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National Archival and Library Institutions Ministerial Group

The National Archival and Library Institutions Ministerial Group is seeking your feedback on how to strengthen the contribution to New Zealand’s culture and democracy made by Archives New Zealand, the National Library of New Zealand and Nga Taonga Sound & Vision.

For more information visit www.dia.govt.nz/National-Archival-and-Library-Institutions-Ministerial-Group

Submitting feedback

All first and middle names Surname
(All first and middle names) Anne Elizabeth
(Surname) Morgan
Organisation, if relevant
(Organisation, if relevant)

Email address

(I wish to keep my details confidential: 1) Checked
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Last updated 16 July 2018

Page 1 of 4

Questions

1. What are the two or three key challenges for the national archival and library institutions (Archives New...
Zealand, the National Library of New Zealand and Nga Taonga Sound and Vision)? What is the most urgent challenge?

(1. What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Nga Taonga Sound and Vision)? What is the most urgent challenge? ) 1) Vulnerable to funding priorities in wider DIA
2) Lack of capacity/resource to manage B.A.U efficiently and effectively and/or respond to opportunities and realise maximum potential in relation to strategy and NLNZ act
3) Shared infrastructure has resulted in much degraded business support (under funding, "one size fits all") and flow on effect on ability to deliver services effectively and efficiently

2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?

(2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?) 1) No - Chief Archivist role should be independent off any government department
2) National Librarian role should have direct report to a Minister responsible for National Library

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You will receive an automatic acknowledgement of the receipt of your email. No further action is required. Thank you for providing feedback to the National Archival and Library Institutions Ministerial Group.
What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Ngā Taonga Sound and Vision)? What is the most urgent challenge?

From my perspective, the most pressing challenge is to ensure that the documentary record of this country is collected, preserved, and made available and discoverable by all New Zealanders. A substantial proportion of our heritage acquisitions come to us by purchase. This process cuts across most of the systems set up by a conventional government department to manage payment for services, which are commonly tailored towards repeat invoicing of commercial suppliers.

1. Our vendors are not as a rule commercial entities. They are more often private individuals and families.
2. We depend on them as an important source of the new heritage material we need to meet our statutory objective to build the Alexander Turnbull Library collections.
3. They see themselves, rightly, as benefactors, not as contractors.
4. We do not have the option of selecting between a range of providers for a particular product.
5. The purchases are often the result of lengthy negotiation initiated by the Library, in the course of which library staff encourage potential vendors to see the Library as a trustworthy home for their treasures and develop close professional relationships with them.
6. An important factor in building this relationship is being able to ensure them that they will be paid in a timely manner.
7. This is complicated by a number of factors:
   a. They are not as a rule set up to accept payment by P-Card, which is the preferred medium for most government departments.
   b. They are normally one-off sellers, so each needs to be set up in a departmental system as a new vendor as part of the payment system.
   c. Because the sale price is often reached by negotiation, the price is normally agreed with the vendor before a purchase order is raised. This is seen by the Department as a risk.
8. As private individuals, often from non-commercial backgrounds, they are not familiar with these issues, and do not have an appreciation of the timescale or issues for payment by government departments.
9. Delayed payment is therefore often viewed by them as a breach of trust.
10. This puts a strain on the relationship between Library and vendor and has implications for the reputation of the Library.
11. Because the vendors see the Library staff with whom they have built up a relationship as their account managers, this has the potential to generate unacceptable levels of stress for those staff.
<form1>
  <First_And_Middle_Names>Alison Rae</First_And_Middle_Names>
  <Surname>Elliott</Surname>
  <Email_Address>s9(2)(a)</Email_Address>
  <Best_Phone_Number>s9(2)(a)</Best_Phone_Number>
  <Keep_Confidential>1</Keep_Confidential>
  <One_Key_Challenges>1. The digital environment - Most urgent challenge The digital world in which the National Library now operates, impacts very significantly on how it builds collections and how it needs to provide online access to existing collections in physical form. To address its collecting mandate, set out in the National Library Act 2003, the Library needs to be able to collect, preserve and make accessible published and unpublished material in a wide variety of digital formats as well as continue to collect material in physical formats. In addition, New Zealanders expect to be able to access online (within copyright constraints) material acquired in physical formats. The demand for digitisation is significant as the current use of digitised material shows. 2. Providing leadership to other like institutions within New Zealand While provided for in the National Library Act 2003, this is an area which has not been adequately resourced. Digital preservation and digitisation are areas of particular demand. Public libraries looked to the National Library to obtain a library system (Kotui) and schools look to the National Library for support in provision of services to support reading. 3. Current organizational framework Being a business unit within a directorate in a department has significantly reduced the National Library’s independence and ability to fulfill its mandate.</One_Key_Challenges>
  <Two_Independence>I think there are issues around the independence and authority of the National Librarian. The breadth of the responsibilities of the National Library are not well understood. While everyone understands the Library collects published and published documentary heritage, there is less appreciation that promoting the exchange of ideas and debate of topical issues is a core part of its role, even if on occasion this may mean controversial topics are explored. The development or ongoing support of collaborative services, even those completely self-funded by the participants, has been very difficult. Nor is there support for development of new services such as digital preservation unless the user pays, yet these kind of services often require seed funding to start up. Changes to library specific IT systems have been difficult. With support for in-house library specific IT systems provided by DIA but outside of the National Library, it was not easy to switch to out-sourced arrangements.</Two_Independence>
  <Three_Changes>I do not think that the role of the National Library needs to change. A structural arrangement that underlines the independence of both Archives New Zealand and the National Library may be more appropriate than being fully embedded within the Department of Internal Affairs as it is at present. These may mean becoming entities or an entity that is funded through a government department (MCH? DIA?) much as Te Papa receives its funding through Ministry of Culture and Heritage. There seem to be a number of different kinds of government entity - the pros and cons of each kind need to be reviewed before any change is made. As to whether there should be one, two or three entities I am unsure. The roles of National Librarian and National Archivist differ so considerably, that one entity may preclude best placement of Chief Archivist as an Officer of Parliament. A single entity would reduce potential duplication of effort in areas such as HR and finance. Beyond that there would need to be considerable change to the way each organisation operates for other operations such as digital preservation, digitisation, reading
rooms, collection management to be combined. I do not think such changes would strengthen either organisation or address the issues of the current organisational arrangement. </Three_Changes>

<Four_Opportunities> Focusing on the most like areas present the greatest opportunities. In my view these are: Collection storage - Any offsite storage requirements should be jointly addressed. Physical conservation - Can this be combined? Digital preservation - Leverage NDHA if this hasn't already been done. Digitisation - Do respective materials drive different approaches? There is a tendency to think that because the three entities collect documentary heritage material, there are significant opportunities to work together. However, the nature of the materials differ, so this apparent similarity can be over-stated. Opportunities to work together on digital preservation and access requires that the same systems are used. If for any reason that is not acceptable (and there may well be good reasons), then there is little to be gained. </Four_Opportunities>

<Five_30_Years> Certainty that New Zealand's documentary heritage and government records are collected, preserved and made accessible to the peoples of New Zealand. Provision of government record services to government department and agencies Leadership in library and archive matters, including advice to Ministers as appropriate. Provision of nationwide products and services that support libraries, archives and other collecting institutions. Support for services to schools including the encouragement of reading. </Five_30_Years>

<Six_Comments> Its my view that a very significant issue, at least for the library, is the lack of investment to enable it to fulfill its mandate. While this is not the focus of this review, structural change will not address that issue.</Six_Comments> </form1>
<First_And_Middle_Names>Allison</First_And_Middle_Names>
<Surname>Dobbie</Surname>
<Organisation_Name>Former General Manager Libraries and Information, Auckland Council; Chair INELI Oceania library leadership</Organisation_Name>
<Email_Address>s9(2)(a)</Email_Address>
<Best_Phone_Number>s9(2)(a)</Best_Phone_Number>
<Keep_Confidential>0</Keep_Confidential>

<One_Key_Challenges>* Rapid pace of change in relation to diversity, digital, customer expectations, and inability of these institutions to keep pace and respond adequately * Loss of identity, visibility, leadership voice and autonomy, leading to reduced awareness and trust, and perception of reduced relevance to stakeholders and general public * Strategic directions agreed and in place but no mandate or resourcing to progress these; strategic directions predicated on collaboration and partnerships yet stakeholders and partners have become distrustful and sceptical * Most urgent challenge: securing sufficient and guaranteed resourcing and sufficient independence and autonomy to determine own resource allocation and priorities to deliver government and strategic directions</One_Key_Challenges>

<Two_Independence>No to both. * National Archivist role is to hold the executive accountable, cannot do this sufficiently at present, mandate and perception of mandate is weakened. * National Librarian lacks authority to act and is unable to make the decisions necessary to achieve effective and responsive national library services. National Library priorities have to be negotiated through other units, eg. policy, IT, HR/Organisational Development, to secure resourcing and then take their place in the queue, even though the issue may be of high priority nationally. This is partly why there has been no apparent progress on the new National Library strategic direction and priorities. National Library budget is not separate or transparent and is subject to reduction at short notice to fund other DIA priorities/failures. Overall, National Librarian therefore does not have mandate to commit resources or guarantee funding availability. I have observed this situation directly on a number of occasions. * Neither the National Archivist nor the National Librarian have a direct voice to Ministers. The role of Minister of National Library has become so minor that it is now often not listed in official lists. * The perception that these roles are weak and have no mandate has become a reality. * The legislative frameworks are strong; the structures, mandate and resourcing need to be returned to a state that will enable the legislative intent. * The primary role of the DIA is protecting privacy of data etc. The primary roles of Archives, NLNZ and Nga Taonga is sharing and making information available as widely as possible. These are fundamental core conflicts of objectives, where DIA priorities have largely ruled.</Two_Independence>

<Three_Changes>* No 1 priority: Remove National Library and National Archives from the harm of the DIA, where they have become pale shadows of what they once were and could again be if enabled to deliver to their potential as. * Establish a list of criteria essential to the success of the National Library and National Archives and test these against different structures and roles for best fit. These criteria should include: - customer centric design - what will work best for users of the collections and services; - direct access to Ministers; - strong voice and able to speak for themselves to media etc; - separate vote - power to commit and prioritise own resources - co-governance with iwi is able to be incorporated - ability to develop other strong and meaningful stakeholder relationships - ability to develop own policy, research and expertise and contribute this across government and wider sectors * These are uniquely NZ cultural institutions of national and international
significance. This is an opportunity to think outside the box about the structures that will enable their best potential for New Zealand; to develop a new model that can be applied more widely and moves us forward as a bicultural nation. Some form of hybrid of Crown Enterprise and Department that maintains transparency and accountability while enabling direct connection with a Minister and meaningful relationships with Tangata Whenua and other stakeholder sectors. * Any new structure needs to be sustainable over time, removed from political whims and changes, so that these institutions are able to flourish * These institutions are at the intersection of many sectors (education, culture, heritage, knowledge, economic, technology etc) and cannot be pigeonholed into any one without harm and loss of broader focus; they should be able to stand on their own so that they can support and contribute to these other sectors */Three_Changes*

*/Four_OppORTunities>* Multiple opportunities * Design from a customer centric view - what do customers want from these institutions?; what can be done that will make customer access and use of the resources and services easier? EG, shared discovery platforms; shared service point/one stop shop; shared research. * identify and combine duplicate activities; reinvest resources in broadened expertise especially in response to diversity, digital and other areas of challenge. Auckland Libraries is an excellent example of how this can be done for customer benefit following amalgamation. * celebrate and strengthen the elements that are different and make each institution unique. * strengthen expertise in digital preservation and take national wide responsibility for sharing this expertise and providing advise / shared solutions * develop a national collections policy * Many more */Four_OppORTunities*

*/Five_30_Years>* Seamless access to NZ information * One NZ knowledge network * better infrastructures to ensure access to digital, especially digital resources which are important to NZ' identity and memory currently not collected at all * whole library and information sector is lifted and strengthened * meaningful bicultural engagement * shared capacity and capability building * national literacy building coalition * joined up lifelong learning journey, across all sectors * leadership, and ability to foster collaboration and relationship building across multiple sectors and partners * collections, services and expertise reflect NZ's uniqueness and diversity */Five_30_Years*

*/Six_Comments>* Please see also the joint submission from Helen Tait, Sue Sutherland, Penny Carnaby, Jane Hill and myself, which outlines what a good National Library of New Zealand could be with the right support. */Six_Comments* */form1*
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Submitting feedback

All first and middle names

Surname

'Andrew Gerard' -- 'Henry

Organisation, if relevant

Email address

Best phone number

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Last updated 16 July 2018
Questions

1. What are the two or three key challenges for the national archival and library institutions (Archives New Zealand, the National Library of New Zealand and Nga Taonga Sound and Vision)? What is the most urgent challenge?

- Collection, preservation and access to digital publications.
- Space and appropriate conditions to store physical collections.
- Proving value more widely.

2. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? Does the position of National Librarian have the independence and authority necessary to carry out the responsibilities of that position? Why/why not?
3. What changes, if any, would you suggest to the role or structure of Archives New Zealand or the National Library?

4. What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand’s documentary heritage? In particular, what opportunities exist in relation to digital preservation and access?

The NDHA should be available for institutions all over the country. Having all these other institutions create DAMs & digital preservation systems means the citizens of Aotearoa/NZ are paying for this twice.

NLNZ/Archives need to establish a coherent leadership position while working collaboratively with other institutions having similar purposes to create a national strategy for digital preservation & access.

In the past few years there have been mixed messages i.e. trying to sell digital preservation as a service whilst also saying that digital objects other institutions have digitised would be ingested under Legal Deposit o_O

Our sector should collaboratively create actual workflows around how we work together.
5. What does the public need in the next 30 years from the national archival and library institutions?

National system where the digital objects (preservation copies) sit in the NDHA but can be accessed from other public libraries/unis etc. around the country and not just in the Katherine Mansfield Reading Room. Much easier with licenses etc. for other institutions to worry about access while NLNZ take care of the preservation.

E.g. people around the country should be able to read an issue of a community newspaper (pdf) or listen to a album released online only. These should be accessible for all the people of New Zealand, not just those live near Wellington. This is an outmoded way of thinking and NLNZ need to negotiate with content publishers to get licenses like this. Especially important as NLNZ states a preference for collecting a digital copy of a publication if it is identical to a physical version. This documentary heritage should be accessible for the entire country.

NLNZ needs to make the .co.nz web harvests accessible, preferably before 30 years have passed.

6. Any other comments?

NLNZ needs to be more proactive taking a sector leadership role.
NATIONAL ARCHIVAL & LIBRARY INSTITUTIONS MINISTERIAL GROUP (NALI)

Submission from Alan Smith, Lower Hutt, 17 August 2018

1. This is my view as an “interested citizen”. Now retired, I worked in this general sector between 1964 and 2004, including as Deputy National Librarian 1982-89, and graduated Master of Public Policy (MPP) at Victoria University of Wellington in 1992 with my research paper “The State and national Identity; the role of cultural institutions in fostering distinctive New Zealand national identity”. This background informs my views but does not shape them, as I well aware of the present-day internet-based real world context. Recent Involvement in a project to digitise the archives of an incorporated society holding records of national significance has sharpened my interest in the NALI study’s work because of apparent gaps among the Crown institutions over who can be turned to for advice, and who has an interest in the “overall New Zealand story” beyond their own collections.

2. These comments relate specifically to:
   a. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? [background NALI paper headed DIA, undated, p.1 #2]
   b. What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand’s documentary heritage? In particular, what opportunities exist in relation to digital preservation and access? [background NALI paper headed DIA, undated, p.2 #4]
   c. The coalition government has decided to develop policy for the contribution of New Zealand’s national archival and library institutions to democratic accountability and to the culture and heritage sector, and respond to their challenges and opportunities. [Terms of Reference headed MCH and DIA, undated, p.1 #3]
   d. The memory of the New Zealand government is managed and preserved for future generations [Terms of Reference headed MCH and DIA, undated, p.1 #4.(4)]
   e. the work plan will …consider the current state of the institutions, their roles, functions and linkages between them, and their relationships with the wider information management and cultural heritage systems [Terms of Reference headed MCH and DIA, undated, p.4 #19, 4th. bullet point]

3. Submission to the Review

3.1. Does the position of Chief Archivist have the independence and authority necessary to be an effective regulator of records and information management within its broad regulatory mandate? [background NALI paper headed DIA, undated, p.1 #2]

Comment: no, it does not. Yes, it should have. The Chief Archivist role is a fundamental one for democratic protection and can be seen as comparable in purpose to the Auditor General. The destruction of
“government records” is a matter which runs much deeper than “administrative convenience”. The dilution of “what is the core base record” in a digital environment is complex and exposed to risk, overt or accidental. There are management and political dimensions inherent in the role; as it stands now, the role is perceived more as “a keeper of interesting old papers” than as vital part of the whole working of a functioning democracy.

3.2. **What opportunities exist for the national archival and library institutions to work more effectively together in collecting, preserving and providing access to New Zealand’s documentary heritage? In particular, what opportunities exist in relation to digital preservation and access?**

[background NALI paper headed DIA, undated, p.2 #4]

**Comment:** Firstly, Te Papa (the National Museum) and Nga Taonga Sound and Vision (NSTV) should be clearly included within this group. It is good to see that you are considering NSTV, but there is no mention of Te Papa, despite the National Museum being within the ambit of MCH, one of this NALI project’s sponsors. Obviously, there have to be boundaries somewhere, but Te Papa justifies inclusion both on general principle and because i. it holds extensive image and text collections built as part of a New Zealand heritage resource ii. through its National Services branch it offers an advisory service to small / independent archives and museums including about digitisation, standards etc.

While I accept that this present NALI study excludes “local and regional archives and libraries” [footnote, p.4 of Terms of Reference], Te Papa is 100% Crown-owned and is one of the recognised trio of national cultural institutions (archive, library, museum).

Under the present structure, MCH has a statutory interest in NTSV and Te Papa and DIA has the statutory interest in National Library (NLNZ) and Archives New Zealand (ANZ). This separation seems to be historical rather than logical. There is risk of the NALI project lapsing into a machinery-of-government-reshuffle and I strongly hope that the project will resist such thought until after its main work is done. “Restructuring” is not a solution and has inevitable limits, as I am sure everyone knows.

As to “opportunities”, these mostly exist in the area of “avoiding re-inventing the wheel”. NLNZ has invested heavily in its National Digital Heritage Archive (NDHA) and its DigitalNZ; Te Papa has similarly invested in its nzmuseums.co.nz activity. It is not intuitively clear whether these are completely aligned technically (software etc) or in scope or purpose, even within the main institutions themselves - e.g. within NLNZ, what is the actual differentiation between Turnbull Library and NDHA when both appear to be core collections of national heritage information?

3.3. **The coalition government has decided to develop policy for the contribution of New Zealand’s national archival and library institutions to democratic accountability and to the culture and heritage sector, and respond to their challenges and opportunities.** [Terms of Reference headed MCH and DIA, undated, p.1 #3]

**Comment:** Good. See comment above under inclusion of MCH, NSTV and of Te Papa within this study. There has always seemed to have been a strong "patch protection” mentality amongst institutions in this sector, with finely-crafted words masking a strong silo ethos. Please see through this, for the greater good.

3.4. **The memory of the New Zealand government is managed and preserved for future generations** [Terms of Reference headed MCH and DIA, undated, p.1 #4.(4)]

**Comment:** This is more than just historical curiosity or the security of national icons (Treaty originals etc). Preserving the memory necessarily involves preserving the evidence of discomfort, of inconvenient truths and of conflicting accounts. Democratic accountability means assurances that future generations can consult the evidence - a more important consideration than meeting present-day interests in family history. These words deserve strengthening.
3.5. **the work plan will …consider the current state of the institutions, their roles, functions and linkages between them, and their relationships with the wider information management and cultural heritage systems** [Terms of Reference headed MCH and DIA, undated, p.4 #19, 4th. bullet point]

Comment: see also above under #3.2. re the linkages between the institutions. There does need to be clear and mutually-reinforcing relationship between the wider information management system (DIA through the GCIO function) and the wider cultural heritage system (MCH). There is now a gap (real or perceived) in the relationship between the institutions and those parts of the “cultural heritage system” which operate outside of the public sector, typically at a volunteer or enthusiast level.

This brings me to the specific example I noted in my opening paragraph #1 above. The NZ Railway & Locomotive Society Inc (NZRLS: [www.railsoc.org.nz](http://www.railsoc.org.nz)) has an extensive archive of photographs and documentation recording the era when “the Railways” was the largest engineering enterprise and employer in the country, and when most families had someone who worked “on the railways”. Work has started on digitising this collection but our efforts to understand a clear steer on how best to do this to quality standard and in a way which could make the resource better known through networks to the wider heritage research audience have found something of a gap between Te Papa, Archives NZ, NLNZ, and DigitalNZ as to which explicitly best serves this sort of enquiry. NZRLS is by no means unique in having heritage information which could be of value to the wider New Zealand memory. There are market solutions eg. [ehive.co.nz](http://ehive.co.nz) and [recollect.co.nz](http://recollect.co.nz) which have to some extent filled this gap; I am not suggesting that it should be a Crown monopoly, but rather that it should be clearer as to which Crown institution has the mandate, and the resourcing, to provide this NZ-wide advisory support across the sector. At present the impression is that each institution does it to some extent but in every case without accurate knowledge of what the others are doing, and in every case as a subsidiary or minor activity distant from the institutions’ core purpose. This NALI exercise is an opportunity to choose between (i) carry on as now but increase mutual understanding and publicity (ii) charge one of the institutions with a clear mandate for support and advice to the voluntary sector or (iii) withdraw from this role and leave it to the market to provide better solutions from entrepreneurs.

4. Please accept these comments in the positive spirit in which they are intended. I am happy to give any further information or input if this helps.

Alan Smith
Submission to the National Archives and National Library Ministerial Group

From Brian Easton (19 August 2018)

The Issue

John Stuart Mill argued it was better to be an unhappy philosopher than a happy pig; that all transactions and assets are not of equal value. However, the New Zealand Government system largely treats heritage assets similarly to other assets. Today’s governance needs to move past the happy-pig approach to one which recognises that some assets are more valued than others – more valuable than what is recorded in the ‘books’ – and need to be managed differently.

What is needed is a new institutional form which recognises the special characteristics of the entities responsible for the stewardship of such heritage assets. The new kind of institution would be called an Autonomous Kaitiaki Entity or AKE.

Summary Conclusion

At the heart of this submission is the proposition that there are assets which the Crown is said to own (or claims to own) but which are really held in trust by the Crown on behalf of all New Zealanders.

The proposal is that the National Library and Nga Taonga: the New Zealand Archive of Film, Television and Sound should each be categorised and treated as Autonomous Kaitiaki Entities (AKEs), which are government entities whose prime purpose is stewardship of its assets to be kept in perpetuity.

The AKE would be a new category in the categories of Crown entities, having some of the characteristics of Autonomous Crown Entities (ACEs) and some of the characteristics of Independent Crown Entities (ICEs).

The acronym is deliberate; ake is the Maori word for ‘forever’. The primary distinction from the other two categories is that the activities of an AKE are dominated by assets which it is entrusted to hold forever.

The rest of this submission elaborates the notion of an AKE, illustrated by the National Library. The same logic applies to Nga Taonga. The submission also considers other institutions – the Museum of New Zealand and Heritage New Zealand – which should be AKEs.

Characterising AKEs

Purpose

The purpose of AKEs is to recognise that an entity whose primary purpose is the management
of heritage assets is quite different from those concerned with the other activities of government and that they should be managed differently.

Definition

An AKE is a Crown entity whose activities are dominated by the management of assets which are to be maintained in perpetuity.

For example, both the legal deposit collection of the National Library and most of the collection of the Alexander Turnbull Library are heritage assets.

The relevant assets may have been obtained by Crown purchase, by some other statutory means of acquisition (such as the National Library’s legal deposit collection) or by gifts from individuals and elsewhere from the private sector. In the latter case it is often ambiguous whether those gifts were to the Crown or to some wider entity such as the people of New Zealand.

Governance

An AKE is governed by a board, with a chief executive reporting to it.

The Board is appointed by the Governor-General on the recommendation of the responsible Minister.

The Minister does not have power to direct an AKE on government policy unless specifically provided for in another act of parliament.

The power to set direction and annual expectations is held by the Minister.

(The above is drawn from the SSC’s governance characteristics of ACEs and ICEs. http://www.ssc.govt.nz/cegmos4)

Legislation

Typically, each AKE should have its own specific legislation.

In addition there would be an overall AKE Act of Parliament which would set a framework and be available for use by other holders of heritage assets in local government and the private sector.

The AKE Act would set out the procedures for disposal of a heritage asset in the rare occasions when that was appropriate (e.g. the transfer between two AKEs or repatriation to a rightful owner). It would require approval by the Governor-General following advice from an officer of parliament such as the Chief Archivist. It is vital that a minister or chief executive cannot alienate heritage assets without public scrutiny although that has happened in the past.
The AKE Act should be designed to give confidence to a donor that once a donation is accepted as a heritage asset, it will not be arbitrarily privatised and it will be properly maintained. Clear rules about trusteeship by the Crown will engender trust by donors. (On occasions putative donations have been gifted elsewhere because the donors have not had confidence in the Crown entity.)

The statute could refer to the substantial body of law on private trusts where relevant (to guide court decisions in the rare cases where they are required).

Minister

Every Act of Parliament normally requires a responsible Minister. Very often the Minister for each AKE would be the Minister for Arts, Culture and Heritage, who would be advised by the Ministry of Culture and Heritage. This would have the effect of reinforcing the MCH’s expertise in advising on AKEs rather than having competence scattered throughout the government.

Visible Independence

Public trust requires that each AKE have a visible independent public presence. Obscuring them in a huge government department, destroying their identity – as the DIA did with Archives New Zealand and the National Library – reduces their reputation and integrity in the public mind thereby undermining their ability to preserve assets in perpetuity.

Crown Accounts

Currently there are assets included in the Crown accounts which were privately gifted on the basis they would be maintained in perpetuity (although there is no guarantee of that). Their ‘ownership’ is ambiguous.

Additionally, the Crown accounts places a commercial or market value upon them and upon other heritage assets, as if they could be sold on the private markets.

(For instance, the document on which Te Tiriti o Waitangi was written was valued at $33m in 2005, although any sensitive valuation would conclude it was priceless.)

Market valuation is useful for identifying each asset but it ignores the ambiguities of ownership and their significance, so heritage assets should be recorded in the Crown Accounts separately from commercial assets to emphasize they are distinct. In particular there should be a separate line entry in the Statement of Financial Position.

Which Crown Entities should be AKEs?

At the very least, AKEs should cover the following Crown entities:
Heritage New Zealand: Pouhere Taonga; Museum of New Zealand: Te Papa Tongarewa; National Library; Te Puna Mataranga
Nga Taonga: the New Zealand Archive of Film, Television and Sound.

Other ACEs and ICEs do not have a primary purpose of preserving assets forever and it is therefore not appropriate for them to be AKEs.

Should Archives New Zealand be an AKE? It is true that it holds public records in perpetuity, but the Chief Archivist has a central constitutional role in the holding of the executive to account and therefore should be an Officer of Parliament. The Chief Archivist should be invited to consider the relevance of AKE status to Archives New Zealand.

Should the Department of Conservation be an AKE? It holds land and other environmental assets with the expectation they should be maintained in perpetuity (some were private gifts). However it is currently a department of state rather than a Crown Entity. A separate enquiry should consider the relevance of AKEs to the conservation estate.

Brian Easton

s9(2)(a)

(Submitted version: 19 August, 2018)
Following is a briefing paper that was written for Minister Grant Robertson at his request. We wish for it to be included with the submissions on the Ministerial Review. The undersigned are a group of five senior library and information professionals.

Allison Dobbie
Helen Tait
Jane Hill
Penny Carnaby
Sue Sutherland
A good National Library will be delivering the following:

- Ensuring freedom of access to information for an open democracy
- Embedding Mātauranga Māori and Tikanga in all that it does
- Turning knowledge into value
- Enabling digital citizenship for New Zealanders
- Providing independent, trusted advice and advocacy
- Connecting the one knowledge network of New Zealand
- Collecting, protecting and making accessible documentary heritage and Taonga
- Building capability and capacity across the library and information sector
- Contributing nationally and internationally as a respected, visible and valued institution
- Being a catalyst in digital innovation
- Championing literacies and lifelong learning
- Proactively fostering collaboration and partnering across sectors
- Ensuring NZ’s publicly funded research outputs are accessible
- Providing visionary thought leadership in library and information management

What would it be doing when it is good? Enhancing the economic, social and cultural wellbeing of New Zealanders through realising its purposes in the National Library Act 2003:

<table>
<thead>
<tr>
<th>Supporting and furthering the work of other libraries</th>
<th>Increased visibility and awareness of the importance of NLNZ’s role and responsibility in supporting libraries and making information more easily available</th>
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</thead>
<tbody>
<tr>
<td>Research, policy development and advice</td>
<td>on matters relevant to the wider library, digital, information, learning and heritage sectors, including:</td>
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<tr>
<td>- Economic value of libraries to research, Role of school libraries in a modern learning environment, Shared future digital solutions, Role of libraries as the front door of open government and open democracy, Future trends, Workforce planning, Reading and literacy, Importance of libraries as place</td>
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<tr>
<td>Advocacy</td>
<td>into the sector on matters relating to research outcomes, including:</td>
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<tr>
<td>- Fair and equitable access to public libraries and information, development of school libraries, public library legislation, role of libraries, sharing and reuse of research outputs, shared repositories, negotiation of fair access to resources such as NZ standards</td>
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<tr>
<td>Leadership, support and ongoing development of national collaborative service initiatives</td>
<td>to maximise access, value and cost, including</td>
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<tr>
<td>- Aotearoa Peoples Network Kaharoa (APNK) – extend internet access &amp; capacity building into public libraries across NZ, in particular to enable e-government participation</td>
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<tr>
<td>- Kotui – shared library system for public libraries</td>
<td></td>
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<td>- Any Questions – real time homework help service</td>
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<td>Resource sharing initiatives</td>
<td>to maximise information access are maintained, enhanced and developed, including:</td>
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<tr>
<td>- Te Puna – national catalogue of collection holdings connecting to the libraries and collections of the world, National bibliographic databases, Maori subject headings, Interlibrary lending systems</td>
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<tr>
<td>- EPIC – all of country licences for digital databases, e.g. science for all; One electronic collection for NZ to connect all New Zealanders to the world’s knowledge is progressed, as phase 2 of EPIC (single knowledge network)</td>
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<tr>
<td>- Papers Past – collaborative digitisation of NZ newspapers, Digital preservation shared storage</td>
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<td>- Negotiation and creation of a NZ research network</td>
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<tr>
<td>Capacity and capability building</td>
<td>across the sector especially in specialist areas such as oral history, preservation, digital systems</td>
</tr>
<tr>
<td>School libraries</td>
<td>are supported through resource sharing, capacity building and advice</td>
</tr>
<tr>
<td>- Young people have access to effective and connected libraries that support their development as readers and digitally literate learners</td>
<td></td>
</tr>
</tbody>
</table>

Collaborating with other institutions and organisation nationally and internationally

| Across government collaboration | Championing open access across Government – engendering commitment to free access to information as a basis for informed democracy |
| - Partnering across government and knowledge sectors for a NZ research network, fundamental to NZ’s economic wellbeing including MBIE, REANNZ, CRIs, medical and tertiary research institutions |
| - Providing policy expertise for joined up efforts in areas such as copyright, digital innovation, literacy, curriculum support etc. |
| International contribution | Building international relationships in the library sector to raise the profile and awareness of New Zealand, including National & State Libraries of Australasia, Conference of Directors of National Libraries, International Federation of Library Associations (IFLA) |
| - Supporting sustainable development goals with Pacific neighbours, as a good neighbour and as a basis for democracy and informed citizenship. This will also support culturally appropriate collection and care of Pasifika material |
| - Participating actively in meeting the global challenges of the information society including indigenous rights, Marrakech Treaty (copyright), UNESCO definition of documentary heritage |
| Cultural, Knowledge and Civil society organisations | Collaborative cross sector approach to help realise the strategic goals identified in NLNZ Strategic plan |
| - Providing advice and support to conservation efforts nationwide through the National Preservation Office |
| - Digital New Zealand – harvesting the metadata across multiple open access repositories (30m digital objects) |
| - Collaboration in the National Digital Forum (NDF) to share expertise and foster innovation |
| Collecting preserving and protecting Taonga and making it accessible | New Zealand’s documentary heritage in all formats is **collected and held in perpetuity** for the nation through:  
- Working closely with Iwi to ensure taonga are cared for, and Tiriti settlements applied  
- Maintaining legal deposit for all New Zealand publishing  
- Fostering the relationships with traditional and new donors for unpublished material  
- Harvesting NZ’s born digital publishing  
- Regular whole-of-domain Web harvesting  
- Conservation and preservation of physical collections, including collaborative storage  
- Providing preservation platforms for the whole of NZ  
- Working with the international community to benefit from new technology and new platforms  
- Leading a centre of expertise in digital preservation  
- Enabling the creation of new content through research and innovation; keeps pace with changing needs of researchers  
- Support for the care and accessibility of documentary heritage collections of national significance  
- Working with Iwi on oral histories and building their capacity and capability  
- Reconnecting New Zealanders with their stories, and with their National Library  
Collections and content are **easy to discover and readily accessible** through:  
- Partnering with other institutions that are part of the eco system of NZ’s documentary heritage collections  
- Digitising at scale in collaboration with other libraries, museums, archives and galleries, including digitisation of all New Zealand publications  
- Supporting Creative Commons and NZ GOAL licensing  
- Negotiating Rights Management for creative reuse of content  
- Providing discovery tools to the nation’s digital collections, e.g. through Digital New Zealand, Te Pun  
- Delivering well-presented exhibitions and programmes in a culturally significant building which is the symbolic heart of democracy in the parliamentary precinct |

|What needs to happen to enable NLNZ to deliver| Visionary and strong leadership that:  
- Has the freedom to operate in an open and responsive environment  
- Is visible and has an independent voice of the National Librarian  
- Courageous – to be able to give free and frank advice  
- Trusted – by Government and New Zealanders to deliver on its purposes  
- Aligned with its values  
- Builds a strongly collaborative culture, and a  
- Customer centric service design and structure  
- Takes a significant leadership role at international library conferences hosted in NZ (e.g. IFLA in 2020) |

|What governance structure?| The National Library sits at a very important intersection of the information and digital ecosystem: research, economic and cultural enrichment, heritage, digital developments, education and learning, and social wellbeing. For it to take its legitimate leadership role it is vital it is not pigeon holed inside another area of government. The National Library needs to be an autonomous unit within government, able to work on projects across government, the sector and internationally if it is to deliver on its purposes under the Act.  
In our view the best solution will:  
- Reinstate National Library as a government department in its own right. This will ensure the policy and leadership roles have status and visibility with government (better than an autonomous Crown Entity or Departmental agency can)  
- Address the commitment that the National Library has to Mātauranga Māori through a mechanism for co-governance with Māori  
- Recognise and address the value in bringing together the national collections within the National Library, Archives New Zealand and Nga Taonga Sound and Vision. Whether this is done through the creation of a single entity, or by some other federated arrangement needs further analysis and a decision around the role of the Chief Archivist. There would be economic and other benefits in sharing functions such as conservation, preservation, digitisation, policy capability at scale.  
- Strengthen the role of LIAC and enable it to return to engaging more widely with the library and information sector to provide quality advice to the Minister and the National Librarian. |

|Accountability for and control of:| Vote National Library – for transparent funding and decision making  
- Own policy and strategy team – capability within the NLNZ  
- Specialist technical and digital capability is fundamental  
- Own marketing and communications  
- Organisational development capability (change management)  
- Regular reporting with direct access to the Minister Responsible for the NLNZ |

|Resourced to deliver on the Strategic Directions set in 2016|  
- Priorities and allocation of resources aligned to the government-agreed strategic directions  
- Leverages previous investment and scale for effectiveness  
- Strengthened capability across wider skills and background  
- Government comprehends the scale of digitisation needed to achieve accessibility |