



Show biz **business**

Entourage it ain't. Amanda Diaz looks at the business of being an agent in Australia.

IT IS A truth universally acknowledged that behind every successful actor is an agent working behind the scenes.

Teary Oscar winners thank them every year, drama school graduates desperately seek their representation and various incarnations – from Ari Gold in *Entourage* to Estelle in *Friends* – stalk the hallowed halls of popular culture.

If Aussiehood is a long way from Hollywood, then where do agents fit in the local industry?

"We're in sales," says Woodburn Switzer Management (WSM) chief executive Rob Woodburn. "Our product is people."

As a United States native that worked for William Morris and Paradigm – two of the world's leading talent agencies – before starting his own Sydney-based company in 2009, Woodburn finds the agent scene in this country drastically different to what he is used to.

"Agents in the States, they're not necessarily put on a pedestal, but there's a lot of respect and understanding for the relationship," he says. "It's a bit more downplayed and bohemian here than in the US."

So bohemian in fact that many agents either work from home or maintain another fulltime job while running their business.

"For the first five years I kept my day job and I ran my agency from my

mobile phone and I had my laptop with me," recalls Gina Stoj, whose company Gina Stoj Management is in its ninth year.

Based in Newcastle, Stoj now has a home office. Though the temptation to move has occasionally beckoned, she has not regretted her choice to stay away from Sydney.

"I think with technology – you've got the mobile phones, you've got computers and now webcam and Skype – there's really no need to be there," she says.

Stoj also cites the high cost of offices in the city as one of the reasons that many agents struggle to pay the bills.

Sydney Creative Management director Mark Matthews agrees – his own business has been temporarily suspended while he focuses on running Chippendale-based Sydney Theatre School.

"It's very difficult for an agency to make money," Matthews says. "You have to pay for the office, there's tax, staff. Clients have to make \$500,000 for you to make \$50,000 – and generally 10 per cent of the clients earn 90 per cent of the agent's income."

Like many salespeople, agents work on commission – generally charging a 10 per cent fee on any work secured by their clients. If the actors aren't getting work, the agents aren't getting paid.

"Any agency can survive if you have a big cash cow, someone who's getting \$5 million in the US – your percentage of that can float you," says Woodburn. "But just focusing on actors is tough."

When that Hollywood star proves elusive, some agents can resort to less savoury ways of staying in business.

The Media and Entertainment Arts Alliance (MEAA) receives up to 300 complaints per year from performers regarding the malpractice of agents.

Though national director Simon Whipp says that most agents operate within normal business practices, he admits that some of the complaints they receive border on criminal conduct.

Common grievances include agents charging audition fees to potential clients, the overcharging of commissions, closing down without adequate notice and late or non-existent payments. A complaint from an individual can often shed light on a bigger problem.

When this occurs, the MEAA is able to take legal action.

"We do resource it for them," says Whipp. "We can do it as a party, or we can do it on behalf of the performer."

Regulations regarding the conduct of agents vary from state to state. Whipp compares the irregularity to Occupational Health and Safety Law – there's a need and desire to find a common approach amongst all jurisdictions, the problem is that it's not exactly a priority in the scheme of things.

For any national regulation to become a Commonwealth Government issue rather than a state matter, all agents would have to operate as companies, rather than sole traders or partnerships.

"Unless the state governments agree to refer their powers, the Commonwealth Government can't do anything about it," says Whipp.

In New South Wales, all agents must be licensed in accordance with the Office of Industrial Relations' Entertainment.

At present, the requisites for obtaining a license are that the applicant must have experience in the entertainment industry, be over 18 and able to conduct business.

In a 2009 review of the Entertainment Act, the MEAA proposed that agents be made to sit exams before receiving their license. But the recent change of government from Labor to Liberal means that any changes to the act are a long way off.

"Unfortunately agent legislation is not something for which there is a mood to put on top of the agenda," Whipp says.

In a sector that runs predominantly on creativity and emotion, it can be easy, particularly for actors, to overlook the business side of things.

"You can get away with stuff in the entertainment industry that you can't get away with in any other industry," says Woodburn. He believes that there should be a standard set of guidelines for agents and actors to adhere to – with penalties for undermining them.

"It would protect people," he says. "Weed out the shady actors and weed out the shady agents – but how do you do that? I don't know." **E**

