



COMMERCIAL.TELEVISION AUSTRALIA

**REVIEW OF THE GUIDELINES FOR
C AND P CLASSIFICATION**

**SUBMISSION BY
COMMERCIAL TELEVISION AUSTRALIA**

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Introduction

CTVA represents Australia's 48 commercial free-to-air television licensees, and welcomes this opportunity to comment on the operation of the ABA's Guidelines for C and P classification.

The Children's Television Standards require a substantial programming commitment from commercial television licensees, with almost 1200 hours of pre-approved C and P programs required to be broadcast across the three commercial networks each year.

CTVA considers the assessment processes accompanying this volume of programs could be significantly streamlined - with attendant time and cost savings for networks, independent producers and the ABA itself - without any effect on the standard of programming the system delivers to the child audience.

The Children's Television Standards have existed for over two decades, and Australia has a specialised children's television industry, many of whom have a high degree of familiarity with the Standards' operation.

The current processes fail to recognise this experience and the world-class children's television expertise that exists both within the networks and the independent production sector.

CTVA's proposals for much-needed reform in response to the ABA's Discussion Paper are set out below.

A. Criteria

'Tweens'

CTVA maintains that the Standards' definition of 'children' is too restrictive, and that it should extend to 'age 14 and below', rather than 'under 14'. As submitted to the Australian Content Review, commercial broadcasters consider that the so-called 'tween' audience includes 14 year olds as well as 13 year olds.

CTVA notes that this definition of children is consistent with the classification provisions of the Office of Film and Literature Classification, which apply restrictions to viewing for children aged 14 and below, and which the ABA has asked CTVA to adopt for the Commercial Television Industry Code of Practice.

CTVA considers that raising the age by one year to age 14 and below would enable broadcasters to provide a greater range of appealing and challenging Australian programs for a broader child audience. It may also benefit the financing of expensive children's productions, by assisting Australian producers to find international co-partners who are seeking programs that have a broader age appeal.

CTVA requests that the ABA reconsider the age limit as part of this current review.

The Guidelines should acknowledge that C and C Drama programs may be directed specifically at the tween audience (that is, 12 – 14 years), and that such programs may deal in a sophisticated way with a broad range of contemporary social, personal and relationship issues confronting this age group.

CTVA considers that there are adequate checks and balances in the current approach to ensure that the child-driven focus of CTS2(a) is maintained.

However, the Guidelines should acknowledge the aspirational nature of the child audience, that is that they regularly 'watch up'. Programming aimed at the tween audience will therefore also have appeal and extend the viewing experience for primary school age children who will find stimulation in a broader, more challenging array of storylines.

The interpretation of the criteria

Apart from the comments on CTS2(a) above, CTVA is satisfied with the wording of the current criteria, and finds the examples given in the Form and the Guidelines to be useful when completing the Form. The questions are sufficiently open-ended to allow applicants to outline the aspects of the intended program that fulfils each criterion.

CTVA's concerns have not been with the way the criteria are expressed (apart from the age limit), but rather with the way in which the criteria have on occasion been narrowly and pedantically applied.

Timezones

CTVA is surprised by the suggestion in the Issues Paper that some C programs that targets the tween audience might fall into the PG classification category.

CTVA does not contemplate that the strength of material in C programs targeting the tween audience would exceed the G classification. By targeting the tween audience a broader range of themes and storylines may be explored, but in a way that is still suitable for children to watch without supervision. No theme should necessarily be taboo if it relates to children's experience, but serious themes would be handled sensitively and with particular care, and told from the child's perspective, which would result in the program remaining within the constraints of the G classification.

CTVA does not have any particular comments on the likely scheduling practice of programs targeted at the tween audience, as program scheduling is a matter for each individual network. As a general proposition, broadcasters offer audiences a variety of programs across different timeslots, taking into account the availability of the target audience and demographics watching at particular times. The present C band provides a satisfactory range of timeslots to enable the networks to offer the child (including tween) audience C programs at suitable times.

B. Assessment Procedures

Consultants

CTVA supports the ABA's approach of having experienced production personnel involved as assessors.

CTVA believes that assessors should be appointed for a fixed term (for example 2-3 years), and that there should be a regular turnover in the assessment personnel. They should form a small, dedicated pool of professionals with expertise in television production, who regularly assess projects and are apprised of other C and P assessments made by the ABA so that there is consistency in assessments. CTVA would welcome ongoing consultation with the ABA on the list of assessors.

However, to avoid perceptions of conflict of interest, the assessors should not be current applicants for C drama assessment themselves. Assessors should also not be eligible if they have submitted an application themselves for C or P assessment in the previous six months or intend to in the subsequent six months following the expiry of their term.

CTVA welcomes the ABA's suggestion that an applicant may be able to provide its own expert assessment, for example from consultants engaged to assist the development of the project. It is often the case on network-produced programs that child development experts are engaged as consultants. It is entirely appropriate for reports from such recognised experts in their field to be considered as part of the ABA's assessment process, which may obviate the need for ABA-commissioned reports resulting in time and cost-savings. However, the provision of expert reports by the applicant should be an option rather than a requirement.

The ABA's Role

CTVA welcomes the ABA's acknowledgement that its role is not to act as a script editor for a program, and supports its current approach for a more broad-brush approach as reflected in its recent assessment reports in response to submissions to the Australian Content Review.

As a formal acknowledgement of this recent approach, CTVA would like the Guidelines to include a preamble that sets out a general principle that the ABA's assessment role is to be satisfied that the themes and issues in C programs are dealt with in a suitable way for the child audience in a broad and holistic sense, not to comment on creative matters in scripts or individual lines of dialogue. This would provide greater clarity of the ABA's role both for applicants and the wider community.

Inflexible processes and Accreditation

There are two key areas where current procedures need to be streamlined:

(i) C programs producer accreditation

An accreditation system should apply for producers of C programs. The procedures need to be significantly streamlined for experienced producers. The current requirements lead to substantial additional costs and present timing difficulties. In particular for C drama programs, productions are expensive, and delay (or even the risk of delay) caused by the ABA's assessment procedures can have significant negative impacts on production schedules and budgets.

Not only do the specialist children's producers have a proven track record with the Standards, but also the highly experienced network heads of children's television closely monitor and provide input into the scripting and development process for C projects. Given this wealth of experience with and understanding of the C program requirements at the production level, the excessive script approvals currently required by the ABA's assessment procedures on these projects is regulatory overkill.

CTVA recommends the following system should apply:

- Experienced C drama producers (i.e. those who have produced at least three C drama series) should automatically qualify as 'accredited C drama producers' who are subject to less onerous procedures when applying for C Drama classification.
- Experienced producers of C non-drama or P programs (i.e. those who have produced at least three C/P series) should automatically qualify as 'accredited C producers' or 'accredited P producers' who are subject to less onerous procedures when applying for C or P classification respectively.
- C/P producer accreditation should last for a period of 5 years, following which the producer could apply to the ABA to have their accreditation renewed.
- Accredited C/P producers should only have to submit:
 - For a new series - a mini-series treatment (including program synopsis, outline of the program and character profiles) plus 3 scripts supported by a statement from the producer that those submitted scripts are representative of the series; and
 - For a second or subsequent C drama series - a mini-series treatment;

- For a continuing non-drama C, or ongoing P series, only a synopsis of any changes (for example, changes in format, target age, key personnel) since the last application should need to be provided.
- The ABA should review C/P programs made by accredited producers on a complaints basis and a producer's C accreditation could be revoked if it were determined that a C program failed to meet the Standards' requirements.
- Accredited C/P producers should not have to submit subsequent script amendments made by directors and networks to the final draft scripts supplied by the writer – unless in the producer's opinion they involve a substantial change that may impact on compliance with the Standards' requirements.

The above measures should significantly streamline the procedures for these projects, whilst maintaining appropriate safeguards for the child audience. A spin-off benefit of the streamlining of procedures for accredited producers is likely to be the freeing up of ABA resources to process the other applications from non-accredited producers more quickly to prevent bottlenecks in the system developing.

(ii) Subsequent series of general C and P programs

If the accreditation procedures outlined above are not accepted, more streamlined procedures should still be introduced for subsequent series of non-drama C and P programs. It is excessively bureaucratic and unnecessarily time-consuming to require networks to resubmit the detailed application form in respect of subsequent series of programs that have a proven track record in meeting the C or P criteria and have attracted a loyal child audience (for example, *Totally Wild* and *The Big Arvo*).

In the case of continuing non-drama C, or ongoing P series, only a synopsis of any changes (for example, changes in format, target age, key personnel) since the last application should need to be provided.

C. Application Requirements

As set out in section B of this submission, CTVA considers the current application requirements to be unduly onerous and recommends the ABA adopt the recommendations for C drama and subsequent series of C and P programs set out above.

D. Other Matters

Annual roundtable forum

CTVA believes it would be beneficial for all stakeholders if the ABA hosted an annual roundtable meeting/forum involving the ABA children's section, assessors, producers and the networks to discuss children's programming developments, approach to contemporary interests of Australian children and any issues arising out of the CTS system. We consider this would foster a more collaborative approach and enhance understanding of the system for the benefit of everyone who works with it. The networks are keen to participate in such a

forum, and CTVA commends this proposal for the ABA's consideration.

CTVA appreciates the opportunity to provide these comments to the ABA, and looks forward to further consultation with the ABA and the children's television production industry as the review progresses.

Commercial Television Australia
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