Key Points

- SBS delivers on its Charter obligations by providing screen content that informs, educates and entertains in a way that inspires all Australians to explore, appreciate and celebrate our diverse world.

- SBS’s distinctive services contribute to building a cohesive society with programming that reflects the experiences of culturally and linguistically diverse Australians, including Aboriginal and Torres Strait Islander (ATSI) Australians.

- By showcasing Australia’s true diversity in this way SBS helps the broader Australian community to understand the Australian multicultural experience—and helps define modern Australian national identity.

- This role has never been more important. The 2016 Census shows that Australia has never been more culturally diverse than it is today—49 per cent of Australians were either born overseas or have one or both parents born overseas, and 21 per cent of us speak a language other than English at home.

- With increased investment in commissioned content SBS also plays a vital role in supporting the Australian production industry, consistent with its Charter obligations to make use of Australia’s diverse creative resources.

- As the Australian media and entertainment sector has transformed, SBS has evolved, with market-leading online streaming service SBS On Demand growing year-on-year. SBS’s multi-platform content strategy is also delivering innovation that is being recognised on the world stage, particularly in the area of virtual reality and interactive online storytelling.

- In this context it is timely that the Australian Government reviews policy, tax and direct funding settings to ensure that they remain fit for purpose. This means that they should support the most efficient production of content on a range of platforms, and where the content—such as that aimed at supporting ATSI children—addresses multiple public policy aims, this should be acknowledged and formal policy linkages should be made.

- To the extent that revised policy and funding settings encourage and support higher levels of Australian screen production, SBS looks forward to playing an even greater role in supporting the Australian screen industry for the benefit of all Australians.
Summary of recommendations

- **A fully-funded Australian content quota for SBS main channel**, to deliver more SBS Charter aligned content to the community, and support the Australian screen industry.
- **Increase the Producer offset** for television drama and documentaries to 40% (from the current 20%).
- **A platform-neutral approach** to supporting the development of quality Australian content is taken in the development of policy recommendations.
- **Funding for ATSI children’s content on NITV**, supporting NITV to deliver its strategy of developing entertaining and educational children’s and youth content. This will assist the Government to deliver on its broader policy priorities, including closing the gap of ATSI disadvantage.
- Projects receiving direct government funding must have a **free-to-air distribution window**.

Introduction

SBS welcomes the *Australian and Children’s Screen Content Review* and the opportunity to submit in response to the review’s August 2017 consultation paper (the *Consultation Paper*).

In the face of global industry disruption, a strong and productive Australian screen industry is essential to creating and sharing content that reflects and celebrates the unique Australian culture. Australian content is regularly the most watched by Australian audiences – a sample week showed that for audiences aged 16-39, 70 of the 100 top programmes were Australian.¹ SBS has a unique and essential role in telling Australian stories that reflect our multicultural society and build social cohesion and understanding.

The review outlines three policy objectives:

- securing quality content that promotes Australian identity and culture;
- securing quality Australian content for children; and
- driving more sustainable Australian content industries.

SBS supports these three policy objectives, and sets out below comments in relation to each objective. SBS also supports the policy principles outlined in the Consultation Paper,² and welcomes further discussions on how any policy changes arising from the review would be implemented.

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¹ SBS data based on Oztam ratings for week commencing 11 September 2016. Internal distribution only.
² SBS supports the policy principles outlined on page 5 of the Consultation Paper, namely that Government interventions should:
   
   - service clearly identified public policy goals—Government intervention should serve transparent objectives;
   - be clear, simple and transparent—regulations and support measures should be easy, efficient and practical for industry to access and comply with;
   - be platform agnostic—Content regulation should be driven by policy objectives rather than platform type;
   - produce benefits that outweigh the costs—funding and regulatory imposts come at a cost to both government and regulated entities—the public benefits generated should exceed those costs; and
   - be flexible enough to cope with changing environments—a future system should be forward-looking and nimble enough to adapt to future changes in technology and audience trends.
SBS’s distinctive place in Australia’s media landscape

SBS has an important role to play in the Australian media landscape. SBS’s principal function, as outlined in the SBS Charter, is to provide multilingual and multicultural radio, television and digital media services that inform, educate and entertain all Australians and, in doing so, reflect Australia’s multicultural society.

In executing its Charter, SBS is strongly supportive of, and provides services that meet, the communications needs of Australia’s multicultural society, with the aim of encouraging participation of all cultures in Australian civic and economic life.

For migrants, this is both an immediate and a long-term need: migrants need immediate assistance in establishing a life in Australia, while also requiring long-term support in language development and maintenance, cultural understanding and cohesion, and links to their home country.

For ATSI Australians, SBS and NITV play an indispensable role in providing screen content that inspires, instills pride and aims to lead to greater respect of ATSI culture.

The broader Australian community also benefits from enhanced understanding of the diversity that comes with Australia’s multicultural experience. Achieving this balance means that all Australians can enjoy a multicultural and socially cohesive society.

SBS has never been more relevant and its program offering has never been more distinctive compared with other networks. We are continuing to evolve to meet the needs of contemporary multicultural and Indigenous Australia like no other media organisation.

<table>
<thead>
<tr>
<th>SBS’s Charter obligations</th>
</tr>
</thead>
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| In performing its principal function SBS must, as set out in section 6 of the *Special Broadcasting Service Act 1991*:
  | • contribute to meeting the communications needs of Australia’s multicultural society, including ethnic, Aboriginal and Torres Strait Islander communities;
  | • increase awareness of the contribution of a diversity of cultures to the continuing development of Australian society;
  | • promote understanding and acceptance of the cultural, linguistic and ethnic diversity of the Australian people;
  | • contribute to the retention and continuing development of language and other cultural skills;
  | • as far as practicable, inform, educate and entertain Australians in their preferred languages;
  | • make use of Australia’s diverse creative resources;
  | • contribute to the overall diversity of Australian television and radio services, particularly taking into account the contribution of the Australian Broadcasting Corporation and the community broadcasting sector; and
  | • contribute to extending the range of Australian television and radio services, and reflect the changing nature of Australian society, by presenting many points of view and using innovative forms of expression. |
SBS reaches almost 100 per cent of the population through its six free-to-air TV channels (SBS, SBS HD, SBS VICELAND, SBS VICELAND HD, Food Network and National Indigenous Television (NITV)), eight radio stations (SBS Radio 1, 2, 3 and 4, SBS Arabic24 including PopAraby, SBS PopDesi, SBS Chill and SBS PopAsia) and World Movies, a subscription TV channel. SBS Online provides audio streaming of all of our language programs and is home to our SBS On Demand video streaming service.

As a national public broadcaster, SBS receives the majority of its funding (71% in 2016–17) from government, on a triennial basis. The remainder of its funding comes from commercial sources: advertising; distribution; and language and creative services (see Figure 1 below).

As noted in the Terms of Reference to the Consultation Paper, new distribution platforms are creating a changing context for the distribution of Australian content. International distribution and investment in the Australian screen industry remains paramount to the development of local content industries.

This is particularly a focus for drama, as the value of rest-of-world rights for drama content has substantially increased in recent years. This is due in large part to Netflix’s buying power. A number of SBS titles, including Danger 5, The Principal, and Deep Water have been sold to Netflix. Other SBS titles, such as Gourmet Farmer, have been sold to local Australian platforms such as Stan. This provides SBS with an income stream which can be used to make the programs themselves, and which can be reinvested into the creation of new and unique Australian content in line with the SBS Charter.

Equally, it has positive benefits to the Australian screen industry as a whole. When SBS content, or indeed content from other Australian media outlets, is exported to the world via sales to international platforms, this brings exposure to Australia’s considerable talent, both in front of, and behind, the camera. These content rights are sold in different exhibition windows, and for different platforms. This delivers a return on investment, while ensuring that Australian audiences have free and open access to Australian
content in its initial window.

**Australian content quota on SBS main channel**

The 2016 Census showed that more than a quarter of Australia’s population were born overseas\(^3\), almost half have at least one parent born overseas, and 21% per cent (4.87 million people) speak a language other than English at home\(^4\).

Now, more than ever, SBS is critical to building understanding and cohesion in our society. In a world where audience choice continues to expand, SBS continues to make a vital difference to the Australian cultural and media landscape. The network’s essential position in the industry allows it to present compelling, distinctive and thought-provoking content that no other Australian media organisation provides.

Some of that content is targeted to the needs of particular groups or communities, whether by language or subject matter. Other content is of broader appeal, helping to deliver SBS’s Charter content to as many Australians as possible.\(^5\) For a list of all commissioned content in 2016–17, see **Appendix A**.

While SBS has significantly lifted the proportion of its expenditure invested in content over recent years (see Figure 2, below), SBS would welcome the implementation of a fully-funded content quota on its primary channel. A quota of around 30% in peak viewing times is recommended to adequately deliver on SBS’s Charter and meet audience expectations of the network.

This is in line with the 2012 findings of the *Convergence Review*, which suggested a 27.5% Australian content quota for SBS, noting that “…public broadcasters have a mission to support Australian content in meeting their charter obligations. The lower quota for the SBS [compared to the proposed 55% quota for ABC] recognises its mission to reflect multiculturalism to Australians and the need to achieve this objective partly through international content.”\(^6\)

The implementation of this quota would require an increase to SBS’s current commissioning budget. Actual costs would depend on genre focus, available screen agency funding, and government support. SBS is the most efficient broadcaster in Australia and continues to maximise investments in content and the delivery of services to all Australians. As such, SBS is not in a position to increase its Australian content without additional funding.

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\(^5\) SBS acquires some general interest programming to complement its distinctive multicultural and multilingual programming. General interest programming, such as English-language, popular movies, can be used to cross-promote our more challenging and unique programming, drawing new audiences and raising awareness among existing audiences. Advertising revenue for the general interest programming is also reinvested into the creation of locally commissioned content.

**Recommendation**

*A fully-funded Australian content quota for SBS main channel*, to deliver more SBS Charter aligned content to the community, and support the Australian screen industry.

**Producer Offset**

SBS has previously submitted to government, most recently in its submission to the *Inquiry into the Australian film and television industry*, on the value of raising the Producer Offset from 20 per cent to 40 per cent for all television productions currently covered by the initiative, including premium documentary. This would be equivalent to the Producer Offset currently available to feature film productions.

SBS understands there is broad industry support for this position given that the cultural objectives of presenting Australian stories can be achieved on television as they can in feature films.

In 2015, Screen Producers Australia (SPA) commissioned a joint report with the Australian Subscription Television & Radio Association (ASTRA) provided by PwC. As a result of this analysis, SPA reported that:

*doubling the Producer Offset from 20% to 40% would cost the Commonwealth a maximum of $15.5 million in foregone tax revenue, but would generate an additional $119.4 million in economic activity, making the overall economy better off by more than $103 million.*

A 40% Producer Offset for television would:

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7 Screen Producers Australia. Offsets to boost our economy (nd.) Available at http://www.spaa.org.au/insights/offsets-to-boost-our-economy
• match the level already provided for feature films;
• increase Australian screen content;
• lead to a stronger Australian television production sector, and new television production jobs;
• reduce filtering and assessment of projects to a single process undertaken by the commissioning broadcaster.

Figure 4: Alternative financing models for television drama productions

SBS proposes that with a 40% producer offset available, the government’s investment in television production would not change, as producers would be able to access either a 40% producer offset or direct funding through Screen Australia, but may not combine the two funding streams. This would have the added benefit of minimising the administrative costs of a combined funding model of direct investment and tax offset. Examples of the alternative financing models are in Figure 4, above.

Recommendation

Increase the Producer offset for television drama and documentaries to 40% (from the current 20%).

Free to air distribution

Direct government funding provided to the screen industry is for the development of Australian content, primarily for Australian audiences. Currently, some of this funding is being provided to projects which are only available to audiences who pay for access to subscription television or streaming services (eg. No Activity on Stan). Less than thirty percent of Australians have subscription television\(^8\), meaning that over 70% of Australians do not have the opportunity to consume this content which is supported by Australian government funding.

Where direct government funding is provided to a project, that content should be required to have a free to air window, so that all Australians have the opportunity to consume the benefits of the tax-payer funded program or project. This will maximise

the value of the government’s investment in the content and benefit the Australian community as a whole – not just those who can afford to pay an additional subscription fee.

While projects may appear on a subscription television or streaming service for the initial window, there must be a distribution agreement for these projects to have a second window on free-to-air television.

**Recommendation**

Projects receiving direct government funding must have a free-to-air distribution window.

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**Digital innovation in access to Australian content**

The Consultation Paper notes that:

> discovery, marketing and promotion are increasingly important in the digital era. As technology and business models change it may become harder to ensure that Australian content is widely available and visible on new formats.\(^9\)

SBS has been a continuous leader in adapting to the evolving media consumption preferences of Australian audiences in the delivery of content, and utilising the latest technology advancements to create a deeper audience experience.

The video streaming market continues to be extremely competitive, with subscription video on demand and other free-to-air television catch-up services disrupting traditional television viewer behaviour and gaining a further foothold with audiences. SBS On Demand, as well as digital audio services such as streaming and podcasts, continue to experience strong growth year-on-year, engaging more audiences than ever before (see Figure 3, below).

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\(^9\) Consultation Paper, page 7.
SBS has made continued investment in exclusive and distinctive content, as well as user experience enhancements and technical upgrades to SBS On Demand, as it provides more than 6,000 hours of programming across 22 distribution platforms. This includes exclusive premiere titles across key genres of drama, film and documentary. SBS also offers a range of exclusive programs that deliver on the Charter while evolving how our broader content offering is scheduled and distributed across television and digital platforms.

SBS’s Digital Creative Labs tells stories which explore multicultural Australia through interactive storytelling, social television, data visualisation and virtual reality (VR). A commitment to distinctiveness is at the core of the Digital Creative Labs innovation strategy to support key SBS multiplatform content to engage audiences more deeply.¹⁰

SBS was the first Australian broadcaster to have a dedicated VR platform which is available to all Australians on Apple iOS and Google Android smartphones. More than a dozen SBS VR and 360° films have been licenced, commissioned, and produced in-house to help support flagship SBS events by providing audiences with a chance to more deeply engage, enhancing SBS’s reputation as an innovator in storytelling.¹¹

¹⁰ Key examples include:

- *My Grandmother’s Lingo*, an interactive animation highlighting the plight of Aboriginal and Torres Strait Islander languages, which is Australia’s most awarded online documentary to date, including prestigious Webby, Walkley and SXSW Awards. ([https://www.sbs.com.au/mygrandmotherslingo/](https://www.sbs.com.au/mygrandmotherslingo/))

¹¹ For example, VR has extended the audience experience of key SBS content from across the network, including:

- *Welcome to Garma with Ernie Dingo*, which built on NITV’s coverage presenting a rare insight into the Garma Festival in Arnhem Land;
- *A Pig’s Life with Matthew Evans*, a VR exploration of the life of a pig in Australia’s meat trade connected to the series *For the Love of Meat*; and
- *Tomorrow’s Diwali* which showcased the meaning of the festival of light to Australia’s Indian communities.
As noted in the first section of this submission, audiences are increasingly accessing content across platforms and technologies, and media companies and organisations are keeping pace with this, providing content in different genres (such as short form drama and documentary on SBS On Demand), across different platforms and through different technologies (apps and mobile-friendly websites).

For example, in August 2017, SBS announced *Take Me There*, an original short-form documentary series telling young Australians’ stories.12 This short-form documentary series first appeared on Facebook, and was then broadcast on SBS VICELAND as individual stories. This unique approach to sharing content, especially content made with a youth audience at its heart, should be supported, as, like more traditional format documentaries, it is showcasing the talent, stories and diversity of Australian culture today.

On 1 July 2017, NZ On Air, the funding body for the New Zealand Screen Industry, implemented a new funding strategy.13 The strategy has three goals:

- quality content;
- diverse content; and
- discoverable content.

NZ On Air notes:

*We require market attachment but are platform-neutral. We will accept relevant content applications financially supported by a qualifying broadcaster or platform ('commissioning platform').*

This platform-neutral approach provides broadcasters and platforms with flexibility in funding projects that reach new and emerging audiences. In order to encourage this innovation in content delivery further, SBS recommends that the Review take a similarly platform-neutral approach to supporting the development of quality Australian content. In particular, SBS recommends that the programme format (length/platform) should not be a qualifying factor for the Producer Offset.

**Recommendation**

That the Review take a format- and platform-neutral approach to supporting quality Australian content.

Prioritising screen content for ATSI children

The Consultation Paper notes that the production and distribution of diverse Australian screen content helps, among other things, to define national identity and strengthen social cohesion and values—with it being especially important that children see a reflection on screen of the world around them.

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14 NZ Funding Strategy, page 8.
The outcomes of this review should solidify support for ATSI stories and voices, with a particular focus on screen content and complementary educational material for ATSI children. Showing ATSI children their culture, their languages and children like them on screen—and supporting this screen content with educational resources—should be a cross-portfolio Government priority. The benefits of this are twofold—it will contribute to closing the gap of ATSI disadvantage, and provide all Australian children with the opportunity to learn about, appreciate and understand ATSI culture.

NITV is the home of ATSI storytelling, proudly part of SBS since 2012, and delivering Australia’s only national ATSI television news service. NITV is a national free-to-air channel by, for and about ATSI peoples, and through them offers a channel for all Australians. Stories, culture, language, aspirations and development are key components of its content.

Increased support and funding for ATSI controlled media was a recommendation of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) in its final report of 1991. NITV provides a positive exploration and celebration of ATSI culture through drama and documentary, as well as news and current affairs, and the best of international programming on ATSI culture. NITV is investing more in content than ever before, working closely with the ATSI production sector across the country. As noted above, ongoing support for mid-level productions, to encourage the development of the ATSI production industry, is required.

The Discussion Paper notes the public value of screen content that ‘speaks directly to Australian children’. Helping children understand their own culture is a valid aspiration in respect of the broader Australian child population and is arguably even more important for ATSI children. Cultural continuity is a known protective factor for ATSI peoples. It is extremely important for ATSI children to see themselves represented on television—to ensure social inclusion and to contribute to early childhood development and a positive sense of identity.

It is also well accepted that educational television programs can help improve children’s school readiness by building literacy and numeracy skills, cultural awareness, self-esteem and healthy behaviours. Such programs play an important role in achieving the Australian Government’s priority of closing the gap between ATSI and non-ATSI Australians on life expectancy, educational achievement and employment opportunities; and in the Government’s Indigenous Advancement Strategy.

In playing its part in closing the gap, NITV is placing increasing focus on broadcasting and publishing content that is specifically designed for children and young people.

15 NITV first operated in 2007 as a private company; then, in 2012 merged with SBS.
16 Recommendation 205 of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC)
17 Consultation Paper, page 8.
18 Chandler, M & Lalonde, E, Cultural Continuity as a Protective Factor against Suicide in First Nations, 2008 – available at https://www.researchgate.net/publication/239921354_Cultural_Continuity_as_a_Protective_Factor_Against_Suicide_in_First_Nations_Youth.
Young people are an appropriate focus for NITV as they constitute a larger proportion of the ATSI population than young people in the non-ATSI population.¹⁹

NITV has had recent success with its first animated children’s program, *Little J & Big Cuz*, has another children’s program currently in production, and supports policy and funding settings which will help it capitalise on this momentum. A case study of *Little J & Big Cuz*, including information about the accompanying educational resources, is in Appendix B. The next NITV children’s content initiative will be *Grace Beside Me*, a 13 part television series which follows the story of Fuzzy Mac, a teenager trying to balance average teenage life with the ATSI realm of culture and spirits. The series will air on NITV in January 2018, followed by a second window on ABC Me in mid-2018.

The Australian Communications and Media Authority (ACMA) report, *Children’s television viewing and multi-screen behaviour*, found that children under the age of 14 are using almost three different platforms to watch children’s programs, and nearly all children using multiple devices.²⁰ Increasingly, children’s programming must be available on streaming services, and apps designed for multiple devices. SBS and NITV’s children’s programing is available through SBS On Demand across multiple platforms.

### Recommendation

**Funding for ATSI children’s content on NITV**, supporting NITV to deliver its strategy of developing entertaining and educational children’s and youth content.

### Conclusion and recommendations

SBS supports the strengthening and growth of the Australian film and television industry, and would welcome the opportunity and capacity to produce more Australian content that speaks to our Charter.

This submission outlines a number of areas where the industry could have greater support, or a streamlining of processes, to promote the quality and quantity of Australian content available to Australian audiences.

### Summary of recommendations

- **A fully-funded Australian content quota for SBS main channel**, to deliver more SBS Charter aligned content to the community, and support the Australian screen industry.
- **Increase the Producer offset** for television drama and documentaries to 40% (from the current 20%).
- **A platform-neutral approach** to supporting the development of quality Australian content is taken in the development of policy recommendations.
- **Funding for ATSI children’s content on NITV**, supporting NITV to deliver its strategy of developing entertaining and educational children’s and youth content. This will

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assist the Government to deliver on its broader policy priorities, including closing the gap of ATSI disadvantage.

- Projects receiving direct government funding must have a free-to-air distribution window.
Appendix A

SBS’s 2016–17 commissioned screen content

<table>
<thead>
<tr>
<th>SBS and SBS Viceland</th>
<th>NTIV</th>
<th>NTIV (continued)</th>
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</thead>
<tbody>
<tr>
<td><strong>Genre/Title</strong></td>
<td><strong>Episodes</strong></td>
<td><strong>Hours</strong></td>
</tr>
<tr>
<td><strong>Drama</strong></td>
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<tr>
<td>Deep Water</td>
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<td>Sub-total hours</td>
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<td>The Family Law Series 2</td>
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<tr>
<td>Max Comedy Festival</td>
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<td>Sydney Gay And Lesbian Mardi Gras 2017</td>
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<td>Cusack</td>
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<td>Deep Water: The Real Story</td>
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<td>For The Love Of Meat With Matthew Evans</td>
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</tr>
<tr>
<td>Pauline Hanson: Please Explain</td>
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<tr>
<td>Shaun Micallef: Marina And The Revenant Series 2</td>
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<td>The Surgeon And The Sailor</td>
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<td>Total hours</td>
<td>104.75</td>
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</tr>
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1. Episodes broadcast in 2016/17. Some series are broadcast over two financial years.
2. Scheduled hours
Appendix B

Little J & Big Cuz

Earlier in 2017, NITV presented Little J & Big Cuz, a 13 part contemporary children’s animation series aimed at ATSI children in the K–2 school range (aged 4–6 years). The series was translated into Djambarrpuynu, Pitjantjatjara, Arrernte, Walmajarri, Yawuru and Palawa kani. The series focuses on the lives of five year old Little J, and nine year old Big Cuz, who are a couple of ATSI Australian kids living with their Nanna and Old Dog. Its focus is on smoothing the transition to school. The series synopsis notes that:

Little J and Big Cuz are busy with the ups and downs of playground and classroom. There’s always something surprising going on whether it’s at school, in the backyard...or beyond. The gaps in Nanna’s ramshackle fence lead to Saltwater, Desert and Freshwater Country. With the help of Nanna and their teacher Ms Chen, Little J and Big Cuz are finding out all about culture, community and country.

The series offers a proud and positive view of ATSI Australia, and the opportunities for learning within it, to ATSI children as they prepare for school.

Little J & Big Cuz was developed in partnership with the Australian Council for Educational Research (ACER), the Secretariat for Aboriginal and Islander Childcare (SNAICC) and Ned Lander Media. Its focus is on school transition with a program of outreach, games, asset development and learning resources for educators made freely available nationally on the series website.21

Extending Little J & Big Cuz through educational resources

Accompanying each episode of Little J and Big Cuz is a range of teaching and learning resources founded in the Early Years Learning Frameworks and the National Curriculum. These learning documents have been created as a spring-board for engaging with and embedding Aboriginal and/or Torres Strait Islander perspectives and pedagogies in Early Years education environments (K–2). The intention is to provide a starting point for educators as they:

- Engage with local and broader ATSI communities to learn from and with their communities, build authentic relationships and grow a language that shares and respects the voices of ATSI peoples, their knowledge and their cultures.
- Consider the transitions that take place in children’s lives every day and the role of educators to work with children and families to support these transitional moments. These moments of transition can be really big moments, such as the transition from early childhood into primary school, or other moments such as moving from one space into another, or one learning experience to another.
- Consider the spaces in their indoor and outdoor environments and the possibilities of the key ideas of ATSI knowledge and culture and how these can build on current understandings and create new learning opportunities with children, families, schools and community.

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Little J & Big Cuz was broadcast terrestrially, but is also delivered via a significant online presence—including a dedicated website, episode availability on SBS On Demand and Facebook content—making it available at any time.