

Emma German

Senior Legal Counsel at ViacomCBS ANZ

Jess Millner, Lawyer at MinterEllison, sat down with **Emma German**, Senior Legal Counsel at ViacomCBS ANZ to discuss International Women's Day and Emma's career in media law.

Emma is Senior Legal Counsel (Programming) at ViacomCBS ANZ, specialising in the production, acquisition and distribution of content across Network Ten, Viacom Australia's pay television businesses of Nickelodeon, MTV and Comedy Central, and Viacom's SVOD service Paramount+. Prior to Ten, Emma had both legal and non-legal roles at Stan Entertainment. Emma began her career in private practice at King & Wood Mallesons after studying at the University of Sydney. She has always held a strong passion for the media and entertainment industries. Outside of lawyering, Emma is a qualified personal trainer and dog-mum to 2 extremely spoilt French Bulldogs.

JESS MILLNER: What does a typical day look like for you?

EMMA GERMAN: When the weather and my enthusiasm levels permit, I put on a podcast and start the day with an early morning run.

From there on, as I'm sure many in-house lawyers would agree, a typical day is nothing other than unpredictable.

I spend the early hours sifting through emails and setting priorities for the day. However media never sleeps, so priorities often shift and the day is spent triaging queries from colleagues across all departments – including production, finance, streaming, marketing, technology, HR, news, sport and sales.

The world of content production is a particularly collaborative and dynamic one, all the more so in a COVID-19 environment. My typical '9 to 5' day is spent in meetings with internal clients discussing the production, distribution and licensing of content across all platforms (including free and pay television, streaming, on demand and podcasts) and the engagement of on-screen talent. When the meetings wrap up, I actually get a moment to sit down and get the work done! A typical day is almost always punctuated by unimagined challenges – just last week I found myself scrutinising the chemistry

of "slime" for the Nickelodeon Slime Fest!

At the end of the day, I relax by taking our two dogs to the park or, of course, watching some television (my go-to program is *Have You Been Paying Attention?*).

MILLNER: Did you always want this job? If so, what did you do to position yourself to get it? If not, how did your career path lead you here?

GERMAN: Without doubt, I always knew I wanted to work in media and entertainment.

I initially had my sights set on becoming a journalist, however the lure of the law was too strong. I'm grateful to be part of an incredibly talented legal team at ViacomCBS ANZ, pursuing a profession I love while immersing myself in an industry I'm passionate about.

There's been no 'neat' career blueprint to date. Prior to 10, I spent time in private practice (King & Wood Mallesons) and in-house (Fuji Xerox and Stan). I was also fortunate to spend time at Stan in a non-legal content acquisition role, with some Channel 9 reporting and personal training on the side, just to keep things extra interesting!



Along the way, the key constants have been work ethic, authenticity, seeking out relevant experience, absorbing as much information as possible about the industry and, perhaps most importantly, investing in relationships. Of course, there's been a sprinkling of "sliding doors" moments thrown in for good measure.

MILLNER: What developments do you see on the horizon in 2021 for the communications and media legal landscape?

GERMAN: It's clear that the way Australians consume content has changed significantly. I think 2021 will see the legal and regulatory framework continue to grapple with these changes.

On the back of previous reviews (the Digital Platform Inquiry and even as

far back as the 2012 Convergence Review), and with the entry of more international streamers into this market, I expect one 2021 spotlight will be on the Department of Communications' Media Reform Green Paper as free to air networks and VOD services jostle to optimise the impacts on their business models (including the potential for streaming quotas, optional re-allocation of radiofrequency spectrum, and greater investment in locally produced content). If meaningful reform occurs, this will have ramifications on the landscape well beyond 2021. Together with a promising COVID-19 recovery, the upshot for the local production industry is that the future looks bright. For lawyers in this space, one ongoing challenge will be future-proofing agreements, particularly the commercialisation of content across a shifting labyrinth of platforms, mediums and windows.

Another potential development I'll be keenly monitoring in 2021 is

the Copyright Access Reforms, in particular, the proposed broadening of the library, archive and education exceptions, each of which would have a revenue impact on copyright owners.

Of course, I think we'll all remain on high alert as we continue to see what evolves out of the ACCC's News Media Bargaining Code and their ongoing Digital Advertising Inquiry between the likes of Facebook, Google and content providers.

MILLNER: Which actor would you want to play you in a movie about your life?

GERMAN: Margot Robbie. Being a fellow Queenslander, I'm sure Margot would capture the idiosyncrasies of growing up in the Sunshine State. In the spirit of International Women's Day, I particularly admire that Margot launched her own successful production company, LuckyChap, with the mandate of telling women's stories on screen, and supporting women creators behind the scenes.

MILLNER: Who is one woman in the industry whom you really admire, and why?

GERMAN: I'm thrilled to say this is a particularly hard question to answer as there are countless women in the industry whom I admire.

However two standout names come to mind:

Beverley McGarvey, Chief Content Officer and EVP of ViacomCBS Australia and New Zealand. Beverley is an industry trailblazer, one of only a handful of female company leaders in the Australian media industry and also member of the Champions of Change (dedicated to advancing gender equality across Australia).

Amanda Laing, former General Counsel of ACP Magazines and Nine Entertainment and now Chief Commercial and Content Officer at Foxtel (being just a few of the hats Amanda has worn during an extremely impressive career).

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