



Artists Alliance's submission to the Exploring Digital Convergence discussion paper.

Established in 1991 as an offshoot of the New Zealand Sculptors Society, Artists Alliance has represented and advanced the professional interests of the visual artists of Aotearoa New Zealand for almost 25 years. Artists Alliance takes an active leadership role in arts advocacy issues, as well as providing a range of programmes and resources of particular relevance to the visual arts sector.

- Do you agree with the way this paper defines convergence? Why/why not?

Yes, though it could be broadened to cover converging of art forms as well, ie harder to maintain a meaningful distinction between photographs/artistic works/3 dimensional artworks, graphic works and industrially applied artworks, yet all are treated differently under the existing Copyright Act with different ramifications and protections for the creator.

Convergence is explained in terms of meaning to businesses, consumers and policy-makers, but probably most important is how convergence applies to content creators, and ensuring the creation of content is a sustainable career/ life choice for creators. There is concern that convergence also allows for potential greater infringement of the creators rights.

- Do New Zealand's current regulations and policies need to change to account for convergence? Why/why not?

Yes – the Copyright Act could do with some revisions to deal with the above inconsistencies. And as above regulations will need to ensure that content creators have sufficient protection around their creations, that there is still an incentive to create. Content classification and tax policy is also an issue.

- Do you agree with the proposed convergence work programme?

It is a good start, full and frank public debate is always a good thing. See above comments. But we need to go further to protect content creators (artists). The work programme under the heading *How do we get there?* on page 6 of the discussion document is timely.

The discussion document prioritises distributors and consumers. But consumers will access nothing, and there will be nothing to distribute, if content creators are not adequately protected and incentivised to keep creating. We think more focus needs to be given to the actual creators in the government's long term vision.

Should the Government be doing anything else to address convergence?

The government should be helping the public understand the value in copyright, respecting copyright ownership and when it applies to digital content that is available. Websites and programmes such as the UK Copyright Hub - <http://www.copyrighthub.co.uk/> and its affiliated educational arm - <http://www.copyrightdoneright.org/> are excellent examples of government support for creators and their rights.

- What barriers are you aware of that prevent you from benefiting from, or responding to, convergence?

Ignorance of the opportunities could be a barrier to artists benefitting from convergence. There is a need for coherent regulation of the entire creative sector including visual arts. Stronger protection and understanding of the artist's rights are important to ensure that artists are not adversely affected by convergence and the ease of infringement that it presents.

Prepared by
Caroline Stone, Board Member, Artists Alliance
Maggie Gresson, Executive Director, Artists Alliance
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Artists Alliance, 1 Ponsonby Road, Grey Lynn, Auckland 1011
www.artistsalliance.org.nz
maggie@artistsalliance.org.nz

