Annex 2: View and perspectives from targeted engagement to inform the development of a charter for a new entity

1. Over June, July and August 2021, the Business Case Governance Group (BCG) undertook targeted engagement to help inform the development of a charter for a new public media entity.

2. Three core stakeholder groups were identified for targeted engagement:

    2.1. media ecosystem stakeholders - including current public media, private media, community media, industry bodies, advertisers, content producers

    2.2. Māori media and Māori representative entities

    2.3. key audiences for a new public entity, including those who are currently under-served or under-engaged.

Media ecosystem stakeholders

3. The media sector workshops canvassed a wide range of issues related to what a new public media entity should look like, and how it should operate. Broad themes across the workshops included the following

    3.1. *What 'public media' means* - Participants raised the need to identify what "public media" means – for instance whether it is a function of ownership, provision or funding. There was general comfort with a definition encompassing both publicly owned institutions plus publicly funded content/platforms.

    3.2. *What impact a new entity might have on other players* - A key point of focus for all the sessions was on how a new public media entity would impact on the broader media sector and commercial providers in particular. There was general acceptance that there should be 'plurality' (though not increased fragmentation) in the market, with a diverse range of strong commercial and semi-commercial providers in addition to a new public media entity; and that a public entity should work collaboratively rather than in competition with other providers. However, there was concern about the potential impacts of a stronger, bigger public media entity funded partly by commercial revenue on the viability and sustainability of other providers - particularly in relation to competition for audiences and advertising dollars.

    3.3. *How a new entity would be funded* - Participants discussed the tensions and difficulties inherent in a new entity being publicly funded while also pursuing commercial revenue – noting that funding would drive behaviour, regardless of what is in a charter. Participants discussed the need for sustainable, transparent public funding and for high levels of that funding (e.g. at least 50 per cent). Some participants thought that content that is publicly funded should be separated out to ensure it

doesn't carry advertising in order to avoid distorting the market. Other participants thought there should be a cap on advertising.

3.4. *How the entity's focus should differ from commercial media entities* – Related directly to the above, there was some disparity of views on what a public media entity should focus on relative to commercial media entities, with views ranging from doing only what a public media entity would do (e.g. solely focusing on under-served audiences) to a view that a public media entity should be looking to appeal to all New Zealand audiences (on the basis that all taxpayers should benefit from the content the entity provides). There was general but not unanimous agreement that a new public media entity should not create new platforms or start up new services in direct competition to existing providers. There was some discussion of the potential role of quotas in terms of ensuring a certain proportion of New Zealand content. There was also a view from several participants that entertainment/drama was just as important a focus for a public entity as news/current affairs or more factual-based programming.

3.5. *What elements beyond a charter would be central to a new entity's success* –Participants noted that, while a charter would provide some high-level guidance and principles, the detailed operational and funding arrangements will be critical in setting the *direction* of the new entity and ensuring its success. In particular, participants noted the importance of good governance and management to ensure the entity can deliver in line with a charter and balance competing commercial/public incentives as well as the need for sufficient funding.

3.6. *How tensions between a commercial and a public media focus could be managed* – Participants noted the likely difficulty for the entity of reconciling commercial imperatives with a public media focus on under-served audiences, collaboration and access e.g. the incentive to produce 'safe' programming that a broad range of people would watch (and that would therefore attract significant advertising revenue) versus producing the riskier or niche content expected of a public media entity. There were also concerns raised about the market impacts of allowing a publicly-funded entity to compete with private sector media for revenue or audiences.

3.7. *How a new entity would use existing/new platforms* - While there was general agreement that public media content should be hosted on a variety of platforms, the point was raised that the focus shouldn't be completely 'platform-agnostic' - for instance, publicly funded content shouldn't end up on You Tube. However, participants also saw the value of public media content being accessible via a range of access points. Most participants thought that, as a content producer, the new entity would need its own robust, quality platform(s), although there was acknowledgement that sometimes collaboration with other platforms (particularly existing community media assets) would be the best way to deliver content. A few participants thought that a public entity should

focus solely on funding or content rather than on retaining its own platforms.

3.8. *What obligations would be placed on a public media entity in terms of ensuring access* – Some participants questioned the extent to which a new entity would need to continue to deliver content on platforms that are becoming obsolete (e.g. terrestrial television and AM radio) as part of a public media responsibility to ensure access, and how that would be balanced against other areas of focus such as concentrating resources on platforms that give broader reach, targeting under-served audiences, and being innovative/responsive to technological and other changes.

3.9. *How the operational independence of the entity should be protected* - There was general agreement that the public media entity should have a strong degree of operational/editorial independence from government and, where appropriate, from commercial interests. There was some discussion of how this could be enshrined beyond the provisions of a charter, including through funding being decided by/channelled through an independent body, bulk funding/multi-year funding that is protected against election cycles, and whether there is a need for some sort of monitoring entity to stand in between the new entity and Parliament.

3.10. *How ongoing access to public content can be ensured* - Ongoing access to publicly funded content was raised with a view that, if the public funds content, it should be made freely available to New Zealanders at least at the end of its commercial life. Participants noted that complex intellectual property rights complicate this situation.

4. There were also issues raised that are outside the scope of this work programme:

4.1. *How government should be regulating/shaping the broader media eco-system* - The sessions also raised government's role in regulating and helping shape the broader media eco-system. Issues raised here included the role of taxation/regulation of big international media companies as well as the need to better understand the current economic and social contributions of the wider media sector and the challenges they are facing.

4.2. *Whether the current contestable funding model needs to be amended* – Some participants expressed a view that the lack of vertical integration between the funding agency, content producer and distributor, coupled with NZ on Air's mandate relating to demonstrable audience reach, advantages larger producers and means commercial *platforms* can act as gatekeepers. In addition, NZ On Air is likely to come under greater pressure in the future as declining commercial revenues mean greater demand to fund or subsidise all forms of local content, including those previously viable on a commercial basis.

4.3. *Whether government should create a new public media entity* – a small number of participants raised concerns with the broader proposal to

create a new public media entity for reasons including a loss of plurality in the combining of TVNZ and RNZ news operations; potential for the new entity to crowd out private sector media (with the example cited of RNZ's provision of content to private providers on non-commercial terms); a loss of talent/skills (particularly commercial ones); and a long lead time for a new entity to be fully functional. There were also concerns that the proposed changes to TVNZ would reduce reach and therefore exacerbate a decline in TVNZ audience and revenues, potentially to the advantage of global platforms.

4.4. *How the work programme including engagement processes has been run* - Some participants noted the difficulty in considering the charter separately from the business case and felt that there should have been broader consultation on the business case

5. Workshop participants were asked about the specific components of a charter, and provided feedback on what the purpose, objectives, functions and operating principles of a charter for a new public media entity should be.

6. There was significant commonality in participants' views about what should be covered in a charter, although participants identified tensions between some proposed areas of focus for the entity, as outlined in the discussion of broad themes above – in particular between:

6.1. a requirement on the entity to pursue commercial revenue (and viewership/listenership), and a pure public media focus

6.2. associated with the above, competition versus collaboration with commercial providers

6.3. engaging a broad range of New Zealanders while also catering to diverse and under-served audiences

6.4. ensuring broad access to public media services by continuing to maintain increasingly obsolete technology/platforms while also planning for and responding to technological and other change

6.5. supporting plurality in the media eco-system without encouraging further fragmentation and losing the benefits of scale.

7. A further area of tension related to a possible focus on international audiences (for instance, showcasing New Zealand to the world) versus a focus on New Zealanders. However, consistent with the Cabinet decisions and business case, it is likely that the entity would focus primarily on delivery to New Zealand audiences, alongside delivery of some specific functions associated with New Zealand's responsibilities in the Pacific.

Māori media and Māori representative entities

8.   With the help of Hourua Pae Rau - Deloitte Māori Services, a series of virtual and face-to-face hui with organisations and interest groups representative of Māori and with Māori media has now been completed. The hui explored the same elements of a charter and domains of interest as the workshops conducted with media ecosystem stakeholders, with a focus on specific aspects and needs relevant to Māori.

9.   Broad themes across the hui included:

9.1.   a desire that te Tiriti o Waitangi be recognised as the overarching framework to guide and govern the entity – noting this means Treaty principles are central and not 'off to the side,' and the Treaty is actioned across the new entity's governance, management and operations

9.2.   broad agreement on the importance of the entity using Treaty-based strategies and frameworks and co-governance - with true partnership requiring recognition and representation of a Māori world view, rather than seeing a Pākehā point of view as standard

9.3.   the view that the entity has an obligation to Māori and should not just leave it to Māori media to deal with Māori matters – but should work alongside Māori media in fulfilling this obligation

9.4.   concerns about a tension between a commercial imperative versus commitment to Treaty-based governance and broader cultural/public interest

9.5.   broad agreement on the importance of providing an authentic representation of Aotearoa in the media made up of diverse perspectives, not just the majority view – noting that Māori are themselves a diverse group

9.6.   broad agreement that the entity should meet the needs of a diverse range of audiences, including providing content that accounts for language barriers, disabilities, and technological limitations (noting that many rangatahi don't have access to smartphones or smart TVs), and providing platforms that enable easy access for all

9.7.   a desire for sufficient provision for te reo Māori, Māori stories and Māori voices to be heard, as well as fair provision of resource and funding to this – although there were mixed views about the possible role of quotas

9.8.   broad agreement on the importance of diversity and cultural competency within the entity including developing an organisational culture that values and embraces Te Ao Māori and Māori voices, and having a diverse and culturally competent workforce

9.9.   views about the entity's responsibility to support the broader media eco-system, with broad agreement on the importance of diversity within the

media eco-system and some mixed views on the extent to which the entity should focus on building capability, for instance building the skills of rangatahi.

10. There was discussion of the purpose of a public media entity, including it being an exemplar for a Treaty partnership and a model for other entities, supporting democracy and being a trusted source of information, and serving under-served and under-represented audiences. Participants also wanted the entity to achieve outcomes for both Kaupapa Māori and Māori in the sector through more opportunities, involvement in decision-making, cultural safety and sharing of resources, power and funding.

11. There was also discussion about the purpose of a charter itself, with some participants seeing the charter providing a strong framework and unified vision, an opportunity to force change and cement in the entity's commitment to te reo, and a potential model for foundational documents for other New Zealand organisations. Conversely there were concerns about a charter being interpreted in a narrow way, or only being paid lip service to, particularly if there wasn't a mechanism to hold the entity to account.

12. Participants generally agreed that the charter needed to have explicit and practical references to te Tiriti, with concrete implications for how the entity operates, including through partnership/shared governance at all levels of the entity; equal access to resources and equal decision rights; Māori having the authority to determine how their taonga (archives) will be used; collaboration with Māori and iwi and other Māori media organisations; normalisation of te Reo and te Tiriti; creation of a safe environment within the entity with a shared understanding of and respect for Te Tiriti among all staff, supported by Treaty-based training; and Māori capability development across the sector.

13. Specific entity functions identified by participants included the delivery of more Māori programming, small community programming and regional content, and more content that rangatahi can see themselves in (and be involved in creating). Participants discussed the importance of Māori content not being shown off-peak. Participants also noted the importance of the entity screening international content, particularly to engage rangatahi. Views on the entity producing content for sale internationally were more mixed – with some participants thinking that the entity should be sharing our stories, content and culture with the world, and others saying that the entity should focus its limited resources on producing content for Aotearoa, by Aotearoa.

14. Participants identified a range of tikanga that they thought should guide how the entity operated including kotahitanga (unity of purpose and approach), whānaungatanga (dynamic relationships between place, people and kaupapa), mānaakitanga (how you care for kaupapa, people and place), kaitiakitanga (duty of care), and being whakapono (acting with integrity and honesty) – noting that which tikanga you apply and when you apply them depends on the context. There was some support for a Māori rōpū (advisory group) to not only guide the development of such principles but also to help the entity with the day-to-day application of tikanga. Other participants felt that this guidance would be best

generated through employment of the appropriate knowledge and expertise across the organisation.

15.   When talking about how the entity should operate, participants also agreed on the importance of the entity having clear independence from the Crown, not duplicating the efforts of the private sector or trying to monopolise the provision of Māori content, and working in partnership with Māori and other providers – procuring rather than producing.

Key audience groups

16.   Manatū Taonga conducted a range of face-to-face workshops designed to capture the views and perspectives of key audience groups for public media that were not represented in the media ecosystem stakeholder group engagement activity. These workshops included young New Zealanders, rangatahi, and organisations and individuals representing Pacific Peoples, Asian and disabled communities. In line with the activity conducted with the Media Eco-system and Māori stakeholder groups, the workshops explored the role, purpose and guiding principles of a public media entity from an audience perspective.

17.   Broad themes across the workshops included:

17.1.   broad agreement that a public media entity needs to represent and reflect all of Aotearoa. Participants noted the importance of seeing themselves in the content, but also of other communities seeing the diversity of New Zealand. Some participants expressed a view that international content is more diverse and representative (e.g. Netflix has good programming about disability), attracting them to it over local content.

17.2.   linked to the above, a view that 'niche' content most often falls into 'niche' hours, exacerbating the lack of representation. Participants made comments about the importance of dedicated and consistent times and channels for programming for underserved audiences so that they could rely on engaging with relevant content (e.g. in first languages etc) as well as providing programmes containing more representative content on mainstream channels, at prime time

17.3.   strong sentiment across the groups that, in order to have authentic representation, the entity should employ a diverse range of people. This was widely considered to be the most effective means for meeting the needs of both underserved audiences, and all New Zealanders more generally. Some participants saw the entity as having an opportunity to set a benchmark in this space. A small number of participants suggested having specialist reference groups for specific communities of interest within the organisation, but this was largely considered a poor second option to employing a diverse range of staff

17.4.   strong views that public media has a role to play in supporting the current community media, who are doing a good job of producing and

broadcasting content of relevance to its communities already, as well as potentially employing individuals from those communities (e.g. Student Radio Network, CAMA, Radio Spice, Pacific Media Network, Tagata Pasifika) to shape and deliver the content. There were views that a public media entity would not be able to authentically produce this content, but could broadcast it to provide greater reach, work together to provide reciprocal news and information about and for the community and/or provide infrastructure or resource support

17.5. in line with the above, a view by many participants of the need for the entity to build capability and provide training and development opportunities. One of the groups representing young New Zealanders also discussed the importance of a public media entity being a place for innovation, for experimental content and having a mandate to fail

17.6. strong views on the need for improved accessibility for the disabled community. Discussion focused on access for New Zealanders with visual and hearing impairments. Some participants would like to see a charter that provides for at least minimum requirements for content production to include captioning, audio description, and sign language – particularly given international media platforms such as Netflix currently have these services as a baseline for all their content. Some participants also noted captioning provides access when English is a second language, and as a pathway to learning languages

17.7. a focus by participants representing young New Zealanders on the usability and accessibility of content – with these participants noting that their lack of engagement with public media content is largely based on the platform on which, and the way in which, it is currently provided. Participants generally chose to view content in the social platforms they were already using and, when they did consume mainstream media, wanted bite-sized information that is fast, fun, curated and regularly updated.

17.8. discussion about the role of a public media entity in demonstrating and telling our history, supporting our languages and exemplifying te Tiriti. There was also discussion about modelling the charter on the principles of te Tiriti, noting that if this was in place there would be a more representative and collaborative approach to the work of the entity overall, which would support the development of Aotearoa's culture

17.9. discussion about the role of the public media to support efforts in the education system to normalise languages and build a pathway to language.

Workshop participants

The table below identifies the individuals and organisations that participated in the targeted stakeholder engagement, across all three stakeholder groups - Media ecosystem stakeholders, Māori media and Māori representative entities and key audience groups.

Organisation or Stakeholder Group	Name
Able (Captioning)	Wendy Youens
Advertising Standards Authority	Hilary Souter
APNA TV and Radio APNA	Imraan Hussein
ANZA (Association of NZ Advertisers)	Lindsay Mouat
Attitude Pictures	Dan Buckingham
Better Public Media Trust	Myles Thomas
Better Public Media Trust	Peter Thompson
BusinessDesk	Pattrick Smellie
Commercial Communications Council	Paul Head
Community Access Media Alliance (CAMA)	Jo Holsted
Crux	Peter Newport
Discovery	Glen Kyne
Iwi Communications Collective	Jacky James
Iwi Communications Collective	Te Amo Morehu
Kawea Te Rongo	Mihingarangi Forbes
Māori Media Sector Shift Advisory Group	Annabelle Lee Mather
Māori Media Sector Shift Advisory Group	Jason Ake
Māori Media Sector Shift Advisory Group	Nicole Hoey
Māori Media Sector Shift Advisory Group	Peter-Lucas Jones
Māori Women's Welfare League	Tia Takarangi
Media Council	Mary Major
Media Matters	John Terris
Mediaworks	Cam Wallace
News Publishers' Association (NPA)	Brook Cameron
Ngā Aho Whakaari	Camilla Karehana
Ngā Aho Whakaari	Heperi Mita
Ngā Aho Whakaari	Hineani Melbourne
Ngā Aho Whakaari	Michele Bristow
Ngā Taonga Sound and Vision	Jeanette Bullen
Ngā Taonga Sound and Vision	Paul Meredith
NZ Children's Screen Trust	Janette Howe
NZ Film Commission	Dale Corlett
NZ Film Commission	Karen Waka
NZ Film Commission	Kathryn Graham
NZ Māori Council	George Ngatai

Organisation or Stakeholder Group	Name
NZ On Air	Cam Harland
NZ On Screen	Stephanie Hopkins
NZME	Michael Boggs
Office for Disability Issues	Vaughan Dodd
Oriana TV	Samson Samasoni
Pacific Media Network/NPRT	Don Mann
Pasifika TV	Natasha Meleisea
Radio Broadcasters Association (RBA)	Jana Rangooni
Radio Spice	Parminder Singh
Radio Tarana	Robert Khan
RNZ	John Barr
RNZ	Paul Thompson
RNZ	Richard Sutherland
RNZ	Stephen Smith
Samoa Capital Radio	Afamasaga Tealu Moresi
Save Concert	Elizabeth Kerr
SPADA	Sharon Menzies
Student Radio Network	Caitlin McIlhagga
Student Radio Network	Sam Irvine
Stuff	Gen O'Halloran
Sunpix	John Utanga
Sunpix	Ngaire Fuata
SunPix	Stephen Stehlin
Te Māngai Pāho	Larry Parr
The Korea Post	Young-Rie RHO
TVNZ	Brent McAnulty
TVNZ	Cate Slater
TVNZ	Paul Yurisich
Women in Television and Film	Philly de Lacey

A further 22 individuals participated in the key audience workshops, representing under-served and under-represented audiences including young New Zealanders, rangitahi, New Zealanders with disabilities and Pacific peoples.