Written evidence submitted by Dr Michael Franklin

Response to the Culture, Media and Sport Committee's Call for Evidence to the British Film and High-End Television Inquiry

Introduction

I am a Lecturer in Creative and Cultural Entrepreneurship at Goldsmiths College, University of London; and Visiting Fellow, Columbia Institute of Tele-Information, Columbia Business School, Columbia University. My research concerns film industry risk, market devices and data analytics. I have worked on projects with British Screen Forum, Film London, nesta, Sigma Films, Sundance Institute, and the Mallen Conference.

This submission speaks only to certain selected Call questions. These selections reflect only the author's areas of specialist experience and are not a prioritisation of all issues. The perspective given focuses mainly on independent film, recognising the myriad connections across sectors and networks of scale at play regarding data and distribution.

Executive Summary - Recommendations

- The inquiry should consistently specify its topics according to the mechanics of industry action, avoiding any confusion over 'British films/industry' designations, and thereby generate targeted responses respecting the complexity of the field.
- The UK should seriously engage with, and contribute to, the work of international initiatives including: the European Film Agency Directors' association, the European Audiovisual Observatory, MovieLabs, Crescine.
- The government must intervene to support industry in addressing the knowledge gap regarding film finance (valuation, budgets, deal structures, revenues), consumption across all windows (volume, recommendation, discoverability), and audiences (composition, behaviour). This data work[1] impacts across issues of supply/demand; inward investment; skills and careers; AI; and governance.

How attractive is the UK as a global destination for the production of film and high-end television?

- **What are the benefits and challenges of overseas investment for the UK's film-making capacity?**

  In addition to economic and labour issues, best addressed by e.g. the British Film Commission, British Screen Forum, Pact, Olsberg SPI etc., this first question highlights the importance of specificity in addressing the subjects of this inquiry.

  While the headline aim of this inquiry is to: "*examine the current challenges faced by the British film and high-end television industry*" its terms of reference and launch comments largely foreground inward investment and thus concern the UK's highly successful role as a "*global destination for production*" (i.e. projects largely greenlit, owned, controlled, and revenue generating for, US companies)[2]. This is rather than, for instance, conceptualising *"the British film and high-end television industry"* as British originated, produced, and owned projects returning revenue for UK businesses.

Of course, the *British film and high-end television industry* is both. It is the employment of UK talent and businesses in service of incoming projects as well as the creative generation of British cultural works. The two are deeply interlinked in a complex, dynamic ecosystem. Rather than jumping between areas, conflating terms, and risk miscommunication[3], a precise, stepwise assessment of issues is preferable.

Without independent film - the talent, businesses and ideas that drive the myriad Hollywood projects filling our studios would not exist.[4] Without inward investment work, most of the labour force and industry would not survive[5]. However, these categories are not completely distinct, nor totally or simplistically symbiotic. The inward investment boom is a phenomenal success[6], but it has raised costs[7] and reduced access to cast, crew and studio space for independents. A rapid decline in domestic film production spend (£319.1m in 2018/19 to £157.8m in 2022/3)[8] leads to a cultural deficit – vitally important in and of itself[9]. Additionally, a devastated domestic sector will ultimately lead to an undermining of professionals servicing incoming projects. Productions which themselves are ultimately subject to exchange rate, competition, and international labour risks e.g. US Writers' and Screen Actors' guilds' strikes, factors which national strategies must recognise[10].

It is vital to ensure shared and clear terminology for productive discussion and policymaking when addressing "*the British film and high-end television industry*". Rather than treating it as a monolith or using phrases interchangeably, particular contexts and parameters must be explicitly expressed for each sub-topic examination and response. Exhibition and Production are mentioned explicitly in the Call, but the 'industry' is also constituted by Sales and Distribution amongst many other value chain components. All must be considered seriously to address the domestic industry in crisis, and thus preserve and support the making of e.g. *Aftersun, Attack the Block, Bronson, Four Lions, Grenfell, Hunger, This is England, Red Road, The Stuart Hall Project, Under the Skin*; as well as the needs of inward investment filmmaking. This can allow cutting edge work in screen convergence and content production to continue[11] but also the UK's independent cultural voices to be saved. Informed, coherent analysis based on specific intrinsic factors of e.g. IP creation, finance provision, and revenue returning ownership, is critical. Framing inquiry tasks using such factors will also help with examination of cases where domestic content and external capital are successfully blended e.g. the brilliant Aardman and their successfully negotiated dependencies[12]. Such is the magnitude of the current predicament that even these most successful of creatives recognise the extreme pressure: "If you don't have access to funding, then you have to make your budgets smaller or you sell rights… you have tens of millions of pounds of value leaving the UK" "there's been declining investment in UK-originated content"[13]. A comprehensive and clear account of related issues is provided in my colleague Dr Martin Smith's submission. The following content concentrates on specific intersecting areas of data availability and access to finance.

What are the current challenges facing the UK's independent film production sector?

The independent film industry is in crisis[14]. Many current challenges are chronic problems, regularly, repeatedly, and clearly identified in multiple expert reports year after year[15]. Key challenges of undercapitalisation and risk were identified in this inquiry's referent – the Commons 2002-3 report on the British Film Industry.

Access to finance is consistently identified as a crucial issue by: film banking experts[16], British audiovisual industry bodies[17], industry companies for nesta's PEC[18], WIPO[19], the 2023 House of Lords CCI report[20] and the 2023 DCMS Creative Industries Sector Vision[21] amongst many others. It is a well understood issue derived from the risk profile of film[22]. Risk is inseparable from the creative nature of the work and can lead to exponential hits and returns, but it can be framed and managed better[23] and part of that process is improving the knowledge base. As industry investors[24] and public funders including Creative England[25] recognise alongside those cited above, there is a lack of actionable data available[26]. The UK's lack is regularly evidenced in the European Audiovisual Observatory's film finance report, where the UK sample contribution (recently - 8 films) is so minimal it gets a technical note (for comparison France provided 141) [27]. Other nations are leading the way in addressing film finance and data issues[28], and are doing so innovatively, reorganising sector practices by combining integrated private entrepreneurship[29] with supportive integrated public support infrastructure[30] and research[31], including linking to new, connected challenges of the streaming era.

Highlighted by the US Writers' and Screen Actors' guilds' strikes[32], but well understood for the best part of a decade[33], improved data transparency (largely pertaining to streaming services[34]) is utterly critical for project (e)valuation, budgeting, deal negotiation and thus IP retention, marketing and distribution, revenue allocation outcomes, and thus re-investment and sustainability / growth opportunities [35]. Despite BFI being a member of European Film Agency Directors association (EFADs), there does not appear to be clear, strategic action in the UK towards EFADs stated goals concerning data availability[36]. To be clear, improved transparency should not be confused with completely open, public dissemination of all data, nor should improved data access be considered some silver bullet that would make every film a hit, the fundamental dynamics of unique works still hold[37]. Notions that *we should just make things like The King's Speech / Four Weddings and a Funeral* remain an uninformed re-use of an availability heuristic. However, increased, appropriate data sharing and analysis can make a positive impact[38], not least in value chain counterparty interactions. The amplified dominance of streamers (as producers and distributors) and complexity of data use[39] (in recommendation, discoverability, and marketing), running parallel to pressure on budgets and labour terms in Streaming's 3rd Act (following market capture, and competition, comes change[40]) – means that such impact is increasingly existentially important for industry practitioners[41]. DCMS and BFI recognised in 2011/12 that "It begins with the audience"[42] but the audience have become further and further away – increasingly absent from the cinema for UK films and largely unknowable via the platforms, despite such data being increasingly utilised and valued as advertising supported streaming tiers proliferate[43].

Yet this distancing data gap need not be the case. The UK has excellent industry and technical talent. Recently British Screen Forum have led in proposing a UK Film Data Centre[44] , BBC R&D[45] innovate with interoperable audience data use, the Ada Lovelace Institute's[46] AI research highlights the need for work on recommendations and metadata - data driven analytics research being well served in the UK[47]. The tax relief system also provides an existing means of information collection that could be capitalised upon, it is a very powerful, very rare carrot/stick. A very limited, well-intentioned effort regarding video-on-demand (VOD) data provision following a 2020 Global Screen Fund proposal shows some positive recognition of the issues, but also emphasises the scale, scope and coherence of the work that it needed.[48]

Leadership, resources and cohesion are required [49]. Typically, action on data issues (audiences and therefore viewership related payments[50]) has been connected to issues of investment, and rights retention[51], often via regulation[52]. Unlike other nations, the UK has not pursued legal obligations for streamers, such as via the EU's AVMS directive and other legislation for securing certain levels of investment[53] - per France[54], Germany[55] and elsewhere[56]. This approach has likely been to ensure the inward investment cash cow can be retained, but it is not without problems. As with proposal 1 of the 2018 BFI Commission on Independent Film[57], progress on proposal 4 – commercial development funding (including by streamers) - has been weak[58]. For example, an agreed Netflix 'Breakout' programme to develop six UK projects, with one to be produced at £1.5m with a global launch (rights resting with Creative UK not Netflix), has been reduced to zero greenlit films[59] (Netflix is understood to spend approximately $1.5bn pa in the UK[60]). It is undoubtedly an incredibly tricky issue of balance – retaining inward investor satisfaction, and attempting to rescue the parlous state of domestic film[61] by addressing investment in independents, data sharing, and IP splits. The 2022 Economic Review of Independent Film recommended intervention to secure streaming investment (either voluntarily or by requirement) the BFI response was to indicate they would discuss the matter with the streamers[62]. It is a very hard problem, likely to get even harder as streamers look to reduce spending and improve their profitability[63].

Nevertheless, change and action is needed, and it is a time of global challenge to the Alliance of Motion Picture and Television Producers companies' dominance in organisational relations[64]. In addition, necessary conditions for routes forward have been laid out. Lord Puttnam's call for unity across the Film Value Chain (FVC) in pursuit of an economically sustainable national industry[65] is extremely important, not just in developing policy, but also in driving active, cohesive, collaborative working groups on sector issues (one of many areas where film must learn from music[66]). This cohesion is not simply a matter of positioning, but something that can be readily, valuably, dynamically materialised in industrial processes e.g. in data sharing and analysis across silos, which can be facilitated by innovation including use of differential privacy and federated learning solutions.[67]

Information additional to the answers above is provided in combined response to several selected questions below. Given the Call's request for concision, only points potentially additional to expertise available elsewhere are provided. Thus, these are not full answers, nor a prioritisation of the issues raised in the Call.

- **What is the demand for and capacity for production of films with a clear British identity?**
- **What more can be done to incentivise film and high-end television production in the UK?**
- **What are the issues facing the UK's film exhibition sector?**
- **What can the industry and Government do to ensure British film and high-end television can adapt for the future?**
- **What should be prioritised to ensure a strong skills pipeline and retention in the film and high-end TV industry?**
- **What are the risks and benefits of artificial intelligence to the sector?**

Addressing the supply and demand of identifiably British film is a multi-layered issue. As various BFI statistics attest, production continues its sharp decline: from over 250 domestic features pa in 2018/19 to less than 100 in 2022/3[68] - "Domestic independent films accounted for 28% (£174 million) the lowest percentage for this part of the production ecosystem since this line of analysis started in 2016"[69]. Whilst the pandemic accelerated the general degradation of cinema-going habits, with a generalised legacy of attendance largely only for mega-event movies[70], the Covid-led uptick in at-home digital consumption also shows the nature of the challenge: "Streaming continues to [be] the most popular way of watching films in terms of overall reach and number...' 'the three film types in Wave III to see the largest decline in popularity (in reach terms) vs Wave I were independent films (-15%), UK films (-13%) & animation films (-13%)"[71].

People can barely watch films or shows that are hardly marketed, featured or recommended, and cannot watch those that aren't made. The broad trend of fewer, bigger, global franchise films dominating the market has many implications[72]. As noted, UK talent and companies are gainfully employed, but not producing independent work, major companies choose to focus on fewer, more mainstream titles[73], rather than new ideas, and a cycle of decreasing supply and demand continues. This is compounded by the closure of the few cultural institutions showing non-mainstream work, and disconnection from networked resources[74].

National culture is built holistically over time, historically for film via e.g. film-houses and Channel 4 programming. Destruction of the independent British audiovisual screen and stage sectors and wider arts and broadcast ecosystem including education and entry routes (careers range across theatre, radio, TV, film, games) closes off opportunities to find and develop the work of e.g. the next Lynne Ramsay, Michaela Coel, Peter Mullan, Samson Kayo – to the great detriment of the nation, and also the global companies and audiences benefiting from their future work - Apple, HBO, Netflix, Amazon Studios. So, what can be done?

One key area for action, alongside the obvious intervention of economic resources[75], is the evaluative infrastructure that helps decide what gets made and how – the devices that aid (rather than determine) creative risk taking. Understanding audiences, who they are, how they discover and engage with films and HETV is critical, and this extends to exhibition as well as streaming. Cross FVC boundary sharing of data is very limited in the UK, and the need to do better is well recognised by the cinema industry itself.[76] There are established practices that can be learned from e.g. in Japan, China, France[77]. The opportunity to build back better post lockdowns by integrating digital ticketing applications, marketing, and audience analysis for shareable data insights was not exploited in the UK. Intervention and support to aid this is vital.

It is also an area of direct application of AI. The use of computer vision, natural language processing, and machine learning in project analysis and recommendation systems is established, and part of more prosaic AI sector that, along with VFX, can aid workflow efficiencies, e.g. to append metadata, examine content tone, perform viewing cluster analyses, and personalise services[78]. This is different to the current high profile, extremely valid and important, concerns over generative AI and attendant questions of copyright infringement, labour replacement, and always relevant issues of bias and harm[79]. It is clear both that the field of AI requires thoughtful regulation, and that it will be a crucial ongoing part of the film and HETV industry. This has implications for skills development - it requires data literacy[80], but it is also vital that broad arts education is available to all – this is not a pure technical area, for industry success - engineering outputs must be enriched with (contextually selected) metadata and business logic dependent on the understanding and application of creativity[81]. The film business depends upon painting, sculpture, architecture, dance, design, theatre, music, photography, craft and literature amongst other components.

The seventh art is a complex co-creation. Most importantly though, that creation must be safe, sustainable, and supportive of everyone. Thankfully the UK has experts working on those areas[82], as well as on the more narrowly framed subjects of my submission[83]. However, resources and alignment are desperately needed if the UK independent sector is to be saved.

Dr Michael Franklin

References to the Evidence Base

---

[1] See Noam, E., 2021. *The content, impact, and regulation of streaming video: the next generation of media emerges*. Edward Elgar Publishing.; Franklin, M., 2022. *Risk in the film business: known unknowns*. Taylor & Francis. ch 8. ; WGA West. 2023 The New Gatekeepers Report .p 9. https://www.wga.org/uploadedfiles/news_and_events/public_policy/GatekeepersReport23.pdf ; AMPTP. 2023. August 11th Comprehensive Proposal to WGA. p.2., https://labor.amptp.org/sites/labor.amptp.org/files/AMPTP%20Press%20Release%202023%2008%2022.pdf#overlay-context=node/19237

[2] https://committees.parliament.uk/committee/378/culture-media-and-sport-committee/news/196602/new-inquiry-cms-committee-to-examine-british-film-and-highend-tv/ ; https://www.o-spi.com/news/new-bfi-screen-business-report-2021

[3] See headlines that hardly reflect appropriate readings of the initiative: "DCMS sets sights on championing UK film industry as Hollywood struggles" https://www.theguardian.com/film/2023/jul/21/dcms-championing-uk-film-industry-as-hollywood-struggles

[4] Moullier, B. (2019). Local Heroes and Inbetweeners: The Contribution of the Independent British Feature Film Sector to the UK Audiovisual Production Industry. Narval Media for British Screen Forum.; https://www.screendaily.com/features/strong-uk-presence-in-toronto-line-up-masks-challenges-for-independent-producers-back-home/5174264.article

[5] https://www.screendaily.com/features/uk-crews-in-crisis-as-sag-aftra-strike-thwarts-production-is-the-uk-industry-really-our-own/5184736.article ; https://www.broadcastnow.co.uk/indies/three-quarters-of-film-and-tv-workers-out-of-work/5185524.article

[6] https://britishfilmcommission.org.uk/media/uk-inward-investment-film-and-high-end-tv-production-spend-reaches-record-figure-of-5-37-billion-in-2022/

[7] https://www.bfi.org.uk/industry-data-insights/reports/economic-review-uk-independent-film Report p5.

[8] https://www.bfi.org.uk/industry-data-insights/official-statistics-release-calendar 4 May 2023 Film and high-end television programme production in the UK: Q1 2023 BFI Research and Statistics Unit. p2

[9] https://www.bfi.org.uk/strategy-policy/policy-statements/opening-our-eyes-how-film-contributes-culture-uk#:~:text=Opening%20our%20eyes%20is%20the,over%20the%20last%2060%20years. ; Chandler, C., Kelly, M., Christie, I., Beinart, S., Sheridan, A. and Maskell, P., 2011. Opening Our Eyes: How film contributes to the culture of the UK.; Understanding The economic and cultural impact of cinema https://www.bfi.org.uk/industry-data-insights/reports/audiences?utm_campaign=sprout&utm_content=20230227&utm_medium=social&utm_source=twitter https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78460/DCMS_film_policy_review_report-2012_update.pdf

[10] Steele, D., (2015). Rethinking the focus of UK film support: Is subsidising US studios a safe strategy for UK film production in the coming decade? Cultural Trends, 24(1), pp.74–79. ; Paterson, R. (2021). Handmaidens of consolidation in the UK television production sector. Journal of Media Business Studies, pp.1–17. https://www.screendaily.com/its-been-chaotic-how-the-uk-independent-film-sector-is-navigating-the-sag-aftra-strike/5184290.article

[11] https://www.gold.ac.uk/news/virtual-production-research-unit/ ; https://www.screendaily.com/uk-in-focus/why-major-projects-like-the-marvels-and-the-creator-are-using-the-uk-for-virtual-production/5184160.article

[12] Presence, S. and Spicer, A. H. (2016) Autonomy and dependency in two successful UK film and television companies: An analysis of RED Production Company and Warp Films. Film Studies, 14 (1). pp. 5- 31.

[13] https://www.theguardian.com/culture/2023/feb/06/aardman-uk-animators-may-have-to-move-abroad

[14] https://www.hollywoodreporter.com/movies/movie-news/u-k-independent-film-sector-set-market-failure-bfi-report-1235182909/amp/ ; https://sites.gold.ac.uk/iccecommunication/2021/01/26/the-crisis-facing-the-independent-film-sector-in-the-uk-martin-smith/ ; https://www.theguardian.com/film/2023/apr/24/sophie-fiennes-extremely-precarious-documentary-film-making-uk?CMP=Share_AndroidApp_Other ; https://advanced-television.com/2022/08/30/research-uk-prodco-insolvencies-jump-69/

[15] https://www.bfi.org.uk/industry-data-insights/reports/economic-review-uk-independent-film ; https://www2.bfi.org.uk/sites/bfi.org.uk/files/downloads/bfi-commission-on-uk-independent-film-2018-07-18.pdf ; Olsberg (2017). The State of the UK Independent Film Sector. Producers Alliance for Cinema and Television. https://www.screendaily.com/news/bfi-commissioned-report-critical-of-uk-film-industry-surfaces-after-three-years-/5125012.article ; Northern Alliance (2009). The corporate finance of SMEs in the UK film industry. UK Film Council. ; Northern Alliance (2015). The corporate finance of SMEs in the UK film industry. BFI.

[16] Debande, O. (2018). Film finance: The role of private investors in the European film market. In Murschetz, P.C., Teichmann, R. and Karmasin, M. (eds.) Handbook of state aid for film: Finance, industries and regulation. Cham, Switzerland: Springer. pp. 51–66. https://www.eif.org/news_centre/publications/eif-annual-report-2022.pdf - p41 EIB Guarantee Facility – noted "Lack of good market intelligence about the sector as risk factor https://www.eif.org/what_we_do/guarantees/cultural_creative_sectors_guarantee_facility/risk-assessment-guide.pdf . Now equity intervention also needed https://digital-strategy.ec.europa.eu/en/library/mediainvest-factsheet ; https://digital-strategy.ec.europa.eu/en/policies/mediainvest

[17] https://britishscreenforum.co.uk/wp-content/uploads/2022/07/UK-Screen-Sectors-A-Prospectus-for-Growth-in-an-Age-of-Change.pdf page 6 section 3

[18] https://cdn2.assets-servd.host/creative-pec/production/assets/images/Creative-PEC-The-State-of-Creativity.pdf Filmchain p 52-3

[19] Cuntz, A., Muscarnera, A., Oguguo, P.C. and Sahli, M., 2023. IP assets and film finance-a primer on standard practices in the US. *World Intellectual Property Organization (WIPO) Economic Research Working Paper Series*, (74).

[20] Access to finance remains a problem for SMEs in the creative industries. A lack of data, investor wariness and overlong processes present barriers to progress. It is not surprising that businesses turn to overseas investors, sell up or move abroad. Page 30 https://committees.parliament.uk/committee/170/communications-and-digital-committee/news/175423/

[21] https://www.gov.uk/government/publications/creative-industries-sector-vision/creative-industries-sector-vision-a-joint-plan-to-drive-

growth-build-talent-and-develop-skills - at footnote 54
[22] Franklin, M., 2022. Risk in the Film Business: Known Unknowns.; Sector Vision – access to data https://www.gov.uk/government/publications/creative-industries-sector-vision/creative-industries-sector-vision-a-joint-plan-to-drive-growth-build-talent-and-develop-skills
[23] Franklin, M., 2018. Examining the understanding and management of risk in the film industry: A Research Synopsis.
[24] https://www.screendaily.com/news/its-really-tough-producers-and-financiers-debate-future-of-independent-film-at-cannes-investors-circle/5182455.article ; https://variety.com/2023/film/focus/european-public-funds-1235616333/ ;
[25] https://www.wearecreative.uk/why-we-need-a-new-model-for-investing-in-creativity/ " It's time for a collective effort to build a complete picture of the investment landscape in its entirety. This will enable lenders to realise the value and opportunity therein and it will enable the creation of financial products and services which meet demand"
[26] As the House of Lords report states: "Data collection in both the UK Government and the sector is muddled and under exploited." https://www.wearecreative.uk/why-we-need-a-new-model-for-investing-in-creativity/
[27] https://www.obs.coe.int/en/web/observatoire/home/-/asset_publisher/wy5m8bRgOygg/content/average-budget-of-european-fiction-films-in-2020-was-eur-2.06-million p37.; "findings outlined in the report… emphasised the importance of intellectual property in the industry, examining contractual relationships between producers, streamers and broadcasters… and the need to democratise access to data on, and insights into (VoD) platforms" https://cineuropa.org/en/newsdetail/442810/ ; https://eit-culture-creativity.eu/lets-talk-money/
€10m call (€5m breakthrough lab) for innovation in high impact areas: inc. Audio-visual. EITCC is looking for proposals [that] "promote fair remuneration for creatives as well as better distribution and equal access to information and content, and helping drive economic growth + increase capacity in "use of data analytics in areas such as audience development...creating, measuring and articulating value and impact, and data-based decision making and developing new business models for improving internal processes and decisionmaking in CCSI" https://eit-culture-creativity.eu/eit-culture-creativity-launches-first-open-calls-for-proposals/
[28] CNC (2019). Report to Centre National du Cinema– on private financing, independent company support and applying blockchain. https://www.cnc.fr/professionnels/etude s-et-rapports/rapport-sur-le-financement-prive-de-la-production-et-de-la-dis tribution-cinematographiques-et-audiovisuelles_990381 action = https://www.cnc.fr/professionnels/actualites/le-cnc-et-bpifrance-renouvellent-leur-dispositif-daccompagnement-dedie-aux-industries-culturelles-et-creatives-avec-le-lancement-de-la-troisieme-promotion-de-laccelerateur-cinema-audiovisuel_1934742 ; https://www.cnc.fr/professionnels/actualites/resultats-de-lappel-a-projets---transparence-de-la-remontee-de-recettes-dans-le-secteur-cinema-et-audiovisuel_1931182 ; https://www.cnc.fr/web/en/first-call-for-contributions-from-cnc-lab_1940968
[29] https://www.logicalcontentventures.com/wp-content/uploads/CP-LCV-Pathe-EN.pdf ; https://cineuropa.org/en/interview/426627/
[30] https://www.eib.org/en/press/all/2017-409-le-groupe-bei-et-l-ifcic-renforcent-a-hauteur-de-130-m-eur-le-soutien-aux-entreprises-culturelles-et-creatives-francaises-et-europeennes; https://filmchain.notion.site/FilmChain-and-Produzentenverband-announce-the-collaboration-on-Reporting-software-for-German-Produce-d20d6d709eef43f29ed7b330afd2ac9e
[31] https://cineuropa.org/en/newsdetail/442984/ Europe collaborating to deliver –"State of European Film platform, an unparalleled data-insight tool that offers comprehensive, actionable data, insights and recommendations to invigorate these European audiovisual ecosystems"
[32] https://variety.com/2023/biz/news/sag-actor-strike-contract-sticking-points-1235670826/ ; https://variety.com/2023/biz/news/writers-strike-negotiations-wga-updates-1235601043/
[33] EFADs (European Film Agency Directors) (2021). EFADs vision statements & updates 2017, 2019, 2021 updates https://europeanfilmagencies.eu/news-publications/our-positions/179-efads-vision-paper-2017
2021. https://europeanfilmagencies.eu/news-publications/our-press-releases/256-efad-members-discuss-the-priorities-at-european-level – e.g. "Transparency measures on algorithms are also welcomed and should be completed by an obligation to share consumption data with right holders and relevant public authorities."
[34] https://www.bnnbloomberg.ca/netflix-estimates-squid-game-will-be-worth-almost-900-million-1.1667199#.YW6X-J1cSZB.twitter
[35] https://themallenconference.org/jcec-special-issue/ https://variety.com/2023/biz/news/wga-negotiations-viewership-data-streamers-netflix-apple-1235538967/?curator=MediaREDEF
[36] EFADs (European Film Agency Directors) (2021). EFADs vision statements & updates 2017, 2019, 2021 updates https://europeanfilmagencies.eu/news-publications/our-positions/179-efads-vision-paper-2017 . Additional to film finance date needs is the pursuit of a "transparency obligation to share viewing data with public authorities and right holders, proposing new initiatives on discoverability and findability" https://cineuropa.org/en/newsdetail/442302/
[37] De Vany, A., 2004. *Hollywood economics: How extreme uncertainty shapes the film industry*. Routledge.
, in Franklin, 2018, footnote 9, p.26
[38] https://sites.gold.ac.uk/iccecommunication/2020/12/11/accelerating-change-in-the-film-industry-datafication-the-streaming-era-by-michael-franklin/ ; https://sites.gold.ac.uk/iccecommunication/2020/02/05/exploring-data-analytics-and-filmed-entertainment-in-the-journal-of-cultural-economics/
[39] Dye, M., Ekanadham, C., Saluja, A. and Rastogi, A. (2020). Supporting content decision makers with machine learning. Netflix Tech Blog. https://netflixtechblog.com/supp orting-content-decision-makers-with-machinelearning-995b7b76006f.; https://netflixtechblog.medium.com/causal-machine-learning-for-creative-insights-4b0ce22a8a96
[40] https://www.ft.com/content/f21e934d-acbe-4c4b-ac15-a3a6460abdd2 ; https://cineuropa.org/en/newsdetail/419880/
[41] Noam, E., 2021. Overcoming Market Power. *Regulating Big Tech: Policy Responses to Digital Dominance*, p.55.
[42]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78460/DCMS_film_policy_review_report-2012_update.pdf
[43] https://www.hollywoodreporter.com/business/digital/netflix-disney-data-privacy-ads-1235234652/ ; WGA West. 2023 The New Gatekeepers Report. https://www.wga.org/uploadedfiles/news_and_events/public_policy/GatekeepersReport23.pdf
[44] https://britishscreenforum.co.uk/wp-content/uploads/2022/07/UK-Screen-Sectors-A-Prospectus-for-Growth-in-an-Age-of-Change.pdf p89-90
[45] https://www.inrupt.com/blog/how-media-and-publishing-companies-can-embrace-data-transparency-for-future-success?; https://www.horizon.ac.uk/the-bbcs-new-personalised-data-service/ https://www.inrupt.com/blog/the-bbc-uses-inrupts-solid-server-to-deliver-viewers-a-personalized-but-private-watch-party-experience
[46] recommendations: a public R&D hub for recommendation systems and responsible recommendation challenges; standardised metadata; Create shared recsys resources; transparency w. audiences. https://www.adalovelaceinstitute.org/event/inform-educate-entertain-and-recommend/
[47] https://www.epcc.ed.ac.uk/ ; https://creativeinformatics.org/news/at-the-forefront-of-on-screen-innovations-the-university-of-edinburgh-and-creative-informatics-to-be-core-partners-on-new-costar-programme/
[48] https://ukgsfdatahub.org/about
[49] Consider the budget of the European Audiovisual Observatory, CNCs activities, or Harmony Labs Narrative Observatory: 'One-of-a-kind data infrastructure delivering audience-based insights, narrative and network analysis, and empirical validation of cultural strategy and

content' https://narrativeobservatory.org/
[50] https://www.hollywoodreporter.com/business/business-news/wga-netflix-residuals-42-million-writers-1235192877/
[51] https://www.screendaily.com/features/how-europes-indie-producers-are-fighting-to-retain-ip-and-revenues-amid-streaming-boom/5162865.article
[52] https://cineuropa.org/en/newsdetail/420839/ https://cineuropa.org/en/newsdetail/420839/#google_vignette
[53] https://www.screendaily.com/features/the-us-streamer-squeeze-why-europe-is-taking-on-the-svods/5185829.article
[54] https://www.screendaily.com/news/frances-cnc-extends-funding-to-producers-working-on-streamer-projects-but-caps-buyout-deals/5177502.article
[55] https://variety.com/2020/artisans/actors/netflix-signs-royalty-agreement-for-german-series-1203535333/
[56] https://smit.vub.ac.be/investment-obligations-for-vod-providers-to-contribute-to-the-production-of-european-works-a-2022-update ; https://www.screendaily.com/news/netflix-reaches-landmark-rights-agreement-with-create-denmark-exclusive/5176920.article
[57] "Examining the existing approach to the arrangements governing the licensing of UK independent film – from the theatrical window to free TV – to maximise the value of rights. Developing a better understanding of the applications of technology for independent film, including its potential to improve data sharing and to transform transactional relationships for independent film" p21 https://www2.bfi.org.uk/sites/bfi.org.uk/files/downloads/bfi-commission-on-uk-independent-film-2018-07-18.pdf
[58] https://britishscreenforum.co.uk/wp-content/uploads/2023/03/Hell-and-High-Water-Project-Development-in-the-UK-Sectors-Film-Scripted-TV-and-Video-Games-March-2023.pdf -
[59] https://www.screendaily.com/news/netflix-uk-reworks-emerging-filmmaking-initiative-breakout-and-reshapes-local-film-team-exclusive/5183168.article ; https://britishscreenforum.co.uk/wp-content/uploads/2023/03/Hell-and-High-Water-Project-Development-in-the-UK-Sectors-Film-Scripted-TV-and-Video-Games-March-2023.pdf - risk and knowledge indelibly connected "This study was borne of British Screen Forum's conviction that the dearth of research on development impairs efficiency across the screen industries, resulting in particular in poorer risk assessment and less effective public incentive policies."
; https://www2.bfi.org.uk/sites/bfi.org.uk/files/downloads/bfi-commission-on-uk-independent-film-2018-07-18.pdf
[60] https://www.theguardian.com/media/2023/apr/26/netflix-uk-productions-spend Scott Stuber, the Head of Global Films at Netflix is a Governor of the BFI. https://www.bfi.org.uk/strategy-policy/governors
[61] https://variety.com/2022/film/global/uk-independent-film-sector-market-failure-bfi-report-1235319711/ .Compare statements of Sister https://variety.com/2023/tv/global/jane-featherstone-miptv-sister-award-1235585328/ and reported position of Netflix's 'treat' strategy https://www.screendaily.com/news/netflix-uk-reworks-emerging-filmmaking-initiative-breakout-and-reshapes-local-film-team-exclusive/5183168.article
[62] https://www.bfi.org.uk/industry-data-insights/reports/economic-review-uk-independent-film BFI response pdf point 4.
[63] https://if.com.au/producers-report-unfair-streamer-deals-spa-survey/ ; https://cineuropa.org/en/newsdetail/421415/
"The other thing that's extremely important is the fact that, these days, we are working in the dark," summed up Rikke Ennis. "There are no numbers, no data. We produce and deliver, and then perhaps we hear something about whether it went right or wrong. We used to learn from the past – now we are swimming without knowing which direction to go in. This kind of transparency possibly needs to be legislated."
[64] https://variety.com/vip/to-fix-streaming-residuals-guilds-cant-give-up-on-data-transparency-1235613593/ https://variety.com/vip/studios-need-streaming-viewership-metric-to-end-strikes-1235672305/
[65] https://www.screendaily.com/news/david-puttnam-calls-on-uk-film-industry-to-urgently-invest-in-training-confirms-he-is-standing-down-as-fda-president/5180835.article#:~:text=In%20his%20speech%2C%20Puttnam%20pointed,introduction%20of%20Tax%20Reliefs%3B%20and ; https://www.theguardian.com/film/2023/apr/04/uk-status-cinematic-powerhouse-at-risk-warns-oscar-winner-david-puttnam-bafta
[66] Consider the IPO's working groups on metadata and transparency, the sustained attention to streaming's impacts https://committees.parliament.uk/publications/34474/documents/189902/default/ https://cmulibrary.com/timeline-dcmsstreaminginquiry/
[67] Franklin, M., 2022. Risk in the Film Business: Known Unknowns. Ch8.
[68] https://www.bfi.org.uk/industry-data-insights/official-statistics-release-calendar 4 May 2023 Film and high-end television programme production in the UK: Q1 2023 BFI Research and Statistics Unit. P2
[69] https://www.bfi.org.uk/industry-data-insights/official-statistics-release-calendar . Page 6 of Film & HETV 2.2.2023 pdf on production
[70] https://www.london.gov.uk/londons-best-weekend-cinema-capital-helps-drive-uks-record-breaking-weekend
[71] https://www.bfi.org.uk/industry-data-insights/reports/audiences?utm_campaign=sprout&utm_content=20230227&utm_medium=social&utm_source=twitter
[72] Hennig-Thurau, T. and Houston, M.B., 2019. Entertainment science. *Data Analytics and Practical Theory for Movies, Games, Books, and Music. Cham: Springer Nature.*
[73] https://www.screendaily.com/news/netflix-uk-reworks-emerging-filmmaking-initiative-breakout-and-reshapes-local-film-team-exclusive/5183168.article https://www.obs.coe.int/en/web/observatoire/home/-/asset_publisher/9iKCxBYgiO6S/content/gbo-in-the-eu-and-the-uk-grew-by-70-in-2022-but-fell-short-of-pre-pandemic-average-by-28-1
[74] https://www.screendaily.com/news/edinburgh-international-film-festival-to-cease-trading-as-parent-charity-enters-administration/5175146.article https://www.europacreativamedia.cat/rcs_auth/convocatories/Europa_Cinemas_Network_Review_38.pdf p44
[75]https://committees.parliament.uk/writtenevidence/11197/pdf/ , https://digital-strategy.ec.europa.eu/en/policies/mediainvest
[76] Andrew Cripps, President International Distribution at Warner Bros: "there has to be better cooperation & interaction between studios and exhibitors, there has to be better sharing of data". https://video.filmgrail.com/cjcinemasummit-may-20th-2021-1?utm_medium=email&_hsmi=128502895&_hsenc=p2ANqtz-9j9nNuxnTgqKSFfHpmXxdN3BicraS6DpTHivtPuj23CBcN_ugp1AZV6s1jUzURYuInSkj-1kTLhrTcVNBEPd8e0yBeuP8sE9F1EuYeP9I473eKvIo&utm_content=128502895&utm_source=hs_email UNIC's Aim: "Invest in data and research: Building relationships and growing the industry through comprehensive data and research" https://www.unic-cinemas.org/en/resources/news/news-blog/detail/unics-2023-annual-report-published-at-cineeurope/
[77] https://www.gempartners.com/en/ https://gem-standard.com/p/en/articles_and_report_products https://gem-standard.com/information/428 ; https://ir-en.maoyan.com/ https://ir-en.maoyan.com/2023-03-23-Maoyan-Entertainment-Announces-2022-Annual-Results; https://www.cnc.fr/professionnels/actualites/resultats-de-lappel-a-projets---transparence-de-la-remontee-de-recettes-dans-le-secteur-cinema-et-audiovisuel_1931182
[78] See the work of https://movielabs.com/ for contextual guidance
[79] Bassett, M.E. (2020). Future of copyright & competition law in media. Florida International University Law Review, 14, p.223.
[80] https://www.etcenter.org/wp-content/uploads/2023/03/Generative-AI-in-Media-what-it-is-what-it-means-ETC-0223-1.pdf
[81] https://girlgeek.io/engineering-data-for-data-quality/
[82] See, respectively for example- https://screen-network.org.uk/project/addressing-sexual-harassment-in-the-uk-film-and-television-

industries/ ; https://www.mctd.ac.uk/spectacle-of-destruction-environmental-harm-and-the-screen-sector/ ; https://www.ucl.ac.uk/news/2021/jul/major-study-racial-inequality-uk-film-industry ;

[83] Including: data recommendation systems https://www.horizon.ac.uk/project/design-of-data-dialogues-in-media-recommenders/ https://www.horizon.ac.uk/design-of-data-dialogues-in-media-recommenders/ , big data and Hollywood https://www.oii.ox.ac.uk/people/profiles/ralph-schroeder/, https://www.oii.ox.ac.uk/news-events/news/doing-the-math-predicts-which-movies-will-be-box-office-hits/ ; AI and data science https://www.gold.ac.uk/news/turing-university-network-2023/ , UK Film Data Centre https://britishscreenforum.co.uk/wp-content/uploads/2022/07/UK-Screen-Sectors-A-Prospectus-for-Growth-in-an-Age-of-Change.pdf p 6, 89