

AUSTRALIAN SCREEN COUNCIL
the peak body for the independent film and television industry



The Australian Screen Council

Submission

**Australian Communications
and Media Authority**

Children's Television Standards Review

August 2007

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The Australian Screen Council has jointly prepared this submission for ACMA. As the primary creators of Australian children's content, and with great concern for the sector, we represent a strong industry voice.

The Australian Screen Council thanks ACMA for providing the opportunity for industry to provide comment and recommendations on the current review of the Children's Television Standard (CTS).

The discussion papers, including the Children's TV Production Project Research paper, have effectively identified the key issues challenging the production and accessing of Australian children's programs, and provide an extensive and informative picture of the current landscape.

We would be happy to provide any further information, and can be contacted in the first instance by contacting either Jacqueline Woodman AWG Executive Director, tel: 02 9281 1554 or Bethwyn Serow, SPAA Policy Manager, tel: 02 9360 8988.

Yours sincerely,

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Signed on behalf of Trish Lake SPAA President

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Executive Summary

Children of today are as much in need of locally generated media content across all genres as previous generations – if not more so - due to the impact of the internet and the rise of the international media conglomerates which dominate the increasingly fragmented airwaves.

Australian children’s television is a vital contributor to guiding Australian children to learn about Australia, its history, its values and who we are in Australia. Children consist of 20% of the television audience – a significant and important constituency.

The Australian independent children’s production sector has a worldwide reputation for quality, integrity and innovation. Programs consistently win awards and rate highly on international channels.

However, in Australia, child audiences are disappointingly low - particularly on free-to-air commercial networks, and appear to be in further decline. It is clear that the child audience exists and is actively watching FTA television, however as ACMA’s research indicates, they are not watching at 4 p.m. The child audience grows most dramatically from 5- 6 p.m., and peaks in early evening.

This represents a policy failure of the CTS, that programming, often substantially paid for by the taxpayer, and given a space on the public airways, is not being seen by its intended audiences – Australian children.

In analysing the effectiveness of the CTS, four areas need to be considered:

- Production – the efficiency and responsiveness of the industry¹
- The platform environment – timeslots, marketing and cross-platform
- Audience – characteristics, habits
- Programs – diversity, content and quality

Production

The CTS is not an onerous burden. Despite children comprising just over 20% of the overall population, the commercial networks only spend 1.8% of their program expenditure on Australian children’s content. This figure illustrates the lack of resources allocated by the networks on the child audience.

The CTS is essential for the production of children’s television. While the license fees paid by broadcasters are modest, they are vital financial levers. Children’s programming is often in a difficult proposition if left purely to market forces; it is true that some high profile children’s programs generate strong sales from merchandising around the world (with the corresponding benefit to Australian exports), but these are

¹ Broadcasting Services Act 1992. Section 3. Objects of the Act: (b) to provide a regulatory environment that will facilitate the development of a broadcasting industry in Australia that is efficient, competitive and responsive to audience needs;

largely in the pre-school genre for kids younger than five. The vast majority of programs in other genres, such as children's drama or children's factual, do not have such a blue sky outlook.

Independent producers are the major source of children's television drama and supply at least 60% of non-drama programs. The total size of the Australian production industry is estimated to be approximately \$125 million per annum. The broadcasters only contribute between 10-30% of the independent production budgets, primarily the high quality and drama programs.

The free to air broadcasters' Australian content programming is heavily subsidised by a combination of direct government subsidy and the international market.

There is no pressing argument that the CTS requirements are too expensive for the broadcasters to meet. Indeed, it should be noted that license fees have remained relatively static over the past decade.

Almost all the budgets for Australian children's TV drama were spent in Australia in 2005/06. The 2005/06 slate of Australian and co-produced children's TV drama comprised 139 hours (14 programs), with expenditure in Australia amounting to \$78 million from total budgets of \$94 million.

Children's production plays a valuable part of the health of the entire sector and represents 42% of the overall drama production activity in Australia.

The Platform Environment and Audience

The current shift and drift in audience numbers is a result of a number of mitigating factors. The Screen Council believes the greatest impact on audience numbers has been the reliance on the weekday 4 p.m. scheduling slot for "C", the absence of "block scheduling of children's shows, and the overall lack of brand development and promotion including the lack of cross-media marketing of children's programming in an increasingly crowded media environment. Attracting a television audience has always required a combined approach of good programming with sophisticated, perceptive marketing campaigns shaped through understanding the audience.

The lack of marketing undermines the effectiveness of the platform, audience loyalty, and creates a cycle of limited audience exposure. At its most cynical it delivers a failed result, which broadcasters can use to further their call to be released from their Australian children's programming requirements.

This is not a new issue. It has generated significant frustration from the independent industry who are, with reason, concerned that broadcasters motivated by advertising revenue and commercial bottom-line results are not motivated to support Australian Children's programming.

The Australian Screen Council argues that a lack of commitment to, and a bare minimum compliance, of the CTS by the networks is the major cause of audience decline.

The appeal of pay TV and the ABC children's programming is not simply the quality

of the programming, but the level of awareness children have of these brands, their strong and consistent marketing, their block programming, their web sites and other new media, and parents' ability to trust the safety of both the television channels and their websites.

Programs

Over the last 25 years, the program 'C' and 'P' classifications within the CTS have contributed significantly to the success and quality of Australian children's programming. Australian children's "C" and "P" program standards are recognised internationally and trusted as ethical and entertaining program brands.

Australian children's programs are also a major catalyst for significant secondary economic activities in publishing, entertainment, education and leisure. Internationally these activities are increasingly relied upon for investment returns and increasingly influence which programs are made. While there is an absolute need to ensure alternative material is made to offer our children diversity, there is also cultural and economic benefit in ensuring Australian content of this kind can flourish. It can be a lucrative market, and one that creates major cultural movements, with market capital to promote and thereby grow programs' own ability to attract audiences.

There are benefits for Australian children to witness their culture operating on an international stage and enjoying the 'mass media excitement' of brand success in secondary markets.

Conclusion

In measuring the effect of the CTS it can be concluded that high quality programming is being made and the CTS is stimulating production activity and expenditure in Australia. However the environment created by the broadcasters is not serving the child audience's needs. The role of the CTS is not simply to ensure content is made and broadcast. Just as the CTS is concerned at the quality of the content, it must consider the quality of the broadcast environment in reaching the child audience.

The ASC strongly opposes any dilution of the current standard, and propose new measures to assist the broadcasters fulfill not only the black letter but the intent and spirit of the regulation – providing for the child audience.

These new measures include:

- Encouragement of block scheduling on weekdays
- Encouragement of timeslots after 5 p.m.
- Minimum standards of marketing
- New ACMA mandate to regulate new media in conjunction with the CTS

Classification

The classification standards themselves are considered to be appropriate. The classifications broad and non-proscriptive rules can encompass a diversity of styles and approaches. A forum of industry members, child development specialists and ACMA to discuss the child audience and interpretation of classifications would challenge assumptions and reinvigorate the dynamics of the classification system.

The current administration of “C” and “P” classification does need to be modified to improve the certification process which is slow and places a significant bureaucratic burden on the producer. In particular, recognition of experienced production teams and fast-tracking of programs with broadcaster commitments will improve efficiency. Such change would be straight forward and non controversial.

Tradeable Quotas

Tradable quotas remain contentious. There is concern that while seeking engagement is a valid function of the Review, the framing of the discussion implies tradable quotas are an impending option. Serious issues of competition and diversity are at stake, and much more research and analysis by ACMA will need to be undertaken before moving towards any firm recommendations from our members.

Advertising

Advertising and the CTS quota requirements must be considered in isolation from each other. It has been established that the CTS quota requirements do not impose an onerous burden on the broadcasters, and these segments of the CTS should not be linked together.

Recommendations

Recommendation: At an absolute minimum, the current quota levels should be retained. However the CTS needs to adjust its parameters to better service the child audience.

Recommendation: The ASC supports ACMA introducing an additional regulatory device to deliver a proportion of 'C' programming in the 5 - 8.30 p.m. time slot, as a part of the week day service.

Recommendation: There is clearly a need in children's media policy for encouragement of cross-platform promotional material. Further that child services and entertainment supplied through the internet and /or other new media platforms need to be subject to regulation consistent with the CTS. ACMA must be mandated develop a regulatory frame work for new and emerging media platforms serving Australian child audience. ACMA must also develop complimentary polices recognising the effectiveness and interrelationship of the CTS with other digital platforms.

Recommendation: ACMA should impose additional regulation for promotion of all CTS quota, based on the current guidelines for displacement of programming, to assist the broadcasters to successfully fulfill their obligations under the Broadcasting Act. In addition, all reporting on such activity must be public.

Recommendation: The assessment process be amended to reflect different levels of priority and expertise. Processing of preliminary certifications must give priority to projects that have broadcasters attached. A predictable assessment and efficient assessment time frame must be established and enforced. In the case of experienced producers with broadcasters attached, assessment to be made on episode synopsis vs scripts.

Recommendation: ACMA hold annual or bi-annual forums with children's producers, writers and broadcasters to focus on the dynamics of the classification system.