

The Who And Why Of Swag

In early 2018 the Screen Women's Action Group was formed to address the need for some co-ordinated, specific and effective action on sexual harassment in the New Zealand screen industry.

Although several industry groups were discussing action, no-one was consulting the industry at grass-roots level, which we felt was essential to create meaningful change.

We took on two initiatives immediately. One was a simple 'survey monkey' snapshot of the industry to ascertain whether sexual harassment was a problem, and if so, a breakdown of what is working and what is not in the current environment. This was open to all genders.

The second initiative was hosting two women-only forums, one each in Auckland and Wellington to discuss the issue of sexual harassment in the NZ screen industry and collect as many good ideas as possible about how we might create effective change.

The Survey

We had 476 respondents to our survey, which was a useful sample.

- Worryingly, 2 out of 3 respondents reported that they had either experienced sexual harassment or witnessed it in the screen industry workplace.
- 1 in 3 had personally experienced it in the last 10 years.
- 45% of those said the person doing the harassing was a person senior to them on a project.
- Only 12% reported the harassment to the production company.
- Of those who didn't report, the majority said it was because they felt it would impact their career.

Is there a problem with sexual harassment in the NZ screen industry?

In a word, yes. Is it as bad as Hollywood – probably not. However our survey suggests that we have both an historic and a current culture problem in which low level sexual harassment is accepted as the norm. We also have some existing predators with entrenched and harmful patterns of offending at the criminal (assault) level who have been able to operate in our industry with impunity. There are some cases currently with the police, and there are others reported to us that have not to date been taken forward.

It is unacceptable that anyone, of any gender, is at risk in our workplaces and without effective processes and support to deal with it.

It is also a risk for our industry that these stories could erupt into the public arena at any time and profoundly impact our reputation.

The Forums

We had over 100 women attend in Auckland and over 70 in Wellington. We approached these as working 'sprint sessions', asking women to join working groups according to their expertise and prioritise two things: what are the three biggest issues in your sector? And what are three concrete ideas that will make a difference?

The Issues

Culture – there is a lack of understanding of what exactly sexual harassment is (from men and women), let alone what our rights are, or why constant micro-aggressions, sexualizing and demeaning behaviour is so hostile and undermining to people in the industry.

Power – the biggest issues happen where there are extreme power imbalances, where there is isolation, and in male-heavy environments. The constant question we heard asked was “how can we do anything when they are so all-powerful?”

Current processes don't work – Most of the industry don't know their rights or what a complaint system looks like in their workplace. There is very little faith in the current options being safe, accessible or effective.

Other contributing factors unique to our industry are:

- Most of us are contractors, not employees
- International productions can import their culture
- Mobility and transitory nature of work
- Range of different environments within the industry (development, pre-prod, prod, post-prod)
- The fluidity and merging of social events with work – wrap parties, film festivals, travel for location shoots, publicity tours, networking events, development work happening in private homes.

The Ideas

From these forums we collected over fifty ideas for change. We distilled these down using a framework based on specialist advice that takes into account diverse factors, including different environments, timeframes and affected people.

Many of the ideas could be implemented under the existing Health & Safety legislation, and the Screensafe guidelines. Sexual safety could come neatly under the same umbrella, allowing for funders, networks and others to require productions to adopt expanded Screensafe guidelines in order to fulfill their contractual obligations. However there are other, good ideas that would require a fresh approach.

Some of the ideas we've recommended are more long-term culture change ideas; others are practical and immediate initiatives. While the latter are probably more attractive and easier to implement, it's important that strategies should be put in place by funders, organisations and companies to support longer-term culture change as well.

A word about bullying

Many people have suggested that sexual harassment is a form of bullying, which is also rife in the industry, and that by addressing bullying we would also address sexual harassment. We have discussed this at length and sought expert opinion. While we agree that bullying exists and should – must – also be eliminated from our workplace, there is a difference to sexual harassment, given its place on the continuum towards sexual violence. It's our belief that the #MeToo campaign has highlighted a specific and endemic problem in our workplace and this requires a specific set of solutions.

Feedback

We're asking you to consider those ideas which would affect *your particular area* and whether you believe they would be workable.

At this stage we aren't focusing on the costs of implementing these initiatives, but whether in principle you support the ideas.

We'd like to collect feedback on these proposals by **DEADLINE 11 JUNE 2018** to your SWAG representative or screenwomensactiongroup@gmail.com

Proposed Recommendations for

‘CREATING CULTURE CHANGE AROUND SEXUAL HARASSMENT IN THE SCREEN INDUSTRY’

Prepared by
Screen Women’s Action Group (SWAG)
2 May 2018

Ultimate Outcome

To realise the full creative, cultural and commercial potential of the screen industry.

Objectives

- To prevent sexual harassment in the screen industry
- To have an effective process of dealing with it if it does happen

RECOMMENDATIONS

1. A Universal Screen Industry Sexual Harassment Policy
2. Online Course for All Screen Industry Workers
3. Multiple Contacts for Sexual Harassment Response
4. 'Say NO to Sexual Harassment' in Daily Health & Safety Briefing
5. Dealing with Sexual Content and Nudity
6. Media Strategy
7. People with Harmful Sexual Behaviours (HSB) Rehabilitation
8. Evaluation Tools
9. Further Recommendations for Specialist Areas

1. Sexual Harassment Policy **(Prevention & During Event)**

OUTCOME: Clear universal statement adopted by the screen industry that outlines what sexual harassment is, prevention measures and response process

- For the Sexual Harassment Policy to be effective, it requires cross-sector buy-in. The policy should include:
 - Definition
 - Expectations ie; zero tolerance
 - Legislation
 - Process for reporting
 - Minimum requirements
- The Sexual Harassment Policy should be part of every crew / funding / guild / industry contract.
- The Sexual Harassment Policy should sit alongside other ScreenSafe policies and be part of their guidelines.
- The Sexual Harassment Policy should be part of any cross-sector Code of Conduct.
- When a person signs a production or services contract, they must sign the Sexual Harassment Policy specifically to prove that they have read, understood and will comply.
- The Sexual Harassment Policy should be available on all industry websites.
- The Sexual Harassment Policy should be part of industry H&S training in all film schools

Required Action:

- All industry parties who have contracts ie; funders, networks, guilds, screen organisations, film schools
- ScreenSafe

2. Online Course for All Screen Industry Workers

(Prevention)

OUTCOME: Everyone in the screen industry is aware of expected behaviour

- All crew / screen workers to do a brief (say 20min) online course, regardless of whether they are working for a day or a long-term contract.
- The online course will cover these topics and other such topics that are specific to our industry:
 - What is sexual harassment?
 - What is the sexual violence spectrum?
 - What is / how to implement bystander intervention?
 - What to do if you are sexually harassed?
 - What to do if you know someone else is being sexually harassed?
 - What to do if you are nominated to be the Sexual Harassment Crew Rep?
- The online course provides certification for one year (ie; re-sit annually)
- The online course certification is sent to the person in charge of collecting start work forms/contracts.
- The online course should be part of the Technician's Guild's Blue Book and Screensafe guidelines.
- Ensuring that all cast and crew have completed the online course is part of fulfilling the Screensafe guidelines on Health and Safety required by government funding and network contracts.
- *Example: Channel 7 in Australia requires all its employees sit a sexual harassment test before commencing work with their organisation.*
- *Screensafe have recently launched a H&S online course*

Required Action:

- Technician's Guild, Screensafe
- All government screen funding bodies
- Television networks
- All Film Schools and Screen Education bodies

3. Multiple Contacts for Sexual Harassment Response

(Prevention & During Event)

OUTCOMES:

- **There is more than one person available in every situation to prevent and respond to sexual harassment.**
- **There is specialist independent support available to prevent and respond to sexual harassment.**

❖ 1. PCBU (Person Conducting a Business or Undertaking) Training Certificate

- As well as current Health & Safety responsibilities, a PCBU will be one of the people that screen workers can come to if they have a sexual harassment complaint.
- To understand how to deal with these situations, all contractors who are PCBUs in the workplace will need to sit a course on what to do if a screen worker lays a sexual harassment complaint.
- The course content should include these topics plus others relevant to our industry:
 - What is Sexual Harassment?
 - What do you do if someone comes to you with a complaint?
 - Who needs to know what?
 - How do you support the complainant?
 - How do you support the person complained about?
 - How do you handle confidentiality?
 - What support is there for PCBUs?
- A certificate will be issued at the completion of the course. All PCBUs with certification should be listed on the crew call sheet with contact numbers in the Health & Safety notes.
- Film schools should include PCBU Sexual Harassment training as part of the Health and Safety curriculum.
- On-going specialist support would be required to support the PCBUs.

Required Action:

- Guilds and industry organisations
- PCBUs/People Leaders
- ScreenSafe



2. Sexual Harassment Crew Representative

- Nominated by crew for crew
- If someone lays a complaint to your Sexual Harassment crew rep, depending on the complainant's preference, the crew rep can either:
 - consult a PCBU
 - consult the independent specialist (see below)
- Optional for productions and crew, but the production must offer this opportunity to crew.
- Information made available for the Crew Rep to outline their role:
 - they are there to listen (receive disclosure)
 - to explain options
 - refer on to support or appropriate parties
 - privacy is critical
- An independent specialist is required to support the crew rep

Required Action:

- Producers
- Production Companies
- Crew

❖ **3. Independent Sexual Harassment Mediator / Specialist**

- Any worker from the screen industry can contact an independent sexual harassment specialist directly if they do not feel comfortable talking to the PCBUs at their workplace or the nominated Sexual Harassment Crew Representative.
- Contact details of independent sexual harassment specialists will be available on ScreenSafe website and the industry Sexual Harassment website.
- At least one independent specialist's contact details to be clearly marked on all contracts and every call sheet in the health and safety notes.
- The independent specialist is also available to support PCBUs and Crew Reps in best management of a sexual harassment incident.
- Ideally, on larger productions an independent specialist is introduced in person to crew during pre-production or on first day of shoot.

Required Action:

- SWAG to identify specialists
- Screensafe to make specialist details available
- Producers to uptake

4. Health and Safety Briefing on Sexual Harassment

(Prevention)

OUTCOME: Everyone in the production is aware of expected behaviour.

- A zero-tolerance of Sexual Harassment statement to be verbally read out by Health and Safety / Producer / 1st AD / Sexual Harassment Crew Rep at the beginning of each work day, along with the other Health and Safety briefings.
- Template options available on Screensafe website for productions to personalise.

Required Action:

- Production Companies, Guilds and other screen organisations that have safety briefings
- ScreenSafe

5. Dealing with Sexual Content and Nudity

(Prevention)

OUTCOME: People are aware of appropriate boundaries and behave professionally at all times.

- Where a production contains content of a sexual nature or nudity, extra precautions need to be in place to ensure the sexual safety of everyone involved.
- The safety officer is to compile a plan alongside the producer for how any nudity/sexual content will be handled, including:
 - Identifying all sexual content and nudity early in the process
 - Actors to be fully informed of any such material in advance
 - A vocal culture of continued consent as a baseline requirement
 - Intimacy Co-ordinator (see below) to be engaged for any simulated sex scenes and other sexualized content or nudity as recommended, including auditions & rehearsals
 - Strict precautions in place around access to and handling of all footage identified as 'sensitive' through post-production workflow (including dailies)
- Sexual safety plan templates prepared for safety officers to use

❖ Intimacy Co-ordinators

- Intimacy Co-ordinators to be introduced to the NZ sector as comparable to stunt co-ordinators. They are external specialists involved with auditions, rehearsals, and on set, to give expert advice and support in the preparation and shooting of a sexual scene or scene requiring nudity.
- Specialist training offered for people who want to qualify for this role.
- Would educate actors and directors about safe boundaries.
- Producers will consult with the actor(s) involved to decide who will be the Intimacy Co-ordinator.
- Will be promoted as a role for casting directors, acting coaches, other directors etc.
- Recommend to Director's Guild there be courses on working with Intimacy Co-ordinators.
- This would be in addition to, not replacing, existing Equity guidelines.

Required Action:

- Screensafe
- Casting Directors or Co-ords

6. Media Strategy

(Prevention)

OUTCOME: Adjusting social norms, culture change

❖ Multi-platform Health Advertising campaign

- A Health Campaign from HR Commission or ACC, for all industries nationwide.
- Multi-platform and multi-media
- Uptake and display of posters and other promotional materials by screen production companies, facility providers, equipment providers, film schools
- Would need to be government funded

❖ Screen Industry Social Media Campaign

- Specific to screen industry
- To roll out through industry-specific websites and social media pages

❖ Screen Industry Sexual Harassment Website

- A 'Say NO to Sexual Harassment' website, tied to the advertising campaign
- This would be linked to the ScreenSafe website

❖ Screensafe App

- Creation of a Screensafe App that has contact details, hints, templates and user-friendly summaries of sexual harassment policy and procedures.

7. People with Harmful Sexual Behaviours (HSB) Rehabilitation

(After Event)

OUTCOME: People with harmful sexual behaviours can change and be safe to re-enter the workplace.

- People with HSBs to be assessed for safety before re-entering the workplace.
- A victim-centered restorative process available to provide support and establish acceptable behaviour.
- Links to existing external resources ie; 0800 numbers, police offender programmes.
- A mandatory Sexual Harassment course that will be relevant and relative to their offence.
- Confidential but compulsory disclosure
- Safety plan to be developed with the person and the course manager
- An Independent Mediator / Specialist to facilitate and mediate this process, so all parties involved are treated respectfully and privately.

8. Evaluation Tools

(After Event)

OUTCOME: To monitor the effectiveness of Sexual Harassment strategies

❖ **Production Audit**

- Workers on all completed projects that received funding from the NZ Government will be asked to complete a simple online Sexual Harassment survey to assess whether they were aware of their rights and to ensure that they were safe.
- Not a reporting tool, but a monitoring tool
- The survey to be overseen by the NZ Government body that has put funding into the project
- If survey results are below threshold, then the Producer must submit a report on how these areas will be improved for their next project. Funding is conditional on this report.
- Could be mandatory for a limited time and if results are positive, move to a random selection.

Action Required:

- NZ Government Funding bodies (NZFC, NZOA, TMP)
- Production companies to furnish contact details for all credited cast & crew

❖ **Focus Groups**

❖ **Individual Questionnaires**

Further Recommendations for Specialist Areas in the Screen Industry

The following are areas where we are aware of problems that may not be satisfactorily addressed by these recommendations alone. We encourage the guilds and companies representing these sectors to devise guidelines that are specific to their members' concerns and submit them to SWAG, Screensafe and/or the government funding bodies so that the sexual harassment strategies can continue to evolve and become more effective over time. The Sexual Harassment Policy and the Online Course should be living documents that can be updated as we develop best practice across the industry.

- ACTORS / CASTING
- WRITERS (working in isolation, working in small groups, precarious funding, working on sexual material, sharing personal information)
- LOW BUDGET (short films, 48 hr Film Festival, webseries etc – new producers without management experience or without resources to satisfactorily protect their cast and crew, inexperienced and young cast and crew, working under pressure, sometimes in isolation)
- DIGITAL/POST (working with external clients, commercial rather than government funded projects, working in isolation, working within powerful international companies)
- FACTUAL (working with small crews on location, travel, working with the public, no support systems in place)
- INTERNATIONAL PRODUCTIONS (outside NZ industry, cultural/attitudinal mixture of personnel, imbalance of power, isolation, role of Film NZ, NZFC here)
- FUNDING BODIES (beyond reproach?, imbalances of power, travel, meeting with influential international contacts)

FILM SCHOOLS/SCREEN COURSES

- All Film schools/Screen Education bodies should have a zero-tolerance sexual harassment policy and clear complaints process in place that is voiced to all students.
- All Film schools/Screen Education bodies should have a Health and Safety Education unit as part of their curriculum and Sexual Harassment should be a key component of this. Film students should be required to do the industry online course and adhere to the Screensafe regulations when making any productions as part of their course.