

7 October 2024

Manatū Taonga Ministry for Culture & Heritage

By email: LTIB@mch.govt.nz

Tēnā koutou katoa

Submission to: Manatū Taonga Ministry for Culture & Heritage
Subject: Submission on the Long-term Insights Briefing 2025 – topic consultation
From: Arts Council of New Zealand Toi Aotearoa (Creative New Zealand)

Introduction

1. Creative New Zealand welcomes the opportunity to provide feedback on the **proposed topic** for the Long-term Insights Briefing (LTIB) 2025:
How will digital technology change the way New Zealanders tell their stories in 2040 and beyond? – with a focus on digital technology, including implications for te ao Māori.
2. We have responded to the questions provided in the online survey and provided feedback on five of the nine issues [short-listed](#) by Manatū Taonga, from our perspective as the national arts development agency of Aotearoa New Zealand.
3. We look forward to providing feedback on the draft briefing in early 2025.

Feedback on the proposed LTIB topic

4. We have focused our submission on the LTIB topic on actions required to **support and protect**:
 - the **rights of artists and arts workers** and **sustainable creative careers**
 - our **national distinctiveness that comes from te ao Māori** (mātauranga, te reo, tikanga me ngā toi Māori) – noting the Crown’s partnership responsibilities under Te Tiriti o Waitangi to also look after these taonga and the role of the public service supporting the Crown in its relationships with Māori under Te Tiriti¹.

¹ Section 14, Public Service Act 2020

5. The five issues we have focused are:
 - **Digital cultural participation** – how we access and participate in cultural experiences
 - **Digital commerce** – the future of the cultural and creative economy
 - **Knowledge systems** – how we create, protect, share and consume information
 - **Te Ao Māori** – implications of digital technology for te ao Māori; and
 - **Global connections** – Future opportunities for New Zealand on the digital world stage.

6. The pace of change with digital technology is estimated to be happening 10 times faster than in the early days of the internet. While the LTIB considers long-term trends that will affect Aotearoa in the next 10–50 years, we have noted key areas that need to be **addressed now** to ensure that the arts, culture, creative and ngā toi Māori eco-systems and communities of Aotearoa can adapt effectively with the speed of change, are well positioned to benefit from new technologies such as artificial intelligence (AI); and that risks to artists and arts workers’ sustainable careers can be mitigated.

7. The key contact person for matters relating to this submission is:

Name: Aroha Rangī

Position: Co-Manager, Māori Policy & Performance—Kaiwhakahaere, Kaupapa Here, Arotake Hoki

Contact: aroha.rangi@creativenz.govt.nz

Responses to survey questions

8. **We agree** with the proposed 2025 LTIB topic and focus examining the impact of digital technology, including its implications for te ao Māori, as it highlights **key policy issues** that are essential for government and the arts, culture, creative and ngā toi Māori sectors to understand and manage effectively.

9. **We agree** that the topic is **critical** (vital to New Zealand’s social, economic, or environmental future), **national** (likely to have significant impacts across the whole country) and **future focused** (extends beyond existing capability/harm), noting that there are some current issues that need to be addressed to ensure we can effectively use and benefit from digital technology.

10. **We have commented on key issues relevant to our role as the national arts development agency for Aotearoa New Zealand** (pages 3–5) and to deliver to our legislative purpose ‘to encourage, promote, and support the arts in New Zealand for the benefit of all New Zealanders, recognising:
 - the **cultural diversity** of the people of New Zealand
 - in the arts **the role of Māori as tangata whenua**
 - the **arts of the Pacific Island peoples of New Zealand**; and

- upholding the principles of:
 - **participation** - encouraging participation in the arts and ngā toi Māori
 - **access** - supporting the availability of the arts and ngā toi to communities or sections of the population that would otherwise not have access to them
 - **excellence and innovation** - supporting artistic and cultural activities that develop the creative potential of artists and art forms
 - **professionalism** - maintaining and developing a professional arts infrastructure at both the national and community levels; and
 - **advocacy** - promoting Aotearoa New Zealand’s arts and artists locally, nationally, and internationally.
11. We expect that other arts, culture, heritage, creative, media and sports agencies will provide input from the perspective of their legislative mandate and the sectors and communities they serve.
 12. We don’t think Manatū Taonga has missed any issues of critical significance within the scope of the selected topic.
 13. We do not have any other comments on the **LTIB topic** but are happy to provide further information on specific areas of enquiry or interest and look forward to being able to comment on the **draft briefing** in early 2025.

Creative New Zealand feedback on the 2025 Long-term Insights Briefing short-listed issues

Digital cultural participation – how we access and participate in cultural experiences.

- How could digital technology affect access to and participation in cultural content and activities for different groups?
 - How will digital cultural participation affect people’s inclusion in society?
14. Digital technology will continue to significantly affect artists, arts workers and New Zealanders’ access to and participation in the arts, ngā toi Māori, creative and cultural content and activities.
 - **Positively** – with more accessible creative tools, platforms, education and experiences, increased productivity and new types of work in fields like AI.
 - **Negatively** – potentially deepening existing inequities and endangering creative livelihoods.
 15. The following challenges need to be addressed to ensure equitable digital cultural access, participation and benefits in the future.
 - **‘Digital divide’**: Access barriers to the internet, digital tools/literacy, technology and vocational education for Māori, Pasifika and Deaf and disabled New Zealanders need to be addressed, to ensure the creative potential of *all* Aotearoa artists, arts workers and communities can flourish and contribute to Aotearoa’s creativity, wellbeing, productivity and economic growth in the future.
 - **Infrastructure barriers**: It is crucial that arts, creative, cultural, ngā toi Māori and Pacific arts workers, creators, sectors and industries **remain represented and supported** in New Zealand’s **vocational education and training system** (currently

under review with the Ministry of Education) with **appropriate investment in accessible arts and digital infrastructure**, to ensure we have a diverse, skilled, and experienced workforce that can effectively participate and benefit from the ‘weightless economy’.

- **Loss of ngā toi Māori artforms:** Investment shifts toward digital technology may lead to the continued inequitable support and a lack of mātanga toi (Māori arts specialist) led protection and retention of customary ngā toi Māori arts practice, artforms, mātauranga, tikanga and reo Māori. There is a risk of the loss of these nationally important taonga as digital mediums overshadow non-digital art, resulting in a loss of vital mātauranga for future generations and Aotearoa.

Digital commerce – The future of the cultural and creative economy.

- How will increasing digital commerce and content distribution affect the cultural and creative industries, creative careers, and productivity?
 - What are the potential impacts of revenue and distribution biases with use of new digital technology?
16. Digital commerce and content distribution provide **great opportunities** (expanded national and global visibility, audiences, markets and revenue streams) but also **risks**, specifically concerning **artists’ and arts workers’ rights, intellectual property, protection from cultural appropriation and unauthorised use of artists’ work**.
 17. **Regulation to protect creative careers and livelihoods:** It is critical that **New Zealand legislation, regulation and contract guidance** on artificial intelligence (AI), intellectual property (IP), copyright and cultural appropriation is in place to protect New Zealand artists and arts workers’ rights, remuneration and work from misuse in applied AI (e.g, large language models) and their digital likeness/impersonation and misappropriation from generative AI.
 18. **Revenue and distribution:** New Zealand is not widely recognised as a primary territory for big tech due to our small consumer market and geographic isolation. This is a key concern in terms of **profit from New Zealand artists’ work being taken out of the New Zealand economy and not benefiting the Aotearoa arts ecosystem**.
 19. It is vital that we develop **distribution and licensing models** that support New Zealand’s creative professionals to exploit their rights internationally, and enable smaller local content creators and creative businesses to continue to develop work and have access to global markets (not be shut out due to the dominance of large tech companies).

Knowledge systems – How we create, protect, share and consume information.

- What are the risks and opportunities relating to copyright, intellectual and cultural property, and traditional and Indigenous knowledge?
20. **Impact on creative employment:** Similar to recent work in the United States by the Writers Guild of America and the Screen Actors Guild and American Federation of Television and Radio Artists (SAG-AFTRA), **key protections and contract guidance should be developed, alongside regulation**, to ensure that New Zealand artists can choose whether and how they use digital tech such as **generative AI as a tool to assist and complement (not replace) their work**, and ensure they are appropriately **credited and compensated/remunerated**.

21. **Sustainable careers:** With 71 percent of New Zealand’s creative professionals participating in the gig economy,² artists are already negatively impacted by the lack of protection and benefits given to employees and experience low and inconsistent incomes (median total income NZD\$37,000) and job insecurity. It will be important that government works closely with entities such as arts, culture and creative agencies and entities such as WeCreate to ensure how New Zealanders create, protect, share and consume information supports and does not endanger the sustainable careers of creative professionals.
22. **Data sovereignty:** Although Government is looking at establishing onshore data warehousing in New Zealand, data storage and cloud computing is often outsourced to Australia. We need to ensure that greater local infrastructure and skills, as well as clear regulation are developed support the safe and effective management and storage of Aotearoa data and information, and ensure Māori sovereignty over Māori data, cultural identity, indigenous knowledge and resources.

Te Ao Māori – The implications of digital technology for te ao Māori.

- What is required to manage and protect taonga and mātauranga in digital spaces for future generations?
 - What impact will AI have in te reo Māori language and other cultural revitalisation?
23. In addition to actions listed above, **Māori IP and copyright specialists and mātanga toi must be included in the review and development of copyright, IP and cultural appropriation legislation and regulations**, to ensure specific Māori intellectual property, mātauranga, cultural expressions, genetic resources, identity and natural resource concerns reflected in Wai 262 (The Flora and Fauna and Cultural Intellectual Property Claim) are addressed.
 24. AI could be a strong enabler for the strengthening of reo Māori skills, education and promotion and support the retention of mātauranga Māori, but there are associated risks (covered above) of data ownership/sovereignty, cultural sensitivity, misrepresentation, protection of Māori resources, and the undervaluing or undermining of customary Māori methods of cultural transmission (e.g. wānanga, wharekura etc) that will need to be considered.
 25. **Whenua Ora, Tangata Ora, Toi Ora:** Healthy Māori arts, require healthy ringatoi (artists) and a healthy taiao - environment. The environmental impact of digital technology is significant, with ever increasing energy consumption, carbon emissions and natural resource use. Aotearoa is continuing to see the impact of climate change with more extreme weather events and rising sea levels both here and across Te Moana nui a Kiwa. It is important to consider how we will ensure that digital technology does not contribute to further ecological degradation.

² Profile of Creative Professionals 2023: <https://creativenz.govt.nz/development-and-resources/research-and-reports/a-profile-of-creative-professionals-2023>

Global connections – Future opportunities for New Zealand on the digital world stage.

- How will our cultural system be shaped by new international trade and cooperation agreements?
- How will New Zealand stories be told and taonga shared across physical and digital borders?

26. As we have seen with the Resale Right for Visual Artists Act 2023, developed under the New Zealand – European Union Free Trade Agreement (FTA), our arts, culture and creative ecology can benefit from new international trade and cooperation agreements. There has been enhanced protection for taonga Māori and indigenous intellectual property in some of these FTA, providing stronger frameworks to ensure consultation with iwi, hapū and prevent commercial misuse or exploitation.
27. Large digital platforms (e.g, Netflix, YouTube, Spotify) will influence how New Zealand stories are told internationally, in some cases making it easier for Aotearoa artists to distribute content across international markets and increasing global visibility, growing access and appreciation of distinctly New Zealand, Māori and Pasifika stories to be shared with global audiences. As technologies evolve, virtual reality (VR), augmented reality (AR), and AI will be used to further elevate the storytelling process.
28. As with all this work, it will be important to ensure that representation of te ao Māori is Māori-led, accurate, respectful and only shared with appropriate involvement of iwi, hapū, marae, whānau whose stories are being told and that there are processes and regulation in place to stop cultural misrepresentation and appropriation.

Background on Creative New Zealand

29. Creative New Zealand is the national arts development agency of Aotearoa New Zealand, responsible for delivering government support for the arts. We're an autonomous Crown entity, first established as the Queen Elizabeth II Arts Council in 1964 and continued under the [Arts Council of New Zealand Toi Aotearoa Act 2014](#). Creative New Zealand's legislative purpose is: *to encourage, promote, and support the arts in New Zealand for the benefit of all New Zealanders*.
30. Creative New Zealand receives funding through the New Zealand Lottery Grants Board Te Puna Tahua and Vote: Arts, Culture and Heritage. In 2023/24, Creative New Zealand **invested \$70 million in the arts**, supporting the sector through our funding, capability building, advocacy, leadership and partnering initiatives.
31. Our long-term strategic direction to 2029, set out in our [Statement of Intent 2022–2026](#), identifies the outcomes we're seeking to achieve on behalf of all New Zealanders.
- **Stronger arts**, as shown by:
 - High-quality New Zealand art is developed
 - New Zealand arts gain international success.
 - **Greater public engagement with the arts**, as shown by:
 - New Zealanders participate in the arts
 - New Zealanders experience high-quality arts.

- **Stronger arts sector**, as shown by:
 - New Zealand’s arts sector is resilient
 - New Zealand arts are valued and supported.

32. We contribute to achieving our outcomes and create value for New Zealanders, by delivering programmes in the following areas.

- **Investing in the arts**, including providing funding to artists, arts practitioners and arts organisations.
- **Developing the arts** through our capability building programme for artists, arts practitioners and arts organisations.
- **Advocating for the arts**, to promote the value of the arts and empower the arts sector to make the case for the arts.
- **Leadership in the arts**, to ensure the arts sector is well positioned collectively to respond to change.
- **Partnering for the arts**, to develop reciprocal relationships and partnerships that increase the impact of our collective work for the arts.

Please feel free to contact us if you have any questions or if you wish to discuss this submission further.

Ngā mihi nui ki a koutou katoa, nā

David Pannett
Senior Manager, Strategy & Engagement
Pou Whakahaere Matua, Rautaki me te Tūhono