

It's Time for a Public Inquiry into Creative New Zealand

Something is not right in the state of Creative New Zealand, our national arts funding body. This should be of concern to everyone who cares about the arts in this country.

I am prompted to write by the cancellation of Creative NZ's Kahikatea funding to the Shakespeare Globe Centre New Zealand. However, the issue goes much deeper than one organisation that many may never have heard of and much wider than the works of William Shakespeare (like them or loathe them or just don't care).

The issue is at the core of the general stewardship of the health and well-being of the arts in Aotearoa/New Zealand. It concerns what is considered worthy of CNZ funding and what is not.

I will make a case for, and then call for, a public inquiry into the fairness and lawfulness of CNZ's actions past and present.

I will however address the SGCNZ case first before coming on to the issue at the core of the problem. This is not in the hope or expectation that this will change CNZ's mind about SGCNZ's funding, but rather to illustrate how CNZ operates in practice.

Feel free to skip over this next section though if you want to get straight to the issue. You can always come back to the SGCNZ case study later.

1. The SGCNZ Story – A Case Study

SGCNZ has for many years been receiving meagre and derisory CNZ Kahikatea funding of approximately \$31,000 annually. This funding has always been a sinking lid when viewed against the growth of SGCNZ and after inflation.

This Kahikatea funding has now been discontinued by Creative New Zealand when SGCNZ applied for funding for the next 3 years. This is in the context of \$54 million of funding going to 58 organisations for that 3 year period.

The full list of Kahikatea funding recipients and their grant amounts is here:

<https://creativenz.govt.nz/News-and-blog/2022/09/06/00/30/59/Creative-New-Zealand-confirms-arts-organisations-in-Kahikatea-investment-programme-2023-2025/Toi-Uru-Kahikatea-investment-2023-2025>

Those whose Kahikatea funding was terminated this year are SGCNZ, Arts on Tour and two Wellington organisations which may not have gone public yet so I will not name them here. Those receiving Kahikatea three year funding for the first time this round are Te Rākau Hua o te Wao Tapu (\$1.22 million), Te Tairāwhiti Arts Festival (\$1.6 million), Kia Mau Festival (\$1.57 million) and Toi

Ngāpuhi (\$1.67 million).

CNZ has suggested that SGCNZ apply for annual CNZ funding instead. However the probability is that, whether or not they get a year or two of annual funding, this is just a prelude to a full curtailment of their CNZ funding. That has been the pattern for other arts organisations to gradually lose all CNZ funding, so the writing is on the wall.

CNZ has offered SGCNZ a meeting but only on the basis that CNZ's decision, and the reasons for it, are not up for review. That is their process and there is no point going into that here.

SGCNZ has served the community for 31 years to date with a major focus on secondary school engagement. Up to 250 of our schools and thousands of students engage in their festivals every year, as performers, directors and crew, performing scenes from their choice of Shakespeare's works, edited and adapted as appropriate. Then 24 of our best youth performers travel to London each year to study and perform on the stage of the Globe Theatre.

Alumni mentored by SGCNZ through and following this process are now working throughout the live performance and film industries as performers, writers, directors, producers, designers, etc. Jacinda Ardern played Bottom in a scene from A Midsummer Night's Dream in the SGCNZ Festival in the late 1990s.

The Ministry of Education has previously indicated it, too, is not interested in providing any funding for SGCNZ. This even though the annual event ShowQuest receives \$1 million or so a year from the Ministry of Education and despite the fact that SGCNZ has a multi-level set of Festivals for secondary-school-aged students' participation, flow-on events and arts related competitions (all of which the students can use for NCEA credit) and on-going learning opportunities.

A number of trivial reasons were given for CNZ's decision, which included a series of contradictions and some things that were blatantly wrong. It would appear that ignoring inconvenient parts of, or deliberately misunderstanding, an application (and/or what CNZ's own assessors are saying), is the order of the day.

Only one reason was given which is worthy of any scrutiny and it was stated several times by several CNZ staff/assessors, and by the full CNZ advisory panel, so it is effectively a mantra. It is clearly the main and probably only real reason for rejecting SGCNZ's application. To quote them, the advisory panel specifically questioned "the role and relevance of Shakespeare in Aotearoa". It was also stated that "the genre [Shakespeare] was located within a canon of imperialism and missed the opportunity to create a living curriculum and show relevance to the contemporary art context of Aotearoa" (interestingly, not Aotearoa/New Zealand). One assessor felt the need to "question whether a singular focus on an Elizabethan playwright is most relevant for a decolonising Aotearoa in the 2020s and beyond".

Now, CNZ **would** be able to see the inclusive and contemporary interpretations (often steeped in Te Ao Māori, Pasifika, and many other cultures and using translations into other languages)

enthusiastically given by our next generation to Shakespeare's universal and timeless themes of power, greed, love, sex (.... mostly sex) and death *if only* they attended any of the 24 SGCNZ Regional Festivals held around New Zealand or the National Festival. But how many of the CNZ staff or decision makers actually turn up? Despite invitations to all relevant events it is only very occasionally and randomly that a CNZ adviser might deign to turn up. Apparently they are all entitled to pick and choose what they want to see. Nice mahi if you can get it, but how do they pass judgement on the grass roots of our performing arts from their ivory tower? Where is the dirt under their fingernails?

CNZ has some 85 employees and, according to CNZ's 2020/21 Annual Report, 28 of them were paid more than \$100,000 per annum. The remuneration of its CEO, Stephen Wainwright, was in the \$300,000-\$309,999 per annum band, down from \$340,000-\$349,999 in 2019, no doubt due to COVID's effect on budgets and the public service CEOs voluntary six month 20 per cent pay cut in 2020.

Stephen Wainwright, in his 10 years or more as CEO, has immediately declined all invitations to the SGCNZ National Festival in Wellington, despite the fact that (i) he lives in Wellington, (ii) the Hon. Grant Robertson has conducted the awards at that Festival for the last three live events and (iii) Andy Foster (the Mayor of Wellington), the Hon. Andrew Little (Minister of Health and Treaty of Waitangi Negotiations) and Simon O'Connor (National Party spokesperson on Arts, Culture and Heritage) all saw fit to come this year. No-one else is deputised to attend to represent Creative NZ at SGCNZ Festivals.

CNZ also noted that discontinuing funding of SGCNZ would leave a gap in CNZ's Kahikatea coverage of youth engagement in the arts (presumably at both national and regional level), but in order to save 0.20 per cent of their Kahikatea budget, they cut SGCNZ anyway. You would be hard pressed to find a better example of sheer bloody-mindedness anywhere.

SGCNZ will survive the loss of its CNZ funding but many others similarly treated or denied funding in the first place for equally spurious reasons might well not be able to become established or to continue their path. I wonder whether CNZ truly considers the consequences on arts organisations or individuals' futures when they make some of these decisions.

So let's return to the issue.

2. The Issue

CNZ's decision-makers would appear to be hell-bent on reshaping art in this country into forms which are contemporary and intrinsically "Aotearoan". This is at the expense of other art forms which are now missing out on funding or being underfunded compared to others because CNZ has determined that they don't measure up to this criteria.

This overarching concept prejudices what will score highly in CNZ's regard and hence be more likely to receive funding. It therefore shoehorns applicants into trying to prove that they are sufficiently contemporary and "Aotearoan". That is worrying enough in itself, considering the potential compromise involved of an applicant's independence and artistic integrity. To me though it also implies that the future of New Zealand performing arts is narrow, inward looking and myopic. We risk reverting to being a cultural backwater.

In the 1960s, when the forerunner of Creative New Zealand was first established, there was little conception of New Zealand works or stories being presented on the stage in New Zealand. One of the goals was to redress that balance. Today we have CNZ who seem to have a limited conception of how internationally important and globally relevant performing art forms can fit within the Aotearoa/New Zealand performing arts scene. That is a serious overcorrection to say the least.

CNZ's press release for the Kahikatea funding for 2023-25 states their goal as being to "better reflect the diversity of New Zealand's population and the types of art that are made here and are intrinsically ours". Unfortunately the "intrinsically ours" part of that goal is being given too much weight and, by becoming increasingly a pre-condition to proper consideration for CNZ funding, it is damaging other types of art in this country by being used to deny them funding or to gradually, insidiously, under-fund them.

There is no issue with leaning disproportionately into the need to foster and develop Māori and Pasifika arts. The relevant legislation specifically recognises the importance of these forms and the role of Māori as tangata whenua. However the redressing of the imbalance (which is on-going and will take much more time) should not be at the expense of damaging existing and important institutions and arts infrastructure. There should also not be a systemic impediment to the ability of individuals to establish and/or sustain organisations for non- Māori and Pasifika arts, especially for traditional international art forms. In fact I think that either of those would have to be called out as cultural vandalism. It would be ultimately self-limiting. We are back to square one if artists from all walks of life, and across a broad spectrum of the arts, cannot pursue their artistic dreams, whatever they may be, and have careers doing so in their own country.

CNZ appears to be busy creating and/or funding new arts organisations in their own image to replace existing professional arts infrastructure and organisations and then progressively de-funding those original organisations because they do not align with CNZ's philosophy. That is dangerous and self-fulfilling stuff.

One can only imagine that CNZ has, for years, been staffing itself with people who are like-minded, and that any who do not share their philosophy will be frozen out or ushered out because of this culture. If so then the problem will now be endemic.

CNZ has stated that its funding is contestable and someone has to miss out. However something is not genuinely contestable if (i) only applicants pre-approved by CNZ can apply, (ii) improper weight is being given to criteria which you are perceived as not meeting and (iii) especially if the outcome of whether you can apply and whether you will be funded (and funded fairly) is in fact prejudged because of a bias in favour of other art forms or providers.

Let's take a look at the duties owed by Creative New Zealand to the arts sector.

3. The Role and Responsibilities of Creative New Zealand

Creative New Zealand is governed by and is the operating arm of the Arts Council, which exists under the Arts Council of New Zealand Toi Aotearoa Act 2014 and is responsible to the Minister of

Culture and Heritage and to Parliament.

The following sections of that Act define the functions and responsibilities of the Arts Council and Creative New Zealand:

Section 7(1) The principal functions of the Arts Council are to—

- (a) encourage, promote, and support the arts in New Zealand for the benefit of all New Zealanders:
- (b) promote the development of a New Zealand identity in the arts:
- (c) allocate funding to projects for professional and community arts, including funding for
 - (i) Māori arts; and
 - (ii) the arts of the Pacific Island peoples of New Zealand; and
 - (iii) the arts of the diverse cultures of New Zealand:
- (d) uphold and promote the rights of artists and the right of persons to freedom in the practice of the arts:
- (e) maintain relationships with other agencies and organisations:
- (f) give advice to the Minister on any matter relating to or affecting the functions of the Arts Council:
- (g) perform any other functions conferred on it by this Act, any other enactment, or the Minister.

Section 3(2) In achieving the purpose of this Act, all persons performing functions or exercising powers under it must—

- (a) recognise the cultural diversity of the people of New Zealand; and
- (b) recognise in the arts the role of Māori as tangata whenua; and
- (c) recognise the arts of the Pacific Island peoples of New Zealand; and
- (d) recognise and uphold the principles of—
 - (i) participation, by supporting initiatives that encourage participation in the arts; and
 - (ii) access, by supporting the availability of projects of merit to communities or sections of the population that would otherwise not have access to them; and
 - (iii) excellence and innovation, by supporting activities of artistic and cultural significance that develop the creative potential of artists and art forms; and
 - (iv) professionalism, by maintaining and developing a professional arts infrastructure at both the national and community levels; and
 - (v) advocacy, by promoting New Zealand's arts and artists locally, nationally, and internationally.

None of these criteria is necessarily ranked more highly than the others, but it is noteworthy that, in the first paragraph of each of these provisions, the arts are **all** of the arts in New Zealand, the people whose benefit is to be considered are **all** of the people of New Zealand and the diversity is **all** of the diversity of **all** of the people of New Zealand.

Another point I would note, and which I think is quite unusual and quite pointed, is that every

Council member and every employee or consultant of Creative New Zealand is personally charged with the responsibilities under section 3(2) of the Act.

I looked for the section of the Act empowering the discouragement, neglect and withdrawal/denial of support for art forms not considered “Aotearoan” enough or contemporary enough but I couldn’t find it. Perhaps someone from the Arts Council or Stephen Wainwright could lend me their copy?

I believe that there is a systemic failure within Creative New Zealand and the Arts Council by having allowed “the development of a New Zealand identity in the arts” to become the dominant factor in their considerations as opposed to being one of a number of factors to be taken into account. Each applicant and each art form should be considered against the criteria that do apply to it and then reconsidered in the round against all criteria and all other applications. What they shouldn’t be is effectively excluded from genuine consideration because any one criteria is perceived to be imperfectly observed or not met.

No art form can be all things to all people and no art form should have to be any one thing to be deserving of funding, and that includes being perceived, rightly or wrongly, as sufficiently “Aotearoan”. Otherwise I believe that CNZ is failing in several duties under the Act, including, in particular, upholding and promoting “the rights of artists and the right of persons to freedom in the practice of the arts” and supporting “activities of artistic and cultural significance that develop the creative potential of artists and art forms”.

Also, I think there is a strong case for arguing that past and recent actions of CNZ (Arts on Tour and SGCNZ having their funding discontinued being but the most recent examples) have damaged professional arts infrastructure at both the national and community level and the availability of projects of merit to communities or sections of the population that would otherwise not have access to them. If so, these would be further breaches of duty under the Act.

It is time for an independent inquiry into what has gone so wrong. This is public money being administered for the benefit of all New Zealanders. It is in the public interest that the views of all concerned should be properly heard and taken into account. It certainly seems that this is not the case at the moment.

4. Final Thoughts and A Call to Action

Art is like food – in order to fully appreciate it, you first need to be exposed to a wide range of styles and tastes, ingredients and ideas. No-one has the right to dictate what food you should like or have access to. To accept that would diminish our quality of life.

Is Aotearoa/New Zealand to be a relevant part of the rich heritage of international performing art, willing to be influenced by and wanting to influence the rest of the world? Because we cannot do that if we are not part of those rich traditions; if we don’t appreciate, honour and nourish the roots of international art forms and practices.

Shakespeare is part of my reo, as I believe it would be of a large number of New Zealanders. It’s not for everyone; someone is always going to know more, or get more out of it, than you do and it takes work. But isn’t that true of all art? Isn’t that the difference between art and entertainment? (Entertainers are artists too, but hopefully you get my point!)

Surely CNZ's remit has to be wider than "Aotearoan" art and, among other things, should encompass making sure that New Zealand performing arts and artists are relevant in an international context. What better start for that can you have than through an international benchmark like Shakespeare and through youth engagement with it? Shakespeare has been translated into at least 100 languages and is performed the world over, but apparently it is not relevant in Aotearoa/New Zealand. I would be curious to see who we would join on the list of free countries that think like this.

Where is the balance? Why is CNZ not embracing a wide variety of domestic and international art forms contemporary or otherwise? How have we reached the point where anyone should need to ask this question?

CNZ, perhaps in the mistaken belief that they are tackling elitism, are in fact creating their own elitist model of what art in New Zealand should be. Who elected CNZ to be an artistic Taliban?

With all the threats in the modern world to literacy, culture, understanding and tolerance, who knew that CNZ would add their name to the list?

CNZ has created a climate of fear where many arts organisations, already being strangled of their funding, are being crammed into a one-size-fits-all model devised by people increasingly unqualified to judge those organisations and their art forms. The application and reporting process imposed by CNZ has become an immense burden on organisations with limited resources. The criteria and demands made are frequently vague, incomprehensible and unjustifiable. Many organisations are feeling intimidated, if not bullied, by CNZ but feel unable to speak out (on their own behalf or on behalf of others) without killing whatever chance they have of funding from CNZ.

A number of current organisations, struggling to get or retain funding, probably already feel that they are on the hit list of organisations that are the next lowest hanging fruit to get cut. There is a visceral sense of the iron curtain being about to come down on their stage. There will also be art forms and providers that cannot hope to receive funding because they are already on CNZ's "dead to us" list.

What a glorious future awaits the arts down this road!

I am calling for a Public Inquiry into (i) the fairness and lawfulness of Creative New Zealand's funding priorities, (ii) the way in which arts organisations are treated by CNZ and (iii) the effects CNZ's decisions have had and are having on the state of the arts and arts organisations in Aotearoa/New Zealand.

I believe this is long overdue. It has to be an independent inquiry, not some further review conducted by CNZ. That would be self-serving and pointless.

Please join this call by posting your support to the new Facebook page "Inquiry into Creative NZ"

and/or emailing any or all of the persons listed below to express your support for this call. Both avenues should be pursued to get momentum for this call. Even if you do not agree with a word of the above, it is time for all such issues to be aired fully and appropriately, so we can all move forward together.

A simple “I support the call for a public inquiry into Creative New Zealand” will suffice or you may choose to endorse some or all of the points made here or, of course, add your own concerns.

I encourage you, in those emails and posts, (but without slowing you down because time is of the essence in order to build momentum) to share a **brief** description of your actual experiences of these or any other problems your organisation has had in dealing with Creative New Zealand. Please include anything which is caused by systemic prejudices and/or misconceptions about your art form or mode of delivery rather than organisational/financial misconceptions specific to your organisation. Perhaps you are a former CNZ staff member who has resigned over issues concerning CNZ’s culture or direction. Feel free to go as far back in time as these problems have been manifest and whether or not your organisation still exists. After all, the inquiry will need to be into the cumulative effect of all of this and whether this has damaged and/or is damaging the arts in our country.

The time for the detail of all of these matters to come out will be at the public inquiry, but you can help to build the case and to build support for that public inquiry **now**.

The persons to email are any or all of:

carmel.sepuloni@parliament.govt.nz (Minister of Arts Culture and Heritage)

jacinda.ardern@parliament.govt.nz (PM and Associate Minister of Arts, Culture and Heritage)

grant.robertson@parliament.govt.nz (Minister of Finance)

simon.oconnor@parliament.govt.nz (National Party spokesperson for Arts, Culture and Heritage)

nicola.willis@parliament.govt.nz (National Party spokesperson for Finance)

chris.bishop@parliament.govt.nz, (National Party MP)

Heather Baggott (CEO Ministry of Culture and Heritage) c/o her executive assistant

bridie.cooper@mch.govt.nz

Stephen.Wainwright@creativenz.govt.nz (CEO Creative New Zealand)

Caren.Rangi@creativenz.govt.nz (Chair of the Arts Council of New Zealand Toi Aotearoa, the governing body of Creative New Zealand)

with emails copied, please, to ArtsFundingInquiry@gmail.com so that this support can be monitored.

That Facebook page again is “Inquiry into Creative NZ”.

In the meantime, if any of this resonates with you, please pass it on to your other contacts in the arts sphere and beyond who may be interested, especially any who may wish to participate in this call to action.

In Shakespeare's time there was a Star Chamber with draconian legal powers, arbitrarily applied, with a secret agenda and without accountability. So at least Shakespeare would recognise Creative New Zealand.

But what would he make of such unnatural justice?

Terry Sheat

BCA/LLB(Hons)

Wellington, 28 September 2022