DOCUMENTARY ACCESS
An examination of access in the production of the observational and participatory documentary in the commissioned environment.
(Based on “Community Cop” [Gaynor 2009])

Helen Mary Gaynor

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Student Number 321469

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School of Film and Television
Faculty of VCA and MCM Victorian College for the Arts
The University of Melbourne

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DOCUMENTARY ACCESS
ABSTRACT

Documentary Access is a practice-based analysis of the issue of access in the observational and participatory documentary filmmaking modes (as proposed by documentary theorist Bill Nichols in Representing Reality [Nichols 1991]) and the meeting of stakeholder expectations. Nichols’ modes identify particular traits and conventions of different documentary styles.

Access is central to the observational and participatory modes because content and narrative form is derived from the filmmaker’s direct and unscripted access to people, events and places. The analyses of what this access signifies in a formalised filmic sense, provides a key to understanding what the recorded content delivers in terms of the filmic narrative, stakeholder expectations and possible conflicts between these two elements.

The study is based on methodologies developed and data gathered during the creation of a fifty-two minute broadcast documentary Community Cop (Gaynor 2009). The creative work follows the Community Liaison Officer at the Flemington Police station and members of the local African Australian community as they strive to resolve long term conflicts.

The field study and dissertation reveal and analyse issues in the evaluation of access from both a filmic and stakeholder perspective that can have serious implications for filmmakers working in the observational and participatory modes. This dissertation proposes a set of references for analysing types and implications of access and proposes a set of responses to the often-inevitable clash between proposition and actuality in these modes.
DECLARATION

This is to certify that

(i) The thesis comprises only my original work towards the Masters

(ii) Due acknowledgement has been made in the text to all other material used

(iii) The thesis is 12,628 words in length, inclusive of footnotes, but exclusive of tables, maps, bibliographies and appendices as approved by the Graduate School, Faculty or RHD Committee

Signed

HELEN MARY GAYNOR
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   Producer : Sally Ingleton, 360 Degree Films
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c) Major Participants

   Constable Andrew Alan, Victoria Police Force
   Ahmed Dini
   Ahmed Ahmed

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INTRODUCTION

The Production and Dissertation Framework

The production of Community Cop¹ and this dissertation is an analysis of the centrality of access in:

a) the intersection of the observational and participatory documentary modes with practitioner and stakeholder expectations,

b) the implications of this for the production process, the practitioner and stakeholder relationship and the final product.

The observational mode aims to record actual events as they unfold. The participatory mode records reactions and elicits commentary from participants, often in response to direct engagement with the filmmaker. The field study, Community Cop was ideal for this research as its content was best recorded in the observational and participatory modes, that is, processes and events that would occur in the historical world irrespective of whether a camera would be present (but not necessarily uninfluenced by the camera’s presence), and participant’s observations about these historical world eventsii

The commissioning process provided a mainstream setting for the delivery of a three part free to air television series (later changed to a one hour stand alone piece). Stakeholders SBS TV, Film Australia and 360 Degree Films as well as the participants, agreed to the project on the basis of a written submission outlining the anticipated content and capture modes and essential access. Nine months of content captureiii during 2009 and 2010 delivered over one hundred and fifty hours of material.

The commissioning bodies insisted on the introduction of narration (the expository mode) in the post-production phase, due to perceived inadequacies of the narrative strength of material gathered solely utilizing the observational and participatory modes. This weakness was identified as resulting from compromised access to events and the inner lives of some participants.iv
The introduction of narration for these reasons highlights the pivotal position of access during content capture. There can be a conflict between the fixed nature of the project proposal upon which participation, finance and exhibition are based and the conversely mutable nature of content capture in the observational and participatory modes.

Therefore a sophisticated understanding of levels and types of access is required by the filmmaker in order to manage stakeholder expectations of the proposed access, and the actuality of the captured access, with relation to the final product.
Chapter 1: THE RESEARCH TOPIC

1.1 The Research Question
When the documentary filmmaker chooses to work in the observational and participatory modes, they rely upon access to a pre-existing “historical” world. Simply put, the filmmaker’s camera must have:

a) access to people, places and events,

b) access to these people, places and events in their historical world setting.

Levels and types of access therefore becomes the pivotal issue in assessing the creative and intellectual success of the documentary. But how does the filmmaker assess the constituent elements of access implicit in these modes, in often spontaneously unfolding situations?

While there is already some discussion of access and its relationship to documentary practice, there is an identifiable gap in practitioner led, practitioner oriented research into this central issue. The practice-led research in *Community Cop* and this dissertation goes some way to addressing this by providing a practitioner authored qualitative analysis of the differing types of access at all stages of production. The research can therefore be utilised as a production tool for assessing the crucial issue of access in terms of content and stakeholder expectations.

It is important to note that considerations of the ethical issues in regards to the access, are addressed Chapter Two. However, ethical considerations around the potential to capture legally compromising interactions between and amongst the estate youth and the police, are outside the scope of this research and can in part be addressed by referencing the many works written on this topic, some cited in this dissertation.

1.2 The Research Methodology
The methodology is a staged process consisting of:

a) field study;

b) systemisation of the field study data;

c) analysis of the field study data and its application to the observational and participatory documentary modes.
1.2.1 *The Field Study*

The first stage of the field study consists of the production of a documentary in the observational and participatory modes. *Community Cop* follows the efforts of a Victorian police officer and members of the African Australian community in inner city Melbourne, as they work to resolve difficulties that have led to tensions and some violence. Its observational and participatory modes rely on actuality and interview to provide the narrative structure. *Community Cop* was commissioned by and produced for free to air broadcast television in Australia. The production structure is representative of a contemporary model of documentary finance, production and exhibition with a number of stakeholders supporting the project on the basis of what had been proposed in the production company pitch document, generated by the filmmaker. These stakeholders were:

a) 360 Degree Films, the Production Company, represented by The Producer;

b) Film Australia, a commissioning bodies and investor through its National Interest Program, represented by The Executive Producer;

c) SBS TV, the broadcaster and commissioning body and investor, represented by the Commissioning Editor. *Community Cop* was commissioned as a 3 x 25 minute series for an 8.30pm time slot, part of a strand of high action documentary series designed to attract a young male audience.

1.2.2 *Systemisation of the field study data*

The second stage of the field study is the systematising of stages and types of access. This analysis has been completed with reference to the field studies and other works that are consistent with the observational and participatory documentary modes. The systematising specifies essential forms and implications of filmic access in these modes, as a reference for the production and postproduction phases of project delivery, and an analytical tool for divergence in access between proposal and completion.

1.2.3 *Analysis of the field study data and its application to the observational and participatory documentary modes*

An evaluation of the case study posits conclusions describing:

a) potential inadequacies of the assessment of the access requirements

b) the reasons for those inadequacies;
c) solutions that the proposed access evaluation model offers the makers of future documentary projects made in Observational and/or Participatory modes.
Chapter 2: THE RESEARCH CONTEXT

2.1 Literature Review

There is little extant literature dealing explicitly with the topic of how a filmmaker assesses the constituent elements of access implicit when working in the observational and participatory modes. Access is most often framed within research into other areas, these being summarised by theoretician Bill Nichols. In the writings of Nichols there is implicit accessorical reference in relation to modes and the relationship between filmmaker, camera and locale, protagonist and event, but no explicit reference to access as a stand-alone topic for investigation.

The issues of the filmmaker’s control over what she or he films and of the ethics of filming social actors whose lives, though represented in the film, extend beyond it: the issues of the text’s structure, and the question of the viewer’s activity and expectations – these three angles from which definitions of documentary begin (filmmaker, text, viewer) also suggest important ways in which documentary is a fiction unlike any other.

The work of theoretician Stella Bruzzi, exemplifies the tradition of literature exploring “the issues of the text’s structure, and the question of the viewer’s activity and expectations.”

...the pact between documentary, reality and documentary spectator is far more straightforward than many theorists have made out...documentary is predicated upon the dialectical relationship between aspiration and potential that the text itself reveals, the tensions between the documentary pursuit of the most authentic mode of factual expression and the impossibility of this aim.

This theoretical approach provides the intellectual framework within which to place the intent and effect of the work, but not an analytical tool for filmmakers in the field.

Elsewhere, the literature tends to explore the practical issues surrounding access issues for practitioners typically deals with the wording and coverage of legalities of location access
The known and unknown hazards posed by direct cinema suggest the necessity for extreme caution on the part of the filmmakers in dealing with potential infringements on the rights of subjects...Are we asking sacrifices on one side for a positive good on the other? What is the boundary between society’s right to know and the individual’s right to be free of humiliation, shame and indignity?

A quick search on Google scholar using “Documentary ethics” reveals over 50,000 articles. Australian scholar Kate Nash has published five papers on this topic in the last three years. Expanding on Pryluck’s concerns, Nash asserts in her thesis 2011 PhD thesis Beyond the Frame: researching documentary ethics:

Documentary ethics is a discourse that emerges when the rights and interests of those with a stake in documentary: filmmakers, audiences and participants, reach an impasse...the ensuing debates have crystallised around a number of key theoretical ideas: consent, duty of care, rights...and the problem of representation. In addition, specific questions have arisen about ...practices such as ownership of images, payment to subjects, and the use of release forms.

Pryluck and Nash’s contributions are a small part of a large body of literature addressing the ramifications of image making that extends beyond the filmic capture of image. Eminent practitioners Michael Rabinger and Alan Rosenthal have both made contributions to the area, but likewise deal with access in legal and ethical arenas.

The analysis of access in documentary in this dissertation fills a gap within literature that provides practitioners with an applied methodology based on original practice led research,
for assessment of access on multiple production levels, and in a variety of production partnerships.

### 2.2 Defining Documentary

Whilst “documentary” can claim a bewildering array of definitions, for this project I will use specific definitions as described by theorist Bill Nichols: xvii

> One fundamental expectation of documentary is that its sounds and images bear an indexical relation to the historical world. xviii

The historical world as Nichols puts it, is the world of proven existence and occurrence. Also central to the definition of a work as documentary is the intention of the reading of the material. E. Ann Kaplan, Distinguished Professor of English and Comparative Literary and Cultural Studies at Stony Brook University, made the point well in 1982:

> If I may descend in totally non-scientific evidence for a moment: some responses by students lead me to believe that it’s true... that the identification which starts in a fiction movie involves a return to the world of the imagination... whereas the documentary involves a relating to images that is analogous to – i.e. not the same as... the way we respond to people in our daily lives. xix

Documentary audiences view with an assumption that events and characters referred to or shown actually existed, unless informed otherwise. Community Cop was devised as a documentary to provide an alternative to the daily news cycle analysis of the very complex circumstances of African immigration in Melbourne. Access to the African Australian community’s experience via the work of a representative of one of its key antagonisors, the Victoria Police, also provided a complexity that fulfilled one of the key criteria of the documentary genre as described by filmmaker Alan Rosenthal:

> The key function of documentary as I see it, is to explore the hard, awkward questions more deeply and more critically than other branches of the media do (or can)...the key function of documentary is to set the agenda and define the most important issues for debate. xx
2.3 Documentary modes as an analytical tool

Community Cop combines a variety of documentary production approaches and techniques. Nichols’ documentary modes are currently one of the most commonly used descriptors for articulating these. He defines modes in the following way:

*Modes are something like genres, but instead of coexisting as different types of imaginary worlds (science fiction, westerns, melodrama), modes represent different concepts of historical representation.*

Nichols developed his theory of modes into an organisational system:

*In documentary film, four modes of representation stand out as the dominant organisational patterns around which most texts are structured: expository, observational, interactive (participatory) and reflexive.*

For the purposes of this dissertation, I will adhere to these widely understood and accepted definitions.

The selection of modes for Community Cop was a two-stage process: during filming (content capture) and during post-production. The original proposal was for a documentary in the observational and participatory modes. The decision to introduce the expository mode in the post-production process is addressed Chapter Five.

In Community Cop the observational and participatory modes have differing functions. The observational mode applies to the capture of undirected events. The participatory mode applies to interactions between the filmmaker and participants in response to events in the historical world, some of which are captured in the filming process.

2.4 The observational mode and its application to Community Cop

Nichols defines the observational mode in the following way:

*The observational mode stresses the non-intervention of the filmmaker. Such films cede “control” over the events that occur in front of the*
camera more than any other mode...observational films rely on editing to enhance the impression of lived or real time.\textsuperscript{xxv}

Veteran filmmaker and founding direct cinema practitioner Robert Drew articulated one of the defining elements that distinguishes the observational mode from others:

\textit{What makes us different from other reporting and other documentary filmmaking, is that in each of these stories there is a time when a man comes against moments of tension, and pressure, and revelation, and decision. It’s these moments that interest us most. Where we differ from TV and press is that we’re predicated on being there when things are happening to people that count.}\textsuperscript{xxvi}

Community Cop captured interactions and events involving the Community Liaison Police officer, the police in general and the African Australians living at the local housing commission estate. These were neither staged for, or in the control of the filmmaker and did not involve an inherent narrative arc. The actuality of ”being there when things are happening to people that count” is reflected in the production details of the Community Cop process. It required nine months to capture the over one hundred and fifty hours of material that took five months to edit into the final narrative structure of fifty-two minutes.

2.5 The participatory mode and its application in Community Cop

Bill Nichols defines the capture environment for the participatory mode:

\textit{(Participatory) documentary wanted to engage with individuals more directly while not reverting to classic exposition... The filmmaker could also recount past events by means of witnesses and experts whom the viewer could also see.}\textsuperscript{xxvii}

Community Cop utilises the conventions of the participatory mode through interviews and commentary from the protagonists:

a) Community Liaison Officer Senior Constable Andrew Alan or AJ, his nickname;

b) Ahmed Ahmed, a Somali born Australian, a youth worker who lives and works on the estate;
c) Ahmed Dini, a 19-year-old Somali born Australian who is a very prominent youth activist on the estate.

Interviews were captured as commentary on or against the backdrop of observational events, providing participant led insight as opposed to journalist led analysis. The production environment differed sharply from the teams of newsgathering or current affairs, with on camera journalist, large format equipment and tight deadlines. *Community Cop* was captured by a solo filmmaker using a small prosumer camera and sound recording rig. At times the participants invited the camera to accompany them, or instigated conversation. This is indicated by the following examples, included in the final version of the documentary:

a) Ahmed Ahmed invites the camera to follow him in his office, which the camera accepts;

b) AJ offers us unsolicited asides while he drives a hummer;

c) Ahmed Dini cracks jokes to the camera while he helps to paint.

These events reveal an on-going informal environmental, personal, intellectual and emotional access. In this way the textual authority as Nichols calls it, is placed with the participants who explain the observationally captured events. Nichols explores the meaning of this access for the reading of the final text:

*(Participatory) documentary stresses images of testimony or verbal exchange and images... textual authority shifts toward the social actors recruited: their comments and responses provide a central part of the films argument.*

xxviii
CHAPTER 3: DEFINING DOCUMENTARY ACCESS

It is necessary to consider the following practice based definitions of access before applying them to the field study. These definitions are based on the field study, and previous experience as a documentary filmmaker working in this genre and its modes. I have cited other practitioner’s work as evidence of the suitability of these definitions, beyond this field study.

3.1 Environmental Access: places, locations, landscapes as central characters

Environmental access is the ability to enter a material space with the means to record vision and sound. There are two core issues to consider.

3.1.1 Access where the place or locale is a central character or agent in the work

The most central position that an environmental locale takes in any documentary mode is as a character. This is exemplified in the work of Fred Wiseman. One of his most recent works, *Boxing Gym* (Wiseman 2010) rarely moves outside the interior physical space occupied by the gym. Participants are included only when they appear in and interact with the space and its functions. The space reveals the nature of those who choose to inhabit it, a common theme in many Wiseman’s documentaries.

Conversely, characters can be accessed to reveal the nature of an environmental space. As in *Cunnamulla*, (O’Rourke 2000) Cunnamulla is a small town in Queensland, Australia. The participants, residents of the town, reveal the meaning of the town as the camera captures the events in their lives, and records their thoughts and feelings in a wide variety of locations. O’Rourke uses both the observational and participatory modes.

*Community Cop* is not a study of people as revealed by place or vice versa. However the symbolism of the environmental spaces provides a sub textual framework (as discussed in Chapter Four).

3.1.2 Access to the environmental space to gain proximity to persons or events essential to the work

It is more usual that people and/or events are the spine around which the body of an observational/participatory work is structured. To capture central actions, interactions,
surrounds, and events, it is essential to weigh up what environmental access is needed, as opposed to what can realistically be gained.

A seminal example of this type of documentary is Primary (Drew, Leacock, Maysles 1960),

one of the first Direct Cinema works to come out of the USA. It follows the Democratic primary race between presidential aspirants Hubert Humphrey and John Kennedy and explores what these men do to win the party’s nomination. The camera gained access to pivotal private and public spaces that the candidates inhabited: the speeches in halls, the tour buses and cars where private moments occurred, the meet and greet street walks, the debriefs in hotel rooms. For the first time in USA screen history such an intimate political process is seen, rather than commented on.

This type of access is best seen in Community Cop in the camera’s ability to access the back rooms of the police station, rooms normally removed from the public gaze. An example is a scene where AJ and his predecessor Glenn Birt are captured gloomily discussing how poor the infrastructure at the public housing estate is and how this may be an intentional omission of funds to drive residents out. Their sense of frustration and despair is palpable and is an aspect of police work and its effect on its members not usually made public.

3.1.2.1 Denial of access to the environmental space necessary to gain proximity to essential persons or events

There are times when there is denial of access to environmental space and thus events and characters. This challenging situation requires careful analysis of the aim of the documentary and whether the other access that is available supports successful delivery.

An example is For the Defence (Gaynor 1998), which follows the work of three criminal defence barristers. Permission to shoot in court was refused. It was assessed that the available access to the behind the scenes action – chambers, corridors, homes - was crucial and that the barristers’ work in the courtroom was not. In the finished product it is clear the decision to continue without access to court was correct. The alternative response would have been to cancel the project.

Unlike For the Defence, Community Cop was not denied access to a major on-going location, but there was intermittent access denial. An example occurred early in the
shooting, when all the major players in the documentary were meeting in a room of the North Melbourne Youth Centre, a central and on-going location. The meeting had been demanded by the angry estate youth because of a spate of arrests and searches. Filmic access was denied to the hall because of the conflictive nature of the meeting, but allowed in the passage outside the hall. Unfortunately there was no filmic value in this location. This denial of environmental access was serious as the meeting was a core example of the conflict central to the documentary’s proposition. However at this early stage of the content capture, it was anticipated that either this type of access would be forthcoming as the filmmaker spent more time with the protagonists, or that the inability to capture some key events because of denial of environmental access would not jeopardise the whole project. This judgement was in fact incorrect as the final project suffers from the lack of access to uncensored confrontations between the conflicting parties, an issue addressed later in this dissertation. A filmmaker must make a series of speculative judgements based on experience in these situations; to renegotiate access with the protagonists and stake holders as soon as this type of issue occurs, to “wait and see”, even to reconsider the capture mode. In this situation there is no definitive ‘correct’ call, as any path may lead to success or compromise and this outcome will not be evident until further into the production process.

Whether overt or covert, this is a difficult situation for filmmakers to manage because:

a) the initial denial of access may not be permanent and as the relationship develops, may be gained;

b) if access is denied well into the capture process, it is a hard call to stop a project. There is hope at this stage that there is some way around the issue. There may be enough good footage already shot to carry the piece or the denial itself may become a feature of the documentary. Mike Moore and Nick Broomfield are two filmmakers who have utilised denial of access at various stages in their films to become part of the documentary story;

c) if all necessary finance and exhibition rights are in place, it is difficult to accept that an often hard fought for project is fatally compromised.

3.2 Access to Participants: people as characters
Access to participants is usually the most crucial issue in the observational and participatory documentary modes. The centrality of access to people as characters in the observational mode is well described by Calvin Pryluck:
Access to participants in the participatory mode is no less crucial. Their central role is articulated by Bill Nichols:

*The viewer of the (participatory) text expects to be witness to the historical world as represented by one who inhabits it and who makes that process of habitation a distinct dimension of the text.*

In essence, access to protagonists provides story, character and insight. This is demonstrable in a typical example in the latter part of *Community Cop* where a professional basketball team, The Melbourne Tigers, arrive at the estate. The scene is provided with its narrative meaning and authenticity by the reactions of the three principal protagonists to the arrival of the mainstream media, and interaction with each other. AJ is thrilled at getting an event to happen that can also be a good news story about this housing estate youths. Ahmed Ahmed is suspicious at the unplanned arrival of so much television news media. Dini is amused at the power he has to turn AJ's work to dust if he wants to by not rounding up the youth but he decides to co-operate and a few phone calls result in a decent number of his friends turning up to provide the media opportunity AJ has been hoping for. The participants allow their part in the sequence and interaction with the filmmaker via asides and interview to be captured. Without the meaning provided by the interaction and commentary of the participants, the sequence would have had no narrative value. Rather it would have been reportage and of no use to the overall narrative.

Issues central to consider when assessing the suitability of participants are as follows:

3.2.1 *Psychological/intellectual and emotional – inner world access and filmmaker ethics*

Access to a participant willing and able to share their inner world provides the permission to enter this world in the observational mode, and the authorial position in the participatory mode. Given the accessorial and authorial weight that is imbued in the participant in these modes the motivation for asking the private person to share their outer and inner life in a
public sphere must be clear. It is the participant, more than anyone else who is being exposed to the public gaze and the ramifications of that exposure. Craig Gilbert\textsuperscript{xxxvi} encapsulates this relationship in his contribution to \textit{New Challenges in Documentary (1988)}:

\begin{quote}
The bottom line is...we are using human beings to make a point. To invoke the harsh but accurate word, we are “exploiting” them to make our films, and no matter how sensitive, caring or understanding we may be, the fact is that our incomes and our careers often depend on our ability to conceal the truth of this exploitation from our subjects... documentary filmmaking poses very real ethical and moral questions which must be dealt with carefully and compassionately.\textsuperscript{xxxvii}
\end{quote}

The key participants in \textit{Community Cop} were willing and enthusiastic as demonstrated by their invitations to the camera to follow them into certain situations, and their spontaneous asides. The key participants also had very highly developed media awareness because of their profession (in the case of AJ) and their life experience (in the case of Ahmed Dini and Ahmed Ahmed), which was demonstrable off camera by their negotiations over access. (See Chapter Four).

\textbf{3.2.2 Relationship with project theme}

A key participant is required to have a dynamic level of engagement with the documentary themes, as they are central to the building of the narrative. All characters in \textit{Community Cop} had a stake in the resolution of the conflict in their lives, but differing views about the cause of the conflict, the solutions, or whether there are any solutions at all.

\textbf{3.2.3 Relationship with filmmaker}

The development of the observational “script” is in three stages: research, content capture and editing. Access to environmental, emotional and intellectual proximity is key and usually built on a notion of trust between filmmaker and participant. This trust relationship in many cases is indicated by the filmmaker’s proximity to place, thoughts, feelings and events. Ultimately the camera cannot be present without the participant either alerting the filmmaker to the content or agreeing to the presence of the camera. It would have been
impossible to observe Ahmed Ahmed in his own home, AJ in his office or Ahmed Dini meeting with the District Police Inspector without their consent, which was an indication of their trust in the project. This trust relationship extends beyond the individual participant when an employer or guardian must authorize their participation. The trust must extend to the entity that provides consent as in the case of AJ, whereby Victoria Police demonstrated their faith in the project by allowing access to AJ, police locations and events.

3.2.4. Relationship between protagonist and content capture devices: camera and microphone

There is little value in a participant who is inarticulate, unresponsive or shy when the camera rolls. The filmmaker must weigh up the value of the participant’s camera presence in terms of successful screen delivery. An example of the sort of dilemma this can present is in “The Election of the Century” (Gaynor 1994). This project follows the work of an officer from the Australian Electoral Commission helping set up the infrastructure for the first multi racial elections in South Africa in 1994. He was selected because of his engaging and outgoing personality and articulate passion for his work. However he could not bring this passion onto the screen in the same way. A self-consciousness manifested whenever the camera rolled and he was unable to deliver the warmth and passion that he displayed off-camera. It was not possible to replace him and the final product suffers from his stilted on screen manner.

A different dilemma could have arisen during Community Cop. The project originated with community liaison police officer, Senior Constable Glenn Birt. He was a willing and engaging camera presence and the film was commissioned and financed on the basis of his suitability and willingness for us to follow his work over a period of months. But shortly into the commencement of content capture, Glenn unexpectedly left. The production agreement with Victoria Police was not specific to the individual but rather the role, so it was permissible to continue filming. However the project was predicated on the community liaison officer being suitable and willing as a participant. Glenn was replaced by AJ. To everyone’s relief AJ agreed to participate in the documentary and was also an engaging screen presence. The projects’ producers would have faced the very real dilemma if Glenn Birts’ replacement did not have an acceptable relationship with the vision and sound capture technologies.
3.2.5 Relationship to the process (time)

Given that observational mode documentaries usually follow people and events that are unfolding in real time, access to participants throughout that time is a central issue. The initial enthusiasm for the project and the novelty of the experience can wear off and when it does, participants can start to withdraw access on a number of fronts – in providing information about events, helping with access to these events, and even making access to themselves, their thoughts and feelings difficult. The ultimate denial is a refusal to continue involvement with the project.

The filming process in Community Cop took place over a six-month period, with some additional filming taking place during the editing phase. The central narrative of the documentary was the efforts of various parties to resolve the conflict between police and estate youth. As there was no definite process in place (unlike for example a trial or an operation), and no ending point, the time frame for capturing the sequences that would be formed into a cohesive narrative was very loose, the plan being to capture hoped for narrative opportunities over a period of months. These opportunities were not randomly selected – careful planning on a weekly and sometimes daily basis identified what historic world opportunities were suitable to capture for the unfolding narrative.

This time frame and process was discussed with each participant, as their availability and willingness to assist in the planning of filmic opportunities was an essential element of their suitability. It was explained that in a broadcast documentary there is usually a substantial amount of financial and programming commitment involved. It was crucial that the participants understood the implications if they chose to withdraw from the project once filming had commenced\textsuperscript{xxix}. Although it can be argued that knowledge of these implications may unreasonably induce participation and/or a “performative” element from the participants, it can also be argued that the participant must understand the context in which their co-operation is being sought to comply with the ethical notions of informed consent. – a central legal issue in participant access. All the participants accepted the parameters of their participation and continued with their commitment.

If the filmmaker believes that a protagonist may not be able to provide the security of access that is needed for the duration of the capture period, then this must be factored in to the decision to move forward with the project or the protagonist.
3.3 Access to events: identifying narrative impacts

The narrative structure in a documentary that combines observational and participatory modes is typically a series of events situated in the historical world, given context and further meaning by input of participants. Given the centrality of the observational mode in the narrative, the filmmaker must be as clear as possible about what sort of events are needed to tell their story. Events can be weighed up in terms of their centrality in the narrative structure:

a) critical events are those that are essential to the narrative;
b) supporting events are those that provide insight and background for the critical events;
c) descriptive events are those that provide insight into character or place but are not essential for the drawing together of the narrative.

Some observational and participatory narratives have an external dramatic structure. *For the Defence* follows court cases which have a traditional external narrative structure of beginning, middle, end, conflict and suspense, There were clear pre-indicators for critical and supporting events e.g. the pre-trial client/barrister conference, the moments before and after the trial, the response to the verdict.

*Community Cop* was a more challenging documentary, as the bridge building between police and estate youth had no external process through which to pre-identify the critical and supportive events that had to be captured. A filmmaker driven evaluation process was developed to indentify what access was necessary for narrative impact. These were identified as being:

a) events involving conflict between the police and the youth;
b) events involving conflict resolution between police and youth;
c) key personal events in the lives of the three participants.

To maximise the likelihood of “being there when things are happening to people that count” two methodologies were utilised.
3.3.1 Identifying potential filmic events through investigation and communication

Information in the observational mode is usually accessed by consistent contact by the filmmaker to verify what is happening in the personal and professional worlds of the participants, and then capturing what is most likely to provide a sequence relevant to advancing the narrative. This requires an intrusion in the participants’ lives that can become wearing over a long period. It may involve disappointing them when their enthusiastic suggestions are declined. There may be long periods of time where nothing of filmic significance arises but the communication must still be maintained. There were periods of time when AJ was on holiday and could not be contacted. Ahmed Dini disappeared off the radar without informing me because he became ill. Ahmed Ahmed went interstate.

Whatever obstacles arise, the filmmaker needs a disciplined but tactful approach that keeps essential sources in the loop and also on side. At times I would replace phone calls with emails or texts. I never contacted AJ when he was on holiday or days off. I sent a get-well card to Ahmed Dini. I would talk to secondary protagonists about general events and issues when I wanted to give the others a break. When I was on holidays I kept in contact to ensure I could capture essential content. There can be no set rule for how to keep the communication channels open except that they must be kept open whatever it takes, but within the parameters of trust and respect essential for the participant/filmmaker relationship to flourish and survive.

3.3.2 Identifying locales where events that must be captured might occur

This situation is one of the keys to successful observational documentary film making, particularly in the coverage of material that does not have a strong inbuilt dramatic arc. Research involves observing the environment in which the story will unfold to identify the core locales where events of importance are likely to occur.

It became clear for example that the Neighbourhood Centre was the main hang out area for the youths in conflict with the police, so access to that locale was likely to provide filmic insights into their lives and sequences to move the narratives along. I accessed the centre’s activity timetable and talked to Ahmed Dini to ascertain the times and days that would most likely produce sequences of use. Research also made clear the similarly central role of the Constable Alan’s office in the police station and his weekly schedule assisted in establishing the best times to be there.
What was clear was that it was important to regularly access the key locations of police station, estate grounds and the Neighbourhood Centre to establish trust, presence and capture content.

3.4 Legal Access

3.4.1 Environmental access

Gaining legal access to environmental locales can be a complex task. The filmmaker must define who has the authority to give permission and how to contact them. In many cases, access agreements and insurances need to be enacted to get the permission, which can involve lawyers and also location fees. For example it is standard practice in Melbourne for councils to charge fees for access to public spaces, which can be negotiated based on the type of production. Many organizations have generic location agreements but more complex agreements may be needed if the location is to be used for a long period of time or has heightened security needs as in an airport or police station. The central issue is the establishment of the legal parameters of the access, and its’ alignment with the production budget and aims.

3.4.2 Participant access

In Australia, there is a legal requirement to obtain consent when capturing a person’s image for exhibition. Production companies usually request that speaking participants sign a consent form. Those under eighteen must have the written permission of their legal guardian. The producer of Community Cop required that every person who spoke on camera sign a Participant Release form and if this form was not signed, the footage was not utilized. This is common practice in the Australian setting

Legal complexities arise when a participant withdraws consent after capture has been completed and much of the budget spent. The following examples underlines the point that legal access can be threatened at many stages of the production path and requires both an ethical and legal response on the part of the filmmaker.

Filmmaker Fred Wiseman’s first documentary Titicut Follies (Wiseman 1967) was filmed in the Bridgewater State Hospital USA for the criminally insane, capturing the life of the inmates and staff. To gain environmental access Wiseman obtained the consent of the superintendent. He also obtained the consent of those he filmed, either personally or via
their legal guardian, also the superintendent. Once the film was ready for exhibition, state and federal authorities intervened to protect the right to privacy of the inmates, despite the fact that they and their legal guardian had agreed to the access during content capture. The legal and moral implications of Wiseman’s filmic access became cause for lengthy dispute. The documentary, made in 1967 was excluded for public exhibition by a series of legal cases and court decisions, until 1992.

A contrasting situation arose during the final stages of the editing of *For the Defence*. Near the end of the edit phase, the family of a participant who had signed a release, asked for the material featuring him to be withdrawn from the documentary. The participant, the client of one of the featured barristers, had been charged with serious sexual offences. Despite his face and voice being unidentifiable, his family insisted that his community would be able to indentify him and that the ramifications for the family, particularly his elderly parents, would be severe. This decision was made to withdraw the material on the ethical basis that the well being of the family was more important than the outcome of the documentary. Another story was inserted and the final version of the documentary was slightly compromised by this decision.

Access in the observational and participatory documentary modes is far more complex than this six-letter word at first indicates. The more resources in terms of time, money and effort go into a production, the greater the imperative for the filmmaker to be clear on the role the access plays in their work and what to fight for should problems arise.
CHAPTER 4: **COMMUNITY COP: CONTENT CAPTURE**

A Case Study in the symbolic and applied meaning of access

The production of *Community Cop* is the case study for this dissertation and the vehicle for the collection and analysis of data relating to the environmental, participant, event and legal categories of access as discussed in the previous chapters.

4.1 An analysis of the environmental access in *Community Cop*

4.1.1 Symbolic and applied realities of environmental access in *Community Cop*

Permission to film in the Flemington Police Station was the first accessorial consideration in *Community Cop*. Its’ importance lay in two areas. Firstly it housed the office of police participant Constable Allen, whose mission drove the narrative arc. Secondly the building, over one hundred years old, symbolized the power and history that the estate youths were pitted against.

Access to this space required the permission of the Media Relations department of Victoria Police. The Production Company, 360 Degree Films and Victoria Police exchanged written and binding contracts. The content of the production agreement was a commercial in confidence document so many details were and are not for public consumption. However the filmmaker was aware that Victoria Police had the right to view the program at various stages in the editing process. This was to ensure that the program delivered what was proposed to them and to check for any elements that may affect police security or legal proceedings. Victoria Police did not have editorial control in terms of the narrative structure.

Access to the Flemington Public Housing Estate was also central to delivering the project’s aims. The estate was where the home, work and recreation spaces for the participants were located as well as being central to much of the conflict between the police and the estate youth. There was also powerful symbolism in the Housing Estate design, which was a signifier of a particular relationship with the dominant culture. The architectural style and construction materials of the flats applied only to public housing estates built in inner city Melbourne in the 1960s, immediately identifying the residents as likely welfare recipients. Given the Australian emphasis on home ownership, estate residence placed the occupants
outside the mainstream. The estates in Flemington had also historically been the first permanent housing for the latest refugee intake, heightening the signifier of these estates being home to people in minority communities.

Technically permission to film on the estate was required from the Victorian Government Department of Housing, the legal body responsible for the estates governance. However it was physically possible to capture content without this permission and a decision to work in this way was made due to:

a) the lengthy bureaucratic task that could be involved in getting permission;

b) the possibility of refusal of access;

c) the possibility of access restrictions being placed;

d) the possibility of an unworkable control system being imposed e.g. having to give notice of when filming would take place, unworkable in the highly fluid situation of the filming, or having to be accompanied by a departmental officer.

Access to homes, meeting and workrooms and events on the estate was negotiated with the participants or organizations responsible for the space or event at the time of content capture. The producer was designated to deal with enquiries or contact from the Department of Housing, however no contact, impediments or objections arose.

If pursuing the procedurally correct path had resulted in denial of access then two courses of action could have been taken:

a) abandon the project;

b) find another way to capture the locale. As the housing towers are visible from most parts of Flemington, it was possible to capture their presence in the background of shots. However, fulfilling the promise of the observational mode would have been compromised because of the limits to capturing the actuality of the participants’ lives and work.

4.1.2 Assessment of refusal of some environmental access

Some important environmental access in Community Cop was refused.
4.1.2.1 Access to the domestic environment of AJ
The original broadcaster pitch for *Community Cop* included the affect of the work of the Community Liaison Officer on his private domestic life. This was the one area of access he refused, for two reasons:

a) police officers’ law enforcement role placed them in conflict with members of the community who may have sought retribution. In this context it was important to safeguard the confidentiality and indentifying factors of family and home;

b) the police officer was undergoing a period of domestic stress and had no intention of allowing a camera to either capture this or add to the domestic tension.

The resolution of this denial of access was reached by assessing that AJ’s private life was not essential. He provided good access to his emotional life at work and this was the essential access needed.

4.1.2.2 Access to the home life of youth protagonist Ahmed Dini
This access was not assumed, but was considered important. It was hoped that the development of the relationship during content capture would allow the access. However, within the Somali Muslim culture it was taboo for women’s images to be viewed outside of the immediate family circle. Although the mainstream audience observer was unlikely to be aware of the significance of a female from this cultural/religious background allowing herself to be filmed, “the observed” and her community would be. Consequently Ahmed judged it was not appropriate to request that his largely female family open their home to a broadcast camera. Ahmed Ahmed and his wife dealt with this issue by absenting her from sequences captured in their home. An assessment was made that given that Ahmed Dini spent most of his time out of his home, surrounded by male friends in the environs of the housing estate that we had access to, there was enough quality access to his personal life of to carry the project.

The refusal of access in both cases highlighted the issue of the cultural context of content capture. It may not be assumed that the capture and dissemination of image has the same meaning for the observed as it does for the observer. What the field study demonstrates is how crucial it is to consider and resolve the qualitative weight in both symbolic and applied terms that the environmental access has. It is only once this is established that the filmmaker can assess how much effort to make to gain this access, which may include:
a) identifying and contacting the correct legal entity for a location agreement, which can take time, effort and resources;
b) the ratification of a location agreement, which can may include dealing with legal departments and bringing in production lawyers;
c) location fees which may impinge on the production budget;
d) restrictions around the use of the location;
e) finding different participants;
f) abandoning the project.

4.2 Analysis of access to Participants and Events in Community Cop

The participants in Community Cop were selected on the basis of their centrality to the resolution of the conflict between the local police and the African Australian youths from the housing estates, their on camera ability and their accessibility.

4.2.1 Selection of participants

The Community Liaison Officer, Constable Allen was the key participant as the title of the documentary indicates. Once his on-camera suitability and access to his working life had been established, the key selection criteria of other participants was their centrality to AJ’s work in resolving the conflict between the police and the estate youth.

AJ indicated that influential youth leader, Ahmed Dini was central to his work. Ahmed was in conflict with the police and a leader of youth groups negotiating with the police to resolve tension. I held informal meetings with him to assess his suitability as a participant. His suitability included his engaging screen presence, and his insights, which were clear and articulate. His heightened political radar was a difficulty as there was rarely a spontaneous moment in the participatory mode of content capture, but this also added to his complexity. He was willing to be involved in the project and provide the multiple levels of access required.

Estate youth worker Ahmed Ahmed worked closely with Ahmed Dini and AJ. His position as intermediary between the conflicted parties was ideal for a participant role and his personality, which was out-going, passionate and unguarded, was suitable to engage an audience. Ahmed was very positive about his inclusion in the process and there were few obstacles or difficulties in maintaining the types of access required.
The participants sat within cultural groups with a heightened relationship with the media (in which documentary filmmakers are included). As an employee of a state based law enforcement organization answerable to parliament, AJ was subject to the hierarchy and protocols of the Victoria Police Media Office. It was unusual for an individual member of the force to be allowed to appear relatively unmediated before the camera in such a contentious environment. There was some concern that the frank and fearless insights needed from AJ would not be forthcoming on camera because of this culture of mediated media contact but this was put to rest quickly once content capture commenced as AJ did not change his frank demeanor. There was also some concern that, despite the agreement between the production entity and Victoria Police, that organization would not accept the final outcome. However these fears did not play out. The Media Unit scrutinized the project at agreed stages of the edit and agreed that the project delivered on the original proposition.

In turn, the Media Unit complied with the terms of the original agreement that specified editorial input only in regards to legal or security implications.

Less formalized was the relationship between the other participants and the media. However, during the research phase I was made aware of strong opinions of many members of the African Australian community in Flemington, including participant Ahmed Ahmed and Ahmed Dini, that the media was unfair and racist in nature when reporting on their community. They complained of unfair focus and over reporting of negative incidents and misrepresentation of the facts, usually to their community’s disadvantage. The perception was that this was due their skin color (dark) and religion (Muslim).

4.2.2 Analysis of the implications of withheld participant and event access

There were two levels of access that were denied – not overtly but by omission and this did not become evident until well into the capture process.

The first withholding of access was in the environmental space/event category. The participants were the conduits to the events that made up the structure of Community Cop. The pitch documents and also the opening title sequence, invited the expectation that the audience would witness not only the reconciliation process, but also the conflict itself, involving confrontations between police and youths. Experience led me as director to believe that at some stage I would be in the right place at the right time to capture these sequences and so ensure the delivery of what was proposed.
The aftermath of the most serious of these conflicts was captured in the documentary in a community meeting. But both groups consistently censored language and action in the presence of the camera when feelings were running high. I proceeded on the belief that this caution would recede with time, but two instances well into the shoot made it clear that my belief was misplaced as described below:

a) I attended a dance at the Flemington Community Centre where security guards were on stand by for possible trouble between competing groups of youths. Half an hour after I left, fighting broke out that was then attended by the Flemington Police who were assaulted with prepared stashes of rocks and sticks. I have not been able to ascertain if the conflict was deliberately delayed until I had left with my camera but there were no indications of the impending conflict while I was present, which is why I chose to depart.

b) a late night confrontation between police and the community on the estate turned into a big media event the next day. It was not until I turned on the news that night that I heard about this pivotal event. It was a revelatory experience – none of the participants had attempted to contact me despite their involvement. The documentary did manage to address the situation in retrospect but the experience made it clear that I was not going to be “invited” by the participants to key conflicts – I had to make it there via my own research and production methodology. As part of this methodology was to request that I be contacted when events exactly like this erupted, it was clearly a flawed approach.

A second barrier was to the interior life of the youth leader Ahmed Dini. Due to his centrality in the conflict and its resolution, and his on camera presence, Ahmed was a narratively powerful participant and voice for the youths so often the subject of negative mainstream media reports. Experience led me to believe that his initial reserve would diminish with time and proximity. However, Ahmed had a very strong political agenda of his own and was only prepared to allow access to environmental, emotional and intellectual spaces that supported his agenda. However I was aware of instances where Ahmed led youths against the police, and was seen confronting police officers in a most ferocious verbal and physical manner. There was no evidence of this demeanour when the camera was present.
Participants can withhold, withdraw or control types of access to suit their own agenda, thus maintaining some control over their own depiction, as the power over the finished product does not lie in their hands, unless specified in their contract. *Community Cop* can be seen in part in the context of the ethnographic filmmaking tradition. Bill Nichols describes the relationship between the observer and the observed in this discipline:

> The object of...ethnography (is) constituted as if in a fishbowl; and the coherence, “naturalness,” and realism of this fishbowl is guaranteed through distance. The fishbowl effect allows us to experience the thrill of strangeness and the apprehension of an Other while also providing the distance from the Other that assures safety. The effect of realism is to allow the spectator to dominate the Other vicariously without openly acknowledging complicity with the very apparatus and tactics of domination.\footnote{xlii}

The use of the participatory mode moved the camera in *Community Cop* beyond the fishbowl and in some way redressed the power balance as the participant provided commentary and insights. This textual authority could not overcome some reservations on the part of the young African Australian men. As a middle-class Anglo Australian, I was a member of the dominant culture. In off and on camera discussions they described feeling misunderstood, misrepresented and powerless in relation to the dominant culture. If as was the case in *Community Cop*, the filmmaker is not from the same gender, class, ethnic or age group, it is a legitimate protagonist concern that it is not possible for the filmic point of view of to move beyond the representation of the protagonist as *The Other*. Withholding access to events and the inner self is a way in which the protagonist can subvert this implicit power paradigm.

The cumulative effect of the covert denial of this access resulted in a partial access not sufficient for the audience expectations of, in particular, the observational mode. The original proposal had anticipated the capture of actual conflict between the opposing parties, based on research and the experience of the filmmaker. Had these physical and verbal conflicts been captured, the audience would have a visceral experience of the conflict between the parties and the urgency of reconciliation. The post-production
injection of the expository mode in the form of narration only served to confuse (as analyzed in Chapter Five). The documentary fails to deliver the expectations it raises:

a) to the commissioning bodies via the pitch document claiming access to the capture of parties in conflict;

b) to the audience via the rap driven opening titles with its suggestions of danger and conflict to follow;

c) to the promise of the observational and participatory modes themselves.

The failure of the filmmaker to capture the events that led to these meetings and outbursts is the central flaw of Community Cop. The narrative solution to these omissions of access lay with the post-production path.
CHAPTER FIVE: COMMUNITY COP: POST PRODUCTION

A Case Study in the resolution of compromised access

5.1 Management of the filmmaker’s relationship to access

During the nine-months of content capture, the filmmaker spent hours observing and then capturing the unfolding process of negotiation between the parties in conflict, leading to over one hundred and fifty hours of raw content. The question is, what did all this content signify?

In the observational mode both the effort to gain access and the intimacy and intensity of the filmmaking process can be a visceral and emotional experience. An emotional residue can load the image with meaning and intent for the filmmaker that does not carry over to the audience. This emotional entanglement with the material is usually revealed in the editing process, which in the observational and participatory modes is akin to the scripting process in other modes. Legendary observational filmmaker Fred Wiseman describes this stage of the process.

This great glop of material which represents the externally recorded memory of my experience of making the film is of necessity incomplete. The memories not preserved on film float somewhat in my mind as fragments available for recall, unavailable for inclusion but of great importance in the mining and sifting process known as editing.\textsuperscript{xlv}

My first insight into the disjunct between the filmmaker and audience response to material was directing The Election of the Century (Gaynor 1994), which follows the work of an Australian Electoral Official assisting in the first historic multi racial elections in South Africa. This was a heady and physically dangerous environment to shoot in and the atmosphere was heightened by the local crew’s doubts about gaining access to most environmental spaces, and my ability to gain this access. The visceral experience of accessing and capturing the content informed my judgement as to its screen value. But to the cold hard gaze of a dispassionate editor much of the material that had been so difficult and dangerous to gain access to did not actually mean much. My assessment that we had
enough material for two documentaries, resulted in one very good fifty-five minute documentary.

The original Commissioning Editor suggested a model for *Community Cop. Real Top Guns (Quail, 2007)*, was a six part series on fighter pilots in the Australian Air Force, a mixture of observational, participatory and expository mode series with driving narration and music to heighten the drama. It rated well with the young male audience the broadcaster was focused on attracting to this time slot.

The camera in *Community Cop* was allowed almost unprecedented physical access to both the inner sanctum of the police station and the grounds of the housing estate. I was aware that this aspect of access was exceptional and believed it would and did lead to exceptional event and personal access. My emotional response to the access influenced my reading of the content to the extent that it supported my belief that the material matched the aims of the time slot it was commissioned for and that the pitch documents promised.

However, the postproduction phase of *Community Cop* revealed a conflict between belief (fuelled by desire to meet the brief) and actuality. Many hours went into trying to force the *Community Cop* content into the commissioned format, rather than crafting a piece that reflected as Frederick Wiseman describes:

> a fair account of the experience I've had in making the movie.

Efforts were made to force drama out of situations without supporting footage. An example was an attempt to recreate a soccer match with the estate youths that led to violence between the teams and a police response. The sequence was built with narration, newspaper headlines and driving music rapidly intercut with shots of other soccer matches that had been captured. This approach was applied to other sequences as well. But in all cases the captured content did not support the editing approach. The result was unconvincing, inauthentic and unsatisfactory.

A change in broadcaster commissioning editor resolved the problem. She removed the insistence on the material fitting a pre-determined format and supported the creation of a
one-hour documentary using an editing approach that supported the material. Had this not taken place, there following outcomes were possible:

a) I would have been replaced as the director;

b) another editor would have been bought in to try to mould the material;

c) the project would have been shelved.

5.2 Management of stakeholder expectations in relation to access

What does the filmmaker do if it becomes apparent that they cannot capture the constituent elements of access that was agreed upon or planned and hoped for? A key factor is the context in which the project is being produced. A filmmaker with no other stakeholders is usually in a more flexible position from one who has investors, broadcasters, and distributors involved in the project.

The independent filmmaker can adapt the intent of their work to reflect the actuality of access. Independent documentary ‘Impunidad’ (Gaynor 1993) originated as a project following Guatemalan human rights worker, Daniela Ortez, living and working in the slums of Guatemala City. However this access did not eventuate as Daniela was often out of the country and despite assuring access, rarely made herself available. The documentary refocused to the broader story behind her work, the impunity with which the government security forces murdered, disappeared or terrified those working against their repressive policies. The mode was also altered from observational and participatory to an essay driven expositional mode, incorporating observational and participatory elements. There was no difficulty with the shift in narrative and mode as there were no exterior stakeholders at the point that the decision was made to change these elements. The resultant documentary was acquired and screened by SBS TV.

As the filmmaker does not control the historic reality in observational/participatory modes, some elements of the production may not unfold as proposed. It is not unreasonable to conclude these documentaries, based on thorough research and a strong likelihood that what is proposed will play out, must in some ways be speculative. This is the risk that must be managed in a stakeholder commissioned project. The first issue to consider in this environment is the position of the commissioning editors in relation to the production. Some commissioning editors apply a hands off support of the filmmaker’s process. Others
consider themselves paying clients whose brief must be met. Understanding this environment is central to the management of stakeholder’s expectations.

In *Community Cop*, issues around access and delivery of the anticipated product became central to the commissioning relationship, as the environment was client based. The access gained did not entirely deliver on the proposal, therefore not providing the “client”, particularly the broadcaster, with the product commissioned and invested in. As discussed, there was great pressure to force the material into providing the “drama” and shape for the three-part, prime time series commissioned.

The reason for the late identification of the issues of access and what had been commissioned, lay with my misunderstanding of the commissioning environment. My previous documentary “*Welcome 2 My Deaf World*” (Gaynor 2008) had been commissioned and completed in an environment that was more sympathetic to the independent filmmaker process – meaning that the captured content was shaped as best suited that material rather than being dismissed because it did not fit a pre-ordained format. In the client-based environment of the commissioning of *Community Cop*, failure to deliver material that specifically met the demands of the time slot, target audience (as the pitch had promised) rendered the captured content unacceptable to the original SBS Commissioning Editor, however impressive it was on its own terms.

It is beneficial for filmmakers, when seeking production investment and exhibition, to apply their research abilities to a thorough analysis of the commissioning and programming environment. The greater this insight the better able the filmmaker is to judge the access to, and delivery of material that fits with expectations.

5.3 Choice of documentary modes in response to issues of access

The research phase of *Community Cop* indicated that the story telling mode was best served by the observational and participatory modes because the objective was to capture a process, rather than drive a thesis. The observational mode would capture the actuality of the protagonists and events and their struggles for reconciliation over a period of months. The participatory mode would provide the participants with authorship over the commentary on these events. However in post-production, commissioning body Film Australia insisted on the introduction of the expository mode in the form of anonymous
narration to link scenes and provide the audience with a context to inform the observational and participatory sequences. Although my intention had been to utilize supers to achieve this, the house style of Film Australia was very heavily weighted to traditional narration and so I agreed to include the expository mode with the intention of minimizing its presence and letting the captured sequences carry the narrative as much as possible.

5.3.1 The use of the expository mode as a solution to access limitations
Although I believed that the original modes could be successful, the stakeholders insisted on the inclusion of the expository mode as defined by Bill Nichols:

*The Expository text addresses the viewer directly, with titles or voices that advance an argument about the historical world.*

Shifting to the expository mode can be the solution to the compromised access as seen on *Impunidad* (1993). However the thesis driven intention of the expository mode was not appropriate to the material in *Community Cop*. The narration sat more comfortably with the informational use of narration in news and current affairs, linking unrelated sequences and providing information to contextualise the visual sequence. It did not sit comfortably in the more complex and lengthy genre of documentary, nor with the expectation of expository narration providing an authoritative narrative. The narration also compromised the ability of the observational and particularly the participatory modes to provide the authoritative voice.

5.3.2 Ways of utilising the observational and participatory modes as a solution to access limitations
There are solutions to narrative gaps in access within the observational and participatory modes themselves. Australian filmmaker Bob Connolly has commented on the need for editing to take as long as it needs, particularly in the observational mode, as finding the narrative through the material captured is a slow and arduous task.

*There’s that little tiny light at the end of the very long, dark tunnel. And you don’t really know what you’ve got until the end of it. You can’t rush it. I used to do quite a lot of film doctoring of other people’s films. And so often, they’re just at that point where you have to think hard about the*
film and it needs about another four or five or six weeks of work, but
they’ve run out of money. And for lots of lots of complicated reasons, so
many films of great potential aren’t as good as they could be, because of
bureaucratic and financial pressures. They’re locked off before they
should be.\[li

Knowing the content of the one hundred plus hours of material captured for “Community
Cop” (2009), and having experience in documentaries in these modes, I believed that given
the time, a narrative arc could have been found in the material for a non narrated work. As
with For the Defence and Welcome 2 My Deaf World, the ordering of sequences to provide
a narrative and thematic logic, the positioning of the participatory mode commentary as
narration and the use of supers and intertitles to provide information where there were gaps
could have been utilised. There were many sequences not included in the final cut, and also
extensive participatory mode commentary that with time could have been woven into a
cohesive narrative.

The challenges for filmmakers working within the traditional commercial structure and
wanting to work in the observational and participatory modes, is the stakeholder’s attitude
to the modes and the finite editing time. For budgetary and contractual reasons there are
usually no extra weeks to work on the edit, which may leave the filmmaker with no option
but to utilise another mode to complete the work. The most pragmatic solution is to find
subjects that have a strong exterior narrative that takes place over a short amount of time.

5.3.3 The use of the reflexive mode as a solution to impaired access
If the postproduction schedule does not allow the contemplation that the
observational/participatory form can demand, and the expositional mode does not support
the material, then the challenge is to find another mode (such as the self-reflexive mode)
that can address the narrative difficulties presented by the access issues. As stated in
Chapter Two, I am drawing on the work of Bill Nichols to define this mode.

These...self reflexive documentaries mix observational passages with
interviews, the voice-over of the filmmaker in intertitles, making patently
clear what has been implicit all along: documentaries always were forms
of re-presentation, never clear window onto “reality”: the filmmaker was always the participant.\textsuperscript{iii}

The issues around the withholding of access were in fact part of the narrative of \textit{Community Cop}. The filmmaker’s attempts to capture this story and the reservations that the participants had about allowing certain aspects of that story to be available to public scrutiny are subliminal narrative threads in the documentary as it stands. In the documentary’s current form these induce a feeling of frustration that somehow the whole story is not being told and the viewer does not know quite why.

The use of auteur authored self-reflexive narration in \textit{Community Cop} could have provided another layer more effective than the inadequate utilization of the expository mode\textsuperscript{liii}. The first person experience of the filmmaker in trying to understand the central conflict could have provided a valuable insight into how complex the issue was. The gaps in access could have been explained.\textsuperscript{liv} The central issue of access, and it’s shadow, inaccessibility, could have been played out as a central theme in the documentary. The dance between the filmmaker, the policeman and the African Australian youths could have provided a perfect window into the core themes of the conflict itself: power and trust.

One objection to this use of the self-reflexive mode is that the filmmaker’s voice and narration delivery is unacceptable. An untrained voice may not have an engaging emotional range or tone, which I have verified when replacing self-voiced temporary narration with that of a professional voice over artist. One solution may be to commission a professional voice over artist to replace the voice of the filmmaker. This may be an ethical solution if the re-voicing of the filmmaker is acknowledged and may be the essential element to allow this mode to be acceptable.

The most compelling argument against this use of the self-reflexive mode at this particular point in time, is that this approach is out of favor with broadcasters. It can be argued that at the time of writing this dissertation there was very little support for auteur driven documentary within the broadcast commissioning environment. This may change in time but a documentary that is not commissioned for this environment is much freer to choose the auteur authored self-reflexive mode as a solution.
CHAPTER SIX: THE CONCUSION OF THE STUDY

This study establishes and explores accessorial considerations for documentaries produced in the observational and participatory modes, in a broadcast stakeholder environment.

6.1 The primacy of access in the observational and participatory modes
The evidence gathered in the making of Community Cop establishes the primacy that access has in the successful delivery of a documentary in the observational and participatory modes. It is due to this primacy that the filmmaker requires a rigorous process by which to assess the symbolic and applied meaning of access at every stage of the filmmaking process, from research to exhibition.

6.2 Areas of Access
This research and analyses had defined four key areas of access being:

a) the environment;

b) the participant;

c) the event;

d) the legal framework.

The first three areas of access can carry the symbolic and/or narrative weight of the documentary and the filmmaker needs to determine this is in order to assess the effectiveness of the access captured. Legal access can affect issues of access before, during and after production. The categorisation of access and the centrality of its successful capture to the realisation of the project proposition has been demonstrated by both the delivery and non-delivery of the original Community Cop proposal.

This study also proposes a series of responses to changes in anticipated access to achieve a successful narrative outcome for all stakeholders including the filmmaker. These responses suggest changes in the various stages of the production strategy in terms of participant and environmental choice and the narrative arc, and altering the mode in the capture and postproduction phases to reflect the reality of the access for the narrative.
6.3 Production environments
This study outlines the different environments in which documentaries are produced and their implications. It demonstrates that the independent documentary maker has more flexibility in responding to altered realities of access because of the primacy of their stakeholder position. The filmmaker of a commissioned work is best served by ensuring a thorough knowledge of the expectations of the commissioning parties before content capture commences, and managing these expectations as the reality of access is revealed during the capture and postproduction phases. This may involve the use of a different mode from that originally proposed, or preferred by the filmmaker.

6.4 Conclusion
In conclusion, the analysis of access in the observational and participatory modes of documentary via the field study Community Cop and the ensuing written analysis demonstrates the centrality of access in the development of both participants and a narrative arc. Consequently the filmmaker working in these modes is required to pursue a continuous assessment of:

- a) anticipated access and the project aims;
- b) what the actuality of access gained is delivering in terms of these aims;
- c) how to manage stakeholder expectations should the access gained shift from the original project proposition.

This analysis proposes methodologies to resolve:
- a) tensions between the original proposal and the reality of the access gained in the captured material;
- b) the tension between capture modes, accessorial reality, and the final choice of documentary mode;
- c) the expectations of the stakeholders and the actuality of the access gained;
- d) tensions between audience expectations of the delivery mode and the actuality of the access gained.

This project and dissertation provide both a tangible example and analytical tools for filmmakers working in the observational and participatory modes, to assist in securing the best outcome for their project, whatever the production context.
END NOTES


ii It is worth noting that I had substantial experience as shooter/director in these modes prior to this project, with six broadcast documentary credits: *Impunidad* (*SBS TV 1993*), *The Election of the Century* (*SBS TV 1994*), *For the Defence* (*ABC TV 1998*), *Nurses* (*ABC TV, 2001*), *Auto Stories* (*ABC TV, 2003*), *Welcome 2 My Deaf World* (*SBS TV, 2005*).

iii I am using “content capture” to replace the term filming or videoing, as in the digital age, these terms are no longer accurate descriptions of this phase of production.

iv The rejection of the chosen modes as sufficient to deliver an acceptable narrative, is also an indication of the move by broadcasters at this time and since, towards narrated documentaries with content that can be planned for and controlled in the pre and production phases. For further research into this topic see *Australian Documentary: History, Practices and Genres*: Fitzsimons, T; Laughren, P G.; Williamson, D (2011) Cambridge University Press.


http://www.videomaker.com/video/watch/tips-and-techniques/519-getting-location-access-for-documentary-makers
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http://scholar.google.com.au/scholar?q=Documentary+Ethics&hl=en&as_sdt=0&as_vis=1&oi=scholart&sa=X&ei=LKCZUYDmGsjiAfzuoGoAQ&ved=0CCwQgQMwAA
Accessed 23rd May, 2013


Stella Bruzzi provides an insight into how pervasive Nichols’ theory has become:

“The most influential and widely used writer on documentary has been Bill Nichols, whose numerous books on the subject have no doubt shaped most discourse on the documentary in universities since the 1980s”


Bill Nichols later renamed this mode participatory, used throughout this dissertation.


Craig Gilbert is the producer of the controversial documentary series “An American Family” broadcast by PBS (USA) in 1973. The family concerned, The Louds, claimed that the material had been edited to emphasise the negative events and aspects of their family.


*The implications were outlined as expenditure on the project with no finished product to screen, as well as damage to reputations for non-delivery. It was also agreed that if issues of continued access arose, all parties would work to a practical resolution*
There have been several television series about police work such as “The Force: Behind the Lines” (Seven Factual 08-11), “Highway Patrol” (Greenstone Pictures 09) and “Dog Squad”, (Seven Factual 2010) all broadcast on free to air Australian television. However the Police Force access on these programs is on the basis that these programs portray various aspects of police work in a positive manner Community Cop (2009) was dealing with material that by necessity was critical of the police.

Nichols, B. (1991) p. 223


However, the following review by Keith Austin of the Sydney Morning Herald on Dec 12, 2007 reveals that the “Real Top Guns” (Quail 2007) observational material also failed in crucial areas of access. “You have no idea how much I wanted to like this. There's the potential for an engrossing boys' own story if it weren't for the lack of a coherent narrative, the overused documentary device of trying to inject tension into events that aren't tense...There is plenty of footage of RAAF Top Guns in action but what's missing is a dissection of just who they are. I want to know what it is about Beau Pitcher and Kartik Maharaj that makes them Top Guns in their early 20s”.

Wiseman, F. (1994). Editing as a Four Way Conversation. Dox: Documentary Film


DOCUmenTARY ACCESS

REFERENCEs

BOOKs


ARTICLES


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Accessed 23rd May, 2013

Retrieved 18/4/2012 from


**FILMOGRAPHY**

Broomfield, N. (Director) (1994) *Tracking Down Maggie* (DVD) UK
Broomfield


Wiseman, F. (Director) (1967) *Titticut Follies*. (DVD) USA: Frederick Wiseman, David Eames Associate Producer
Appendix A

COMMUNITY COP – Production particulars

CREW

Producer : Sally Ingleton, 360 Degree Films
Director : Helen Gaynor
Camera : Helen Gaynor
         Peter Zackarov
         Max Davies
Sound : Mark Tarpey
       Peter Graham
       Chris Izaard
Editor : Ben Erikson
        Peter Friedrichs
Music : Studio 120
Sound Post Prod : Peter Walker, Sound Waves
On-Line : Digital Pictures

Commissioning Editors : Trevor Graham, Anna Morales, SBS TV
                       Anna Grieve, Film Australia

PROTAGONISTS

Constable Andrew Alan, Victoria Police Force
Ahmed Dini
Ahmed Ahmed

MAIN LOCATIONS

The Flemington Police Station
The Flemington and North Melbourne Housing Commission Estate