

European Commission consultation
BFI submission to the Film Heritage questionnaire
January 2012

Questions:

1. LEGISLATIVE AND ADMINISTRATIVE MEASURES PROMOTING THE OBJECTIVES OF THE FILM HERITAGE RECOMMENDATION (TABLE 8)

What legislative, administrative or other appropriate measures have you adopted to ensure that cinematographic works forming part of your audiovisual heritage are systematically collected, catalogued, preserved, restored and made accessible for educational, cultural, research or other non-commercial uses of a similar nature, in all cases in compliance with copyright and related rights?

There has been no change in the legal framework for the collecting of audiovisual material by the UK archives: we depend upon a mixture of voluntary and contractual deposit arrangements for cinematographic works and other (non-published) moving image materials. Provision for archiving certain broadcast television channels is made under the terms of various Acts of Parliament, implemented through Public Sector Broadcast Licences. The BBC is required to maintain an archive of its production as an objective in its Royal Charter.

Cataloguing, conservation, restoration and access are carried out by individual Film Heritage Institutions (FHI)s in accordance with business plans agreed with their funding bodies. National FHI s receive funding in the form of Grant-in-Aid from Government Departments. Regional FHI s are funded mainly through the Higher Education Sector, with coordination (and some funding) through the former UK Film Council—a function that is now being absorbed by the BFI, which is the new lead body for film in the UK. Funding for projects is also available, on a competitive basis, from the Heritage Lottery Fund (HLF).

DEFINITION OF CINEMATOGRAPHIC WORKS FORMING PART OF THE NATIONAL FILM HERITAGE (TABLE 8)

How do you define the notion of cinematographic works forming part of your audiovisual heritage?

The definition of the works which form the national film heritage is achieved through the separate Collection Policies of individual FHI s. As the lead body for film in the UK the BFI has recently revised its Collection Policy, which defines film as: “a moving image work crafted to express an idea or tell a story – fictional, factual or artistic – regardless of production process, recording medium or distribution channel.”

The BFI has established a new coordinating body known as UK Sound & Vision Collections which, inter alia, is drawing up a map of UK film heritage with agreed protocols for collecting responsibilities. The BFI remains the lead body for collecting cinematographic works.

FILM HERITAGE INSTITUTIONS (TABLE 1)

What appropriate bodies have you designated to carry out the public interest tasks described in point 2 with independence and professionalism, ensuring that they are provided with the

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best available financial and technical resources? What is their budget for 2011? What is their workforce for 2011 (staff directly related to film heritage)?

Please list of all the Film Heritage Institutions, including also those of regional or local character, as well as their websites.

The BFI operates under a Royal Charter which charges the organization with establishing, caring for and developing Collections that reflecting the moving image history and heritage of the UK. It is the principle FHI in the UK responsible for cinematographic works that form part of our audiovisual heritage.

The professional activities of collecting, documenting, conserving and providing access to the National Collection are carried out by the Collections & Information Department of the BFI. It works in accordance with a broad set of professional and technical standards pertaining across the UK cultural heritage sector and the international film archive sector. These standards, and procedures are outlined in the BFI Collection Policy.

The BFI receives Grant-in-Aid from the Government Department for Culture, Media and Sport towards these activities. It also receives a contribution to its operations in respect of television archiving from commercial broadcasters, in accordance with the legislation outlined above. In 2011/12 the operating budget for the BFI Collections & Information Department was c £5.8 million (gross); the number of staff is 121.

The UK has a number of other National Collections (funded directly by Government Departments) that are involved with audiovisual heritage, as listed below.

National organisations:

British Film Institute (www.bfi.org.uk)

Imperial War Museum (www.iwm.org.uk)

*National Media Museum (part of the National Museum of Science & Industry)
(www.nationalmediamuseum.org.uk)*

National Library of Scotland (www.nls.uk/)

Welsh National Library (www.llgc.org.uk)

*The British Library also holds a small range of moving image material (www.bl.uk)
The National Archives collects moving image that is designated as public record, although most of this material is deposited the BFI (www.nationalarchives.gov.uk)*

Regional Film Archives in England:

Screen Archive South East (www.bton.ac.uk/screenarchive)

London Film Archive Network (www.filmlondon.org.uk/screenarchives)

Wessex Film Archive (www3.hants.gov.uk/wfsa.htm)

South West Film and TV Archive (www.swfta.org.uk)

East Anglia Film Archive (www.eafa.org.uk)

Media Archive of Central England (www.macearchive.org)

North West Film Archive (www.nwfa.mmu.ac.uk)

Yorkshire Film Archive (www.yorkshirefilmarchive.com)

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Northern Regional Film and Television Archive (www.nrfta.org.uk)

The Screen Heritage UK programme, led by the BFI, identified the following other significant collections in the UK:

*Children's Film Unit (www.btinternet.com/~cfu)
History of Advertising Trust (www.hatads.org.uk)
National Tramways Museum (www.tramway.co.uk)
Rolls Royce (www.rolls-royce.com)
London Borough of Barking & Dagenham (<http://www.lbbd.gov.uk/MuseumsAndHeritage>)
Museum of London (<http://www.museumoflondon.org.uk>)
University of Liverpool (<http://www.liv.ac.uk>)
WFA Media & Cultural Centre (<http://www.wfamedia.co.uk>)
Amber Films (<http://www.amber-online.com/sections/amber-films>)
Tyne & Wear Archives (<http://www.twmuseums.org.uk/archives>)
National Fairground Archive (<http://www.nfa.dept.shef.ac.uk>)
One to One Productions (<http://www.onetoonecollection.com>)
West Yorkshire Police Imaging Unit
(<http://www.westyorkshire.police.uk/?Page=167%7CImaging+Unit+>)
Greenpark Productions Ltd (<http://www.greenparkimages.co.uk/history.html>)
Trilith (<http://www.trilith.org.uk>)
Birmingham Archives & Heritage (<http://calmview.birmingham.gov.uk/CalmView>)
Staffordshire Film Archive (<http://www.filarchive.org.uk/index.html>)*

In addition there are a number of organizations which operate film archives in specialist fields (e.g Wellcome Foundation)

4. COLLECTION

Deposit of cinematographic works forming part of national audiovisual heritage (Table 2)

- . 1) What steps have been taken to systematically collect cinematographic works forming part of your audiovisual heritage?

There have been no changes since the completion of the last questionnaire.

- . 2) Would you describe the type of deposit in your Member State as
 - . i. Legal Deposit
 - . ii. Compulsory Deposit of all funded films
 - . iii. Voluntary Deposit

A mixture of Voluntary Deposit and Compulsory Deposit (for some films in receipt of Lottery Funding where the finance agreement includes a clause requiring deposit).

- . iv. Other (please specify)
- . 3) What material has to be deposited?
 - . A distribution print.

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- . 4) What is the deadline for deposit? Do you ensure that deposit takes place when the film is made available to the public and in any case not more than two years later?

There is no deadline for deposit in the funding agreement.

- . 5) Is there a compliance checking for the deposit obligation and for the quality of the material? Which measures have been taken to ensure good technical quality of the deposited cinematographic works (with accompanying metadata as appropriate)?

Compliance checking is carried out through liaison between the BFI Curatorial Team (responsible for acquisitions) and the Film Funding team (responsible for funding agreements). Quality checking is carried out by at the BFI Conservation Centre.

- . **4.2. Collection of cinematographic works not forming part of national audiovisual heritage (Table 9)**
 - . 1) Is there any provision / practice in your Member State concerning the collection of cinematographic works not forming part of the national audiovisual heritage?

Yes there is voluntary deposit of non-British key works that are considered important to the understanding of the art, history and impact of film where they would not otherwise be available in the UK. The BFI also works with other film archives worldwide to ensure that material at risk in its country of origin is preserved.

- . 2) And about moving-image material other than cinematographic works?

The BFI National Archive is designated as the National Television Archive and the archiving of British commercial public service broadcasting content (ITV, Channel Four and Five) is carried out under a legislative provision in the Communications Act 2003. BFI also acquires recordings from the BBC for archive and public access.

- . **Collection of non-film material (Table 9)**
 - . Is there any provision / practice in your Member State concerning the collection of non-film material?

There has been no change in this activity at the BFI since the last questionnaire was completed

- . **5. CATALOGUING AND DATABASES (TABLE 3)**
 - . 1) What measures have been taken to promote the cataloguing and indexing of deposited cinematographic works and to encourage the creation of databases containing information about the films, making use of European and international standards?

The BFI has actively participated in the CEN standardization work and contributes to cataloguing rules and standards developed and promoted by various professional bodies such as FIAF (the International Federation of Film Archives).

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The BFI has recently launched a new Collections Information Database (CID) that is a fully hierarchical cataloguing system implementing the CEN standard for filmographic records and is the first major collection, internationally, to do so.

- . 2) What measures have you taken to promote European standardization and interoperability of film databases of and their availability to the public, for instance through the internet?

The BFI has launched (in September 2011) a union catalogue of screen heritage materials held in the BFI and FHIs in the English regions (publicly accessible through an internet search facility called 'Search your Film Archives'), which depends upon a standardised set of filmographic data agreed by participating FHIs. Future development will focus on making the BFI CID database publicly accessible through the Web and working to achieve interoperability with UK and European FHIs via the CEN filmographic standard.

- . 3) Have you contributed to the setting-up of a network of databases encompassing the European audiovisual heritage together with the relevant organizations, in particular the Council of Europe (Eurimages and the European Audiovisual Observatory)?

No.

- 4) Have you invited archiving bodies to add value to stocks by organizing them in collections at EU level, for instance, by theme, author and period?

No further development at EU level since BFI contribution to the MIDAS project.

- 5) Could you describe the databases that are used by your Film Heritage Institutions? Are they searchable via internet?

The BFI CID database brings together three previously separate systems that were used for technical records, filmographic information and subject indexing. CID is not yet available via the internet, but it is expected to be made available within the next year. This will supersede the BFI Film & Television database (publicly accessible on the internet) which is unmaintained and out of date. The CID project will also, in the next year, incorporate records for stills, posters, designs, special collections and the library book catalogue.

Most regional FHIs have made similar arrangements to provide access on the internet to parts of their collections.

6. PRESERVATION (TABLE 4)

- 1) What measures/programmes have been taken in order to ensure preservation of deposited cinematographic works? Preservation measures should include in particular:

- The reproduction of films on new storage media;

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- The preservation of equipment for showing cinematographic works on different legacy storage media.

The BFI has recently opened a new Master Film Store which stores master film materials at -5°C and 35% RH to ensure their long-term preservation. Viewing materials are held in environmentally controlled conditions designed to prolong their life. Films in very poor condition or suffering from deterioration may be copied to polyester film stock at the BFI Conservation Centre – which incorporates a photochemical film lab and facilities for digitisation – or at commercial facilities houses (with selection, preparation and quality checking carried out in-house). Moving image materials held on video tape are migrated to new formats as required, including digital file format. These files may then be stored on data tape, optical disc or networked online storage. BFI has collected relatively little material in digital file format so far, but has developed technical requirements for acquisitions and storage, and is working to put the first parts of a digital preservation infrastructure in place. BFI also holds extensive collections of film and video processing, projection and playback equipment that can be used in support of preservation and access.

- 2) Does the national copy-right law implement the exception of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society? This exception allows Member States to authorise acts of reproduction made by publicly accessible libraries or archives which are not for direct or indirect economic commercial advantage.

No.

7. RESTORATION (TABLE 4)

- 1) What measures have been adopted in order to permit, within your legislation, the reproduction of deposited cinematographic works for the purpose of restoration while allowing rights-holders to benefit from the improved industrial potential of their works resulting from that restoration on the basis of an agreement between all interested parties?

Situation remains unchanged on this from 2009.

- 2) How have you encouraged projects for the restoration of cinematographic works with high cultural or historical value?

The BFI restores works in accordance with its programme of cultural activities, in partnership with rightsholders and other archives, and collaborates actively with archives around the world on their own restoration projects, especially by lending materials from the collections.

8. ACCESSIBILITY (TABLE 5)

- 1) Have you adopted legislative or administrative measures to allow designated bodies to make deposited cinematographic works accessible for educational, cultural, research or other non-commercial uses of a similar nature, in compliance with copyright and related rights? Please give details of the measures taken.

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The situation remains unchanged from 2009 in terms of legislative provision. The BFI continues to provide Screenonline (www.screenonline.org.uk) and InView (www.bfi.org.uk/inview) for educational access in full compliance with copyright legislation.

- 2) Have you taken measures to ensure access for people with disabilities to deposited cinematographic works, in compliance with copyright and related rights? Please give details of the measures taken.

There has been no change since 2009.

9. PROFESSIONAL TRAINING (TABLE 5)

What steps have been taken to promote professional training in all fields related to film heritage?

No change since 2009—except that funding for Skillset (www.skillset.org/archives) is now provided through the BFI. A new skills and training strategy is in preparation.

10. EDUCATION AND MEDIA LITERACY (TABLE 6)

- 1) What steps have been taken to promote the use of film heritage as a way of strengthening the European dimension in education and promoting cultural diversity?

No change since 2009.

- 2) What steps have been taken to foster and promote visual education, film studies and media literacy in education at all levels, in particular in professional training programmes or European programmes?

No change since 2009. As the new lead body for film in the UK the BFI is developing a new strategy for education and media literacy.

- 3) What steps have been taken to promote close cooperation between producers, distributors, broadcasters and film institutes for educational purposes?

No change since 2009

11. FOLLOW-UP OF PRIORITIES IDENTIFIED IN THE FIRST IMPLEMENTATION REPORT

What has been done in your Member State, in order to address the following priorities, identified in Point 24 of the first implementation report:

- 1) establishing a long-term strategy for their national film heritage and annual plans for specific issues (digitisation, restoration, education, etc);

In 2007 HM Government gave the go-ahead to the ‘Screen Heritage UK’ programme, which delivered the first phase of a long term strategy whose development was led by the BFI. The programme is now in the final stages of delivery and the BFI is charged with developing a second phase to extend the reach of the programme to include other National collections and ensure long-term preservation and access to the Nation’s film heritage.

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2) monitoring compliance with the mandatory forms of deposit (both with the obligation of deposit and the technical quality of the material);

No action

3) promoting voluntary deposit as a complement to legal deposit. Member States should encourage by all means agreements between film heritage institutions and right-holder associations covering the possible cultural uses of the deposited material by the archive.

No further activity

4) continuing efforts to achieve interoperability of film databases, and to make those databases accessible via the Internet;

A priority for both the BFI CID project and for the second phase of the Screen Heritage UK project. As the lead body for film, BFI documentation policy prioritises interoperability over the needs of specific institutions.

5) establishing partnerships with the commercial sector and with other film archives for the restoration of cinematographic works, with the objective of sharing know-how and increase resources available;

An ongoing priority in the work of the BFI National Archive

6) seeking agreements with right-holders with a view to promote cultural access to film heritage as broadly as possible. Have you encouraged the designated bodies to specify, in agreement or by contract with rights-holders, the conditions under which deposited cinematographic works may be made available to the public?

No change since 2009

7) creating specialised courses at university level for all areas related to film archives;

The BFI has continued discussions with the HE sector to develop further research and teaching work in these fields.

8) giving higher priority and visibility to educational programmes and activities.

No change since 2009.

12. CHALLENGES OF THE DIGITAL ERA FOR FILM HERITAGE INSTITUTIONS

What has been done or it is planned to be done in order to face the challenges of the digital era, described in Point 25 of the first implementation report:

1) collection / acquisition of digital material (distributed in cinemas or via new channels);

BFI Collection Policy sets out technical standards required for acquisition in digital form and has put forward a case for legal deposit of digital cinema materials.

2) storage / conservation of digital material, which could require regular migration to new formats or supports;

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BFI Collection Policy sets out technical standards and techniques to be used for preservation of such materials, and is working on specification of digital preservation infrastructure.

- 3) applying digital technologies for restoration;

The BFI Conservation is equipped with its own 4k scanner and digital restoration workstation which is being used actively in current restoration projects. A suite of 2k scanners has been installed for producing viewing materials. The BFI also works closely with facilities houses and other archives and virtually all restorations now involve some digital intervention or output.

- 4) giving access via internet to the collections, while ensuring respect of copyright laws;

No change since 2009. The major challenge remains increasing the volume of material available.

- 5) integration in the European digital library.

As yet the BFI has not had sufficient resources to participate in this initiative

13. FILM POLICY AND FILM HERITAGE

Is film heritage fully included in the film policy of your Member State? Have you consider linking funding film production and film heritage? For instance, it could be consider that films that have been financed with public funds are deposited and made available for cultural and education purposes by recognized film heritage institutions. This could be implemented in practice, for instance by requesting from producers that have received funding that they agree that:

- film heritage institutions make cultural screenings of those films without paying a fee;
- there is an educational use of their films (screenings made in schools, extracts made available for teaching purposes);
- extracts of their films are made available in Europeana.

The UK Government does not have a policy for film as such. However, an independent review of film is currently being undertaken by Chris Smith on behalf of Government. The terms of reference for the review includes screen heritage. It is due to report in early 2012 and it is expected to make a number of important recommendations in relation to screen heritage. In parallel, as part of its new responsibilities following the closure of the UK film Council, the BFI is developing a new Forward Plan 2012-2017 for film. It is due to consult on this plan in Spring 2012 including proposals in relation to screen heritage.

14. EUROPEAN AND INTERNATIONAL ACTIVITIES (TABLE 6)

- 1) Are your film heritage institutions involved in bilateral co-operation with Film Heritage Institutions of other Member States? Are they active in European associations and projects? Are they active at international level?

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The BFI remains an active member of FIAF – the International Federation of Film Archives and FIAT – the International Federation of Television Archives.

- 2) How are you encouraging and supporting designated bodies for the purpose of exchanging information and coordinating their activities at national and European levels in order for example to:

- (a) ensure the coherence of collection and conservation methods and the interoperability of databases

BFI has contributed actively to CEN standards for interoperability of databases, the 'State of the Art' project to examine digital preservation and now the 'Digital Agenda for European Film Heritage'. The BFI has recently circulated its revised collection policy – which covers acquisition, conservation, documentation and access – to selected European organisations for comment.

- (b) release, for example on DVDs, archival material with subtitles in as many European Union languages as possible, in compliance with copyright and related rights

The BFI has released an increasing range of archival material on DVD but has not provided subtitling in any language

- (c) compile a European filmography

The BFI contributes to the FIAF international filmography

- (d) develop a common standard for electronic information exchange

Not as yet

- (e) produce common research and educational projects, while promoting the development of European networks of cinema schools and museums

Not as yet

15. PROGRESS IN RELATION TO PROBLEMS ENCOUNTERED IN THE FIRST IMPLEMENTATION REPORT (TABLE 7)

What has been done to address the problems encountered or weak areas identified in table 7 of the First Implementation report, in relation to your country?

1. BEST PRACTICES

Is there any specific good practice in the area of film heritage in your Member States that you would like to report?

The new BFI Master Film Store, CID database and Collections Policy have been recognised as excellent examples of good practice by FHIs internationally.

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1. NEED FOR FURTHER EU ACTION?

Is there a need of further action of the EU in any of the areas related to film heritage?

Accept the recommendations made in the forthcoming ‘Digital Agenda for European Film Heritage’ study and support and encourage member states and their FHIs to respond as required.

The next MEDIA Programme (Creative Europe), which is currently under discussion in Europe and Member States should address the specific needs of Europe’s film heritage organisations, needs which have been woefully overlooked in the current Programme.