

20 February 2015

Ms. Kerry Boland
Children's Guardian
Office of the Children's Guardian
Attention: Children's Employment
Level 13, 418A Elizabeth Street
Surry Hills NSW 2013

Dear Ms. Boland,

Response to the review of the Children and Young Persons (Care and Protection) (Child Employment) Regulation 2010

Screen Producers Australia was formed by the screen industry to represent large and small enterprises across a diverse production slate of feature film, television and interactive content.

As the peak industry and trade body, we consult with a membership of more than 300 production businesses in the preparation of our submissions. This consultation is augmented by ongoing discussions with our elected Council and appointed Policy Working Group representatives. Our members employ hundreds of producers, thousands of related practitioners and drive more than \$1.7 billion worth of annual production activity from the independent sector.

On behalf of these businesses we are focused on delivering a healthy commercial environment through ongoing engagement with elements of the labour force, including directors, writers, actors and crew, as well as with broadcasters, distributors and government in all its various forms. This coordinated dialogue ensures that our industry is successful, employment levels are strong and the community's expectations of access to high quality Australian content have been met.

Screen Producers Australia welcomes the New South Wales Government's commitment to consultation in this review of the Children and Young Persons (Care and Protection) (Child Employment) Regulation 2010. The effectiveness of this consultation was most recently demonstrated by the stakeholder consultation session coinciding with the issues paper release, and before it, the very successful Act SAFE Forum that was attended by Screen Producers Australia and many of our member businesses.

At this stage in the review process our comments are limited. There have not been significant concerns raised by members of Screen Producers Australia in regards to the current regulatory requirements and codes of practice obligations during our extensive consultation on questions raised in the issues paper.

However, we would like to use this opportunity to encourage Government to adopt an educative approach to improving compliance rather than increasing the regulatory burden or punitive measures on business.

Importantly, membership to Screen Producers Australia is predicated on a level of industry experience and incurs annual subscription costs and production levies. Our views represent established businesses primarily working across narrative drama, factual programming and general entertainment rather than individual practitioners who may be emerging from a hobby or unpaid environment.

Data published by the Children's Guardian shows that the levels of notifications by film and television productions have remained steady over the last 5 years, at 559 of a total 956 notifications in 2013/14.¹ Of these 956 notifications, there were 48 investigations resulting in 5 breach notices. Although these breaches are not an acceptable outcome, it does suggest that the vast majority of authorised employers are compliant. Furthermore, in the absence of prosecutions it is not clear the severity of these breaches or if these breaches are occurring in film and television production.

To ensure that we contribute to the aims of the Children's Guardian, increase the proportion of film and television businesses seeking authorisation and target any non-compliance issues within our member businesses, Screen Producers Australia is pleased to work with the Children's Guardian to assist in developing an education program at the conclusion of this review.

We look forward to continued engagement and will again canvass issues with our membership once the draft regulations and codes of practice are circulated in the coming months. If you would like to discuss any aspects of this submission please contact Matthew Hancock (Manager, Strategy and Operations) on matthew.hancock@screenproducers.org.au or 9360 8988.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Deaner', with a large, stylized flourish at the end.

Matthew Deaner
Chief Executive Officer

¹ Annual Report, 2013/14: http://www.kidsguardian.nsw.gov.au/ArticleDocuments/493/OCG_annual_report_2013-14.pdf.aspx