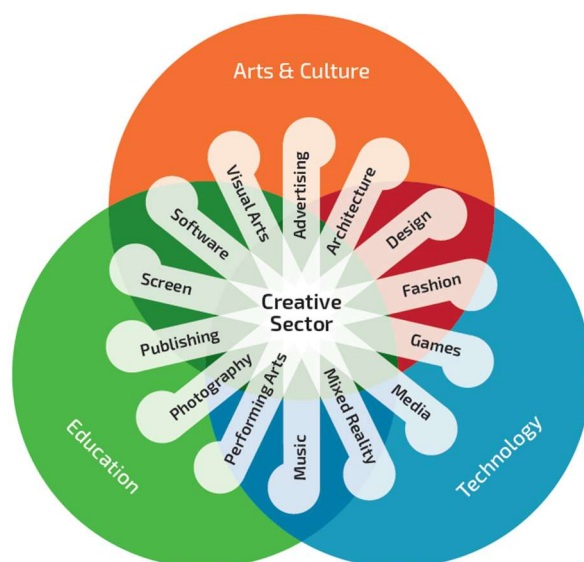


## Submission to Media Reform Discussion Document March 2025

WeCreate<sup>1</sup> is the alliance of Aotearoa’s major creative industry associations and organisations, representing 30,000+ Kiwi creators, support people, and creative businesses. The organisation was founded in 2014 to propel growth in the sector and increase its contribution to New Zealand’s social, cultural, and economic, wellbeing.

We have only submitted on the actions relevant to WeCreate’s membership at a sector-level. Many of our individual Member and Friend organisations will make submissions in more detail on areas where they have subject-matter experience.



### CONTEXT FOR THIS SUBMISSION

As outlined in our submission to the Ministry’s consultation on *Amplify*, the creative sector is an ecosystem<sup>2</sup> with interconnections between the individual creative industries, and with education, technology and arts & culture. Many of the people who work in the sector (which is dominated by freelancers and contractors who often perform different roles in different industries, according to their specialism), earn from its various parts. Similarly, creative businesses can often participate in different parts of the ecosystem, therefore careful consideration should be given to policy or regulatory approaches that attempt to “box” or separate one part of the sector from another. We have previously encouraged Manatū Taonga’s various policy teams to connect on their work, and we hope that this will occur during consideration of the submissions to these proposals.

<sup>1</sup> Readers of this document who are not familiar with WeCreate’s work may wish to watch this short [video](#)

<sup>2</sup> A recent report from Boston Consulting Group – [Future of NZ Inc: What Will New Zealand Be Known for in 2050? | BCG](#) speaks to the importance of ecosystems, including the creative industries in New Zealand.

## SUBMISSION

WeCreate recognises the need for, and supports the intent to, modernise both investment models and the regulatory landscape for all media that operate in Aotearoa New Zealand. This includes both individuals and businesses physically located here, as well as those that engage with New Zealand audiences from other countries. We stress the importance of supporting local media<sup>3</sup> production in a way that ensures the human and financial sustainability of the sector, including investment in and protections for the work of Māori creators and creative businesses, and a level regulatory landscape for all players.

A strong local media sector will propel the country's economic growth and support our "soft power" globally, while continuing to deliver for local audiences. In late March 2025, WeCreate will release a new *Creative Export Explainer* report that sets out the opportunity for growing creative exports, the barriers to creative trade, and how government might help the sector to export more.

We are concerned that the premise for the Discussion Document is technology and media content creation and distribution as it exists now, rather than looking to the future. It is clear from the dates of some of the existing sector regulation that it is challenging to develop policy, and implement effective regulation, in a timely manner that keeps pace with technology development. We encourage reference to Manatū Taonga's Long Term Insights Briefing consultation on *Culture in the Digital Age* and the creative sector's contributions to that work.

One example of where the Discussion Document limits itself in relation to technology is the outline of defining "professional media". As written, "*online platforms that primarily host user-generated content or provide access to others' content, such as social media (like Facebook and TikTok) and search engines (like Google)*" would not be captured. These companies, through the use of Artificial Intelligence, are now taking the content that is published on their platforms to create "their own" content and, in some instances, to publish and distribute this in a way that prioritises the AI-generated content for audiences and demotes links or connections to the original content. Some [commentators](#) are already recognising the significance of this shift.

It is also interesting to consider where platforms like YouTube would fit in the definition - in terms of the company's existing business model, and any future iterations (noting that YouTube has not been a platform solely for user-generated content for some time now). New Zealand on Air's 2024 audience research<sup>4</sup> reports that global video sharing platforms reach 64% of New Zealanders every day and that YouTube is the most popular global video sharing site. Consumption of video on Instagram has grown since the company introduced "Reels" in an attempt to retain audiences that were moving to TikTok.

The differentiating factors between generations of consumers of media is also informative when considering future-proofing media reform. The New Zealand on Air audience research records 15–39-year-olds as:

- Highly digital and generally more likely to consume globally provided content than local.
- Global video platforms reach 8 out of 10 daily however this has declined year-on-year.
- Music streaming and SVOD reach close to 7 out of 10 of this group.
- Around 2 hours per day spent with global video platforms, SVOD and music streaming

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<sup>3</sup> Taking a wide definition of "media" to include all forms of creative content

<sup>4</sup> [Where Are The Audiences? 2024 | NZ On Air](#)

With the audiences of the future already favouring global platforms, it is clear that there is already a need for a level-playing for local media.

WeCreate recently made a [submission](#) to the Privacy Commission's proposed *Biometric Processing Privacy Code* where we noted:

*The draft Biometric Processing Privacy Code (the Code) appears to use a limited technology lens rather than being **neutral to a particular technology** and seeking to achieve positive outcomes on all biometrics use. We believe that this is a missed opportunity to protect New Zealanders in a world that is at the tipping point of the next phase of Artificial Intelligence, and any other new technology developments.*

In relation to what we already know about generative AI systems we said:

*The companies at the forefront of this technology have scraped the internet (both the open internet and content behind paywalls and other closed repositories) to train their models. This "training content" is not only text but also includes video and audio content. This mass content ingestion has brought into focus issues of **AI-generated likenesses and voice cloning**; however, these have been confronting the creative sector for a number of years and are only now being seen more commonly in the general public and in politics.*

The use of technology to create fake media is a significant risk to New Zealanders and also dilutes, distracts and detracts from the work and sustainability of the local sector. We submit that this must be considered and responded to in the Ministry's next steps on Media Reform and not left as "out of scope".

We are encouraged that the Discussion Document records that "The range of different frameworks and mechanisms regulating media each have specific coverage that overlaps in some places and leaves gaps in others. This means that media content (and even the same media content) is treated differently depending on where audiences engage with it." It is important that existing gaps are addressed during this work, and other gaps not created or widened.

## CONCLUSION

WeCreate is grateful for the opportunity to provide feedback on the Discussion Document. We believe that investment in local content must be prioritised and are committed to supporting the Ministry's work to develop policy and regulation that can underpin a thriving media sector.

Ngā mihi nui,

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WeCreate

GROWING OUR CREATIVE SECTOR  
[www.wecreate.org.nz](http://www.wecreate.org.nz)

## WeCreate's Members and Friends are:

|                                               |                                   |
|-----------------------------------------------|-----------------------------------|
| Advertising & Illustrative Photographers Assn | APRA AMCOS NZ                     |
| Tātaki Auckland Unlimited                     | Australia & NZ Screen Association |
| Christian Copyright Licensing International   | Coalition for Books               |
| Code NZ                                       | Commercial Communications Council |
| Copyright Licensing NZ                        | Creative NZ                       |
| Design Assembly                               | Directors & Editors Guild NZ      |
| Equity NZ                                     | Independent Music NZ              |
| Māori Music Industry Coalition                | Media Copyright Agency            |
| Mindful Fashion NZ                            | Music Managers Forum NZ           |
| Music Producers Guild NZ                      | Ngā Aho Whaakari                  |
| NZ Comedy Trust                               | NZ Film Commission                |
| NZ Game Developers Association                | NZ Institute of Architects        |
| NZ Institute of Professional Photography      | NZ Music Commission               |
| NZ On Air                                     | NZ Society of Authors             |
| NZ Writers Guild                              | Playmarket                        |
| Publishers Association of NZ                  | Radio Broadcasters Assn           |
| Recorded Music NZ                             | SAE Institute                     |
| Screen Industry Guild Aotearoa NZ             | Script to Screen                  |
| Screenrights                                  | Sky Network Television            |
| Screen Production and Development Association | Taro Patch Creative               |
| TVNZ                                          |                                   |