

FILMINK

28/04/2020

To whom this may concern,

I write this letter in response to the options paper regarding ‘supporting Australian stories on our screens’.

I have been in the Australian film industry since 1995, initially as a writer about cinema, then as founder and publisher of Australian consumer movie magazine, FilmInk since 1997. More recently, I co-founded distribution company Filmink Presents with business partner Lou Balletti.

Through my experience in this industry, I feel like I have a unique perspective on Australian filmed content due to my interactions with both the general movie-loving public and, also, the film industry itself.

My belief is that the following option is the one that should be implemented because of its potential cultural, export and employment benefits. It is, without doubt, the most generous offering, but it is also critical in avoiding the eradication of an industry that has taken decades to establish, that employs thousands of people and is the envy of film industries around the world. We punch well above our weight.

Model 3—Significant

Objective	To establish platform-neutral, future facing obligations and incentives that take into account individual platform offerings and audience engagement.
Features	All commercial content service providers (including subscription services): require investment in a percentage of revenue into new Australian content, under one of two implementation approaches: A. invest a percentage of Australian revenue into Australian content that must be made available on their Australian services, or make an equivalent contribution to a new Australian Production Fund (APF) B. negotiate individual Australian content investment plans in line with expectations set by the ACMA. National broadcasters: allocated funding for Australian children’s programming
Features	Offsets: a single flat rate Offset for all platforms with modified thresholds and potential for a ‘cultural uplift’.

My personal story is relevant, so I will document briefly. I was born in the Ukraine, arriving in Australia as a refugee at the age of 9. There were no English learning programs at the time of my family’s arrival, and I was thrust straight into primary school. I learnt English primarily through watching television, and I now write for a living. My sense of self was influenced greatly by what

I watched, with programs such as *Skippy*, *Romper Room* and *Humphrey B. Bear* significant in my formative years.

Worth noting is that these programs were on commercial networks, and not the ABC, as my family preferred those at the time, so that was what I was exposed to. I would imagine that there will be plenty of Australian families that are in a similar circumstance today, and they are inevitably using Netflix, Disney+, etc.

The formative age described above encompasses the beginning of the journey with screen content for most people. Right now, as I observe my 10-year-old son, his favourite programs are *The Simpsons* on Disney+, *BTN* on ABC and various Youtubers.

To use a cliché, screen content is like a mirror, and if the reflection does not represent us, then I am concerned for our future generations and their cultural identity as Australians.

In terms of my preferred option within the paper assisting with employment and export, I will firstly cite my experience as a niche publisher of an Australian movie magazine. At its peak, the magazine employed 6 full time staff and 20+ freelancers. I launched the magazine in 1997, and the internet was around, but it was not until the unregulated Google and Facebook monopolised the space and became aggressive in the advertising space that it truly impacted my business. I am now the only employee of the business, and freelancers write for free.

Recently, the government has acted against Google and Facebook for not paying publishers for exploiting their content, and I believe that this is a positive step in keeping a thriving media landscape in this country. I hope that the same can be done for our screen industry through quotas/regulations being placed upon streaming platforms and national broadcasters.

Another example I would like to bring up is the film distribution industry, in which I work as well. Film distribution is a highly risk averse industry, but one of its strongholds, especially for the independent distributor sector is the ability to sell Australian content to broadcasters. Traditionally, this has been where the content gets the most eyeballs and makes the most impact and impression.

The emergency of streaming companies has also virtually killed the DVD window of release for films. Distributors have shifted, with a bigger focus on cinema and digital releases, but a dwindling income base. With the recent closures of cinemas due to COVID-19, most distributors were forced to stand down half their staff. At the same time, the streaming companies are flourishing but it is not helping the distributors, who are the connecting tissue between filmmakers and the market.

As has been proven through the decades, if left to their own devices, the major studio distributors such as Paramount, Sony, Disney and Universal, all corporations, will invest in 1 Australian film per year at most. It's the independent sector – Madman, Transmission, Umbrella, Roadshow, and dare I say Filmlink Presents – that backs Australian films, but they will be in danger if there is no regulation placed on what the end user sees.

Removing quotas from broadcasters and not introducing them to streamers, would destroy the independent distribution sector in this country in all its diversity.

Unlike many countries in the world, we share the same language as two of the biggest exporters of content in the world – US and Britain. Their content can be on-sold for a lot cheaper than for a broadcaster/streamer to produce the content themselves.

Countries like France and South Korea have strong regulations in place to ensure the production of local content. In the process, both have become powerhouses in world cinema, winning prestigious awards, screening all over the world and sustaining a thriving industry.

If Australia had strong, but fair regulations as per Model 3, then we stand a chance of competing on the world stage and sustaining the world-respected industry that we have built over the last few decades. If international streamers invest in our content, then this content will be exported. Instead of our actors and technicians heading overseas to make a career out of their crafts, they will be able to stay in Australia. And if our current film industry withers, then we will not be as appealing to offshore productions that bring big Hollywood productions here, no matter how many tax incentives we dangle in front of them. Without a local film industry, filled with world-regarded crews, we will not get the business.

Without proper regulation for the companies that connect our film industry with the end user, sure, the market will look after itself, but what are we going to lose in the process?

With the current trend of viewing content digitally, specifically the streaming platforms, we have an opportunity to reflect our Australian identity by incentivising them to invest in local content. Better still, these global platforms will also organically bring an international audience to our content. It's a win/win.

Kind regards

Dov Kornits
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FilmInk