KILLING THEM SLOWLY BUT NOT SOFTLY
IN THE FILM AND TELEVISION INDUSTRY

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It was a 6.30am call, and by seven-fifteen the camera crew were set up for the first shot. The schedule was tight but Ben,[1] the operator, had experience in shooting short dramas fast, and on minimal budgets. This was going to be a typical long day on set—or so he thought.

BY ELEVEN-THIRTY THAT NIGHT, the crew had been working for over seventeen hours with only short breaks. It was at this point that the accident occurred. While bending over his camera, lining up a shot, a heavy flat parted from its supports and fell, striking Ben's back. That was a wrap for Ben that lasted nearly a year. After many months of physiotherapy, he is operating again, but restricted in the scope and type of jobs he can take on.

It isn't always the accidents—the immediate, acute occurrences—that do the damage. More often it is the slow accumulation of minor injury. Nadia, a sound recordist working in the Queensland industry, developed a chronic injury over a number of years. Required to adopt awkward postures over long periods of time as a boom swinger, she suffered accumulated postural stress that caused her increasing back pain and eventual permanent impairment. Nadia no longer works in the film industry.

The death of experienced stuntman John Raaen is even more disturbing. Performing a 'high fall' at a disused Brisbane powerhouse, Raaen landed on the edge of a safety airbag, which then propelled him on to a concrete floor. The airbag associated with Raaen's accident had already been linked to the death of two other stuntmen in Victoria. Commenting on these earlier accidents, the State Coroner said: 'The film and television industry's approach to safety was inadequate … and must be regarded as a significant factor in the two deaths.'[2]

These and similar incidents led me to believe that there may be a problem with Occupational Health and Safety (OHS) in the Queensland (and perhaps the wider) film and television industry. I therefore decided to investigate the prevailing level of industry compliance and learn more about the OHS culture that exists among its practitioners.

An aspect of my study revealed (paradoxically) that, although ninety-eight per cent of practitioners reported enjoying satisfactory to very good health, sixty-six per cent said they suffered from one or more indicators of ill-health. The most common symptoms were lower back pain and headaches. In this article, I discuss a number of findings arising from my study.

In parallel to my own research focusing on Queensland, Glen Eaves has recently conducted a national study commissioned by Create Australia (the former National Industry Training Advisory Body) and funded by the FFC.[3] Eaves' report, while looking through a different lens (i.e. OHS training), reveals data that reflects aspects of my own findings: that there is a significant level of non-compliance with OHS legislation in the film and television industry.

Some challenges

Risk and the sensation of danger are powerful magnets for audiences. But on-screen perils may be reflected in real-life hazards that threaten film crews and actors alike. The *Hollywood Reporter* draws attention to the fact that an emphasis on realism can be blamed for an increase in stunt and other mishaps.[4]

The practice of filmmaking sometimes involves creating a believable impression of danger while attempting to employ non-hazardous means of production. A DOP participating in this study commented: 'In the camera department, quite often the best shot is the most dangerous to achieve. OHS regulations slow down production and sometimes result in not being able to get the shot you want.'

There is a fine line between getting a great shot in a dangerous but controlled situation and one where the hazards are *not* managed effectively. The trick is to stay on the right side of that fine line. But, in a competitive environment with tight budgets, it can be difficult for producers to achieve a balance. An independent filmmaker commented: 'With respect,

you are missing the point with this survey. OHS is all very well in a vibrant expanding industry, [but] not a contracting one.'

Approximately fifty per cent of participants in the film and television industry are part-timers or on short-term contracts. Discontinuity of employment can inhibit the formation of stable and durable OHS relationships and systems, providing a challenge for employers, employees and contractors alike. A location manager who participated in this study wrote: 'Freelance work limits the consistent implementation of health and safety.' A camera assistant commented: 'People are unprepared to ask for safe conditions in case they do not get employed again.'

Prior to the 1980s, most people entering the film and television industry did so directly. Now, those starting careers increasingly emerge from educational institutions such as universities, TAFE and private training providers. There is, therefore, an increasing responsibility on teaching institutions to ensure that adequate OHS training takes place.

The small size of many businesses (eighty per cent employ four people or less)[5] means that many lack the economies of scale that would allow them to engage persons with OHS expertise. In addition, the economic fluctuations that continually haunt the industry mean that businesses often scale down to a core staff when they are short of work, or simply cease trading altogether. In both cases, experience in OHS may be lost.

Aims of the study

In order to discover how OHS functions in the film and television industry, I looked at three performance indicators: first, the level of OHS compliance within the industry; second, the prevailing OHS culture; and third, the constraints that prevent the introduction of appropriate OHS programs.

To gather data, I employed a self-completing questionnaire, distributed to a cohort of approximately 350 industry workers. This group included workers in fourteen production companies plus 210 freelancers.

Findings from the study

All work performed in the film and television industry is subject to the various state *Workplace Health and Safety Acts* and Regulations. These legislative requirements are supported by Standards and Codes of Practice describing benchmarks that must be met, and how to achieve them.

To comply with OHS legislation, employers and those in charge of a workplace (e.g. producers, heads of department and business owners) must adopt an OHS policy and put in place a framework (program) and work systems that ensure the health and safety of all workers. Some important elements of an OHS program are: an understanding of relevant regulations and standards; workplace hazard inspections; and the risk assessment of all work practices.

The study reveals that fifty-six per cent of respondents had 'no' or 'very little' knowledge of Regulations and Standards, while only twenty-one per cent regularly inspected their workplace for hazards. A high seventy-two per cent reported only 'sometimes' (thirty-eight per cent) or 'never' (thirty-four per cent) conducting risk assessments.

When asked whether a health and safety program operated where they worked, sixty-four per cent of respondents replied 'no' and thirty-one per cent said 'yes'. Five per cent failed to answer the question. One interesting comment was: 'There are no health and safety procedures, but we do work in a healthy and safe environment.'

Training and the dissemination of information are other important components of an OHS program. Whereas fifty-four per cent of respondents said they 'occasionally' or 'regularly' participated in OHS training, forty-six per cent reported never having been involved. Encouragingly, eighty-eight per cent indicated that they were willing to participate in OHS training.

Twenty-five per cent of respondents said they had never received OHS information, while seventy-five per cent reported receiving information from a variety of sources. Workplaces and fellow workers were the largest source, but worryingly, unions and professional organizations were named as information sources by only four per cent of respondents.

When asked how important it was that workers in the film and television industry received OHS information, ninety per cent of respondents replied that it was 'important' or 'very important'.

I asked two experienced OHS professionals to reflect on the qualitative data arising out of this study. One commented:

The overwhelming attitude seems to be one of concern about OHS, combined with feelings of helplessness that there is little that can be done to change the situation. While there are complaints about OHS issues, they are seen to be inevitable. The precarious nature of employment leads to people accepting standards that they feel are not safe.

The second remarked:

There is some evidence that the importance of OHS issues is being recognized. However, having the confidence to stand up for these principles was demonstrated by only a couple of respondents. Few had attained 'self-actualization' regarding responsibility for their own health and safety and their duty of care for others.

One-third of respondents indicated that no constraints prevented them from implementing OHS practices at work. One art director wrote: 'I am in a position to implement all regulations under the guidance of a qualified workplace officer.' A quarter of participants, however, indicated that time and money prevented them from implementing OHS.

A consistent theme was that OHS prevented workers from achieving results quickly and creatively. A constantly changing workforce was also mentioned. Respondents also claimed that: OHS was someone else's responsibility, that managers were not actively involved with OHS, that complaining about OHS would bring retribution, that they lacked personal OHS skills and that there was a lack of union involvement.

Clearly, we should be concerned about the state of OHS in the film and televi-

sion industry, particularly when current economic conditions are a distraction. So what are the solutions?

Solutions

The way forward, I believe, is fourfold. First, the industry requires a comprehensive OHS risk-management code of practice, one specifically designed for the film and television industry. This code of practice must be supported by a set of OHS guidelines that provide minimum OHS standards for all aspects of business and production. To be effective, these tools must be viewed by the industry as positive and beneficial, promoting better business, rather than providing restrictive practices that inhibit production and add costs.

Second, cultural and attitudinal change must be encouraged through a holistic approach to managing risk. Many producers believe that risk resides only in those aspects of production that demonstrate observable and obvious hazards. They fail to acknowledge that every aspect of their business, from sitting at a desk to performing stunts, provides some form of risk. Producers should also recognize that risk is an asset—one that does require careful consideration, analysis and control, but one that is the catalyst for progress, enterprise and initiative.

Third, industry, unions and educational institutions should investigate ways to best deliver OHS training to industry workers. As most practitioners now enter the industry via institutional training (university or TAFE colleges), there is an onus on educational institutions to lead the way in improving OHS standards. Also, those already in the industry need access to appropriate professional development and short OHS training courses.

Fourth, a major obstruction to implementing effective OHS practices is the prevalence of short-term engagement and employment contracts. For example, if effective information systems are not in place, casual workers can miss out on training or crucial advice about newly assessed risks or new safety procedures. Strategies are required which assist temporary workers and freelancers to acquire appropriate generic OHS skills and engage fully in OHS programs while casually employed.

Clearly, self-regulation is preferable to compulsion, and partnerships between industry, unions and educational institutions may provide the best way forward. I believe that further investigation will reveal ways in which these three bodies can successfully cooperate to improve OHS practices and risk management in the film and television industry. Thus the impairment and loss of life suffered by workers such as Ben, Nadia, John and others will surely be reduced.

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Endnotes

1 Name changed for legal reasons.
2 F. Burstin, 'Stunt Death Blast', *Herald Sun*, 6 May 1999, p.10.
3 Glen Eaves, *Screen Production Safety Project*, Create Australia, Sydney, 2004.
4 D. Robb, 'Special Effects: Lower Budgets, Higher Risk', *The Hollywood Reporter*, 23 December 1992.
5 Australian Film Commission, *Get the Picture,* AFC, Sydney, 2001.

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