

Gillian Clyde

Legal & Business Affairs Executive, Beyond International

Justin Kardi, Intellectual Property and Technology lawyer, Clayton Utz, jumps on Zoom with **Gillian Clyde**, Legal & Business Affairs Executive, Beyond International Limited, to discuss her colourful career in entertainment law and her thoughts on International Women's Day. Gillian is an experienced film, television, broadcast, media and entertainment lawyer and senior manager, with extensive experience in copyright, contract, media and communications law. Prior to joining Beyond Gillian held senior management and legal positions in the UK and Australia including at the UK Film Council, The Walt Disney Company in London and at Screenrights in Australia.

JUSTIN KARDI: Thanks for your time, Gillian. Can you start by telling us about your role and what a typical day looks like for you?

GILLIAN CLYDE: There is no such thing as a 'typical' day as each day tends to be very varied and often brings new challenges, especially during Covid times and working from home. One of the challenges of being a production lawyer these days is there are often things which come up at very short notice which require immediate responses, so you need to think and act quickly and be able to respond in a timely and efficient manner, often being up against production and shooting deadlines. As a general rule, however, I like to start the day with some yoga/meditation and some exercise, whether it's in the park or a quick game of tennis. I think it's really important to clear the mind and to move as much as you can during the day.

I work on all the dramas and scripted productions at Beyond, plus a range of co-productions, feature documentaries, some animated series and anything else which tends to involve complex deals and financing. On any given day I will usually be drafting and reviewing various development, production and financing contracts, attending meetings, providing advice on a range of legal issues, including copyright, contract and clearance advice, working on policy issues and submissions, reviewing scripts and when required, conducting legal program audits on completed programs.

JUSTIN: What sparked your interest in media and communications law? Is there a particular person, experience or event which was instrumental in shaping your career?

GILLIAN: My interest was primarily in entertainment law, having grown up in an environment which was very arts focussed - our home was often full of artists, musicians and writers! This is why I decided to get my

initial legal training at Tress Cox and Maddocks Lawyers (as they then were) as they had a strong entertainment law reputation and were a great firm. I then went and worked in London where I secured a job at the BBC, followed by the Australian Film Finance Corporation here, then back to London working for Disney (Europe) and the UK Film Council.

As far as what then led me to where I am, I was very fortunate to have worked at the BBC in the early days of my career, to really spark my interest in film and television production and distribution, and then to work for government film funding bodies, working on primarily feature films. I had also always wanted to see my name in the credits of feature films like the various lawyers I saw who did so. I managed to achieve that, including on a BAFTA and an Academy award winning film.

JUSTIN: What a thrill! That's such a meaningful achievement for anyone who has ever worked in production. Are there any recent events in the Australian media and communications law landscape that have affected your organisation or role?

GILLIAN: The biggest recent developments which have affected our industry would probably be regarding the production tax offsets and the Federal Government's proposed media reforms - primarily around the regulation of streaming services. The latter policy is yet to be determined and will depend on the federal election result to a large extent. However, given that most productions I work on are financed using the tax offsets to cashflow production, those tax benefits have a big impact on the ability to finance and therefore produce programs. The Producer Offset for television was recently increased from 20% to 30% and the further changes proposed by the Government which would have adversely affected the documentary sector in particular (making a lot of our documentary productions



unviable) didn't go through, thanks to intense lobbying from the industry and the Screen Producers Association. There are still issues regarding local content quotas, protecting drama, documentaries and children's content, in an environment where it is increasingly difficult to fund productions, so there will be more work ahead.

JUSTIN: As a leader in the field of entertainment law, can you share with us one example of another woman in the industry whom you really admire, and why?

GILLIAN: That is a very difficult question as there are so many women in the industry whom I admire. However, to name one or two women, I have always admired Lesley Power, formerly General Counsel at SBS, for her calm and considered approach to everything, her generosity, engagement with the industry and camaraderie. Equally, Nina Stevenson of Macleay William Lawyers has always been a great mentor, an exemplary film and television lawyer, and a great person. Both are examples of women who never need to 'blow their own trumpets' as their reputations and achievements speak for themselves.

JUSTIN: Finally, if there is one thing you would like to celebrate about the legal industry on International Women's Day, what would it be?

GILLIAN: I think the thing to celebrate would be the leadership, prominence and advancements of so many great women in the industry and the move to more flexible working conditions - long may it continue!

JUSTIN: Agreed! Thank you so much for sharing your time and insights with our readers!