

NEW ZEALAND WRITERS GUILD PUNI TAATUHI O AOTEAROA

SCRIPTWRITER FEEDBACK DEVELOPMENT FUND WITHIN THE PREMIUM PRODUCTIONS FOR INTERNATIONAL AUDIENCES

INTRODUCTION

New Zealand Writers Guild (NZWG) is the professional association and registered trade union of New Zealand script writers. NZWG is committed to working in a way that adheres to the spirit and the principles of Te Tiriti o Waitangi. NZWG is a member of International Affiliation of Writers Guilds (IAWG), Council of Trade Unions (CTU NZ) and WeCreate.

Below are the NZWG aims and objectives relevant in this feedback on the Development Fund within the Premium Productions for International Audiences | Pūtea Kiriata Hiranga fund (the Fund) – full aims and objectives are found in our constitution:

- To protect, represent and further the interests of New Zealand writers
- To be the national and international voice of New Zealand writers
- To establish, maintain and improve minimum conditions of work and rates of compensation for writers
- To promote policy, legislation, and legal and economic rights for the benefit of writers, including but not limited to the issues of copyright, moral rights, and status of the artist

NZWG support the impetus of this fund and look forward to the generation of jobs (,jobs, jobs) within the New Zealand screen sector. As scripted content creation is the vital step that leads to most jobs in the New Zealand scripted screen sector, NZWG wants to ensure that screenwriters have the same level of opportunity as other workers in the sector as outlined by the Key Criteria of this fund.

WRITER CONSULTATION

NZWG first processed the guidelines at Board level. From internal consultation this document then went out to screenwriters – members and non-members of NZWG. This resulted in multi-level consultation on the requested fund.

NZWG is utilised here to express the voices of the screenwriters of Aotearoa.

NZWG thank NZ on Air (NZOA), New Zealand Film Commission (NZFC) and Te Māngai Pāho (TMP) (the Agencies) for the opportunity to allow screenwriters to contribute to the design of this one-off fund.

FEEDBACK

\$2M for development from a total fund of \$50M is a development spend of less than 5%. We understand that the fund is a one-off response to Covid19, but we also note that the ongoing viability of our scripted screen sector relies 100% on development.

There will be no new New Zealand scripted productions without funded development.

NZWG would like to discuss a development strategy beyond this fund with the Agencies, with the aim of creating an ongoing strategy that will feed and expand the current pipeline.

Below is the consolidated feedback generated and received by NZWG.

KEY PARAMETERS

FUNDING PARAMETERS

The current funding allocation means that between, approximately, 16-20 projects will receive funding through this development fund at its current setting of up to \$120k per project.

NZWG notes that if this development fund is intended to see the selected projects through advanced development and investment funding stages, as is indicated, then even less money will be available for the early development of new projects. As the amount of development funding suggested is 'flexible' this appears to favour projects that are already underway and have likely already received funding from the agencies or from other sources, and so discriminates against genuinely new projects.

As writers benefit creatively and financially from early development rather than from production, NZWG is keen to see the \$2M development fund spent in a way that prioritises early development and creative development, rather than in a way that assists already developed projects to become fully production ready.

What considerations have been given to protect the copyright generated through this fund?

NZWG suggests that fund is to be made available in two equal tranches per annum. So that 50% of the development funding is available in the 20/21 year and the other 50% available in the 21/22 year, or to put it another way, that not more than 50% of the development funding will be available in the first funding round.

And the biggest questions from screenwriters, what is the weighting between film and television projects? Will there be 50/50 funding split between the formats?

FEATURE FILMS (DRAMA, DOCUMENTARY OR ANIMATION)

Does this include the genre of children's / family?

SERIES EPISODES (DRAMA, DOCUMENTARY OR ANIMATION)

Does this include the genre of children's / family?

Will there be more specific details for applications of one off and short run drama series?

VALUE OF DEVELOPMENT FUNDING AND DEVELOPMENT COSTS

NZWG primarily want to ensure that the development budgets do genuinely include scriptwriting, not just packaging. Of the \$2M development available over 2 years, if calculated conservatively, only 16-20 scriptwriters may share in less than \$1M across this fund in total.

Based on these rough and conservative calculations, how do the agencies see this fund as really supporting New Zealand screenwriters? This does not appear to achieve Key Criteria #2 of “Increased employment, through providing jobs to New Zealanders in the screen sector.”

And how will the Agencies ensure that the screenwriting portion of the budgets are set and spent honourably?

With this in mind, is the value set high enough to achieve the standards of projects being sought through the Premium Fund?

Consideration should be given to raise the cap **OR** preferably to create a minimum level of development funding to ensure scriptwriters are remunerated fairly. And imagine the ambition and scale of a project developed at a higher dollar value. The agencies are seeking “*international*” standards with the Premium Fund, shouldn't the development fund have this same kind high end outcomes?

Several of the stipulated allowable costs i.e.: **Key international casting for finance purposes only, Market attachment work/market attendance whether virtual or real, Budgets & Schedules** and **Package-critical location scouting**, are commonly ADF costs associated with projects that are close to being production-ready. Again, this fund favours projects that have already received funding for early development and are close to being financed and begin shooting.

NZWG recommends a delineation in application budgets between script development and project development. And again, highlighting the differences between television and film project script development, i.e.: TV is more often created and written by multiple writers at the same time.

TWO PROJECTS PER APPLICANT

Unlike the production element of the Premium fund, development is the R&D of the screen sector. There should not be a limit on applications in development.

Please clarify, is this only for the lead applicant OR the individuals forming the application team?

TIME FRAME

A major concern is the time frame very much favours bottom drawer projects rather than fresh concepts.

NZWG understands that this timeframe into production has inclined the agencies to seek package-ready teams, but surely there is room for some funding to go to exciting new ideas and/or scriptwriters who need a script as proof of concept before finding the right producer? If scriptwriters are given free licence to write the script of an exciting idea, and the script sings – then a producer may come on board with a clearer view and more commitment to what they are selling to the market.

Will this time frame allow for the backing of the sort of risky projects (think ‘I May Destroy You’, ‘Euphoria’, ‘Transparent’ etc) that have grabbed international television attention in recent times?

An area that sets other regions apart from New Zealand is time and money spent in development. In New Zealand you may have the same amount of time to break an entire season or series of a television project as you would in the US or UK to break a single episode. This time leads to stories that are better written, crafted, and delivered.

To achieve the main aim of this fund, international models of work, specifically in story development (i.e., a showrunner model, time given to break story etc), should be the primary focus and where resources should be allocated. A production begins with a script, and a great story well told is also what hooks an audience and keeps them coming back for more.

CRITERIA

If 'cultural benefit' is to be prioritised among the other stated considerations, how is 'cultural benefit' to be defined, and who will decide how submitted projects score in terms of cultural benefit?

We would like to understand what 'Cultural benefit' and 'NZ screen stories' means to whom – to New Zealand audiences? Or to New Zealand's film and television making community? Or to international audiences?

NZWG supports a clear desire to support Māori cultural voices and stories. NZWG would also prefer that the Criteria included other underserved or unheard voices in their weighting as well.

Is any weight going into creative excellence or is it purely based on the five key Criteria?

The ongoing roadblock in developing stories that are cutting edge/niche/diverse/risky is because they are considered not commercial enough for our local FTA television platforms. This does not mean they could not get a big international audience – they just do not get developed properly in the first place because our market is largely fixated on the broad base requirements of the local FTA platforms.

If the fund genuinely wants to support more high-concept or fresh ideas that may attract international investment, then this is a key opportunity in development to explore.

Progressing any projects that have offshore attachments and get people working quickly is a great objective, but we sense here a desire also to create space for new and fresh ideas. If that is so, which NZWG fully support, we suggest:

1. No requirement for a producer and director at development stage (perhaps up to a certain value)
2. Widening the cultural agenda to also include all under-represented stories, viewpoints, and practitioners.

See below comments on the criteria from the NZWG Submission on the previous Premium Fund consultation:

NZWG would like to see better protections or the establishment of requirements to ensure screenwriters are recognised as a worker through this scheme. Screenwriters currently are not overtly protected or even named in the fund guidelines document. Screenwriters are only identified through the wording "two out of three Māori creatives." in 3b. Māori cultural aspirations section, and again in Assessment Criteria 5. "Majority or all New Zealanders in key above-the-line (ATL) roles of producer, writer and director."

ASSESSMENT CRITERIA 2

Should, must include writers.

ASSESSMENT CRITERIA 3B

Two of the three key creatives should be the writer(s).

ASSESSMENT CRITERIA 4

See wording change in Key Setting 2. to allow for TV script requirements.

ASSESSMENT CRITERIA 5

NZWG support writers in the key creative roles and that these should be held by New Zealand writers.

ASSESSMENT

As per NZWG feedback and submissions on assessment criteria for all other NZFC development funds, and in order of screenwriter priority:

1. Transparency of assessor, or at the very least the assessors experience level to be disclosed.
2. Will the assessments of the projects only be judged on the five key criteria?
3. International assessors may only differ from experienced New Zealand assessors by their location. Why aren't New Zealand consultants being used, other than for cultural requirements?

Will these assessments be responsive? Will there be opportunity for any kind of exchange about points raised, with a view to re-submitting an unsuccessful project in a later round? How will conflict of interest with Assessors be addressed? Will there be gender equity in the assessor pool?

For many screenwriters there was noticeably clear differences in attitude and experiences between each agency and the screenwriting community and their respective assessment processes.

NZWG need to express the deep chasm presented in the consultation between how each agency processes assessments and how they individually deliver those outcomes to the screenwriters. Making for differences in response between film (NZFC) and television (NZOA and TMP) assessment criteria and processes. NZWG did not receive any responses that were in favour of the NZFC approach to assessments being utilised in the applications for television projects. Specifically, the wording "lack of transparency" in connection to NZFC and NZFC decision making through the assessment process was noted in over 75% of responses received. This was not the case of the NZOA and TMP assessment processes, which were favoured and encouraged for this fund.

ELIGIBILITY

This development states it is open to development of feature films, yet the eligibility criteria states that due to the timeframe feature film treatments will not be accepted. Should this be made clear that this only applies to the first round only? Or is this over both rounds?

For series drama the minimum TV requirement is a first episode or pilot script, this does not align with real world development pathways for television. Has NZ on Air been party to this section?

As the development fund will pay for 'pitch and short form documents including a bible', which are written before a pilot script, it is inconsistent and unrealistic to require a first episode or pilot script to be eligible to apply. Again, this excludes projects that have not already gained development funding, unless writers are expected to write spec pilots to be eligible.

Why does each project have to have a Director attached? For television projects this could be prohibitive within the timeframe given, as there may be multiple Directors per project, and typically Directors have little creative involvement in the creation of the television project.

Why will projects with overseas writers be eligible?

Under what circumstances would a project require an international writer? This stipulation directly affects the opportunities available to New Zealand scriptwriters, and we question why writers are the sole occupational group who may be required to share this funding opportunity.

If there is a perception that some projects might require an international writer to get 'over the line' - i.e., be acceptable to the market or to investors – why is this not also true of New Zealand Producers and Directors?

This directly undermines most of the funds Key Objectives for only one key discipline within the screen industry – screenwriters. How can the Agencies justify further removing job opportunities for screenwriters through this fund?

If this is the case, then the agencies need to find a way of ensuring that if an offshore writer is deceptively utilised by stating that a New Zealand writer is "the primary writer" when in fact they are not, this application is ineligible or will need to pay back any funds received. This is the same issue point that NZWG has raised with NZFC and NZOA within the diversity schemes over the past couple of years.

CONCLUSION

Screenwriters endorse the value of this development fund. However, they want to see this opportunity expanded beyond the two-year scope and would like to see ongoing development funding for potential premium international drama projects that is accessible by screenwriters and creators in the early stages of development.

In 2020, through our successful and ongoing response to COVID-19, New Zealand created a unique position in the global world of film and television. And by establishing ongoing scripted development opportunities for internationally viable work, we can expand our marketplace and increase capability and capacity within the wider New Zealand screen industry. This should be the tipping point for change in the way we fund and develop works for screen in Aotearoa.

Screenwriters would like recognition from the Agencies that writers are the key screen industry workers in early development, and that writers need direct access to funding so they can do this vital work.

NZWG are in strong support of ensuring that this fund prioritises the work of Aotearoa screenwriters, and we look forward to the beginning of the verbal consultation on 26th January 2021.

On behalf of Aotearoa Screenwriters,

New Zealand Writers Guild | Puni Taatuhi o Aotearoa