

ARCHIVE ZONES

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Hero or monster? Documenting a Lebanese legend
Saviours or pirates? The murky world of film collectors
Singapore remembers 75 years on
FOCAL's 2017 Awards: Lifetime Achiever
The nominations shortlist

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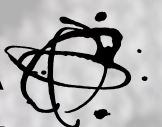
SHOW STOPPERS

The Irrepressible – Bill Nighy

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Editorial

So, we embark on a second century of Archive Zones with the usual tasty mix of history, technology, business and personal experiences. Our diverse cast of contributors guarantees you another really 'good read'. They're an eclectic bunch. The 'Accidental Curator' working on digital outlets for his '60s and '70s classic films. The 'snapper up of unconsidered trifles', who shrewdly built his own 'out-takes' archive. The ex-BBC rights developer who, after 20 years, decided to 'paddle his own canoe'. And FOCAL's 'Lifetime Achiever' for 2017 whose journey took him from *Bridge over the River Kwai* to *Mysteries of the Archives*. Internationally, we have an 'insider' look at Singapore's fascinating exhibition marking the 75th anniversary of the Japanese invasion and, from Lebanon, comes the production story behind the tale of their national hero whose meteoric rise was cut short by assassination at just 34. If you're thinking of investing (a considerable amount) in a new scanner or need advice on the EU's new



Michael Archer

copyright legislation, we've got those covered too.

And, across our centrepages, we whet your appetites for the event that will dominate our next issue of **AZ** – the **FOCAL International Awards 2017**. Just turn to page 14 for the shortlists for all categories.

Enjoy your online read and...

A Very Happy 2017 to all our readers from the FOCAL International team.

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Eddie Fisher and Eddie Cantor in *The Rise and Fall of the Borscht Belt* – page 23

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Surviving the Japanese Occupation: War and its Legacies

A revamped exhibition space located at the old Ford Factory in Singapore's Bukit Timah, was officially reopened on 15 February 2017, marking the 75th anniversary of the Fall of Singapore on 15 February 1942. Fiona Tan, Assistant Archivist with the Outreach department in National Archives of Singapore, details its major highlights.

Along a relatively quiet stretch of Upper Bukit Timah Road, now dwarfed by high-rise condominiums, stands the Art Deco façade of the old Ford Factory – built in 1941 and designed by the French structural engineer Emile Brizay as the Ford Motor Works' first car assembly plant in Southeast Asia.

Part of the original building was torn down when the area was redeveloped in the mid-1990s, but the main structure, housing the very spot where the British Lieutenant-General Arthur E. Percival surrendered to Lieutenant-General Tomoyuki Yamashita, commandant of the Japanese forces, on 15 February 1942, has been preserved.

That fateful event followed a week of intense fighting, dubbed "The Battle of Singapore", between the combined British and Allied forces and Japanese troops after the latter made landfall on the NW coastline near the Johor Strait. Percival made the error of assuming that the Japanese would attack from the NE coastline and had his firepower and soldiers concentrated along that front. The rest, as they say, is history.

New Exhibition

The Former Ford Factory – as the building is now officially known – was gazetted as a national monument on 15 February, 2006, following its conversion into a World War II exhibition space by its custodian, the National Archives of Singapore (NAS). Memories at Old Ford Factory (MOFF), as the space was called, operated for a decade until it closed in February 2016 for a major revamp.

Now, after a year-long refurbishment, MOFF has re-opened to the public on 16 February 2017, featuring a new exhibition entitled *Surviving the Japanese Occupation: War and its Legacies*. The subtitle introduces a new area of focus in looking at the impact of war and occupation, examining the legacies this significant period had on Singapore and the region.

Back in 1981, seeing the dearth of written records left behind by the Japanese administration during the 3½ years it occupied Singapore, the NAS, under its then Director Lily Tan, "embarked on a project to collect oral recordings and to look for documents, photographs and all kinds of paraphernalia related to the war and the Occupation."

More than three decades after she made that call, the NAS has amassed a significant collection of personal records and oral histories on this subject. Over the years, many researchers have been using these sources to reconstruct authentic accounts that have greatly enriched our understanding of life in Singapore during the Japanese Occupation.

The lack of sufficient documentation on this period, however, remains a persistent 'black hole', which is why NAS continues the effort to collect oral histories and personal records relating to people's experiences of the war and the Occupation. One such programme was the *Call for Archives* in March 2016, which saw over 400 items donated by members of the public, some of which will be on display in the revamped exhibition.

Highlights of the exhibition

The revamped exhibition showcases the British surrender, the subsequent Japanese Occupation years, and the legacies of the war. Through oral history accounts and archival records from the collections of NAS, the National Library, partner agencies and private collectors, this new exhibition aims to capture the diverse experiences of people who lived through this crucial period of our history.

The exhibition features a wide range of material, from government records and oral history interviews to maps and records from private collectors. The first thing a visitor sees upon entry to the lobby are displays which set the scene of pre-war Singapore and highlight the history of the Former Ford Factory. The exhibition space proper is broadly divided into three zones:

- The Fall of Singapore: Outlines the events leading up to that fateful moment where British forces surrendered unconditionally to the Imperial Japanese Army in the Ford Factory boardroom.
- Becoming Syonan: Captures the diverse experiences of people during the Japanese Occupation.
- Legacies: Highlights the various legacies of war and Occupation in Singapore, from the political and social changes that emerged and the ways we remember the war in Singapore today.

These highlights are a small selection of the over 200 exhibits on display at the exhibition.

The Fall of Singapore

This section of the exhibition provides visitors with fresh perspectives into what Winston Churchill – the British Prime Minister during World War II – proclaimed as the "worst disaster and largest capitulation in British history".

Graduation Yearbook of the Chinese Military Academy



Cartoon depicting overseas Chinese supporting China in the war efforts found in the yearbook p. 74



Lim Kheng Jun pictured here with his graduation yearbook at the Public Call for Archives at National Library Building on 12 March 2016

A highlight of this section is a graduation yearbook of the Chinese Military Academy, 1940, which belongs to 96-year old Lim Kheng Jun.

Even before the war descended on Southeast Asia, the Chinese community in Singapore had already been mobilised to help China in the Second Sino-Japanese War (1937-45). In addition to raising funds through the Singapore China Relief Fund Committee, overseas Chinese also contributed their services. For instance, over 3,000 people from Malaya and Singapore volunteered as drivers and mechanics, braving the treacherous 1,146-km-long Yunnan–Burma Road, to transport military and aid supplies to the battle front.

Others like Lim Kheng Jun enlisted in the Chinese Military Officers Academy (中央陆军军官学校) in 1939. Lim was trained in China as an intelligence officer, and later, as a police officer deployed to Beijing and then Hainan. In March 2016, Lim responded to the open call for archive materials for the exhibition, bringing along his treasured copy of the yearbook as well as personal records of his involvement in the Sino-Japanese war.

Japanese intelligence map of Singapore



Donated by Lim Shao Bin, National Library collection

Another item of note – donated by Lim Shao Bin to the National Library – is a Japanese intelligence map of Singapore. It is accompanied by a booklet with 83 key locations marked up in red. As the Japanese military prepared to advance into Southeast Asia, the chief planner of the Malayan Campaign, Lieutenant-Colonel Masanobu Tsuji, hired Japanese informants who were living in Singapore. The Japanese military also sent “observation staff” to carry out espionage work in Malaya and Singapore in the late 1930s. This map and its accompanying booklet contain annotated photographs on 83 key locations in Singapore town that were photographed and documented by Japanese informants before the war. These documents highlight important commercial and government buildings, such as police stations and municipal buildings. Commercial buildings, such as those belonging to Japanese shipping lines, were also identified on the map, enabling the Japanese intelligence to identify locations with Japanese interest and spare them from attacks during the invasion.

Becoming Syonan

On 17 February 1942, Singapore was officially renamed Syonan-to, which means “Light of the South”. The Japanese Occupation was, however, a grim period in our history. From the acts of state-sanctioned violence to grandiose promises as part of the “Greater East Asia Co-Prosperity Sphere”, this section of the exhibition showcases the experiences of people living under a new

administration, as well as the acts of resistance by those who chose to fight back and make a stand.

“Screened” stamp



Overseas Chinese certificate of registration, 1942. Donated by Ow Peng Hoong, National Archives collection

One of the first actions by the Japanese military in Syonan was a mass screening or dai kenshō (大検証; “great inspection”); which the Chinese later referred to as Sook Ching (肃清). Such screenings to identify anti-Japanese elements in the population had been carried out whenever Japan conquered new territories in China. Three days after the British surrender in Singapore, Chinese males aged between 18 and 50 were ordered to report to screening centres – and in the confusion, some women and children reported as well.

At the reporting centres, those who received a stamp with the character ‘檢’ (or “examined”) were allowed to leave. Some people brought Overseas Chinese registration passes issued by the Chinese consulate in the pre-war period and had them stamped; while others recounted getting the stamp on their T-shirts, other personal identification documents, or even on parts of their body.

‘When I went home, I had the rubber stamp with the word “cleared” [‘檢’] or something like that. I made sure that the stamp lasted as long as possible. So washing my hands, whenever I took my bath, I got to raise my arm up to make sure the stamp there was not washed away. . . . Wherever you go, you have to show your arm to the Japanese soldiers.’

Case of Joseph Francis



Records from the British Military Administration files pertaining to the case of Joseph Francis British Military Administration files, file reference 28/45, National Archives collection

On 27 September 1943, six Japanese oil tankers were destroyed at Keppel Harbour and suspicion fell upon the prisoners-of-war (POWs) interned in Changi Prison, who were thought to have transmitted news to the raiding party.

Joseph Francis, who worked as a driver for a Japanese inspector at the POW camp was caught for passing information and a secret transmitter to the prisoners. In the ensuing raid that took place at Changi Prison, many POWs were rounded up for interrogations. Several civilians too were arrested, including Francis, who was tortured by the kempeitai (Japanese military police) over a six-month period. On his release, Francis required extensive medical care but he eventually died in May 1945.

After the Occupation, his brother and friends wrote letters to the British Military Administration, describing in detail Francis' contributions to the anti-Japanese resistance. On display at the exhibition is Francis' driver's license and the letter written by his friend, Kenneth Tay, describing the "horrors of inhuman punishment" that Francis endured at the hands of his captors that reduced him into a "living skeleton".

Haxworth's sketches depict life in the POW camps.



Haxworth's sketches depict life in the POW camps.
WRM Haxworth collection, courtesy of National Archives of Singapore

Also worth seeing are the selection of sketches, drawn from a collection of over 300 that were secretly drawn by former police inspector and inspector in the War Risks Insurance Department. W. R. M. Haxworth during his internment at Changi Prison and Sime Road Camp. The sketches depict the crowded and unsanitary living conditions at the camps, and capture the internees' decline in health and weight over time. Several sketches reveal Haxworth's ability to find humorous moments and comic relief through his art in spite of the difficult circumstances.


Legacies of War and Occupation

On 5 September, 1945, the British returned to Singapore to great relief and rejoicing among the people. However, the initial euphoria soon faded: the wartime experience and the subsequent problems

the local population faced coupled with the inability of the British Military Administration (BMA) to deal with the issues competently left the people with a less rosy view of the British.

For six months after the Japanese surrender, Singapore and Malaya were run by the interim BMA. People nicknamed it the “Black Market Administration” because it was plagued by corruption and inefficiency. Nonetheless, the BMA, despite difficult post-war conditions, did its best to restore public utilities and services, distribute war relief, and ease conditions for business and social activities.

The legacies of war were manifested at various levels – from grand British plans for decolonisation to the social challenges of post-war reconstruction and the political awakening of the people across the political spectrum. There were also significant shifts in social policy in the immediate post-war years. The colonial government adopted a more involved approach to education, housing, health care and social welfare in Singapore, in line with the moderate socialist approach of post-war Britain, as well as to unite Singapore's plural society in preparation for de-colonisation. A Department of Social Welfare, for instance, was set up in June 1946 to continue the BMA's work of tackling the lingering social problems caused by the Occupation. The department set up free feeding centres for children and "People's Restaurants" where anyone could buy a cheap and nutritious lunch for 35 cents (later, 8-cent meals were introduced to help the urban poor).



Children's feeding centre in the post-war period. Ministry of Information and the Arts collection, courtesy of National Archives of Singapore



Children's feeding centre in the post-war period.
Ministry of Information and the Arts collection,
courtesy of National Archives of Singapore

Rounding off the final section of the exhibition is a reflective space where visitors are encouraged to consider how we remember the war and its legacies.

Surviving the Japanese Occupation: War and its Legacies

is on display at:

351 Upper Bukit Timah Road
Singapore 588192

Mondays to Saturdays: 9.00am – 5.30pm
Sundays: 12 noon – 5.30pm

Daily guided tours are available.

Visit www.nas.gov.sg/formerfordfactory

The original article was published in *biblioasia* Vol. 12 Issue 04 Jan-Mar 2017. *BiblioAsia* is a free quarterly publication produced by the National Library Board Singapore. It features articles on the history, culture and heritage of Singapore within the larger Asian context, and has a strong focus on the collections and services of the National Library. The online edition of *BiblioAsia* is available [here](#).

The original article was edited for *Archive Zones*.

“Restoration is now a digital art”

Richard Wright's Passage to India – and Tibet



Richard Wright

Since 1959 the Tibetan government and the Dalai Lama have been in exile in McLeod Ganj, a hill station above Dharamsala in NW India. The parliament, court, Dalai Lama's residence and principal temple are tucked into the hillside of the Himalayas. But I went there to visit the audiovisual collection in their Archive.

For 15 years I have been corresponding with the Venerable Karma Khedup, a Tibetan monk who had an early interest in media. Thirty-five years ago he was lying on the ground with a video camera filming an arrival of the Dalai Lama. He was noticed – and the Dalai Lama, whether by intuition or special powers, pointed at Karma and said “you will be responsible for all such recordings.” So Karma learned about audio, video and archiving, and built an impressive collection of recordings of the Tibetan government and people in exile.

They are part of the Library of Tibetan Works and Archives, a traditional building in the government complex. In addition to religious scrolls, hundreds of years old, they have an impressive 35,000 hours of audio and video (and some film). Many years ago I provided advice on digitisation, and since then they have digitised, stored on LTO tape and a server, made access CDs and DVDs and are building an online digital archive. I used to make myself unpopular in the BBC by saying that Croatia, Albania and the Tibetan Archive in Exile were all creating digital archives faster than we were!

With regard to technology: there is a moral here. Any collection with audiovisual content still on shelves has to catch up with Karma and get digitising. Of course FOCAL members, in general, are well ahead of the main body of audiovisual collections.

FOCAL members have had to digitise to stay in business, and increase business. But there are literally thousands of archives that are just getting started, or just planning to get started. The British Library *Save our Sounds* project conducted a survey of 3,000 collections from 500 institutions – and by my count over 95% have large amounts of content that is not in files.

Tough choices

Karma has very little film, but film collections face tough choices. I was in India (National Film Archive, Pune) for a conference organised by the Film Heritage Foundation and partners. With audio and video, we know we have to digitise. For audio

the process and standards are established, though for video – particularly HD and ‘born compressed’ video – there are complications with effective archiving.

For film, there is a ‘civil war’ between ‘digitise everything’ and ‘film forever’; the latter requires sub-zero storage, copying old stock onto new (while Kodak lasts). It gets worse, because digital is encroaching on ‘film forever’ from all directions: shooting, post production and restoration in digital – and cinemas across the world changing to digital projection.

I had hoped that India, with a vast population in rural areas and villages, would keep ‘real film’ projection alive and well in small cinemas. However the number given out at the conference was that 75% of Indian cinemas were already digital. The future of ‘film forever’ will be in the hands of art cinemas and specialist venues such as BFI Southbank.

What we all agreed on was the need to preserve films, including restoration to undo various kinds of damage. Detailed restoration is now a digital art: films will have to be digitised to be restored – so all parties welcomed the announcement of Indian government funding for restoration of 1,000 classic films. Whether after restoration they will be kept as prints or as files is still being debated!

Richard Wright

preservation.guide@gmail.com

Links:

[Karma's archive](#)

[British Library Save our Sounds](#)

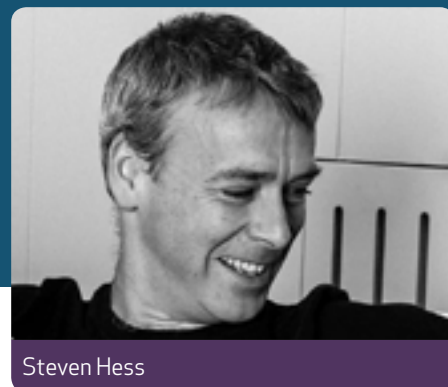
[Film preservation conference](#)

[And a Creative Commons-licensed photo of the Tibetan Archive](#)

“The Accidental Curator”...

or how **Steven Hess** set about fitting Woodfall’s classic films for the digital age

WOODFALL
FILMS



“You’re hurt because everything is changed. Jimmy is hurt because everything is the same.” This powerful yet simple line, delivered by Alison Porter, in *Look Back in Anger* describes the differences between her father and her husband. And the sentiment neatly describes the current dilemma facing everyone involved in the classic film industry. This world is radically changing but some of the practices and ways of working stubbornly stay the same. All around us the way the films are watched, preserved, searched for, paid for, where they make money, how they are promoted and how they are valued – culturally, creatively, commercially is shifting quickly and irrevocably.

It is into this exciting and turbulent world that I was launched a few years ago – my wife and her family gently easing me off into these uncharted waters. Woodfall, almost into its 60th year, owns the copyright and some distribution rights to many high profile English and international films that it produced – it’s first *Look Back in Anger*, it’s last *Hotel New Hampshire*.

The company was originally set up in 1958 by Tony Richardson, John Osborne and Harry Saltzman (James Bond producer and partner with Albert Broccoli in waiting) to produce the big screen version of Osborne’s play *Look Back in Anger*. The film’s release set Woodfall on a revolutionary road to shake up the comfortable world of English film production.

The Woodfall founders’ fiery, creative focus and openness to “the new” was a commercial and creative success. Catapulting many who worked with Woodfall from modest beginnings to stardom and fame. Between 1959 and 1976, Woodfall’s films were nominated by 19 awards panels for 126 awards, winning 58 of them. *Tom Jones*, Woodfall’s 1963 global blockbuster garnered 10 Academy nominations, winning four.

Missed the Oscars

Closer to home, Woodfall received 49 BAFTA nominations winning 12. The company enjoyed success at Cannes too, with 14 nominations and 4 wins. Often Woodfall founders did not attend the award ceremonies. Instead of celebrating the past, preferring to look to future projects. Famously, Richardson did not attend the 1964 Academy ceremony celebrating his success with *Tom Jones* because he was working on his next project back in London.

Inertia and the status quo are very powerful. Most classic films are part of huge libraries, sometimes owned by studios, sometimes by banks or investment funds, less often by anyone connected with their lineage. These films are transcoded into Standard Definition, maybe if lucky, High Definition. They then sit quietly on a tape or server patiently waiting to be plugged into the next distributor/broadcaster output deal. Their original camera negatives lost in the mists of time, their stories decaying from living memory, their relevance and impact weakening.

Whose job is it to curate and cultivate these films? Why should anyone care? These films tell us a story. Together they tell us the precious history of modern mankind – our hopes, fears, obsessions. Culturally these films give our history colour and texture. They are precious assets that once gone can never be replaced.

The internet is obviously an enormous part of our world today. Over 2 billion people have access to high speed broadband and by some estimates US users are watching upwards of five movies per month online. Google estimates that there is potential for 10 million to 100 million searches relating to classic films made each month. Searches for our own titles are in the tens of thousands. By any measure, this is a significant market. Yet we see the dominant online movie players focussing on the modern-day tent pole – blockbusters. This new market for classics is a huge opportunity, a bigger audience with larger appetites. Maybe it is time for an audience led re-think to licensing and marketing?

The traditional heartland of the industry, television, is suffering declining audiences and, despite the heroic performances of some boxed sets, DVD sales are in long-term decline. Yet, today, the majority of classic film revenue is still generated on television through output deals between the distributors and broadcasters. Huge swathes of the airwaves still need to be filled with content and, despite reducing viewers, broadcasters regularly draw from classic libraries.

Treated as fillers

Often these films are treated as filler, a reasonably economical way to populate airtime. As a result the economics

commoditise the films with little investment available to preserve and celebrate the titles. In most cases the cost of a high resolution scan at 2k or 4k (presuming that you can find some well-preserved source material) and quality re-mastering is well out of reach – challenging some classics with extinction.

These three forces – library ownership, business model evolution and the internet are reshaping the comfortable classic film industry. When I started advising Woodfall as its very ‘accidental’ curator we had over 1,200 different film elements in seven locations around the world. These elements ranged from the ten cans of 2,000 ft of original negative for some of our films through to VHS duplicates or even some 16mm prints. Elements were tracked in a multitude of spreadsheets across different suppliers. Some of our films were available in HD, all in SD, few restored.

We decided that we needed to simplify and upgrade our assets so we embarked on a significant consolidation, restoration and preservation project. Reducing the number of locations where we store elements, scanning our original materials and creating new high quality elements for HDTV, HD streaming download, Blu-Ray and DCP. But these new technologies throw up new questions – How much do you

restore? What happens if something is missing? How much, if at all, do you fill in? If you turn mono into stereo, how do you balance it? Do you use the best of available technology today or try to emulate the original environment? Weirdly this kind-of-filling-in happens all the time with modern televisions.

Our partners Criterion, Miramax, the BFI and Park Circus have been hugely helpful, supportive and enthusiastic as we walked down our revolutionary road. And previously we are very grateful to MGM for looking after the library.

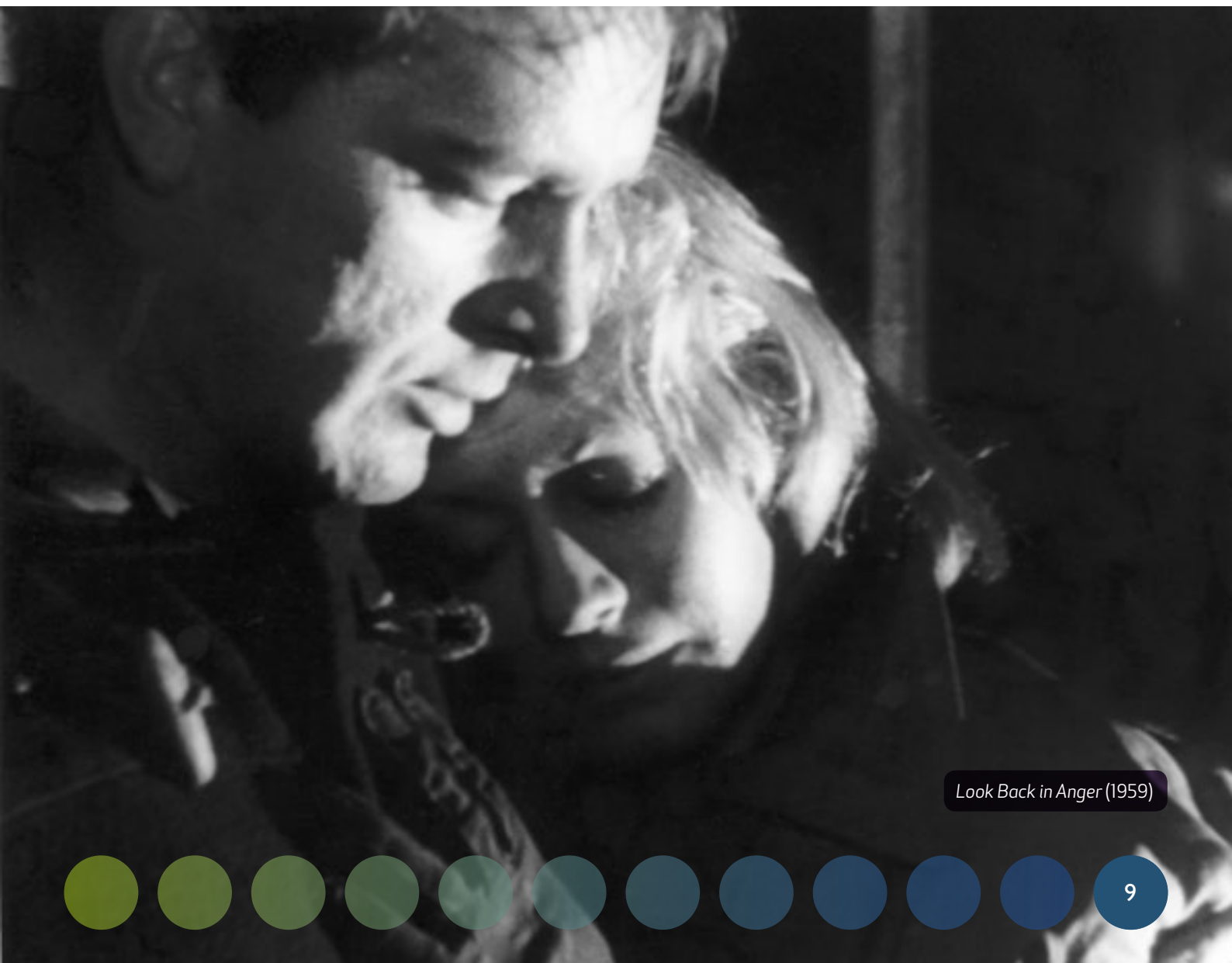
Now, three years into the Woodfall project we are making good progress and just embarking on a significant restoration of *Tom Jones*. As each film is complete, we will again shine light onto these films now ready for the new digital age.

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Look Back in Anger (1959)

The big decisions for 'legacy' format owners

Larry Jordan, a TV "producer, director, editor, consultant and trainer" who says "I have been doing this for 40 years" has written about his own collection of tapes and other media, his personal archive, and the problem he has preserving it. His blog is here:

https://larryjordan.com/blog/the-difficulty-of-preserving-our-past/?utm_source=Larry%27s+Newsletter+170116&utm_campaign=01%2F16%2F17+Newsletter&utm_medium=email

He presents a vivid description of both the value of his collection, and the size of his problem – mainly the problem of audiovisual collections on 'legacy' formats. In general, this isn't a FOCAL problem. I keep asking FOCAL members if their holdings are analogue or digital, and basically the response has been that they either digitised long ago – or (for the newer companies) they were 'born digital' and have no on-the-shelf legacy formats.

Which is not to say that Larry Jordan doesn't identify a real problem. I'm sure he does, but it would be film/video producers – FOCAL customers, not FOCAL members! – who hold such collections. The problem is probably acute for small production companies, particularly single individuals 'of a certain age' who would have shot/produced on those legacy formats.

But FOCAL members should be aware of the acute problem that such producers may well be facing. Unless the people who hold small, non-commercial collections do something now, the problem will only get worse. FOCAL members could even try to provide advice, but what advice? The solution to material on legacy, obsolete formats is to get it off those formats, as FOCAL members did long ago. The people who can provide that solution are the service providers – facility houses – who include legacy formats in their services.

Staying in business

There aren't so many companies working with archive formats, though some key facility houses with exactly the needed equipment and expertise are FOCAL members. But the inevitable problem with the facility house solution is that it costs money, and independent small producers (as a generalisation) don't put money into archiving, because they have to focus on the next project to stay in business. Their focus is very much unlike FOCAL members – who have to protect and update their content to stay in business.

What are the options for an individual archive? The collection may have historical and cultural value. Larry Jordan, for instance, has "original music from Don McLean and John Denver on 2" tape, Vincent Price talking about art history on 1" tape... Oprah's resume reel on ¾" that got her "that job" in Chicago from which her career exploded". But an interesting and even historically and culturally valuable collection is not the same as a commercially-viable collection, as FOCAL members know better than anyone.

There are institutions which might accept such a collection as a donation, though in general it would be much easier to place if already digitised! The Internet Archive (Rick Prelinger is the contact for audiovisual archives: rick@archive.org) is a possibility, and Linda Tadic has the Digital Bedrock project which may be an answer: <https://www.digitalbedrock.com>.

The small production house/independent producer got into this pickle by never having the time or money for updating the old content – and to get out of the pickle they will have to literally change the habits of a lifetime, compounded by having to pay a hefty bill – all at a time when they may well be winding up and heading for the rocking chair.

So personally I think most neglected collections will stay neglected, and that there is little anyone can do to change that. I wish I could say something more positive, and look forward to FOCAL members providing solutions that I don't know about.



Richard Wright

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Balancing budget with ambitions...

Paul Collard weighs up the options for film scanner investment

Film scanners come in many different forms and price ranges. Choosing between them may seem like a daunting task when confronted with a barrage of technology and performance claims. How should you go about selecting the most suitable film scanner for your needs and available funds?

At its most basic, a scanner is made up of three major elements – a light source, a transport system and a sensor to capture the image. Let's look in a little more detail at the options here:-

Light Source – Xenon has a full and even distribution of wavelengths across the visible spectrum and is the standard used in projector lamps in both film and DLP digital projectors, and in telecine style scanners such as the *Spirit*. Xenon lamps need periodic replacement and generate heat, requiring a heat filter in the optical path to protect film in the scanner gate. LED light sources have more recently been introduced successfully in many archive film scanners and have the advantages of a very long life, a high level of stability and run cool, minimising any effects on the archive film images.

Transport System – Either intermittent movement, frame-by-frame (with or without register pins, depending on shrinkage) or continuous, capstan-driven film transport, which eliminates the need for drive sprockets to transport the film and benefits from contactless laser beam stabilisation of the image, referencing the sprocket holes adjacent to the film gate.

Sensor – Either line array CCD's (the dft *Scanity* and *Spirit* range of telecine style scanners), or CMOS full image frame sensors, used in many other film scanners.

For the high end restoration projects, which involve scanning 35mm film masters in 4K or 16mm film in 2K at the highest possible image quality, the *Arriscan*, which oversamples the 35mm image at 6K, outputting at 4K, is typically used in double flash mode, which extends the dynamic range of the digitally captured film image by combining two digital exposures of the low and high ends of the film tonal range via precisely controlled, cool, RGB + infra red light sources.

The frame by frame scanning rate is 1 frame/sec at 4K or 4 frames/sec at 2K, so the scanning process is slow. *Arri* make a special sprocketless archive kit for shrunken or damaged 35mm film, with contactless sprocket hole registration and an oversize gate which captures all the film edges, and they also have an archive wet gate option, which has the advantage of greatly reducing the visual appearance of mould damage on early films.

The *Northlight* is a similar high end scanner and both are at the high end of the scanner price range, though good used machines do become available on the market.

High end

The *Scanity* is the high end telecine style scanner from dft designed for archive film. As it has a continuous capstan driven sprocketless transport, with optical perforation stabilisation, the productivity is much higher, 25fps at 2K or up to 15fps at 4K and a wet gate option is available. It uses a cool LED light source a high dynamic range



Arriscan film scanner

CCD sensor with double flash capability (in the HDR version) and is popular as a workhorse scanner in Archives where versatility is needed to scan both in highest quality and in high volumes. The *Scanity* also has the option of optical and magnetic sound heads to capture sync audio tracks from the film at the same time as picture image.

High volume

The *Golden Eye 4* Film Scanner from Digital Vision was developed with film archives and restoration in mind, having a capstan driven gentle film transport, LED light source, optical registration and scanning versatility from 8mm to 70mm film formats and in SD, HD, 2K or 4K resolutions. It is designed to integrate with Digital Vision's suite of restoration tools. Scanning speeds of 25fps at 2K or 11fps at 4K are possible, making it suitable for high volume archive scanning as well as handling older damaged archive films. Optical sound decoding is also available alongside film scanning.

Recently introduced scanners include the *Blackmagic Cintel* scanner which is lightweight and low cost, yet specifies scanning at up to 4K and a speed range of 0-30fps with a *Thunderbolt 2* high speed data port, 16mm & 35mm gate availability and LED RGB light source. Blackmagic aim the *Cintel* scanner towards re-scanning good condition 35mm films in UHD for television, packaged with their *Da Vinci Resolve* colour correction software.

Kinetta make a desktop film scanner with interchangeable components, designed for more delicate archive films and further details can be found at <http://www.kinetta.com/overview.html> together with an interesting cost analysis of film scanning. Also MWA's *Vario* range of film scanners have long proved to be reliable workhorses for bulk scanning of archive films mainly for access purposes. Finally *Lasergraphics* have long been manufacturers of scanners, but they are lesser known in Europe than in the US.

Hopefully this short overview of film scanners will provide a helpful guide in matching individual archive requirements with scanner types and I would always recommend test scans on your own archive material at an early stage

in your evaluations.

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FOCAL INTERNATIONAL LIFETIME ACHIEVEMENT AWARD 2017

'Hiking around planet archive'...



Serge Viallet reveals the privileges and pleasures of his journey to FOCAL's **Madeline Bates**

Q: Your work with archives is extensive and diverse – can you tell us about how you first became attracted to using archival material in your films?

A: It happened in the late 1980s. I was making a documentary film about the *Bridge on the River Kwai* and the *Death Railway* (broadcast on *Timewatch* BBC2). In this film I met about 40 British, Dutch and American former prisoners of war plus former coolies, Japanese guards and engineers. Having no budget to hire someone to do film archive research in England and United States, I did the job myself. That was a fabulous first experience in the world of archives!

I started with the Imperial War Museum in London and Paul Sargent was the first person I met in this field. How lucky I was! Then, I went to National Archives on Pennsylvania Avenue, Washington D.C. and was very lucky to be welcomed by Mark Meader. Since that first lucky experience, I consider digging in the archives as part of my filmmaker work – work I sometimes have the pleasure to share but work I'm always involved in.

Q: Not only has archival material been integral to the work you have produced, you were also responsible for setting up the archive for Médecins Sans Frontière and the Cambodian National Archive. Both of these are fascinating and valuable examples of archives. What

did these projects show you about the importance of archives?

A: From early '80s for a period of about ten years I travelled the world with a camera for Médecins sans Frontière's audiovisual department (Etat d'Urgence Production). Since then many others have done so. We filmed the medical activities in very different countries and situations. Fortunately, all our filming was well preserved and documented by Etat d'Urgence Production. But there was an additional necessity to ensure such a treasure of audiovisual memory – about 5,000 hours – by could be kept for long, technical and financial investments.

I was now working on the *Mysteries in the Archives* series at INA, so I played the role of the go-between INA and my friends at Médecins sans Frontières. After years of 'approach, meetings, datings' they got MARRIED! Today, I'm proud to say that those 5,000 hours of moving images are well preserved and documented at INA. It is now a shared memory of more than 35 years of Médecins sans Frontières activities that can be screened, studied and ordered from INA's web site.

No, sorry to say, I haven't worked for the Cambodian National Archive. I do give a hand to a remarkable, fascinating Franco-Cambodian film maker named Rithy Panh who created Bophana Audio Visual Resource Centre at Phnom Penh (2006). At the Centre, Cambodian people and visitors from foreign countries may, among other archives, screen about 40 hours film footage recorded by the Khmer Rouges between 1975 and 1979. This is a unique and extremely important memory of the dark days of the Khmer Rouge regime. Rithy Panh and his family suffered the dark time of the Khmer Rouge regime. He later studied filmmaking in Paris and became (in my opinion) one of our very best documentary film makers. So Rithy Panh is a filmmaker who also heads the Bophana archive centre and I try to help him.

I do this because Cambodian film makers wishing to make documentary films about the recent history of their country face many problems for getting access and the permission to use film footage archived in Western countries.

Q: What would you say is your greatest professional achievement to date, or is there one particular achievement that means the most to you?

A: I would say my greatest professional experience has

been sharing, for more than ten years, time at INA with a bunch of archive lovers, diggers generously offering their skills as documentary film makers, producers, film editors, historians, image and sound restorers, translators in the making of the *Mysteries in the Archives* series. Since 2006, we've been producing that series based exclusively on archive footage – no talking heads at all!

We are lucky to have the privilege of making a series in which the first purpose is to investigate film footage. I never thought I would go through such an experience! And it is a true pleasure to share with television viewers the result of our archive diggings and investigations. *Mysteries in the Archives* will soon become a series of 50 episodes of 26 minutes. More than 300 people have already been involved in one way or another, from the producers INA, with Arte TV as the first broadcaster and the faithful support since the beginning from YLE in Finland and RSI in Switzerland.

Q: What advice would you give to someone starting their career in this field?

A: Apart from what we can call the historical Archive centres, I feel it is important to get an idea about the numerous archive centres created in recent times around the world. What do they offer? Why? How? Editing? Raw footage?

I'm convinced it is important never to forget, that over a century, images and sound archives have been recorded by men and women with technical instruments (cameras, opticals, film rolls, tapes, sound recorders...) offering very different technical possibilities, decade after decade. No way (in my opinion) do we understand well and give proper value to archive footage without having a little

knowledge in the field of cameras, films, opticals, sound recorders and microphones.

Maybe I'm particularly concerned about this approach because before I worked with archives, I created archives working as a cameraman.

Q: What do you hope for the future of archives?

A: Archives are a fabulous, unique treasure in terms of memory of the recent history of our societies around the world. Moving images recorded since late 19th century and sounds recorded since late 1920s are part of our collective memory.

Today, thanks to the internet, archives can be shown and shared not only with people working in the field of audiovisual activities or with historians but with EVERYBODY. The more our societies have access to archives, the more new ways to use those archives will emerge and enable us to participate in the building of our future – meaning, that documenting our archives well becomes more and more important.

Archives have to be more SHARED. That is my hope for the future. And when I say shared I mean making efforts to give access not only to edited archives but also access to the raw footage.

Q: How does it feel to be the winner of the FOCAL Lifetime Achievement award?

A: Proud! Moved! Extremely thankful! Lots of thought for my mentors in England, in USA, in France! Many thanks to all the archive lovers I have met around the world. I owe them much for enjoying so much 'hiking around planet archives' since... long ago!



Final Nominations for the 2017

Best use of Footage about the Natural World

America's National Parks at 100
Smithsonian Channel (USA)

Into the Inferno
Spring Films and Werner Herzog Film (UK/Germany)

Zoo Quest in Colour
BBC Natural History Unit (UK)

Best Use of Footage in an Entertainment Production

How Quizzing Got Cool: Brains of Britain
BBC Studios (UK)

Les Dawson Forever
ITV Studios / Shiver (UK)

When Magic Goes Horribly Wrong
Crackit Productions (UK)

Best Use of Sports Footage

1966: A Nation Remembers
Blakeway North Television (UK)

George Best: All by Himself
Fine Point Films, ESPN Films and BBC (UK)

O.J.: Made in America
ESPN Films and Laylow Films (USA)

Best Use of Footage in a History Production

Challenger Disaster: Lost Tapes
1895 Films (USA)

Hitler's Games – Berlin 1936
Roche Productions (France)

Tokyo Trial: Judging Japan
Point du Jour (France)

Best Use of Footage in a Factual Production

Asunder
Blanche Pictures (UK)

Saddam Goes to Hollywood
Mentorn Scotland (UK)

The War Show
Fridthjof Film (Denmark)

Best Use of Footage on Other Platforms

Guinness: Story Of John Hammond
Hazel May Ltd / AMV BBDO (UK)

Lurpak 'Game On, Cooks'
The Director Studio / Wieden & Kennedy (UK)

Terence Donovan: Speed of Light
Dog and Duck Films (UK)

Best Use of Footage in a Music Production

The Beatles: Eight Days a Week – The Touring Years
White Horse Pictures and Imagine Entertainment (USA/UK)

The People's History Of Pop
7Wonder Productions (UK)

Tom Jones' 1950s: The Decade that made me
BBC Music Television (UK)

Best Use of Footage in an Arts Production

Charles Pathé & Leon Gaumont, Reel Rivals of the Cinema
Program33 (France)

Eat That Question – Frank Zappa in His Own Words
Les Films Du Poisson, UFA Fiction / Sony Pictures Classics (France / USA)

Saddam Goes to Hollywood
Mentorn Scotland (UK)



The FOCAL International Awards 2017 will be hosted by Hardeep Singh Kohli

Best Use of Footage in a Cinema Release

Bobby Sands: 66 Days
Fine Point Films (UK)

Eat That Question – Frank Zappa in His Own Words
Les Films Du Poisson, UFA Fiction / Sony Pictures Classics (France / USA)

The Beatles: Eight Days a Week – The Touring Years
White Horse Pictures and Imagine Entertainment (USA/UK)

Best Use of Footage in a History Feature

Letters From Baghdad
Letters From Baghdad Ltd / Between the Rivers Productions LLC (USA/UK/France)

School Revolution 1918-1939
Les Films Du Poisson (France)

The Tragedy of the International Brigades
Kuiv Productions (France)

FOCAL International Awards

Best Archive Restoration/ Preservation Title

Napoleon

BFI National Archive (UK)

King of Jazz

NBCUniversal (USA)

Memories of Underdevelopment

The Film Foundation/Cineteca di Bologna/
L'Immagine Ritrovata (Italy)

Best Archive Restoration/ Preservation Project

*1912-1992: 80 Years of Olympic
Films Restored*

International Olympic Committee
(Switzerland)

Cinecolor Restorations of *Canadian
Pacific* (1949) and *The Cariboo Trail*
(1950)

TLEFilms Film Restoration &
Preservation Services (Germany)

Zoo Quest in Colour (1950s)

BBC National History Unit (UK)

Footage Library of the Year

British Pathé

(UK)

Reelin' in the Years

(USA)

ITN Source

(UK)

Footage Employee of the Year

Simon Wood & Team

ITN Source (UK)

Robin James

Getty Images / BBC Motion Gallery (UK)

Kieron O'Leary

IFI Irish Film Archive (Ireland)

The Jane Mercer Footage Researcher of the Year Award

Nina Krstic (USA)

O.J.: Made in America

Véronique Nowak (France)

School Revolution 1918-1939

Rich Remsberg (USA)

The Bandit

Lifetime Achievement Award

A gift of the FOCAL International Executive

Serge Viallet



Serge Viallet



USEFUL LINKS:

To See the full list of 199 submissions to the FOCAL International Awards from mainly North America and Europe, click on the category drop-down list on [the FOCAL International website](#).

To buy tickets for the FOCAL International Awards Ceremony on 25 May at the Royal Lancaster London Hotel, [click here](#).

Bachir – hero or monster?

Turning the story of a Lebanese legend – assassinated at 34 – into a five-hour television series told by writer/director **Mouna Mounayer**



Sometimes legend and history become confused. A hero to some; a monster to others. Born in the spring of Lebanon's independence, Bachir Gemayel was shaped by the civil conflict which engulfed its streets and brought the country to its knees. He lived his life in the theatre of war, rising to power and capturing the imagination of the public. He was the youngest President in the history of his nation. He is lionised by Lebanese Christians, who still adorn walls with his pictures over three decades after his death. But the real Bachir Gemayel was not a two dimensional image. He was a complex man with an unwavering goal. He was the first Lebanese President to be assassinated. A hero in his lifetime, his death made him a legend.



Bachir Gemayel

As I wrote the above summary for a documentary series I was asked to make on the life and times of one of the most controversial figures in modern Lebanese history, I began to have grave doubts on how such an in-depth biography could be made without enough video material to fill hours of television. When we began to write the series, it expanded from a two-hour special to a five-hour series. The Gemayel family had generously given me their photo archive which contained around

7,000 stills covering his life and I was suddenly very afraid the series would end up looking like a narrated PowerPoint presentation, moving from one still image to the next, for five long hours.

Bachir Gemayel was assassinated in 1982 at the age of 34. He stood on the brink of his presidency and he might have effected a quick end to the civil war, which brought Lebanon to its knees between 1975 and 1990, but it was not to be. It was only in the last few years of his life that he realised the importance of having a videographer follow him around and then only on an ad hoc basis.

There were no home movies, no videos of his day-to-day life and none of his controversial meetings with the then Israeli Defence Minister Ariel Sharon and other Israeli leaders. Our research had shown that global news agencies had covered him as a war lord but

only very intermittently. Like Syria today, Lebanon in the 1970s was a very dangerous place for journalists to be. Many were killed or kidnapped – John McCarthy and Brian Keenan being the most famous.

My first reaction to the lack of archive footage was “Should I make a docudrama?” A genre, by the way, I am not fond of but one, which would easily convey those aspects of Bachir Gemayel's life when archive was not available. In making this series, I wanted to put Bachir in his historical context; to be able to convey to the younger generations of Lebanese – who do not know him outside of his reputation as a war lord – how a man who was the ‘black sheep’ of his family, went from spoilt brat to war lord to statesman. I wanted to examine

his motivations and subsequent actions and I did not want to use archive in the usual sense, which is to say that, I did not want the archive to be used simply as a means to highlight the episodes of Bachir's

life. I wanted to use it as if I had filmed it. I nixed the idea of a docudrama and went back to the drawing board.

After months of research, and finding out the hard way that getting the exact archive you want means asking hundreds of questions, in-putting thousands of keywords and trying a million permutations, we finally gathered all the archive on Bachir and the history of Lebanon from his birth in 1948 to his death in 1982.

Stored in various libraries around the world, we mined the likes of BBC Motion Gallery, ITN Source, AP, INA, Reuters and anything we could get from Lebanese broadcaster LBCI, a television station, which was founded by Bachir Gemayel himself in 1980. At this point, I must mention the incredible, knowledge, patience and help of all the archivists who assisted us in locating footage. If it were not for them the series would never have seen the light of day.



President Amine Gemayel, Georges Ghanem and Mouna Mounayer



Dany Chamoun and Bachir Gemayel



Najat Bachir and Mouna

The series *Bachir* took exactly 18 months to make, from rolling the cameras to the final edit. The first six months were taken up with filming all the interviews – over 40 – and gathering 150 hours of archive. In my decades as a documentary director, I almost always know at the outset of any film where my story is going and how it would develop. Of course there are always surprises but generally I like to structure how I tell my story and what to film and which style to use, to the last detail. Making *Bachir* could not have been more different.

Here I was faced with over 100 hours of footage filmed by many, many people in different styles and in multiple formats. But this time instead of controlling the process, I allowed the disparate archive to lead me in the direction it wanted. It was one of the most liberating filmic experiences of my career. It is hard to describe but, essentially, the footage dictated not only how the story was told but the music composition and the editing style.

My editor, Marcello D'Aloisio, had his work cut out for him. He had to Photoshop 7,000 stills and re-size them, re-frame and re-size 4:3 SD footage to 16:9 as well as de-interlace all 150-hours footage. What I did have to control, though, was the media we gathered so as not to drown my editor in irretrievable information. Unusually for a documentary series we had to create an in-house mini digital asset management system to organise all our data. This learning curve came in handy a few years later when my partner Najat Rizk and myself launched our own clip sales business *Firehorse ARC* as an offshoot of our production company *Firehorse*, which co-produced the series *Bachir*.

Time is always of the essence in productions but in this case I was given the luxury of time and I believe this allowed me and my team to live with the archive, to let it speak, to work with it so that we could extract the best possible film, frame by frame. It paid off. In September 2016, the series premiered on Lebanese television to rave reviews and a lot of ballyhoo.

Working with archives as a film-maker, as a writer, as a director and now as the owner of an online archive has opened my eyes to how essential a tool it is and is going to be to film-makers. Now, as I catalogue my own archive, I ask myself, how is someone going to find this piece of footage and how can I make their lives easier but most importantly how can I inspire them to use a piece of archive that may appear, on the surface, not to have a place in their film but is, in fact, essential to the telling of their story. It is in those bits of archive, that are not directly about the man, that the heart of *Bachir* beats.

Mouna Mounayer

Writer/director

Co-founder *Firehorse* (Production Company) &
Firehorse ARC (online Clip Sales company)

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From sofa seating cinemas to archive restoration –

Daniel Broche explains to FOCAL Chair, Sue Malden, the niche business trail blazed by Bliss Investments



Daniel Broche
Bliss Investment Partners



Sue Malden
FOCAL International

SM: Bliss is a new name in the archive world. Can you tell me something about Bliss Investments?

DB: We are a private Office Investment Partnership. We invest in and work with selected partners in different property and operational investments. Through proactive collaboration we add value, maximising returns on investment and realising shared objectives and common goals. My business partner – Bob Agsteribbe (robert@blissinvestmentpartners) – and I have known and worked with one another for many years. We have various experience from property investment and development to hotel and leisure investment and operations.

Specifically, in 2000 we bought the old *Everyman Cinema* in Hampstead Village out of receivership. We conceived and implemented a new approach in cinema which focused on the experience instead of the film. We pioneered sofa seating, table service, wine and good coffee all in a great environment more akin to private screening lounge. From humble beginnings the Hampstead venue became the leading independent venue in London. In 2007 we raised investment to acquire the Screen Group for approximately £6.5m.

We often trust our instinct rather than complex market assessments. We've found that, a lot of the time, people don't know what they want till you give it to them and we're following the same instinct with the archive business.

SM: How did you get involved with the archive restoration business?

DB: From a small opportunity – everything starts from an idea and a conversation. We were approached by someone who told us about the BBC equipment for sale. We instinctively “picked up” on this and asked – what is archive content? We were not alone – It is incredible how many people have not heard of archive (as a business sector) but watch their content and take it for granted. Very quickly this fanciful idea became a reality when we met Jo Griffin who in her inimitable way said “OK”. And away we went with the idea.

SM: Did you know anything about archives before you set up R3store?

DB: No but we went on a quick learning curve!

SM: What have you learned? Do you enjoy the business?

Learning the business

DB: Loads so far – specifically my wife found some old family home movies which were sitting in a box somewhere. We were able to take these to R3store and get them into a state that we could view them. Rob did the same with footage his family found. The first of these films we saw was of my older daughter, aged about three, holding her day-old sister. They cried when watching it – this reinforced to me the value and power of what we do at R3store daily.

We also love Jo and the team – without them nothing is possible. We enjoy the day-to-day work. How we feel about things is important to us – thinking back to the pleasure that I could see on my daughters' faces when they first saw that family archive film was wonderful – we want to bring that feeling to others through our restoration work; and that is the way we want to sell our services – not based on the technical jargon and complexities of 4k etc.

We want to develop the business by R3store owning either jointly or wholly and then sell that through our own delivery platform.

SM: So what kind of footage are you looking for? Would you like Archive Zones' readers to let you know about their collections?

DB: Absolutely. We are interested in world content reflecting personal histories. Frequently people do not know what to do with their archives – there is no incentive and it costs a lot. So they approach others to curate the content and restoration has to be part of that. Our objective is to be a 'one stop' shop – curation to production. We're already in discussion with various entities from all over the world. Our new Commercial Director, Matt Wills, started on February 20th and has a particular track record in content sales and acquisition. We're very ambitious – so watch this space!

SM: Some facility houses have been pulling out of film restoration. Is this an area you might specialise in?

DB: That is true – and I guess on one hand it could be a worrying sign. However, we look at things differently – this reinforces the opportunity for us in a niche market. We like a niche business!

SM: Are you optimistic about the future?

DB: Always – we trust our instincts and are confident in our abilities – not just in business but life in general! It's an exciting world, full of opportunities. As Woody Allen famously said, "99% of success is turning up" and we are serial "turn uppers". More specifically, some interesting things are on our immediate horizon, including our support of the BFI's Archive Futures aimed at archive and collection specialists and managers from around the world who want to share their own experiences and learn from professionals at the 'cutting edge' of archive practice, as we enter a new digital age.

Archive at Everyman?

SM: I understand you are also involved with the Everyman Cinema chain. Could you use this link to show more restored archive productions?

DB: I'm proud to be the founder of Everyman Cinemas as it is today – an AIM listed company with a pipeline of 26 venues, revenues of £20m+ p.a. and a market cap of £60m'ish. Not bad from a 'cold start' and year one turnover of £289,000. Definitely synergies there – for instance, R3store are sponsoring the IWM's short film festival and I'm hooking them up with Everyman. Maybe we need to talk more about a FOCAL International Archive Film Festival?

SM: How do you think you can benefit from FOCAL International membership? Is there anything we should be doing to help develop the restoration business?

DB: Immediate recognition for our new company and a platform for networking. We think you're doing a great job, so more of the same. Maybe the aforementioned film festival?

SM: Many thanks for the very generous contribution you made to our summer party raffle!

DB: There can be more of that!

SM: Many thanks!

Daniel Broch

Bliss Investment Partners

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HOW TO VERIFY
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WORK



In search of the Right Life outside BBC

The 'brave new world' of Ben Green



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It's hardly Breaking News... there have been countless others who've left the BBC over the years, either through their own choice (like me), or for other numerous reasons. But after a brief stint (just shy of 21 years) dedicating myself to its public service and working with a fascinating array of creatives, technologists, strategists and business colleagues, I decided that I wanted to shake things up, 'untie the apron strings', and head out into the world.

As Head of Rights Business Development at the Corporation, my role was to lead the strategy and delivery of rights negotiations to deliver new services, products and partnerships. I had a rather schizophrenic existence, always looking both towards the future and backwards in time: from changing framework agreements to deliver the ground-breaking (and still industry-leading) *BBC iPlayer* – which took many years of challenging negotiations to achieve – to online archive releases such as the *BBC4 Collections*, the *Wildlife Finder* with hundreds of natural history extracts, *Desert Island Discs* and Alistair Cooke's *Letters From America*.

Plus, of course, the commercial deals for BBC programmes to be sold around the globe with revenue being re-invested in new programming – whether that was to *Apple iTunes* when it first launched, to more recently delivering the rights to over 10,000 hours of TV programming (new and archive) for the UK public to buy digitally and keep via *BBC Store*. It was hugely rewarding and interesting work, delivering new services to millions of people. Dull it was not...

Departing the BBC 'family' (which it was) has been a big step. But it has shown me that the experience, skills and knowledge I gained from all the above have proved invaluable and equipped me to explore the many opportunities out there to help others with their rights strategy, negotiations and management. There is clearly a need for a wider awareness (and simplification, if possible) of how rights work.

'Rights' is often held up as the main issue or obstacle when delivering a new content service or product. It's an area

viewed by colleagues from other departments as complex, time-consuming, and financially or legally risky (especially if you get it wrong!) so they tend to either 'run for the hills' or 'glaze over' when the detail is explained. Whilst those concerns are all valid, experience has shown that it essentially boils down to establishing a good relationship with the rights owner to 'strike a deal'.

Seeking 'Win-Win'

My wise old boss always used to say, "Negotiations break down only when the relationship isn't there". There is, more often than not, a pragmatic solution to reaching an agreement where both sides obtain some benefit (to get the 'Win-Win' outcome).

So far, life on the outside has presented a fascinating variety of challenges, including: a new SVOD (Subscription Video on Demand) start up; strategy for a proposed digital rights framework for the Arts; a National Archive looking to release more of its holdings online; and a broadcaster from the Far East keen to learn how the UK has such a progressive rights landscape.

I've also discovered no shortage of ideas for finding new methods of exploiting existing archive catalogue, whether that's Cinegi's new model for arts cinema screenings (<https://cinegi.com>), OTT and SVOD platforms springing up to serve the 'ultra-niche' audience (gardening or fly fishing channel anyone?), free offerings which then drive another commercial area more strongly, even people starting to think about licensing rights in Space (!).

All of them are challenging existing models but clearly dependent upon audiovisual catalogue and rights deals being put in place, and they often create problems and issues to solve outside the existing, well-established copyright legislation and licensing models. And that's before we start looking at the huge implications of what's fast coming down the track.

'Super intelligent' technology

Whether we like it or not (or argue that the BBC has played a small or large part in this), the way we now

inhabit our homes, towns and cities, and learn, work and spend our free time, has all been fundamentally altered by the rapid development of increasingly powerful and sophisticated technology over the past few decades. We are also faced with an increasingly uncertain world (in lots of ways), where the population tends to either embrace change and technology, or cling onto certainty and the familiar.

Our global tech firms and media organisations fully understand this, aiming to make their products both cutting edge and cosily familiar at the same time, to ship more hardware and increase subscribers. But we should all be aware that very soon (within our lifetime) there is likely to be a tipping point where technology is 'super intelligent' with our global tech firms potentially unable to control it.

If that all sounds just a bit too 'sci-fi' and unfeasible, only last week I attended a mind-blowing seminar on AI (Artificial Intelligence) hosted by a leading City law firm. There is already in the marketplace the rather cute, wizardly products (for example Amazon's *Alexa* / *Echo*) from which you can apparently conjure up recipes, play your favourite music at the perfect volume, AND call your mum hands-free whilst you cook dinner!. Film scripts and music have already been created by AI. But the biggest wake-up call was to learn that, on the current projectile,

by the year 2040 machines will be capable of any task completed by a human. Yes, that's correct – in just 23 years' time.

And within weeks (or hours) of that point in time, machines will be super intelligent and exceed human capability. As well as the moral, ethical and regulatory challenges of this happening, there are naturally Intellectual Property and Copyright issues to work through. Who owns the copyright or other IP in works created by the machine? (views differ on this around the globe). Who exactly will be liable if a machine 'goes rogue', or infringes third party rights? And if a machine can read and then think for itself to amend data (or is hacked by a more intelligent machine), how is the original (human) rights owner going to be able to challenge such machine ownership?

Life at this current time? In or outside the BBC, dull it is not...

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The “Snapper Up of

...or how hoarding out-takes made me ‘smart by accident’

Over the past couple of decades, my own productions (most of the documentaries I have made in my career are my property – some 80 titles), have been a rich source of stock footage, serving primarily North American and British film-makers. This material includes the bedrock of the documentaries I made on apartheid – *White Laager*, *Generations of Resistance*, *Winnie Mandela*, *Nelson Mandela: Prisoner to President*, *The Nuclear File*, *In Darkest Hollywood* (a history of films on South Africa), and, post-apartheid, *Sangoma*, on traditional healers in Zululand. My work in southern Africa extended to neighbouring Rhodesia during the civil war, later on AIDS in Zimbabwe, and Swaziland.

Beyond those areas, I made a number of documentaries for Swedish Television in Britain during the '60s, namely, on a London pub (*Pub*), a Soho strip club (*Strip*), a motorcycle gang (*Chelsea Bridge Boys*), *Immigrants*, *Royal Hospital*, *Public School*, and *Anatomy of Violence*, the latter coverage of the Dialectics of Liberation held in London in 1967, which featured RD Laing, Herbert Marcuse, Allen Ginsberg, Stokely Carmichael, and many other anti-establishment figures.

For BBC, I did *D.H. Lawrence in Taos*, on the writer's time in America. When I moved to the States, I did a lot of work on the anti-war movement that included my *Where's George?*, on a deserter who took sanctuary at Columbia University. Also in New York, I interviewed Jean Genet at Black Panther Headquarters. In California, I interviewed Angela Davis in prison and recorded aspects of the drop-out culture there. I made a film on the U-2 incident and a Norwegian spy, *Counterpoint*.

My completed films were mostly assigned to distributors, but at a certain point I realised that they would yield me a bigger income if I self-distributed. The market was not huge, but in the States – unlike UK at that time – many universities maintained substantial audiovisual libraries, so they were my primary target.

University market

Some universities have purchased virtually my entire collection. Throughout the years, this niche distribution has yielded respectable income. Once I began with my own films, it made

sense for me to undertake distribution for other producers, so I gathered titles from producers of like persuasion. I almost certainly have the biggest collection of films from South Africa in North America, apart from other items of interest, such as the classic Yippie Party Commercial, from 1968.

In 1964, I was living in Sweden, working for Swedish Television as a freelance producer/director. I had returned from a trip to the Caribbean, where I had made a number of documentaries (Cuba, Belize, Jamaica). These documentaries were edited at Swedish Television, but were my property. Some time after they were completed, I went to Swedish Television's archive, and asked for the out-takes. The archivist, a friend of mine, pointed to a chopping block with an axe embedded in it!



Anatomy of Violence (1967)



Siliva the Zulu (1927), the first feature film made in South Africa, and possibly the whole of Africa, with an all-black cast

Unconsidered Trifles”...



Eddie Fisher and Eddie Cantor in *The Rise and Fall of the Borscht Belt*

It fills me with amazement to think of the cavalier manner in which studios – and even producers – worldwide did and do routinely jettison out-takes once a film is finished.

One of the very few smart things I did in my life was not to throw away out-takes. This was smart-by-accident: I can't claim any special vision in conserving footage that seemed to have served its purpose, but it has paid off handsomely. After a suitable passage of time, material edited and unedited assumes equal value to the searcher of footage.

Home movies

Apart from my own out-takes, I became a conservator of found materials – like Autolycus in Shakespeare's *The Winter's Tale*, I have become “a snapper-up of unconsidered trifles”. This included an area that I think is much neglected – that of home movies. My South African research yielded film of the Congress of the People (1955) and the last day of the Treason Trial that ended in 1960.

One particular gem is an hour-long collection of anti-apartheid activities on the part of several inter-racial groups during the '50s. Other material includes a collection of propaganda films made by the apartheid government, and distributed free overseas. With the advent of the post-apartheid government, many of these were destroyed.

From street vendors in Johannesburg, I have purchased 16mm reels of *African Mirror*, South Africa's cinema newsreel. Said to be the world's longest-running newsreel, it was established in 1913, and ran into the '70s, folding after the late advent of television to South Africa in 1976. This booty from the '50s is heavy on white social events, especially sport. No politics, other than the opening of Dr. Malan's parliament.



Anatomy of Violence (1967)



Pub (1962) – a documentary made at the Approach Tavern in Bethnal Green

Conspicuously absent are black activities, virtually the only exception being black police boxing. Some minor gems: Prince Ali Khan and Rita Hayworth in Nairobi, Danny Kaye in Rhodesia, and a visit to Johannesburg by Maurice Chevalier. One item is headlined “Preserving South Africa's movie history”.



The Rise and Fall of the Borscht Belt (1986)

I made a substantial collection of home movies when making *Rise & Fall of the Borscht Belt*, that area of upstate New York that was historically the summer vacationland for New York City Jews for well over half a century. This region was famously a training ground for aspiring comedians, actors and writers, and I have early film of Joey Bishop, Eddie Fisher, Eddie Cantor, among others. These, and much other material, constitute my “unconsidered trifles”.

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In praise of film collectors and pirates rather than archivists

A Thousand Cuts: The Bizarre Underground World of Collectors and Dealers Who Saved the Movies

Dennis Bartok and Jeff Joseph

University of Mississippi Press

Film is dead. Digital is the future. Eastman Kodak, whose very name is synonymous with the making of film stock, filed for bankruptcy in 2012. Distributors no longer deliver film prints to cinemas in North America. Cans containing reels of celluloid have become a thing of the analogue past.

In sounding the death knell of film, *A Thousand Cuts* tells the story of one part of film culture that is also disappearing, that of the sometimes bizarre network of film collectors and dealers who obsessed, fought over, bought and sold, hoarded – and sometimes stole – prints of movies. And it's a murky and weird world that authors Denis Bartok and Jeff Joseph discover in a series of meetings across America – stories from which form the body of the book.

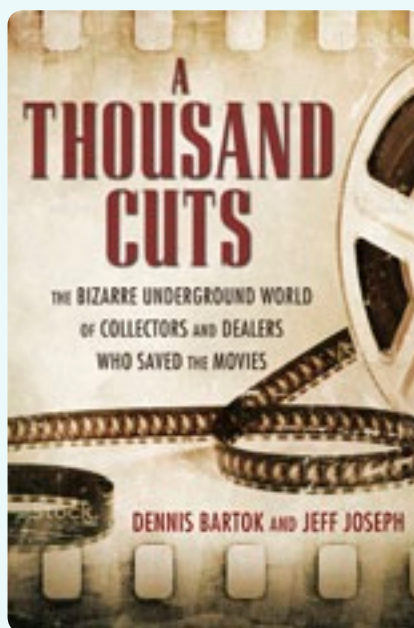
Most of the film collectors are white, male and a surprising number are gay. Mostly they live around Los Angeles or New York. Many are relatively wealthy, as buying film prints was an expensive business. Some have re-built their houses to construct a 35mm projection box with enough 'throw' to project an image on a distant wall. Most are, not surprisingly, single – preferring their hobby over their partner. All of them are obsessives with varying degrees of crankiness. "Do you know you're sitting on *Ben Hur*" a collector tells one of the authors during an interview. It turns out that several reels from one of the many *Ben Hur* prints the collector owns are holding up the settee!

Some of the collectors are renowned film historians, like Robert Osborne. Others trade in or run shops selling film memorabilia: props, costumes, posters and the like. Some have discovered treasure, finding missing scenes from old prints of movies that had been removed at some point, like Tony Turrano who found a dance scene between Fred Astaire and a shroud that had (perhaps wisely?) been cut from *Second Chorus*.

FBI raids

There is a thin line between the legal world of collecting and the illegal world of film pirates. Some characters in the book have lived a shady existence that brought them up against organised crime, like Al Beardsley who was nearly killed in a hit-and-run attack. In the 1970s, prompted by the Motion Picture Association of America, the FBI began to raid several collectors and seize their prints. Many were told they would not be charged if they named other collectors.

Dozens of collectors were arrested for selling copyrighted goods. Their legal defence depended on the 'first sale doctrine'. This argues that if you own a copy of for instance a book, after you have read it



you can sell it. You own the copy of the book and not the copyright in it and it is yours to do with as you wish. Some courts were sympathetic, most were not and sided with the distributors who claimed they never sold prints of their films: they just rented them out. And many collectors were clearly copying films sometimes on to 16mm or even on to VHS and selling these illegal copies.

In the last chapter it is revealed that one of the two authors, Jeff Joseph, was himself imprisoned in 1976 for film piracy.

It is strange in this setting to find a chapter devoted to Kevin Brownlow and business partner Patrick Stanbury. Yes they are both collectors, but of course they are restorers and

preservationists as well and Brownlow has received an Honorary Oscar for his work. His 50-year campaign to restore Abel Gance's silent masterpiece *Napoleon* is of a different order to the stories of the oddballs who occupy the rest of the book.

Joe Dante an avid collector and director of strange grunge type movies describes a moment when he found a vault of 35mm technicolor prints in Hollywood that were going to be junked. "As a film collector of good standing," he said, "I felt it was my duty to steal as much of this stuff as possible before it wound up in Santa Monica Bay." It is as though if he didn't steal the prints, the movies would cease to exist.

It is one of the most extraordinary omissions of *A Thousand Cuts* that there is hardly a single reference in the book to film archives. National film archives exist throughout the world. There are huge commercial film archives also, for instance with the big studios. In all of them, archivists are working hard to preserve film negatives in the best conditions and are digitising their holdings on to new formats for long term preservation.

Bartok and Joseph don't seem to understand that it is not the film collectors who have been saving the world's film heritage but it is film archivists. Long may they reign whether in preserving 35mm film or combinations of digits.



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Towards a European Digital Single Market – but post-Brexit no one knows...

FOCAL International lawyers **Briffa** examine the consequences of 'all for one and one for all' copyright licences



Claire Shomade

The European Commission ("EC") published several proposals regarding European Copyright Law towards the end of 2016. Amongst them is a proposal for a Regulation (COM(2016)594) that will change the licensing landscape for audiovisual copyright clearances in television and radio programmes.

This proposal is part of EC's wider strategy of creating a Digital Single Market with a view to strengthening the EU's cultural offering and free movement. The new Regulation will simplify the grant of licences for copyright-protected content that is incorporated into broadcast, such as licensed archive footage, and make it easier for programmes and online content in one Member State to be available in all other Member States.

On-demand services not linked to a broadcast are outside of the scope of this Regulation.

When enacted, the proposed Regulation will directly apply in all Member States. It is still at proposal stage so is not yet in effect – there are follow up discussions to be had, which may extend or restrict this proposal.

The proposal has two aims:

1. Facilitate availability of Ancillary Online Services in other Member States

"Ancillary Online Services" refers to the original broadcaster's (but not third party's) online services. It applies to the original broadcaster's online catch-up services, as well as broadcaster materials which complement the original broadcast, such as online previews or extended versions. It applies where the service is available simultaneously or for a fixed period after the original broadcast.

The proposed Regulation extends the "country of origin" principle to these services. In practice, this would mean that if a broadcaster has the right to broadcast online content in a Member State (for example, having secured a UK only licence for archive footage within a programme), it will also be able make the content available throughout all of the European Union, without obtaining further approval from the copyright holders of the underlying content.

Ancillary Online Services available in those extra Member States will be deemed, for the purposes of copyright, to come from the original Member State (i.e. "country of origin"). So, if the broadcaster has a licence for one Member State, it effectively has a licence for all Member States.

Effect on FOCAL members?

This change should be taken into account when agreeing licence terms. When agreeing fees, Licensors should consider the features

of a broadcaster's Online Ancillary Services, the language of the programme, the audience of the origin Member State, as well as audiences in other Member States who are likely to access the Online Ancillary Services.

It is still possible to limit other aspects of the licence, such as language versions and technical means of transmission, and notably, the Regulation does not currently apply to permanent video-on-demand programmes or materials which are not related to an original broadcast.

2. Promoting Re-transmission of Broadcasts in other Member States

"Re-transmission services" refers to simultaneous, unaltered and unabridged transmissions of broadcasts, made by a party other than the original broadcaster. The retransmission broadcast can be by any means, including digital terrestrial, satellite, mobile and similar networks, but excluding online broadcasts.

The proposed Regulation gives operators of retransmission services the ability to obtain consent to broadcast the underlying rights within a broadcast (for example, licence for archive footage within a programme) through a Collective Management Organisation or collecting society ("CMO"), who will collect a licence fee and distribute a share to the appropriate rights holder.

Owners of copyright in, for example, archive footage, will only be able to grant or refuse retransmission rights through a CMO. Owners will be free to choose which CMOs manage their rights in each Member State territory. If one has not been chosen, the CMO which deals with rights in the same category will be able to grant rights on the content copyright owner's behalf.

The reason for this is that there are often many rights holders within a single programme and this results in a "significant rights clearing burden" due to the difficulty in identifying and contacting all those rights holders.

This burden is especially problematic in relation to news programmes that need to be cleared quickly to be relevant. The European Commission wants to alleviate that burden and encourage broadcasts in other Member States.

Broadcasting organisations will not be required to use CMOs and will still be able to clear rights directly. It is thought that the retransmission operators and broadcasters will already be known to one another and therefore can easily agree rights. Broadcasters can therefore choose whether to permit a broadcast in another territory or not.

Effect on FOCAL members?

Once a content copyright owner (e.g. of archive footage) has granted permission to the original broadcaster (whether directly or via a production company), it will be in the broadcaster's control whether another organisation in another Member State is able to make the broadcast available, at the same time and in the same form.

It will apply to licence agreements in place before the date the Regulation takes effect (with a transition period, length to be determined). Licensors should consider any territorial exclusivity rights they may have granted and bear in mind that future territorial restrictions on simultaneous broadcasts will be ineffective.

Content owners will have less control over where their materials are available (as embodied in a programme) but, if it is easier for retransmission services to obtain licences, it should lead to increased licensing opportunities and revenue.

What about Brexit?

We do not know what agreement will be reached between the UK and the EU and whether the Regulations will still be in place once the UK leaves the EU. This Regulation will still apply for the remaining Member States though. So, if a licence is granted to a German broadcaster, it will be able to be made available throughout the rest of the EU. The above considerations should therefore still be taken into account when granting rights in content.

Claire Shomade
Solicitor, Briffa

Briffa are a specialist Intellectual Property firm, able to advise on the implications of this Regulation and general licensing queries. Please contact info@briffa.com or call 0207 288 6003.

Creative industries "absolutely central" to UK's industrial strategy

NEWS

The Creative Industries Federation, formed two years ago to put the creative industries at the heart of the UK government's agenda, warmly welcomed the inclusion of the creative industries as one of the five key sectors recognised in the government's industrial strategy consultation announced by Prime Minister Theresa May. They called it "a radical departure...the sign of a new, bold and imaginative understanding of business in the 21st century".

Only six years ago at the start of the coalition government, the creative industries were not formally acknowledged when it announced nine sectors of industrial engagement. Greg Clark, Secretary of State for Business, Energy and Industrial Strategy, gave the clearest public indication of the shift in thinking in a speech at the Federation's second anniversary celebration in London in January, when he promised the creative industries would be "absolutely

central" to the new industrial strategy. John Kampfner, Creative Industries Federation Chief Executive, said: "When we first began talking about the creative industries being a crucial part of any future industrial strategy, no such strategy was on the table and many people believed such a move unlikely. But the strength of argument has won the day. We have come a long way in a short time."

UK anti-piracy government initiative

NEWS

The UK's Intellectual Property Office has helped broker an agreement to help search engines and creative industries work together to stop consumers being led to copyright infringing websites.

Representatives from the creative industries, leading UK search engines, and the IPO has developed a Voluntary Code of Practice dedicated to the removal of links to infringing content from the first page of search results. The Code, agreed in February, came into force immediately. It sets targets for reducing the visibility of infringing content in search results by 1 June, 2017.

Minister of State for universities, science, research and innovation, Jo Johnson MP – who will oversee the implementation – said: "Search engines play a vital role in helping consumers discover content online. Their relationship with our world-leading creative industries needs to be collaborative. Consumers are increasingly heading online for music, films, e-books, and a wide variety of other content. It is essential that they are presented with links to legitimate websites and services, not provided with links to pirate sites

Minister of State for Digital and Culture, Matt Hancock, added: We have a

responsibility to make sure that consumers have easy access to legal content online. Pirate sites deprive artists and rights holders of hard-earned income. We want the UK to be the most innovative country to do business with, and initiatives like this will ensure our creative and digital economies continue to thrive."

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Canada honours exclusive Greenpeace documentary

NEWS

The Award for Best Visual Research Award at this year's Canadian Screen Awards (The Barbara Sears Award) was won by *How to Change the World*, and jointly shared by producers Elizabeth Klinck and Liz Etherington. The film is a UK/Canada co-production by (UK) and Insight Productions (Canada) and directed by Jerry Rothwell.

It chronicles the adventures of an eclectic group of young pioneers – Canadian hippie journalists, photographers, musicians, scientists, and American draft dodgers – who set out to stop Richard Nixon's atomic bomb tests in Amchitka, Alaska, and end up creating the worldwide green movement and Greenpeace.

70% of the 110-minute film is archival and, of these 77 minutes, material came from a myriad of sources. In exchange for the use of the Greenpeace archive (based in Amsterdam) the producers agreed to scan and sync all the 16mm footage – much of which hitherto had never been seen and certainly not heard.

Elizabeth Klinck writes: "We not only

unlocked this hidden footage for posterity but seeing such intimate and personal footage for the very first time in 4k had the effect of putting the audience 'on board' the Greenpeace vessels."

"In addition to this treasure trove," says Klinck, "over 60 hours of material was gathered from over 30 sources – commercial archives, public broadcasters, and international news gathering archives, classified US government nuclear test footage, in-house coverage of Senate hearings, and vintage Walter Cronkite newscasts. Hours of 16 mm film negatives found in the bowels of CBC Vancouver and Toronto and at the University of Winnipeg were scanned to 4K to give the documentary a cinematic feel. Newspapers, public and private photographic collections, cartoons, as well as home movie footage of the main characters were all mined to add veracity, variety, and emotional punch.

A film is not only visuals. We also collected audio tapes (Robert Hunter had an audio diary entry from almost every day of

his voyages) as well as the recordings of the music they created to attract the whales. The audio motherlode was the result of meticulous combing through the personal archives of the contributors and participants.

Making *How to Change the World* was a massive labour of love but the glorious end result is a film for all time and for all future generations of Canadians about the very important part Canada played in the founding of the environmental global movement Greenpeace."

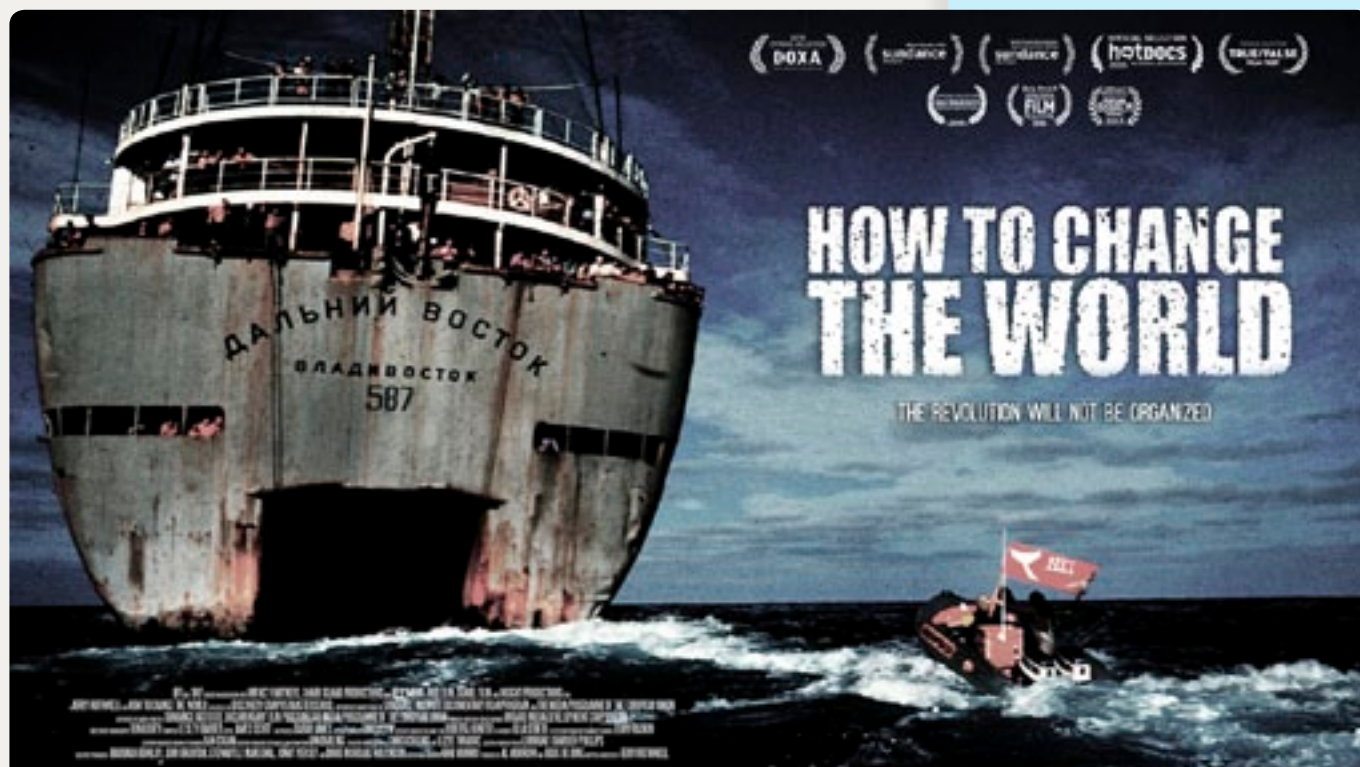
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