

SCRIPT TO SCREEN

Paerangi | Video 7b – Being a Producer (Advanced)

[intro music]

Giving advice and feedback

[0:00:12 Morgan Leigh Stewart, Producer] For me, giving script feedback does depend a lot on who I'm giving it to and also where that feedback is coming from. Often it's about talking with your writer about how they'd like to approach feedback sessions, so you can always structure it in a certain way that works. Ways of structuring feedback sessions could include like a coffee and a chat about the whole, and then really digging deep into the specifics, it could also be very, very specific and structured in laying everything out in front of you and making little notes on everything specifically as you go through. It does really depend on how you both want to approach it in your collaboration.

[0:00:59 Jaimee Poipoi, Producer] When giving script feedback I like to ask what kind of notes they're looking for first. Sometimes they're asking for story feedback and sometimes they're looking for a production feedback like, are there any red flags in how we're gonna make this thing? So, I think it's really important to know what advice they're looking for to help me kind of channel that advice. Another thing I ask is, what's the timeline? A lot of times people ask you – they're like, 'can you quickly read my script?' I personally like to read it a few times: I think the first time I just want to see what the story is; the second time I go through I like to see if there's any red flags or problems that I can see; and then the third, I like to go through and see what advice I can give. That takes time so I think it's important to give it out as early as you can, but also let them know kind of what your deadlines are.

The second one is, I like to ask them about – why is this particular story the one that they want to make, like why is it so important to you? I guess if it's something that's personal, that authenticity will come through, which is really exciting for me because I want to be taken into a world I don't really know ... so, if you can really show that to me and invite me to something new, I feel like the audience will be the same.

[0:02:23 Morgan Leigh Stewart, Producer] Then it's also about creating a plan around where you need to go with that feedback, so having a goal, making sure you are resourcing your writer with the right information to make good decisions to get to an excellent script.

When receiving feedback from a third party, for example, a funder or a consultant, it's important from my perspective that a producer calls up the writer first and discusses through the points, before just forwarding it on. It can be quite confronting receiving feedback from someone outside of your close collaborative circle. One thing to remember, is to know that feedback is not iron clad 'must change this'; they're often talking points, discussion points, and sometimes something comes up where it just indicates that something's not quite clear, and you can approach it in a different way just to make sure the reader is understanding exactly what your intention is.

[music]

IP / Chain of Title / Contracts / Companies and shareholdings

[0:03:29 Alex Lovell, Producer] IP, contracts, SPVs, companies, shareholding, it's quite a list, but all of these things have one common denominator, and that is that they are in some way, shape, or form about protecting you and protecting the project. Basically, as a producer you are a creative entrepreneur, and a film is pretty much just a whole bunch of rights and contracts and agreements when you break it down legally. All of these things have one thing in common and that really is to protect you, protect your production company, and protect the project against the worst case scenario.

We have these things and sometimes they feel cumbersome and quite hard to put together, but don't be scared of them, just try and learn and figure out what each one is for and really understand the processes behind each one and why we need all these things. It is about planning for that worst case scenario, so it's not that that scenario will happen – hopefully it doesn't – but in the event it does it's just there to protect you.

IP, this is quite an important part because every film that you want to make will have an underlying piece of creative work that is the basis for that film, and the main contract that kind of sews up the IP is a thing called 'chain of title', which you've probably heard of. What a chain of title basically does, it's a document that outlines every link, because sometimes a creative work has more than one author or contributor, so it outlines every link to everyone that's created or contributed to the creative piece of work that you want to make. So, chain of title is really important because it's a document that basically has all the agreements with everyone involved in that creative piece of work and basically then giving you the right to make that project. It's a really important thing to have for your own peace of mind and for the security of the project, but it also is important when you get to that festival stage, because there's not many festivals that haven't had a film that's had an injunction slapped on them because the film doesn't have the right rights to be screened.

So, very basically, a chain of title is really important because it's the one document that really outlines that you have the rights and permission to make, but also release, your film. I think when you're emerging it's easy to get scared off by contracts. Don't be. Really try to understand what each contract is about. A lot of the contracts you'll encounter, particularly with things like the New Zealand Film Commission, they are written very clearly and a lot of the time they are in quite plain English (they can get a lot more complicated) but when you're dealing with these contracts, if you're worried about the cost and time involved and it scares you off, I think the thing to remember, the way to save money on contracts is to do as much preparation yourself as you can before you give it to a lawyer and try to have them hunt and gather what they need to put that contract together. The more prep work you do when you give it to a lawyer, the easier it will be for them and the cheaper it will be for you, which is always a benefit.

As a starting point you can even draft some draft contracts that a lawyer might just want to look over – and, to do that, sometimes you might modify an existing contract you've found. This is a really cost effective and easy way of preparing a contract, and again, the main thing to remember about contracts is it really is protecting you against the worst case scenario, so do try and make sure you have them in place. I know it can seem like hard work and a little bit off-putting, but don't be scared, make sure you use this time to really learn what the contracts are for and learn what their objective is within the process of filmmaking.

SPVs and companies. Basically what these two things are, are separate entities from a person. Usually how it works is that you'll have a producer and they might operate as a sole trader, but at some point they will probably set up a production company, and the company will be a separate entity with its own set of legal rights basically. It has its own books, it has its own bank accounts, and that legal entity will have shareholdings. As I said before, the goal of a producer is to try and produce multiple projects, so what inevitably happens as your career gets further ahead, is you start to have more than one project at a time, and when you have a production company, it might be okay when you're emerging to put one project through that production company because that might be the only thing you're working on, but as you get multiple projects, that's when you start to look at SPVs, which is a 'special purpose vehicle'. Basically what that is, is it's like another little company that sits under the parent production company, and again, it's a separate entity with its own bank accounts, own contracts, and everything, and that SPV is designed to contain all the workings and all the running's of that one project.

This is really important because when you do have multiple projects, if you only had the one production company as an example and one project failed or something drastically went wrong that was out of your control, that one project could affect all your other projects, but if every project has its own separate SPV, then that is limited and ringfenced by that SPV, so that's quite important. SPVs are also really useful if you're looking at doing co-productions and joint ventures or anything like that, because you might have multiple companies involved in one

project – and, rather than the complicated hassle of two owners of a project, you basically have an SPV for the one project and the two companies might then be shareholders of that SPV.

So, it just simplifies things, keeps things cleaner, and again, it's all about projection, particularly against the worst case scenario.

[music]

Health and safety compliance considerations

[0:09:55 Morgan Leigh Stewart, Producer] There is a lot to think about when it comes to health and safety compliance considerations, and the way I approach it is I break it into three different sections: so firstly you've got general health and safety, and this is your physical wellbeing and that of your crew; the second one is Covid-19 health and safety, it's just making sure that your production and its policies and protocols are in line with the New Zealand Government's recommendations; thirdly, your mental health and safety – this is important for looking out for your and your crew's emotional and mental wellbeing on set.

For general health and safety the best resource around is [screensafe.co.nz](https://www.screensafe.co.nz). They have a huge amount of resource, policies and protocols and templates around health and safety that is industry specific, and it all relates back into the Health and Safety Act of 2015. My overall advice is to engage with a safety officer. They can help put together a plan that's specific to your shoot. I know this can be a costly thing, so think about what kind of activities you're involving yourself in with your shoot and whether or not that will trigger the need to have someone onsite for that. There are a few places that you can look to find a health and safety officer, one of them would be Screen Safe, you can chat to them and they can point you in the direction of some professionals. Additionally, Crew List is a great resource for all kinds of different crew, and there will be a subheading there for health and safety officers.

I think daily briefings are one of the most important things that you can do on your set. So, every morning, before anything happens, have a run through of your health and safety checklist and make sure that all these considerations are top of mind for your crew.

Covid-19 is an evolving and changing area of health and safety and you must make sure that your production is informed of all the New Zealand Government standards and information. Screen Safe has some Covid-19 specific documents that relate to the film industry, so that's always worth looking at as well. Every shoot, no matter how big or small, is required to register with Screen Safe. This is just to help tracking for Covid-19, but also understanding your responsibilities around health and safety on any filmset. It's important to create plans for each alert level, so it's good to know whether or not you can film in level 3 with all the protocols in place or you must wait till level 2, or if you can only shoot in level 1.

With regard to mental health and safety, sexual harassment and bullying, 'respect' is the key word. There is a quote that says: "There is not hierarchy to respect." I think it's important to understand that that means that every single level of your production should engage in a respectful working condition. It doesn't matter if you're an HOD or the runner, everyone needs to be on the same page in terms of respect, so my approach to this area is to think about the kind of environment you want to be in and set that tone for your production. I have a zero tolerance approach to bullying, nastiness, sexual harassment, or harassment of any kind. Be clear with your crew and collaborators that this is what your sets will be like – it serves as a way to show everyone that they should feel safe being a part of your production.

I cannot recommend SWAG's Professional Respect Training Workshop enough, it's fantastic. I want as many people to attend as possible. It would be ideal that we get to a point where every person on set has been through this workshop. While these workshops are predominantly about preventing sexual harassment, the overall ethos of respect runs through them. These workshops are being run around the country and more information can be found at SWAG's website or their Facebook page.

[music]

Deliverables and contractual obligations

[0:14:00 Morgan Leigh Stewart, Producer] It's super important for you to read and understand your obligations with any contract or agreement you make. This is particularly relevant to funders such as the New Zealand Film Commission. They may require things like their logo being at the front of your film, so understanding what that means in terms of your workflow, even the pace of your film, and any other obligations you have to other partners. A basic list of deliverables for a short film can include the following:

- a ProRes file;
- an H.264 or Vimeo or YouTube quality file; and
- a DCP or the ability to create one in the future when needed.

All paperwork must be presented as a part of a funding agreement, so that'll include your cast, your crew, any locations, music, director, writer, all the rights. All agreements and contracts should be presented as part of your deliverables. This will include contracts for crew, cast, locations, music, the director, the script, the entire paper trail of the film.

Another key element of your deliverables will be marketing materials, so this will be covered with key images, director's head shots, an EPK, a clip of your film or a trailer, and all the information that can be used to market and present your film. An EPK or an electronic press kit is a single document that contains a lot of information needed for marketing your film, so this will include a log line, a synopsis, the whole credits, a director's statement, the technical specifications of your film for screening, as well as a contact person. EPKs are most likely to be used by festivals so that they have the correct information when they're putting together their programme or any marketing materials that include your film.