



directors & editors guild of nz
ngā kaiwherawhera kiriata

PO Box 47-294, Ponsonby
66 Surrey Crescent
Grey Lynn
Auckland
New Zealand

+64 (0) 9 360 2102

degnz.co.nz

Meeting type: DEGNZ 2020 Annual General Meeting
Venue: West End Lawn Tennis Club
Date of Contact: 14 November 2020, 10am
Recorded by: Juliet Mora, Tema Pua
Date Typed: 14 November 2020
Board members present: Phil Gore, Annie Collins, Michael Duignan, Francis Glenday, Howard Taylor (chair), Stallone Vaiaoga-loasa, Gabriel Reid, Robyn Paterson.
Staff present: Tema Pua, Tui Ruwhiu, Rebecca Pratt.
Members present: Raymond Lum, Tim Ferris, Nathan Price, Peter Evans, Peter Roberts.

RECORD OF DISCUSSION BY AGENDA ITEM AND ACTION REQUIRED

Agenda item – record of discussion	Action
<p><u>1. Apologies</u> Margot Francis, Roseanne Liang.</p>	
<p><u>2. Consolation of the President and Board</u></p> <p>No new nominations for the role of President or Board members. The current board has agreed to stand again for 2020/2021. Consequently, no election was needed. Louise Leitch stepped down. Stallone Vaiaoga-loasa will be entering his first year on the board.</p> <p>Howard Taylor (HT)proposes acceptance of the re-elected board for 2020/21 as follows:</p> <p>President: Howard Taylor Vice-President: Gabriel Reid Treasurer: Philip Gore National Executive: Annie Collins, Michael Duignan, Margot Francis, Francis Glenday, Roseanne Liang, Robyn Paterson and Stallone Vaiaoga-loasa.</p> <p>Confirmed those listed above as the DEGNZ board for the next 12 months.</p> <p>Passed unanimously.</p>	
<p><u>3. Presentation of Minutes from AGM 2019</u></p> <p>Howard asks if there are any matters (questions, comments, queries, points of recognition) arising from the last AGM minutes.</p> <p>Executive Director (ED) Tui Ruwhiu speaks to a question that Michael Duignan raised earlier regarding the DVD Library. DEGNZ bought a chunk of the Videon directors section DVD library and donated it to Toi Whakaari who are absorbing it into their library. We paid for 2000 DVDs and received nearly 3000. DEGNZ members discount for Toi Whakaari DVD loans.</p>	

<p>No other points raised. Howard Taylor proposed that the minutes be accepted. Annie Collins seconds. Passed unanimously.</p>	
<p><u>3. President's Report</u></p> <p>Howard reads his 2020 President's Report. The full report is available to read on the DEGNZ website under 'Resources': https://www.degnz.co.nz/wp-content/uploads/2020/11/DEGNZ-Presidents-Report-2020-Final.pdf</p> <p>Additional comments on the Report:</p> <p>Re: The Hobbit Law Review Other unions were clarified as the non-screen unions that aren't made up of contractors.</p> <p>Michael Duignan (MD) asks what the CTU's position is on not getting the right to strike. Howard says the CTU doesn't have one point-of-view, but CTU president Richard Wagstaff was involved in the report and he is strongly in favour of it, including giving up the right to strike. The benefits are: as soon as there's a conflict between employer and employees, things go to a stalemate pretty quickly. In the new proposed system, if there's a stalemate, it will go straight to independent arbitration who will look at both sides and decide what will happen. We are far more likely to win.</p> <p>MD: We never had the right to strike. We're a union of contractors not employees.</p> <p>ED: Hobbit Law only ever related to the film industry, not TV. There is the possibility that non-film people could have had the right to strike.</p> <p>Somebody asks who would we be bargaining with? Negotiations will be with SPADA.</p> <p>Point made that as a union, giving up the right to strike sets up a precedent for other unions.</p> <p>Peter Roberts asked who's left out of the coverage? Game shows, news and current affairs, live sport are excluded. Basically, people who are more likely employees.</p> <p>Re: membership increase during COVID Membership increased significantly to approx. 350 members.</p> <p>Re: Pan sector body ED: There is a process that Tui and other guild reps are going through to establish the pan sector body which is continuing to work with the facilitation strategy group. The first objective is to find a pan sector body model so they are about to commission someone to complete research on this. Obviously the strategy is finished, so there's a need to get the pan sector body up and running.</p> <p>Leads to question from Peter Roberts on whether it relates to SINZ in any way.</p> <p>ED: SINZ has picked up the mantle for the moment without being the final official sector body. For those who don't know, SINZ was the informal body established years ago, which would meet to discuss and take action on issues as and when they arose. We have since formalised that structure; it is now an incorporated body which is currently driving the establishment of the pan sector body without</p>	

taking on the official mantle of being the pan sector body. It may or may not become it. The research will determine that.

Re: Concern raised by Directors about NZFC.

Question from Nathan Price (NP) on what the concerns were.

HT: Certain directors felt they had been side-lined. NZFC basically does not want to speak to directors.

MD: The NZFC has more focus on Producers. We're trying to engage the NZFC about shifting the culture there, whilst focusing on specific policies, e.g. directors can't be producers. Generalised issue is that NZFC wants to have a direct relationship with directors and they want to editorialise, but they always go back to their primary relationship with producers. There's a disconnect there. We're still figuring out what we say to the NZFC so that it's productive.

PR: How embedded is the issue with the NZFC?

MD: We went back to the Jackson-Court report 10 years ago which identified a lot of the same issues. The way it was setup is more focused on producers than directors. I don't know how much of that can be changed, but we're focusing more on the term of the last CEO, but may be further back into the producer focus.

Nathan raises his concern that the NZFC does not allow directors, who have worked on a project for many years and put their own money in, to be producers. Tui and Michael says that this is not directly applicable anymore as the NZFC allows a director to be a producer, but not the lead producer who owns the company, is making the film and has final cut. However, they have failed to communicate this. DEGNZ is doing a series of nine workshops next year on rights and remuneration.

MD: Their argument is that the SPV is standard for all film commissions around the world. We don't need to worry about people who have the power to get final cut (e.g. Taika). We're worrying about first time, second time directors etc. NZFC owes a duty of care to directors so that they know everything that they need to know to get a fair contract. Saying contracts aren't their business isn't fair.

NP: They're also giving all the power to producers.

Re: Gender Equity.

Recognition of the success of getting more female directors in drama and feature film directing. E.g. Aidee Walker, Caroline Bell-Booth, etc. Slow increase in female directors on NZ drama series. In regard to feature films, NZFC 125 initiative has contributed to the increasing numbers of female directors of feature films.

Re: Immigration concerns.

ED recognised the concerns of the technicians guild (SIGANZ) that there are people being allowed into the country when it's questionable whether or not they should be. DEGNZ along with Equity, SPADA, NZWG, SIGANZ wrote to the government and asked them to be more stringent in terms of how the border exemptions are managed and assessed. Economic impact argument is being used to justify who is being let in and guilds' concerns aren't being heard or acknowledged very well.

The Guilds sent out a letter to the Unit Production Managers for all the big international shows recommending they apply for a letter of non-objection prior to bringing someone into the country, so now all of the international productions

<p>are coming to us prior to bringing people in because our letter of non-objection supports their application for exemption. We're having some control in that way.</p> <p>Nathan says that as a director, he's wary about not being able to bring in particular talent, e.g. production designer. Tui says we've been relatively lenient in this area of HODs, but we won't forever, particularly if shows move to second, third series. We don't see why international directors should be brought in. Over time, we ask them to look more closely at NZ directors.</p> <p>The President's report is concluded.</p>	
<p><u>4. Treasurers Report 2018-2019 Accounts</u></p> <p>Phil Gore reads the financial statements for the year ending 31 March 2020.</p> <p>Treasurer' Report can be accessed here: https://www.degnz.co.nz/wp-content/uploads/2020/11/DEGNZ-AGM-Treasurers-Report-2020-Final.pdf</p> <p>The Annual Report: https://www.degnz.co.nz/wp-content/uploads/2020/10/DEGNZ-2020-accounts.pdf</p> <p>No questions from those present.</p> <p>Howard Taylor proposed the Accounts be accepted. Seconded by Michael Duignan. Passed unanimously.</p>	
<p><u>5. General Business</u></p> <p>Continuation of discussion about Directors Concerns with NZFC. Michael says directors have problems with the process. We're trying to address this by currently working towards addressing certain policies e.g. allowing directors to act as a producer, getting a share of the backend, and letting them know about these things, having more of a direct relationship with them and living up to their own strategic intent and values. There's also a code of practice for NZFC dealing with directors.</p> <p>Howard notes that we're not including producers yet. This is the next stage after we've dealt with NZFC.</p> <p>Michael says that the code of practice would deal with what is the best practice for avoiding disagreements and how to deal with disagreements productively if they arise, so people don't feel bullied.</p> <p>Nathan says there seems to be a disconnect between economics and art. Directors are treated as if we're meant to be doing it for the passion/the art, but then the art is taken away from them. If directors are being paid more, then we can have more positive negotiation.</p> <p>Gabriel Reid says that it's patronising and beyond time. The NZFC readily exploits ambition. Not caring about contracts is not caring.</p> <p>Nathan's point is that it's important for us to push for economic rights. With that comes a bit of pride, rather than ending up with nothing by giving their economic rights up. NZSPG goes to the producer, basically the Government saying that's your equity in the film. The producer could give you some.</p> <p>Gabriel says our position is that that should cease to be the case, and it should be given a different name, the creative's corridor instead. Also, it should be made explicit that directors, especially writer/directors, should say I'll take 50% of that without it being seen as inappropriate. That it isn't the case already is incredibly alarming. One of the things we're going to be doing next year is workshops that</p>	

upskill directors on what their contracts should look like, what are their entitlements, how should the company be structured, etc. It's the difference between having a career and not.

ED adds we're going to do downloadable resources as well.

Writers are in a similar position to directors, having to sign over their IP to unlock any funding. Michael says there are a lot of knock-on effects that distorts the process so badly that empowers bad producers from the get go and disempowers good writers. We're pushing for more funding access for directors and non-producers to help develop their projects. He thinks the best way is to start advocating directors as creative businesses. A lot of the time they're producing their projects up till the point that they're funded. Why is it that NZFC won't engage with directors and their businesses but they will with producers and their businesses? We should be encouraging businesses that can create an IP.

Nathan says in terms of us educating ourselves and our younger peers, providing some strategies for negotiation that they can use as they may give us this or they may not. He asks about agents. Michael says that there isn't the critical mass to make it work as an agent in NZ. Nathan asks what about approaching Australian agents.

ED responds that there's not enough money for them. Up until recently, we weren't making enough TV. Agents are making money off directors and writers in TV. Up until 5 years ago there were only 20 drama directors who essentially all worked for SPP. The game is changing but there's still not the volume. There's probably only 10-20 directors employed regularly to direct TV. Agents work on percentages. You're asking the agent to screw harder on the production company and this could lead them to hire another director if they are not intent on getting that particular director.

Michael adds that in terms of features, there's so few of them. Agents have to spend time. It isn't an appropriate business model for any agent. The fundamental problem Nathan is coming down on is agents exist because they're in a stronger position than you. We don't have them here, so what do we do to address that imbalance? Directors are getting bad deals because they don't have any leverage. They shouldn't have contracts that are worse than the crew. Educating people will go a long way.

Howard says that we think it's valuable having the director's group with their slightly different view of the world and us with our view both working at this time. Peter asks if there's crossover between board members and that group. Yes, Robyn Paterson is a member.

Raymond Lum asks what workshops are happening in the South Island next year (2021). Tema Pua answers that the business essential workshops that ED referred to, and we're waiting on response from NZFC on funding for short film directing workshops across South Island. ED adds that as various elements of our programmes happen, there will be a number of workshops that will be in Christchurch or Queenstown.

Raymond asks how long is the membership holiday sub going to last? It will expire at the end of January 2021.

Howard proposes to close the meeting.

END OF AGM.