their subscriptions based upon the children’s viewing requirements than for any other purpose.

Further, the SVODs in particular are, even though behind a paywall, the primary ‘safe’ platforms for Australian children – together with the ABC – to watch programming free from advertising and with parental controls possible, making them key destinations for Australian parents to encourage their kids to watch.

The ACP Group supports the Screen Producers Association proposition regarding the revenue threshold for all Streaming Services. It proposes a revenue threshold of \$50 million per year and a subscriber threshold of 500,000 as appropriate levels at which the regulatory obligation would be triggered. Based on analysis of publicly available information, this would ensure the regulatory scheme incorporated Netflix, Stan, Amazon Prime and Disney+. Hayu would potentially be caught in coming years:

Platform	Subscribers
Netflix	5,300,000 ¹¹
Stan	2,200,000 ²²
Disney+	1,100,000 ³³
Amazon	600,000 ⁴⁴
Binge	516,000
Hayu	300,000 ⁵⁵
Acorn TV	Not available
Femflix	Not available
Britbox	Not available
Apple	Not available
Paramount +	Coming soon

“...if Netflix or Disney+ or any of the others that have been launched or are going to be launching are earning revenue in Australia and they don’t have any Australian content obligations, then they have a competitive advantage over their competitors.”

Communications Minister, Hon. Paul Fletcher

1 ¹ As at April 2019 <https://www.media-partners-asia.com/files/mpa/262/AustraliaSVODStudy.pdf>

2 ² FY19 <https://www.pwc.com.au/industry/entertainment-and-media-trends-analysis/>

3 ³ <https://www.smh.com.au/business/companies/disney-rakes-in-600m-in-australian->

4 ⁴ As at April 2019 <https://www.media-partners-asia.com/files/mpa/262/AustraliaSVODStudy.pdf>

5 ⁵ As at April 2019 <https://www.media-partners-asia.com/files/mpa/262/AustraliaSVODStudy.pdf>

C. IMPACT OF THE QUOTA

The ACP Group estimate the immediate introduction of Streaming Platform quotas will regenerate thousands of jobs throughout Australia, including regional and remote areas, and facilitate increased production of new Australian developed television series every year, ultimately taking Australia to beyond the production levels last achieved in 2019.

The estimated size and growth of the Streaming Platform market within Australia is as follows:

Total SVOD Market

2021	\$1.8 Billion
2022	\$ 2.2 Billion
2023	\$ 2.8 Billion
2024	\$ 3.2 Billion

Source: PwC Outlook 2020

Based on current rates, the average budget for a live action children’s series over 13 half hours is approximately \$6.5m and the current average budget for an animated children’s series over 26 half hours is approximately \$10.0m.

A 20% overall quota with a 20% children’s sub-quota would mean that each year the SVOD revenue would facilitate the production of five 13 x half hour live action children’s drama series and four 26 x half hour animated series to be produced.

“The reality is, a children’s sub-quota on the streaming platforms will save my business (and others) from shutting down.”

Donna Andrews, CEO, Sticky Pictures



*“Are You Tougher Than Your Ancestors”,
Sticky Pictures*

This would reinstate an estimated 2000 jobs throughout Australia in the first year, rising to approximately 3000 in Year Two, (as series production overlaps). This would restore Australia's place at the international table of children's screen content production.

And, even more importantly, this will ensure current and future generations of Australian children of all ages will see themselves, in all their diverse forms, on their screens alongside the masses of 'foreign' English-language content. Just as France has successfully lobbied global streamers for uniquely French and French language content as a sure-fire means of preserving their screen culture, so too do we assert that no-one else will produce content which speaks to Australian children in the unique and recognisable way that Australian programming does. Like Bluey chasing a 'bin chicken' or Little J's 'lucky undies' or Kangaroo Beach's unique Australian fauna, and dirtgirlworld's appeal to Aussie kids to "let's get grubby!" Aussie kids 'get it' and know what it means to see on the screen our myriad unique and appealing diverse Australian linguistic and cultural references.

“Streaming services that tap into Australian audiences have changed the media landscape, so a local content quota that helps fund the production industry should be mandatory. A quota at a healthy level would ensure the survival of our business and allow us to continue employing Australian creative talent to create award-winning content.”

David Webster, Partner, Cheeky Little Media



“Kangaroo Beach”, Cheeky Little Media

D. EQUITY – TERMS OF TRADE

Australian producers proudly take Australian generated ideas out to the world. They bring to the table ideas that are either originally created or based upon Australian authored pre-existing works or IP.

Currently Streaming Platforms are able to leverage enormous economic power whilst operating in an unregulated environment. The end result of this model is likely to see Australian production companies and studios surrendering significant



“Little J & Big Cuz”, Ned Lander Media



“Itch”, Fiesty Dame Productions

copyright ownership to foreign-owned entities and simply existing as service companies to foreign-owned platforms.

It is already being seen that the Streaming Platforms that are engaging with Australian production companies are doing so at least partly to access the available Producer Offset and equivalent tax credits. Some members of ACP have seen an expectation from Streaming Platforms that the Australian producer will contribute the Producer Offset to the budget for the program, but the Streaming Platform will ultimately own it. So, in effect, the Streaming Platform funds (under the proposed new proposed rules) 70% of the budget but receives 100% of the ownership of something an Australian company created and produced, with the government, via the Producer Offset, picking up the other 30%. This defeats every intention of the Producer Offset and will not support a sustainable Australian independent screen sector into the future.

Australian producers should be entitled to retain a reasonable % of equity in their productions starting with a negotiable “creator’s percentage” but no less than 20% of the equity on top of the value of any Tax Offset % they might be contributing to the production budget. (Please reference SPA’s submission on terms of trade)

It is also key that the obligations imposed on the Streaming Platforms to commission Australian content require the engagement with the independent production section, rather than being able to be fulfilled in-house or affiliated entities of the Streaming Platforms themselves.

E. DISCOVERABILITY

ACP is also of the view that a key requirement attached to the quota on the Streaming Platforms must be a commitment to ensuring that Australian content, including Australian children’s content, is easily discoverable on the Streaming Platforms by Australian audiences and is directly marketing to them.

2. TIMING

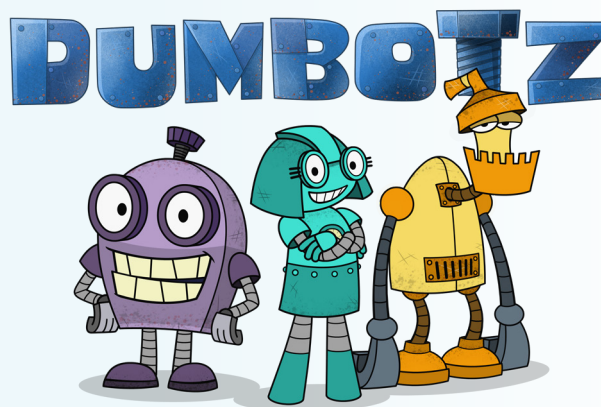
In March 2020, without any consultation with the children’s production sector, commercial FTA broadcasters were relieved overnight of their obligation to each commission 260 hours of Australian children’s content and 130 hours of preschool content annually¹, incorrectly claiming COVID rendered the obligation unachievable. The announcement occurred whilst several animated series were in mid-production, and all of them – during COVID – were immediately able to immediately adapt to remote working protocols and deliver their productions

1 ACMA: Compliance with Australian Content Standard and Children’s Television Standards 2019-2020

on schedule. The impact of the Government's announcement to remove obligations 'temporarily' meant several already commissioned series were cancelled. Contracts were literally torn up over a phone call, and many production companies that had operated successfully for decades and employing thousands of highly skilled workers, were left facing an uncertain future.

“We had just set up a new studio ready to commence a newly commissioned and fully financed production in Tasmania where jobs in this sector had been steadily growing. With the cancellation of the quotas our studio now sits empty. Our company has supported a community of families here and they have been left stranded.”

David Gurney, CEO, Blue Rocket Productions, Tasmania



“Dumbotz”, Blue Rocket Productions

This 'temporary' hold on Australian children's content became permanent with the Government's policy released on 30 September 2020.

As a consequence, an estimated 3,000 jobs have been lost to the children's production sector, and many companies are urgently seeking financial relief in order to survive.

After more than a year of uncertainty children's production companies across Australia urgently need quotas to be instated on the Streaming Platforms in order to allow them to get back to work.

Unless quotas are introduced with immediate effect it is feared that Australian children's content will decrease dramatically and the companies that make Australian content for Australian audiences will no longer make it. The skilled employees in the children's sector will dramatically decline and the remaining children's production activity that will take place in Australia will be service work for foreign owned studios and international IP taking advantage of Australian tax offsets that were introduced to support the local industry. This is already happening, and as one producer declared:

Australia is demonstrating its preferred status as a production hub across the screen sector with foreign productions in the adult scripted space pouring into the country. Australian children's productions need to be supported and positioned to take advantage of this.

The rapid introduction of a quota is also imperative taking into account the current developments in other parts of the world. Other territories have already introduced their platform quotas or are in the process of doing so. As a result, the Streaming Platforms are focused on commissioning content in those territories where obligations are already, or are about to be, in place. Until Australia imposes an obligation on the Streaming Platforms to commission new Australian content, those platforms will have no motivation to commission in Australia especially when they have a motivation imperative to commission in other territories in order to fulfill their obligations there.

Australia has traditionally been a favoured co-production partner for European and North American children’s producers, with our robust local content requirements generating a call for content here, and our strong tradition of making world leading children’s content in English. Without either Commercial FTA or Streaming Platform quota obligations, this appeal is already diminishing rapidly and will ultimately be lost. Why would Netflix or Amazon commission a show co-produced between Australia and Canada or Germany when it can commission a show co-produced between Canada and France and fulfill its quota obligations in both those territories? Simply put, it won’t.

3. REPORTING/ACCOUNTABILITY/TRANSPARENCY

A. REPORTING AND ACCOUNTABILITY

Australian children’s screen content plays throughout the world and has enjoyed very significant success including Emmy Awards, BAFTAs, Kidscreen Awards, Anney and other major industry awards. Over decades, Australian children’s content have become game changers throughout the world with shows such as The Wiggles, Bananas in Pyjamas, Round the Twist, Mako Mermaids, Ocean Girl, Blinky Bill resonating globally, and now followed by series such as Bluey, Hardball, 100% Wolf, The Bureau of Magical Things, Alien TV, Guess How Much I Love You, dirtgirlworld, Little Lunch and so many more, being played over multiple series in Australia and across the globe.

“The streamers are sucking revenue out of Australia. For the major part (their revenue) is being extracted out of the country by companies that pay zero tax in Australia.”

David Haslingdon, former Chairman, Nine Network, Owner, Northern Pictures, Emmy Award Winning producers of “Hardball”.



“Hardball”, Northern Pictures



"100% Wolf", Flying Bark Productions



"Figaro Pho", Vishus Productions



"The Deep", A Stark Production

The evidence speaks for itself that Australian children's content is by far the most consistently successful category of Australian screen content as an export earner.

An accurate and objective monitoring of mandated Streaming Platform expenditure on Australian content therefore becomes critical. Whilst a voluntary code – with no obligation to comply and no guidelines established – was introduced by the Government in October 2020, yet there is still no published data and members of the production community have not been consulted to date on any analysis around the Streaming Platform's expenditure. ACMA has been mandated to report the outcomes of the voluntary code. However, the ACP Group recommend that it be immediately consulted not only on reporting guidelines for expenditure, but that there is transparency around the types of contracts being entered into with Australian children's producers. For example:

- a) How is revenue being defined?
- b) What is the revenue percentage being spent on Australian children's content?
- c) How does the expenditure compare with previous years?
- d) Are the SVOD's making any contribution to development?
- e) What percentage of development is approved for production?
- f) What percentage of each budget is being financed by the Streaming Platforms?
- g) Are the Tax offsets – both State and Federal – being utilised as part of the budget?
- h) Who is the ultimate Copyright holder?
- i) Are production companies being used as a 'trojan horse' to extract Screen Australia investment or Tax Offsets prior to copyright changing hands?
- j) Are Australian producer's retaining equity in their own Intellectual Property?

Currently there is a significant blind spot between the voluntary reporting code requested of the Streaming Platforms and what it is they are being asked to report on? Without any level of transparency, it is difficult for the ACP Group to make further comment.

B. TRANSPARENCY AND OVERSIGHT

Collectively the ACP has decades of industry experience of the production community in developing production budgets, finance plans and production pipelines. To ensure the integrity of the reporting process by the Streaming Platforms, the ACP group strongly recommends that it be a part of an SVOD Policy Oversight Review Team.

ACP understands that no two series are produced in an identical way. Not only does the creative content vary significantly from one television series to another, but with each project comes variations in budgets, schedules, finance plans, co-production relationships, sales strategies, recoupment and ownership of the final product. With so many variables any accurate assessment of expenditure and ownership requires careful scrutiny.

The ACP Group would welcome the opportunity to work closely with the Government to ensure that its Streaming Platform content reform policy is accurately accounted for and achieves the intended result of providing a sustainable future for Australian developed and owned children's content.

3. OTHER COMMENTS

With respect to other elements of the Green Paper in so far as they may have an impact on children's screen production in Australia, ACP makes the following submissions:

Chapter Three: Broadcast Licence reform and Spectrum sell off

The paper considers the introduction of a new class of broadcasting licence subject to the commercial FTA broadcasters agreeing to a sale of transmission spectrum. As a quid pro quo it's proposed that all Australian content obligations would cease on the multi-channels.

This will have a disproportionate impact of children's television content, which has, since the introduction of multi-channels for the commercial free to air broadcasters, been almost exclusively shown on the digital sub-channels.

Chapter Five: supporting broader media policy outcomes

The Green Paper proposes that part of the outcome of the proposed future sale of the spectrum could be the creation of the Create Australian Screen Trust (CAST). ACP broadly supports the idea of a CAST fund, and notes that any such fund should have a specific allocation for children's content. However, given the number of unknown variables associated with the CAST, and the projected timing at least several years away, we do not intend to comment in detail at this time, but look forward to engaging further when and if it comes to fruition.

Chapter Seven: national broadcasters

There is a provision within the Green Paper for a sub-genre obligation on the ABC and SBS for children’s production to ‘counter-balance’ the removal of quotas on the commercial broadcasters. The encouragement of this one-door policy for children’s content is extremely concerning, especially with the constrained budget for the national broadcasters. The ABC is already a substantial commissioner of Australian children’s content. However, there is not room within its budget, or commissioning philosophy, for it to make up for what was previously commissioned by the commercial broadcasters.

In short, the ABC cannot replace the amount of commissioned Australian children’s content previously commissioned by commercial FTA broadcasters.

4. CONCLUSION

ACP make this submission in the genuine belief that children’s screen content should be regarded as a high nation-building priority by any Government.

Beyond the strong cultural imperative, the independent Australian children’s production sector has been one of the most robust sectors of the screen industry for decades; a catalyst for thousands of jobs and a training ground for the broader screen industry. The independent Australian children’s production sector has also been adept at working on the global stage. However, that track record cannot be maintained or expanded without the underpinning of a strong local content regulatory framework which provides a fundamental trigger for development, financing and production.

The cost of not doing so will be inestimable, and at the very least, will compromise future generations’ connections with their own country. To cite an oft used phrase “if you can’t see it, you can’t be it”.

“Should Australia’s unique rich and diverse mix of children be unable to see themselves reflected on screen – by far our children’s most time-intensive leisure pursuit – it is not unreasonable to suggest that their relationship with and loyalty to Australia, their understanding of our values, national pride, and concern for our collective futures, will almost certainly be diminished.”

Carmel Travers, CEO, Pop Family Entertainment



“Alien TV”, Pop Family Entertainment

Throughout Australia’s history, we’ve relied on our unique cultural values to assert our core beliefs on a global stage.

We strongly urge this Government to ensure a high level of support for Australian children’s screen content at this watershed moment in media policy.

ACP PARTNERS



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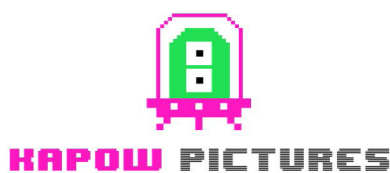
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Andrew Davies, CEO
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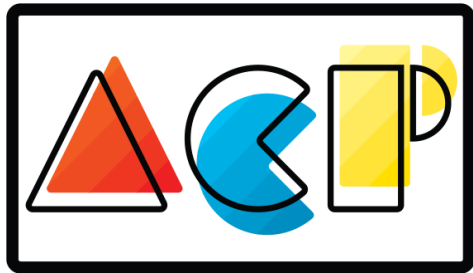


Luke Jurevicius: Company owner,
Producer, Director
www.vishusproductions.com



VISKATOONS

Peter Viska, Creative Director
www.viskatoons.com



AUSTRALIAN CHILDREN'S PRODUCERS

SHOWCASE 2021



A Stark Production - Sydney, NSW

20 years in business - 130 Countries Exported



A Stark Production (ASP) is a highly acclaimed entertainment company, with a focus on the creation and production of children's content through tv series and theatrical films. Producer of the global hit animated series The Deep, with 3 seasons now airing across 130 countries, ASP has, over the past twenty years, driven the creation and production of hundreds of hours of high quality children's entertainment.



Avrill Stark, CEO

www.avrillstarkproduction.com

Air Pig Productions & Emerald Films - Sydney, NSW

25 years in business - 100+ Countries Exported



Emerald Films and Air Pig Productions are involved in all aspects of film and television production with a focus on factual, comedy-drama, children's factual, feature documentary, and corporate videos. The companies have experience in developing concepts for international co-production. They are also known for their award-winning documentaries that have been showcased around the world at festivals and for their children's series for local and International broadcasters.



Sally Browning, Executive Producer

www.emeraldfilms.com.au

Ambience Entertainment - Artarmon, NSW

31 years in business - 140 Countries Exported



Ambience Entertainment was founded in 1989 and is a solely Australian owned production company and industry leader specialising in entertainment content. Lead by an innovative creative team Ambience Entertainment is an award winning producer of quality family entertainment across all genres from children's entertainment, drama and animation across to adult drama and factual programs. Ambience is recognised for it's strong creative and ground-breaking workflows that deliver efficient, high-end content. Our Parent Company Omnilib Media is one of the largest private investors in the Australian film and television industry.



Monica O'Brien, Executive Producer

www.ambienceentertainment.com/

Beyond - Sydney, LA, London, Dublin

37 years in business - All Worldwide Territories Exported



Beyond Entertainment is one of Australia's leading production companies, developing and producing thousands of hours of scripted and non-scripted content since it began operations in 1984. Most recently Beyond produced primetime drama Halifax Retribution for Channel 9 starring Rebecca Gibney and Anthony LaPaglia and the medical drama Pulse for the ABC. Children's series produced recently include the Emmy Award winning Beat Bugs for Netflix, featuring the music of the Beatles, Motown Magic for Netflix, Mythbusters Jr for The Science Channel and Nippers for ABC Australia.



Melinda Wearne, Production and
Development Executive

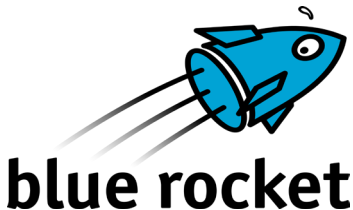
www.beyond.com.au/

Blue Rocket - Hobart, Tasmania

22 years in business - 140 Countries Exported



Blue Rocket is an award-winning studio based in Hobart, Tasmania and celebrating over 22 years of creating innovative animated and interactive entertainment for kids. The company has worked across television, online and mobile platforms and produced Australia's first fully CGI television series (Hoota & Snoz) which was broadcast in over 120 countries. Most recently, the studio was part of the award-winning team that produced Little J and Big Cuz. Produced by Ned Lander for NITV, the first series received the 2018 Logie for Most Outstanding Children's Television Series, along with Best Children's Program at the 2017 ATOM Awards, the inaugural SDIN Award and a 2018 AWGIE award. Blue Rocket's other recent productions, Fanshaw & Crudnut, co-produced with Beyond Entertainment received a nomination for the 2017 SPA Animated TV Series of the Year, and Dumbotz was nominated for the 2019 SPA Animated TV Series of the Year.



David Gurney, CEO

blue-rocket.com.au

Cheeky Little - Sydney, NSW

7 years in business - 35 Countries Exported



Founded in Sydney, Australia in 2013, Cheeky Little combines experience, skills and resources as an agile producer of highly awarded kids' animated content, to develop and distribute owned and co-owned entertainment brands globally. The team combines creative flair and commercial acumen to produce appealing content for leading networks, such as CBBC, ABC Kids, Disney and Netflix worldwide. Using our expertise and resources, Cheeky Little also offers our services to clients, from pre-production right through to licensing.

Cheeky Little



Patrick Egerton, Co-Founder

www.cheekylittle.com.au

CJZ - Sydney, NSW

15+ years in business - 100+ Countries Exported



CJZ is Australia's largest locally owned production company, producing more original primetime series than any other independent production group in Australia and New Zealand. The company works across all genres – specialising in factual, entertainment, comedy and drama.

Signature programs include the ABC's long running entertainment show, Gruen (ABC), Bondi Rescue (Ten), the hit 2020 crime series Murder in the Outback (Channel 4 UK/Seven Network), true crime series The Good Cop (Foxtel) winner of the 2019 Factual Logie, Julia Zemiro's Home Delivery (ABC), Undercurrent (Seven network) Shaun Micallef's On The Sauce (ABC), Life Drawing Live (SBS), Russel Howcroft's MOJO documentary (ABC), Jimmy Barnes – Working Class Boy (Universal/Seven), and the ground-breaking format Go Back to Where You Came From (SBS) which won an International Emmy Award, and the top TV award in the world, the Rose d'Or.

CJZ's drama slate includes My Life is Murder starring Lucy Lawless (Ten/Acorn), House of Hancock, a biopic on one of the world's richest (and most litigious) women (Nine Network), House of Bond, the rags to riches to rags tale of the fallen entrepreneur and Americas Cup winner Alan Bond, a quiver of seven Blackjack telemovies (Ten/BBC), and The Great Mint Swindle (Nine Network). CJZ's scripted comedies include Mr Black (Ten), Street Smart (Ten), You're Skitting Me (ABC Me) and Shaun Micallef's The Ex-PM (ABC).



Nick Murray, Managing Director

www.cjz.com.au

FEISTY DAME PRODUCTIONS - Perth, WA

9 years in business - 70+ Countries Exported



Feisty Dame Productions was founded in 2012 in Western Australia by the former Chief Executive of Screen NSW and ScreenWest, Tania Chambers OAM to produce entertaining and engaging productions for children and adults across the world. Itch, a 10 x 24 mins children's television series produced by Komixx Entertainment in association with Feisty Dame Productions was released by ABC Australia in 2020 and is distributed internationally by ABC Commercial. Feisty Dame Productions also produced the feature A Few Less Men in 2015-2016, directed by Mark Lamprell, distributed in A/NZ by . Studiocanal with Arclight Films as the international sales agent and the feature Kill Me Three Times, directed by Kriv Stenders and released in 2014, was selected in 2014 for the Toronto International Film Festival, Melbourne International Film Festival, Busan International Film Festival and BFI London International Film Festival. EntertainmentOne distributed the film in Australia and New Zealand and Radiant Films International and Cargo Entertainment handle worldwide sales.

Tania Chambers, Managing Director



Flying Bark Productions - Sydney, NSW & LA

50+ years in business - 150+ Countries Exported



Flying Bark Productions is an independent production company owned by the Studio 100 group producing both originals and animated client productions across 2D and CGI and hybrid animation. Best known for original productions 100% Wolf Movie and 100% Wolf Series (twice winner of the MIP Junior most screened series 2019, 2020), Maya the Bee movies, and animation production partner on Marvel's What If...?, Lego Monkey Kid and Nickelodeon's Rise of the Teenage Mutant Ninja Turtles. Operating as a full-service animation production house, Flying Bark employs over 350 people locally in Australia and internationally.



**FLYING
BARK
PRODUCTIONS**

A STUDIO100 COMPANY

Barbara Stephen, CEO

www.flyingbark.com.au

**Johnathan M. Shiff Productions - Port Douglas,
QLD & Melbourne, VIC**

33 years in business - 170 Countries Exported



Since 1988, Jonathan M. Shiff Productions has grown to become the world's leading producer of innovative children's and family programming that brings exciting, fantasy-based adventures to an audience of millions worldwide. The company's impressive catalogue of over 600 hours of drama and documentaries has been sold to more than 170 territories worldwide. The company has acquired a reputation for originating engaging stories, extraordinary production values and award-winning visual artistry, and through its strategic alliances has become an international market leader.

The latest live-action series, THE BUREAU OF MAGICAL THINGS Season 2, is a 20 x half-hour tween's magical drama and is currently in post-production.



JONATHAN M. SHIFF
P R O D U C T I O N S

Jonathan M. Shiff, Company Director

www.jmsp.co.au

Kapow Pictures - Sydney, NSW

24 years in business - 24 Countries Exported



Kapow Pictures is a Sydney based animation studio producing original 2D and 3D content for children's tv series, short films, feature length films. Kapow Pictures work with some of the most talented Australian designers, animators and writers. Established for more than 20 years Kapow has worked with a number of co-production partners and has a reputation for producing entertaining and innovative content. Currently in production on a 2D tv series with a US partner for Netflix-employing more that 60 crew and in development on a number of original projects including a feature length film and 2 x animated tv series.



KAPOW PICTURES

Sandra Walters, CEO

www.kapowpictures.com

Ludo Studio - Brisbane, QLD

8 years in business - All Worldwide Territories Exported



Ludo is an independently owned three time Emmy®, Logie and AACTA Award winning studio and Screen Producers Australia, Business of the Year. Ludo creates and produces original stories from script to screen under one roof in Brisbane, Australia. Ludo produces the most popular series on Australian TV, Bluey, and employs over fifty creatives and producers on their original shows.



Charlie Aspinwall, Co-Founder

ludostudio.com.au/

Media World Pictures - Melbourne, VIC

35 years in business - 80+ Countries Exported



Media World Pictures has successfully developed and produced hundreds of hours of award-winning content for both television and the big screen – with major credits in feature films, children’s series, animation and prime-time television drama. Media World’s animated productions include the Dogstar series and telemovie ,The Silver Brumby Series, The New Adventures of Ocean Girl, John Callahan’s QUADS! and The Flamin’ Thongs.

The company is currently co-producing the second season of the animated TV series, The Strange Chores with double Emmy Award winner, Ludo Studio and the third season of the Logie Award winning Little J & Big Cuz with Ned Lander Media.



Colin South, Producer

www.mediaworld.com.au

Mememe Productions - Bundgalung Country Northern Rivers, Regional NSW

12 years in business - 179 Countries Exported



Based on Bundgalung country in regional Australia, we are storytellers and content creators for change.

A sun run production hot house that is home to dirtgirlworld and Get Grubby TV, we strive each day to be world leaders in creating content that encourages children and families to care for nature and live sustainably.

We are intrinsically good people who live by our values and care about humanity... we're honest, fair, kind, thoughtful and respectful of each other and the earth.

We value

- Creativity – we thrive on new ideas and encourage out of the box thinking
- Efficiency – we are determined to achieve more with less
- Honour – we respect and love our audience
- Openness – we proudly wear our hearts on our sleeves
- Sustainability – we love our earth and tread lightly, adopting sustainable options as first practice
- Innovation – we love endeavour learning and striving. We embrace being bold



Cate McQuillen, Creative Producer

www.mememe.com.au
www.dirtgirlworld.com

Moody Street Kids - Hawthorn, VIC

19 years in business - 100+ Countries Exported



Moody Street Kids was established in June 2002 in Melbourne, Australia by Gillian Carr, former GMTV (UK) and has become one of the leading award-winning kids' television producers in Australia. Moody Street Kids specializes in creating, developing and producing original children's animated content. Since 2002, Moody Street Kids has been in production continuously and produced hundreds of hours of television. With a focus on creating opportunities and experience for emerging talent in the industry, we hope to use our platform as a company to help shape the future of the industry. We have forged extensive partnerships with co-production partners across the globe and have established a core production and development team with collaborators in the US, Canada, Brazil, Asia and the UK. Our television series have been broadcast around the world, including Australia, Germany, France, Italy, Canada, South America, China, the UK and in the US (Nickelodeon US, The Hub) The strength and scope of our brand has helped us to create quality children's content with an international appeal and a focus on strong females on screen and behind the scenes.



Gillian Carr, Managing Director

www.moodystreetproductions.com

Ned Lander Media Pty Ltd - Central Coast, NSW

12 years in business - 30+ Countries Exported



NLM works collaboratively to find new ways to inspire, challenge and engage Australian and international audiences. An experienced writer, director, producer and broadcast executive, Ned has worked across multiple genres in film, television and online. As a Commissioning editor and Manager of SBS Independent he oversaw more than a thousand hours of Australian and international productions. Returning to independent production in 2009, his credits since include: Producer, three seasons of Children's animated series Little J & Big Cuz (Logie, ATOM, AWGIE), Executive Producer Last Cab to Darwin (AACTA Best Actor), Co-Producer feature documentaries Monsieur Mayonnaise, for ZDF/ARTE (MIFF, Berlin IFF) and Make Hummus Not War, (MIFF, Berlin IFF) Producer ABC telemovie Dangerous Remedy (Jeremy Sims, Susie Porter [Best Lead Actress Nominee AACTA], William McInnes). Currently Ned Lander Media is in development on drama series Byrd & Novak.

NLM
Ned Lander
Media

Ned Lander, Director

www.littlejandbigcuz.com.au

Northern Pictures - Sydney, NSW

11 years in business - All Major Territories Exported



Northern Pictures is a wholly owned and operated Australian company. We have a reputation for producing high quality, award winning content that resonates globally. Producing on average 100 hours of content for global broadcasters each year, our slate includes children's and scripted drama, blue chip natural history programs, social issues series, factual entertainment and theatrical documentaries. Clients including BBC, Netflix, ABC, SBS, PBS, Discovery, Channel 7, CBS Paramount, National Geographic, Channel 9, Arte, Sky Nature, BBC America and The History Channel.

Northern Pictures has been recognised as significantly contributing to diversity and representation on and off screen.

Our critically-acclaimed productions have garnered Emmy Awards, Venice Television Awards, New York Festival Gold Medals, Japan Prize awards, Banff World Media Rockie Awards, Prix Jeunesse Awards, Asian Academy Creative Awards and AACTA awards amongst others.



Catherine Nebauer, Head of Scripted

northernpictures.com.au/

Pop Family Entertainment - Sydney, NSW

4 years in business - 184 Countries Exported



Pop Family Entertainment is a multi-genre development, financing and production company founded by Producer, Carmel Travers in 2017. The Company has recently completed two seasons of Alien TV, a high-end hybrid animated series commissioned by Netflix Originals and Nine Media Group Australia which has been nominated for several upcoming Australian and International Awards. POP has a diverse current slate of projects and is in advanced development and financing on a number of titles involving partnerships across the globe.

Carmel Travers, CEO

POP FAMILY www.popfamilyentertainment.com

SLR Productions - Sydney, NSW

21 years in business - 160 Countries Exported



SLR Productions is one of Australia's leading Emmy and multi award winning children's and family entertainment companies, specialising in world class media content. Established in 2000 by CEO, Suzanne Ryan, SLR Productions has developed, created, produced and financed hundreds of hours of quality programming for Australian audiences available in 160 countries worldwide. Key brands include Space Nova; Alice-Miranda movies; Guess How Much I Love You franchise; The Skinner Boys; Lexi and Lottie; Captain Flinn & The Pirate Dinosaurs; Sam Fox – Extreme Adventures and I Got A Rocket which won a Daytime Emmy. With its highly experienced development and production divisions, SLR Productions partners with major broadcasters, producers, distributors, publishers and creative both locally and internationally to create hit shows with a truly global reach.



Suzanne Ryan, CEO

www.slrproductions.com

Sticky Pictures - Sydney, NSW

20 years in business - 100+ Countries Exported



Sticky Pictures is a multi-award winning, creative-driven production company based in NSW Australia, and is well known both domestically and internationally for its much-loved children's series including Winston Steinburger and Sir Dudley Ding Dong, Me & My Monsters, Pearlie, Dennis the Menace and Gnasher and The Dukes of Bröxstônia. Sticky Pictures most recent series Are You Tougher Than Your Ancestors? launched in 2020 winning multiple awards and in demand internationally as an original format. Sticky has co-produced with many international companies including Tiger Aspect, The Jim Henson Company, eOne and Fremantle.



Donna Andrews, CEO

www.stickypictures.tv

Vishus Productions - Mt Barker, SA

18 years in business - 140 Countries Exported



Vishus Productions is a multi-faceted animation company stationed in South Australia, India and Canada and led by company owner Luke Jurevicius, a multi-award-winning animation Director, Creator, Producer and Composer, best known for his hit series The Adventures of Figaro Pho.

Luke has created/directed numerous projects, including The New Adventures of Figaro Pho, Peleda, Dust Echoes, Junction, Horace in Slow Motion, Frieda Fox, Nickelodeons Barley & Tabby's Big city Tales and Larry the Wonder Pup series 1 & 2. Luke is also a content creator and the lead voice of Blake eLearning's Reading Eggs program, Australia's leading "homegrown" publisher of online educational products for children of all ages. Luke has illustrated over 300 books and helped bring to life numerous animated projects, including Animal Alphabet, Reggie's Boxes, Reggie's treasures and Quiggle.



Luke Jurevicius: Company owner, Producer, Director

www.vishusproductions.com

Viskatoons - Richmond, VIC

40 years in business - 140+ Countries Exported



Established in 1980, Viskatoons is Australia's longest running 2D animation studio. Located in Melbourne, Viskatoons creates and produces original, high end animated series for the local and global children's market, including Jar Dwellers SOS and Li'l Elvis Jones and the Truckstoppers. Viskatoons has also produced ad campaigns for notable brands such as Cadbury, Foxtel, 7-Eleven and Telstra. The studio is armed with an exciting slate of new concepts to cater for future demand in the ever-changing children's television market.



Peter Viska, Creative Director

www.viskatoons.com