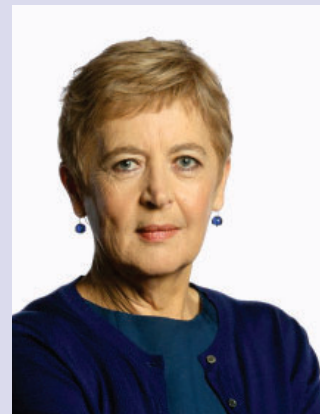


CAMLA CLB Interview:

Debra Richards

Debra Richards' reputation as a trailblazer in the media and entertainment precedes her (and we aren't just talking about her hosting of the CAMLA Cup for many years!) – Debra is the former CEO of both ASTRA and Ausfilm, and is currently the Director of Production Policy at Netflix for the APAC region.

Debra spoke with **Jessica Norgard**, Acting Deputy General Counsel (Communications, IP and Commercial) at **nbn** about her renowned career, challenges that the media & entertainment industry are facing and the path forward for Australian content.



JESSICA NORGARD: Thanks so much for agreeing to chat with me and sharing some of your experience and insights into the media industry. First, for anyone who has been living under a rock, can you please tell us a bit about yourself and your current role?

DEBRA RICHARDS: Thanks Jessica, tell me again how I was convinced to do this?! So, I am currently Director, Production Policy, APAC for Netflix. Production Policy is a small team covering the globe and is part of a larger Public Policy team for Netflix. I cover policy specifically dealing with production which may include production capacity (stage space, crew depth), incentives, and the range of issues that may emerge from pre through to post production in the Asia Pacific region. This region is from India through to Japan, including South Korea, South East Asia, Australia and New Zealand. My colleague in Amsterdam covers Europe, Middle East and Africa, another colleague covers Latin America and Spain and of course there is UCAN which is the US and Canada. The APAC main office is in Singapore and I work closely with Nick O'Donnell, Director, Public Policy, ANZ, based in Sydney.

NORGARD: I imagine millions of people are very grateful to you and the Netflix team for bringing us virtually endless content during lockdown and keeping us sane. Certainly an essential service! Now, you have had a very interesting and illustrious career – could you please tell us about your previous roles?

RICHARDS: I am not sure how I landed at Netflix, but I suspect I would not be here without the experience of my previous roles as a regulator, industry representative and advocate. My graduate study had been in the arts - communications, literature, performing arts, even a Masters in Theatre - so the obvious career path for me was the Public Service. I often described myself in the past as a 'broadcast bureaucrat' - as I grew up in the public service and greatly valued the fact that I was steeped in governance, accountability, public processes and policy development. From an initial gig in Canberra, I managed to grab a position in Sydney at the Australian Broadcasting Tribunal as Secretary to the then Children's Program Committee, and where I first met my esteemed colleague Dr Nick Herd who is now Head of Research and Policy at Ausfilm.

I spent 13, sometimes frustrating but always interesting, great years with the regulator; involved in a number of major inquiries including those for Australian content (programs & advertising), children's television, classification, anti-siphoning & sports rights. This was in addition to implementing a new broadcasting regime from

a quasi-judicial tribunal to a co-regulatory authority; a stint as an adviser to the Minister for Communications & the Arts; and eventually Director of Programming and Licensing covering content for radio and television, research, renewing and licensing new services including subscription television.

I took another leap when I was rung to see if I was interested in starting a new industry body for that very same subscription TV industry - when I became CEO of ASTRA (Australian Subscription Television & Radio Association), one radio announcer described my move as being similar to the then Deputy Chief Censor leaving the Classification Board to make 'porn'!

Another 12 years at ASTRA, where my first piece of correspondence was to respond to myself about codes of practice... Again many of the issues carried across so it was implementing Australian content expenditure requirements, codes of practice, captioning, ensuring a fair go in the digital terrestrial conversion process and many of those 12 years hitting a head against an anti-siphoning brick wall.

After a break for most of 2010 I received another phone call asking if I would be interested in 'rebuilding' Ausfilm, a member organisation of government and industry set up to attract international production, co-production and post-production to Australia, with an office in LA! Of course I said 'yes' and before I knew it I was talking with Hollywood studios about Australia as a preferred destination to work with the best production services, locations, crew and talent available. Ausfilm is an extraordinary team of screen businesses and screen agencies all working together to market Australia as the place for local and international production and advocating key incentives policy to keep Australia competitive in the global market.

After almost nine years I took another phone call to gauge my interest in taking on a Netflix role in the Asia Pacific region. I must admit I was torn, I loved my Ausfilm job but the opportunity was overwhelming, and after some soul searching and key advice, I decided I would regret not 'giving it a go'. So here I am and it has been an incredible nine months.

NORGARD: Your passion for encouraging local production and content is impressive. Speaking of which, there are currently discussions as to whether there should be Australian content obligations for on-demand subscription services like Netflix. This is obviously a hot topic at the moment after the ACCC's Digital Platform Inquiry, Screen Australia and the ACMA's Options Paper released in April,

and the announcement of a suspension of specific local content quotas for 2020 as an emergency response COVID-19. Can you tell our readers where this is up to / any insights or future predictions you might have as to the outcome?

RICHARDS: Netflix is currently participating in the Minister's (for Communications, Cyber Safety and the Arts) consultation process in response to the 'Options Paper', and it has been encouraging that the Minister is keen to hear from all stakeholders and open to options to ensure the continued creation, production and distribution of Australian stories. The consultation roundtables have been an excellent avenue to hear people's views and concerns about the present regulatory framework and blue sky thinking of the way forward. Of course we cannot pre-empt any decisions by the government but it is fair to say that throughout the consultation there has been strong commitment to work to an outcome that ensures Australians can see themselves reflected on screen and those stories and those that make them can be showcased to the rest of the world.

NORGARD: What do you consider to be some of the biggest legal and/or regulatory challenges facing the media and entertainment industry?

RICHARDS: Well since COVID-19 a number of these challenges have been brought into greater focus. There is the current discussion around how best to ensure the continued production of Australian screen stories; with more and more distribution outlets and models, the perennial issue of IP protection and valuing copyright; the changing viewing (and listening) patterns and ways of accessing content by consumers; the continuing objective to ensure children are protected from material that may be harmful; the need to ensure everyone has access to key communication and entertainment services; and how all of these challenges impact on existing, new and emerging services; and of course there is always anti-siphoning!

NORGARD: The way that we consume content has changed quite a lot throughout your career. From the day you began working in this space, what are the three biggest transformations you've witnessed?

RICHARDS: There have been many but if I had to choose just three, then first is probably 'Equalisation' of services in the 80's - that's 1980's. This was a decision of the then federal government to provide, to the extent possible, equal access to the same number of television services across the country. Having grown up on the south coast of NSW I was raised on two channels, being the ABC and local commercial regional station WIN. While the aim to provide 'equal services' was seen as a key policy objective, I did feel a sense of loss and nostalgia the first time the WIN logo was accompanied by the nine distinct dots of the Nine brand, and as distinctly regional services gradually faded; and regulation to mandate or ensure local content in regional Australia has been trying to keep up ever since.

Secondly, being part of and implementing the changes to the broadcasting regime:

- After 50 years of adding to and amending the Broadcasting Act of 1942, it was replaced by the Broadcasting Services Act of 1992.
- The Australian Broadcasting Tribunal became the Australian Broadcasting Authority (now the Australian Communications & Media Authority) and under this new structure licensing renewal processes, content

standards, and complaints previously conducted as full public inquiries became an administrative process with regulation by exception. There was also a judicial arrangement between the Tribunal and those it regulated which became a co-regulatory approach with the Authority. The Tribunal was handed a new Act to administer, and given the substantive change (and to assist that transition) Tribunal staff wrote and performed a musical - "ABT Off the Air" - and commenced the Authority the following day!

Number three is probably the digital evolution across production and distribution which has enabled multiple new services, new and innovative ways of making content, and new players. What more can I say?

NORGARD: Fast forward as quickly as we can past 2020, and 10 years into the future - what does the media and entertainment industry look like, and what role are you playing?

RICHARDS: Just quietly I used to think I should be retired by 2030 but I hope I will still be contributing in this space, as it always surprises me that many of the issues we deal with today and will in future still benefit from knowledge and understanding of the past. There will likely be more choice of content and an ease of navigation of how to find what you want to watch, listen to, play or engage with. What I hope for is a strong Australian production industry, with a consistent pipeline of work for domestic and global consumption.

NORGARD: For people who want to follow in your shoes, any advice?

RICHARDS: It is the advice I give to anyone who speaks to me about the next steps in their career, 'it's all common sense and your skills are transferable'. That is - don't discount your ability to do something just because you haven't done it before or are hesitant about whether you can do it - it's all part of the adventure.

Also some advice to live by from Bob Campbell - I ran into him after I had left ASTRA and said the usual "I was taking some time off to work out what I wanted to do, but that I was nervous about being out of the workforce for too long, I was thinking of taking at least six months, maybe longer as I really need a break". He said he had gone through the same 'process' when he left Seven (before Screentime) and advised, "Debra take six months, no, take 12 (months). Don't worry about it, it will all work out". And it did - 10 months later I received a phone call to consider taking on the Ausfilm CEO role. (PS also further advice is to always take a phone call!)

NORGARD: Thank you so much for your insights Deb! On behalf of all our readers, we are extremely grateful for your wisdom, future gazing and candour.



Jessica Norgard is a member of CAMLA's Young Lawyers Committee and the Acting Deputy General Counsel (Communications, IP and Commercial) at nbn.