

Natàlia Ferrer-Roca

Art against the odds

The struggles, survival and success of New Zealand local cinema

Abstract New Zealand is well-known as being able to produce some of the most successful high-budget Hollywood ‘blockbuster’ productions, such as *The Lord of the Rings* or *The Hobbit*, despite its comparatively small population and remote location. However, little is known about its own bottom-tier films, their funding problems and sustainability challenges. Bottom-tier films, those productions that are made with small-budgets and the domestic audience foremost in mind – which are also known as ‘local cinema’ – generally face significant economic challenges when confronted with a small domestic media market. This paper provides a critical analysis to fill this knowledge gap by applying a political economy of communication perspective and drawing on findings derived from review of academic literature and secondary data, policy analysis, archival research and expert interviews with key personnel in industry and state agencies. Precisely, it builds on Dunleavy & Joyce (2011), Lealand (2013) and Ferrer-Roca (2015). In the first part, the paper will provide a value chain analysis – development, budget and institutional objectives, production, domestic distribution (including piracy) and international distribution – of three New Zealand bottom-tier productions that have achieved unusual success, in critical and/or commercial terms. These three case studies are used to examine the distinguishing factors of bottom-tier films will be *Sione’s Wedding* (2006), *Boy* (2010) and *The Orator* (2011). The second part will offer a comparative analysis of the three bottom-tier case studies previously presented. The value chain structure will allow to provide a thorough examination of the current problems concerning the funding and sustainability of New Zealand local cinema, as well as how digitalization and globalization (i.e., piracy) is directly affecting the financial sustainability of bottom-tier productions. Based on the New Zealand case, the paper concludes with a set of recommendations regarding policy and institutional arrangement from an analytical approach of critical political economy, which might be useful for other small countries with lack of economies of scale aiming at strengthening their local cinema.

Keywords: local cinema, bottom-tier films, film value chain, political economy of communication, New Zealand

Introduction

Due to digitalization and globalization, the traditional business practices of local cinema and industry structures of feature films around the world are changing and facing new challenges. New Zealand is a perfect case study to analyse this

phenomenon because, despite its comparatively small population and remote location, it is a country well-known for being able to produce some of the most successful high-budget Hollywood ‘blockbuster’ productions, such as the trilogies of *The Lord of the Rings* and *The Hobbit*. However, little is known about its own local cinema productions, their funding problems and sustainability challenges.¹ Local cinema – or ‘bottom-tier films’ (Ferrer-Roca 2017), are those productions that are made with small-budgets and the domestic audience foremost in mind, and generally face significant economic challenges when confronted with a small domestic media market (Ferrer-Roca 2015).

This chapter aims to provide a critical analysis to fill this knowledge gap by applying a political economy perspective. Precisely, within the New Zealand feature film literature, it builds on Dunleavy & Joyce (2011) and Lealand (2013). In the first part, the chapter provides a value chain analysis – development, budget and institutional objectives, production, distribution – of three New Zealand bottom-tier productions that have achieved unusual success, in critical and/or commercial terms. These three case studies used to examine the distinguishing factors of bottom-tier films are *Sione’s Wedding* (2006), *Boy* (2010) and *The Orator* (2011). The second part offers a comparative analysis of the three bottom-tier case studies previously presented. The value chain structure allows to provide a thorough examination of the problems concerning the funding and sustainability of New Zealand local cinema,² as well as how digitalization and globalization (i.e., piracy) are directly affecting the financial sustainability of bottom-tier productions.

Approach

This chapter takes an institutional political economy approach of communication, which essentially considers media “as commodities produced by capitalist industries” (Murdock and Golding 1973; as quoted in Wasko 2008). By moving across the value chain of feature films, the interests of institutional actors are explained. This approach aims to critically analyse the relationships with their environment which, according to Wasko (2008), is sustained by political power,

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- 1 See Muñoz Larroa’s chapter in this volume for more about the sustainability of the New Zealand film industry, with special focus on Wellington.
 - 2 See Ferrer-Roca (2018) for an examination on the institutional ecology of New Zealand’s film funding institutions, as well as the public funding schemes funded by the NZFC to assist domestic productions along the value chain steps of development, production, post-production and distribution.

media industries and other economic sectors. In other words, as Thompson puts it (2011, p. 3), institutional interests are regarded to be shaped contextually over time in relation to “their roles, interactions with other institutional agents, and their negotiation of macro-level forces”.

Methodology

Drawing on findings derived from review of academic literature and secondary data, policy analysis, archival research and expert interviews with key personnel in industry and state agencies, this chapter takes an institutional political economy perspective to illustrate some of the main challenges that bottom-tier films are facing in contemporary New Zealand. Using three case studies as part of my research strategy has proved particularly useful as it allows to not only understand processes but also their contexts (Hartley 2004). Together with the institutional political economy perspective central to my work and the semi-structured interviews conducted with filmmakers, the aim is to understand the motives, priorities and interests of key actors in each case study. Attempts to ensure a larger degree of validity has been supported by the process of methodological data-triangulation, including documentary/archival data, case study and interviews.

Bottom-tier films

This chapter uses the term bottom-tier productions to describe feature films that have “significant New Zealand content” as outlined in the New Zealand Film Commission Act (NZFC 1978). These productions are characterised by being low budget and, most of them, need major financial support from New Zealand public institutions and funders, especially the New Zealand Film Commission (NZFC), in order to be developed, produced and, in some instances, even distributed (Ferrer-Roca 2015; Muñoz and Ferrer-Roca 2017). According to the former head of the NZFC, Graeme Mason (RadioNZ 2013), the public funding support for most bottom-tier feature films used to be between 70 and 90 percent of the production’s total budget (Ferrer-Roca 2017). This means that most bottom-tier productions are not economically sustainable on their own.³ Nevertheless, as these productions contribute to the expression of New Zealand cultural identity, they can also gain minor funding support from other New Zealand screen funding agencies.

3 Coinciding with Muñoz Larroa’s (2015) findings.

From a political economy perspective, bottom-tier feature films can be regarded as forming “the foundation upon which the whole New Zealand film industry stands and can be sustained” (Ferrer-Roca 2017, p. 6). These productions can be regarded as the core of the national film industry because, as Mason (2012) pointed out, it is in this tier that the largest proportion of New Zealand film industry creative personnel operate. In other words, the ongoing activity of bottom-tier films “provides the basic infrastructure that sustains the other two tiers. Middle- and top-tier films, such as *The World’s Fastest Indian* or *The Hobbit*, respectively, would be unlikely to have been made in New Zealand if the professional skills and infrastructure had not already been developed via a continuing flow of bottom-tier feature film productions.” (Ferrer-Roca 2015, p. 226).

Consequently, bottom-tier films are pivotal not only because they are culturally specific to New Zealand, but also because they have the capacity to provide vital industry training as well as the basic infrastructure and specialist expertise for the rest of the industry. In this context, it can be argued that the success development of “the New Zealand film industry is the result of more than 35 years of continuous filmmaking made possible through the flow of public support received from the NZFC and the Government” (Ferrer-Roca 2017, p. 6).

Case studies

Case Study of *Sione’s Wedding* (2006)

Infectiously energetic, so drenched in joy and so bloody funny that to give it less than a top rating would be churlish. It is, whatever its shortcomings, impossible to imagine it being done better.

Peter Calder (2006, para. 5–6)

*Sione’s Wedding*⁴ is a 97-minute romantic comedy feature film. Directed by Chris Graham, co-written by James Griffin and Oscar Kightley, and produced by John Barnett and Chloe Smith, *Sione’s Wedding* was made with a total budget of NZ\$3.95 million. Production company South Pacific Pictures (SPP) had the advice of executive producer Paul Davis and worked in association with the NZFC, New Zealand on Air (NZoA), Village SKYCITY Cinemas and Joseph P. Moodabe.

4 Official website: www.sioneswedding.com

Story, concept and development

Sione's Wedding is a feature film about four Samoan-New Zealand best friends, who face the challenge of finding a serious partner, or being refused permission to attend their friend's wedding. The film is set in Auckland, the city with the world's largest Polynesian population. The original idea behind *Sione's Wedding* emerged when producer John Barnett suggested writer James Griffin to develop a feature film set in the Samoan community of Auckland. The Pacific Island community in Auckland represents almost 14 percent of the city's population, a sufficient size to create "its own world within the city" and consequently establish parallelisms with other international large migrant groups (SPP 2005, p. 22). Even though the influence of Polynesian culture in New Zealand played an important role in the genesis of the film, the main themes of love, respect and friendship were expected to be universal (ibid., p. 6), suggesting that the feature film production could achieve export appeal without compromising its cultural objectives and distinctive Samoan-New Zealand identity.

The development process of *Sione's Wedding* differs from the following two case studies in that, while *Boy* and *The Orator* feature films required NZFC's funding for its development process, *Sione's Wedding's* screenplay was developed with minor NZFC financing.⁵ The film production company, South Pacific Pictures (SPP), is one of the biggest and most successful private television and film production companies in New Zealand. Due to the company's infrastructure and cash-flow from producing feature films, drama series, mini-series, tele-movies, and more recently entertainment, reality programming and documentaries (SPP 2008), SPP is able to have its own development fund to produce screenplays in-house before submitting the project for NZFC funding consideration (Barnett 2013). By diversifying outcomes and producing several audio-visual products concurrently, a production company not only reduces commercial risk and becomes economically more sustainable in the face of market uncertainties, but also leverages the skills and resources between two audio-visual sectors, television and feature films. Such a connection is common in New Zealand, because the television production sector offers, unlike film, ongoing employment.

Being able to offer an internal development fund has consequences in terms of the value chain of feature film productions. A sizable and well-established production company is far less economically dependent on public institutions like the NZFC for the initial finance to develop a feature film project. Fig. 1 illustrates

5 NZFC Script Development for *Sione's Wedding* was NZ\$30,000 (2002/03). Source: NZFC Past Funding Decisions.

advance of production. In contrast, small, privately-owned New Zealand production companies are heavily dependent on NZFC financing, because it is the only New Zealand public agency that provides financing for developing a feature film. In the absence of this, an independent project is forced to continue without funding, creating a precarious employment situation for the scriptwriter and producer involved in what is usually a bottom-tier project. This situation lengthens the timeframe of the film production and completion process as well as ultimately increases the project's economic dependence on NZFC finance.

The story of *Sione's Wedding* was an original screenplay. However, it was inspired by the popularity of the *Naked Samoans*, a comedy theatre group that since 1998 has been entertaining New Zealanders not only on stage, but also on television with the animated show *bro'Town* (dubbed *Simpsons of the South Pacific*), which won Best Comedy at the 2005 New Zealand Screen Awards. Most of the *Naked Samoans* group members starred in the comedy feature film *Sione's Wedding* and one of them, Oscar Kightley, was also involved as a co-writer. Although neither story nor the characters of *Sione's Wedding* were established prior to this film, the group of actors and their distinctive brand of Samoan comedy had already an audience. This might have minimised commercial risk for all the parties involved in the filmmaking process, be they public funders, filmmakers or investors.

Budget and institutional objectives

The total budget for *Sione's Wedding* was NZ\$3.95 million. The feature film drew its finance entirely within New Zealand, thanks to the collaboration between the NZFC (NZ\$2.5 million) and NZoA (NZ\$300,000), with support from television channel TV3, as well as financing from Village Sky City Cinemas. *Sione's* also was the first New Zealand film ever to receive investment from a theatrical exhibition chain (SPP 2005, p. 26). UK-based sales agents Hanway Films, the international distribution company, also participated in the financing of the film with a considerable sales in advance (NZ\$800,000) (ibid.). According to producer Barnett, two circumstances helped to diminish investor anxieties about the commercial risk. In his view, not only was the recoupment structured in a way that was attractive to private investors, but also the previous successes of the actors and cast assured them that "there was clearly going to be a market" (Barnett 2013). In other words, success in other platforms (in this case television and theatre) was used to predict the likely success of a feature film that featured the same group of actors.

Public funders not only invested in *Sione's Wedding* due to its anticipated success, but also because it met many of the public funder's key values and institutional objectives. First, it was a New Zealand story told from a young Polynesian perspective, offering "unprecedented representations of Samoan community life and mores in multicultural, Twenty-first Century Auckland" (Dunleavy and Joyce 2011, p. 228). Second, all 'above-the-line' as well as 'below-the-line' creative personnel and crew were from New Zealand. Additionally, the expectation of both producers and funders was that the film would connect with its targeted audience, notably the large Polynesian (especially Samoan) community that exists in New Zealand.

Domestic distribution

From a box office perspective, the domestic distribution of *Sione's Wedding*, handled by Village SKY CITY and South Pacific Pictures (SPP 2005, p. 26), was commercially successful.⁶ The film stood out for its strong box office performance with a total of NZ\$4,090,321 million (Moore 2013), an amount that, according to Barnett, allowed the production company SPP to recoup a higher revenue than the filmmakers of the feature film *Boy* ever did (Barnett 2013). Even if *Boy's* box office takings (NZ\$9.3 million, see next case study) were more than double those for *Sione's Wedding*, the distribution deal was more favourable for the latter production, assisted by Barnett and SPP's extensive experience in this business. Distributors and exhibitors consider feature films made by first-time directors to be more commercially risky, as there is no prior data to predict box office figures. As a result, the conditions offered by distributors and exhibitors to smaller independent productions like *Boy* are less beneficial for the filmmakers than the terms negotiated with bigger production companies like SPP with a history of success in both TV-drama and feature film production.

The distribution terms and conditions for *Sione's Wedding* differed from the following two case studies in that, first, the feature film was produced by one of the biggest and most successful production companies in New Zealand. This offered reliability and business experience, supported by an established 'track record' of screen production accomplishments. Second, distributors and exhibitors considered the commercial risk of the film to be minimised by the fact that the group of actors and their distinctive brand of Samoan comedy had already an audience. Both circumstances allowed production company

6 NZFC Theatrical release support for *Sione's Wedding* was NZ\$75,000 (2005/2006). Source: NZFC Past Funding Decisions.

South Pacific Pictures to negotiate a more favourable distribution deal than the filmmakers of *Boy*.

Sione's Wedding opened in New Zealand cinemas in March 2006 and became the top-selling DVD on release that same year (SPP 2008). The commercial success of *Sione's Wedding* was enough warranty to make a sequel six years later, with *Sione's 2: Unfinished Business* in 2012. Even though the sequel was not as commercially successful as the first feature, taking NZ\$1.8 million at the domestic box office,⁷ stands out as the second New Zealand sequel of all time and the first in the Twenty-first Century.⁸

Piracy

Piracy of *Sione's Wedding* involved some distinctive components. A long-time employee at the Auckland post-production company where the film was edited was found guilty of copying and distributing a pre-production copy of the feature before its theatrical release (NZFACT 2007). While not specifying how the figures are calculated, Barnett, as film producer and CEO of SPP at this time, estimated the piracy had cost between NZ\$700,000 and NZ\$1 million. These included NZ\$300,000 in lost box office return to the company, a further NZ\$200,000 in DVD sales, the equivalent percentage for distributors and exhibitors, the revenue from the New Zealand taxpayers through its major public investor, the NZFC, and additionally the loss of tax and GST on the film's legitimate revenues (Bull 2006). Furthermore, the pirated version found its way to the USA, the UK and Germany, extending the possible damage to the film's potential international returns. The person who pirated the film was convicted and sentenced to 300 hours of community service (NZFACT 2007). It was the first time a New Zealander had been convicted of breaking copyright law in the film industry (ibid.). As a result, the case was widely covered in nationwide media, raising public awareness of the massive revenue losses caused by piracy.

International Distribution

The international critical response to *Sione's Wedding* was positive even though the production did not win any significant awards. It screened at five international film festivals, the main ones being the Montreal Film Festival in 2006

7 Figures taken from Motion Picture Distributors Association of New Zealand (MPDA, 2012a).

8 *What Becomes of the Broken Hearted?* (1999) is the sequel of *Once Were Warriors* (1994).

and the Hawaii International Film Festival in 2007 (Graham 2009). Noteworthy is the fact that the film was chosen by the NZFC and the Ministry of Foreign Affairs and Trade to screen at the celebration of the fifty years of Samoa's independence, which included a celebration of the signing of the Treaty of Friendship with New Zealand, in August 2012 (NZFC 2012). The Samoan independence celebration included a special New Zealand Film and Television Festival broadcast on Samoa's TV3 channel, which opened with the Samoan-New Zealand comedy *Sione's Wedding*.

Renamed *Samoan Wedding* for its international release as a way to highlight its cultural distinction to foreign audiences, the feature film was theatrically released in Australia and the USA,⁹ among other countries. Indicative of its popularity in foreign markets is that, in its opening week in the Italian theatrical cinema market, *Samoan Wedding* managed to achieve seventh place at the national box office (SPP, n.d.).

Case study of *Boy* (2010)

Beneath the quirkiness and silliness of "Boy", there's a legitimate artistic presence on display. Waititi wrote, produced, directed and starred in the film, which goes beyond [its] coming-of-age story structure, to become something much richer and deeper that still leaves a smile on your face. (John Lichman 2012b, para. 5)

Released in 2010, *Boy*¹⁰ is a 90-minute feature film that mixes comedy and drama. Written and directed by Taika Waititi and produced by Ainsley Gardiner, Cliff Curtis and Emanuel Michael, *Boy* was made with a total budget of NZ\$5.6 million. The two production companies, Whenua Films and Unison Films, had the advice of associate producer Richard Fletcher and worked in association with the New Zealand Film Production Fund Trust (FF1), the NZFC, NZoA and Te Māngai Pāho.

Story, concept and development

Boy is set in 1984 on the rural East Coast of New Zealand, in Waihou Bay. The main character is an eleven-year old boy, who has two heroes, Michael Jackson and his father Alamein. When Alamein returns home after seven years in prison, *Boy* is forced to confront the father he imagined with the harsh reality of the

9 *Sione's Wedding* took A\$343,068 at the Australian box office and US\$72,244 in the USA. Figures taken from www.boxofficemojo.com.

10 Official website: <http://boythefilm.com>

man. Whereas the film is a drama because it features “neglected children, absent fathers, bullying, minors running drugs, gang members, violence, swearing, sexual references, kids boozing and smoking dope and a mother dying in childbirth” (Geary 2012, p. 10), it is also a comedy because it uses a very particular humour, with lots of satire and irony, to deal with these serious issues (Perrott 2010). Waititi summarises the main theme as “the painful comedy of growing up and interpreting the world” (Marriner 2010, p. 30). *Boy* has an original screenplay and is also autobiographical.

Budget and institutional objectives

Boy's total budget was NZ\$5.6 million, a reasonable amount for a bottom-tier New Zealand feature film. Funding entirely raised within New Zealand, made possible by the collaboration between New Zealand public institutions and funds, specifically the New Zealand Film Production Fund Trust (FF1) (NZ\$2.5M), NZFC Screen Production Incentive Fund (SPIF) (NZ\$1.8M), NZ on Air (NZ\$400,000), the NZFC (NZ\$250,000), Te Māngai Pāho (NZ\$150,000) and Māori TV (NZ\$50,000), as well as private investor Unison/Andromeda (Ivancic 2013, 2015). The film met many of the NZFC's key values and institutional objectives. First, it was a Māori narrative characterised by ‘significant New Zealand content’, which reflected New Zealand and New Zealanders in an original and ingenious way (Geary 2012). Second, the NZFC's expectation was that it would connect with its targeted audience, New Zealand viewers, and also that it would achieve good domestic sales, as well as critical acclaim (Mason 2013). However, *Boy* easily surpassed all expectations, becoming the highest grossing New Zealand feature at the domestic box office.¹¹

The potential for *Boy* to develop the careers of the filmmakers involved was a key consideration for the NZFC, given its statutory obligations in this area. However, Waititi already had a successful record of accomplishment prior to the release of *Boy*. His short film *Two Cars, One Night* (2003) was nominated for an Academy Award in 2005 and won eight prizes in the international film festival circuit, including Best Short Film at the Berlin, Seattle, Oberhausen, Hamburg and American Film Institute (AFI) festivals. His first feature film *Eagle vs Shark* (2007) attained domestic box office sales of NZ\$905,604 (MPDA, 2007) and his

11 Theatrical film tickets usually go up over time, so while this affirmation is true in absolute terms, on an inflation-adjusted chart *Once Were Warriors* (1994) is still the highest grossing New Zealand box office ever.

talent was already recognised abroad with his script being accepted at the prestigious Sundance Writer's Lab in 2005.

In view of these accomplishments, the NZFC's Board not only saw the potential to develop Waititi's filmmaking career further by funding his next feature film, but also used an institutional risk reduction strategy by backing a filmmaker with a nationally and internationally recognised profile. This risk reduction strategy was further encouraged by the involvement of skilful and qualified above-the-line creative personnel. Producers Cliff Curtis and Ainsley Gardiner added credibility to the project, due to their extensive portfolios and experience, while Emanuel Michael, a producer based in the USA, provided the link for distribution within the American market. Associate producer Richard Fletcher also increased the film's credibility by bringing to the project his extensive producing experience and his work in the film distribution business, plus his expertise as NZFC's former Head of Business Affairs.

Domestic distribution

From a commercial perspective, there is no doubt that the domestic release and distribution strategy of *Boy* was a big success. It made NZ\$9.3 million at the New Zealand box office, "making it the second highest grossing film behind James Cameron's *Avatar*" in that year (Wood 2010, para. 4).¹² The domestic critical reaction to *Boy* was very positive. *Boy* was nominated for thirteen awards at the 2010 New Zealand Qantas Film and Television Awards, winning seven of them, including Best Film, Best Director, Best Supporting Actor and Best Screenplay (NZFC 2010a, p. 16). The film was released on DVD immediately afterwards and, according to the Video Association of New Zealand, was the third highest-selling DVD in 2011 (*OnFilm* 2012, p. 7).

When *Boy* was funded, the NZFC used a different policy for distribution than the one it has now. At that time projects had to have a distribution deal in place to be eligible for development and production funding. Several anonymous sources have confirmed that the NZFC's sales person at that time pushed *Boy*'s filmmakers to accept a less than ideal distribution deal.¹³ The public funder's rationale was understandable, because it is generally very hard for New Zealand bottom-tier films to get a distributor interested prior to production.¹⁴ Apart

12 See previous footnote about inflation-adjusted chart.

13 The exact details of the distribution deal cannot be published due to being commercially sensitive data.

14 See Muñoz Larroa (2017) for more information on film distribution and delivery outlets in New Zealand.

from that, no one expected to be distributing the all-time highest grossing New Zealand feature release, so the initial distribution deal was considered to be satisfactory. Consequently, the filmmakers who wrote, directed and produced *Boy* have not yet been able to earn any money from their film.

Piracy

Online copyright theft of feature films is a contemporary global problem and New Zealand productions are no exception. In terms of value chain, the piracy problem can emerge during post-production but generally begins just after the domestic theatrical distribution of a feature film, like in this case. Within days of its domestic release, and before being released overseas, *Boy* was made available on a peer-to-peer file-sharing site. The NZFC (2010b) published a press release stating that they were unable to quantify how much this pirated release could damage *Boy*'s planned DVD and international prospects. NZFC Chief Executive, Graeme Mason, explained that:

Ultimately piracy hurts not only those directly involved in making the film, but those who work in the wider industry. Strong returns on movies such as *Boy* enable the NZFC to invest more money into developing more New Zealand stories that resonate not just with Kiwis, but with audiences around the world. That's a good thing for the industry and for New Zealand as a whole. (ibid., para. 7)

Although not all illegal copying/streaming translates into lost box office or DVD sales, piracy reduces the expected recoupment – which is almost impossible to quantify – that investors and funders are entitled to on the basis of their initial investment. Accordingly, one impact of the piracy of NZFC-funded features is that it reduces the quantity and quality of future productions, at the same time reducing the potential returns on public investment in New Zealand feature films.

International distribution

Bottom-tier film *Boy* was screened at more than fifty international film festivals during 2010 and 2011, and also was nominated to compete at the prestigious Sundance Film Festival in 2010. Also noteworthy were the World Cinema Audience Award at AFI Film Festival (NZFC 2011a), the Audience Award at the Berlin International Film Festival, and the Best Fiction Feature Film Award at the Sydney Film Festival, which was “the first time in 20 years that a New Zealand film won the award” (NZFC 2010b, para. 5). NZFC's sales arm, NZ Film, subsequently sold the film to distributors in nine countries.¹⁵

15 The USA, Canada, Australia, Sweden, Iceland, Poland, Turkey, Israel and Spain.

Even if the release of *Boy* broke all New Zealand box office records and won many awards both domestically and internationally, no distributor was willing to invest the necessary resources to release *Boy* in American cinemas. So the filmmakers and the USA distributor Paladin (Fleming 2011) decided to fund the release independently through Kickstarter.¹⁶ The Kickstarter campaign called “Boy: the American release!” collected US\$110,796 – a figure higher than the initial target of US\$90,000 – from 1,826 anonymous backers. This allowed the film to be released in more than eighteen American cities¹⁷ during March and April 2012 (Kickstarter Team 2012; see also Crossley 2012).

Some of its cultural content may have reduced the appeal and potential success of *Boy* in the American market. Two main problems for New Zealand feature films can be identified on the basis of *Boy*'s reception in the USA. First, it is likely that New Zealand's English accent – colloquially termed ‘Kiwi’ English – was not easy for American viewers to understand. This problem was confirmed at the American release during which Waititi, when asking about how well American viewers could understand ‘Kiwi’ accents, received affirmation that some had experienced difficulty (Lichman 2012a). What this shows is that, even though most New Zealand feature films aim for release and accessibility in foreign English-language markets, their ‘Kiwi’ accents – not to mention productions made in te reo Māori – still pose barriers to this achievement (Ferrer-Roca 2014). Second, and within its narrative and stylistic blend of comedy and drama, *Boy*'s story also used what might be regarded as ‘characteristically Kiwi’ style of humour which, once again, might not necessarily be fully understood by foreign viewers. Nevertheless, these two argumentations require to be further investigated, because the problematic reception of cultural specificity on the part of audiences unfamiliar with those cultural details is notoriously complex and difficult to objectively measure (Steemers 2004).

The potential to include cultural details that are identifiably ‘New Zealandish’, and as such will resonate with New Zealand audiences, are one of the main arguments for the production and public funding support of New Zealand's bottom-tier feature films. This cultural perspective suggests that if a feature production is primarily made for New Zealand viewers, the fact that it may not be exported should not matter. However, this argument, that large amounts of public money should be spent on feature films intended primarily for domestic

16 The New Zealand crowd-funding platform equivalent is www.pledgeme.co.nz

17 It has been impossible to confirm whether these were art house or mainstream multiplex cinemas.

viewers, is hard to justify if feature films (as well as TV-dramas) are regarded, or expected to operate, as an exportable product (Dunleavy 2005, p. 120). To the extent that 'exportability' is an expectation of these features, pressure arises for bottom-tier films and their main public funder, the NZFC, to compromise their cultural objectives and distinct identity in order to sell these productions on international markets (ibid., p. 10). As Dunleavy has argued (2005, p. 120 and pp. 268–70), when similar expectations are applied to costly forms of local TV-drama, reception problems have been evident, these arising from the very different requirements of domestic and international audiences that such productions are attempting to serve.

Case study of *The Orator* (2011)

The first feature filmed entirely in Samoan, *The Orator* is a compelling drama with more to offer than just anthropological interest. An exploration of love, death and bitter family conflict that unfolds in sync with the relaxed rhythms of Pacific island life, this New Zealand production marks an auspicious feature debut for... Tusi Tamasese.

Leslie Felperin (2011, para. 1)

*The Orator*¹⁸ – *O Le Tulafale* in Samoan language – is a 110 minute dramatic feature. As suggested above, it was the debut feature for writer-director Tusi Tamasese, who worked alongside producer Catherine Fitzgerald and two associate producers Maiava Nathaniel Lees and Michael Eldred. With a total budget of NZ\$2.5 million, the film was produced by two New Zealand companies, Blueskin Films Ltd and O Le Tulafale Ltd, in association with the NZFC.

Story, concept and development

As an 'art-house' feature which surpassed all the expectations of its funders and filmmakers, *The Orator* is an important film due to the rarity of its milestone achievements for Samoan cinema. Even though many feature films have been shot in the Samoan islands (mostly American-financed), *The Orator* is special as the first feature to have been written and directed by an indigenous Samoan, to be entirely spoken in the Samoan language, and to offer an entirely Samoan story that is performed exclusively by Samoan actors (MCH 2010).

The Orator is a contemporary drama about Saili, a night-watchman at the local store who musters the courage not only to stand up to his wife's intimidating brother, but also to ultimately reclaim the chiefly status of his father. Very

18 Official website: <http://theoratorfilm.co.nz>

significantly, Saili is also a dwarf, his physical size and disadvantage rendering these achievements all the more heroic. The cultural perspectives underlying this unusual story owe a great deal to the Samoan experiences and origins of their creator, the Samoan-born Tamasese, who spent the first 18 years of his life in Samoa, before moving to New Zealand for university study. The location of his first feature film – *The Orator* – is Vaimoso, on the main island of Upolu, the village where he was born and where his family home remains (NZFC 2011a).

Budget and institutional objectives

The Orator was made with a final budget of NZ\$2.5 million.¹⁹ The NZFC was the primarily financier with NZ\$2,313,000 million, and the film was also able to attract private investment from within New Zealand as well as additional finance from the Samoan government (NZ\$60,000) (Ivancic 2013). As a general approach, the NZFC is prioritising projects able to attract funding from external sources, as opposed to those which rely entirely on NZFC funding. Therefore, the fact that *The Orator* attracted investment from both private and public sources is likely to have been a positive indicator for the NZFC Board.

The filmmakers also emphasised in their NZFC production financing application why *The Orator* should qualify as a New Zealand film under the requirements of Section 18.2 of the *NZFC Act*. First, the most important ‘below-the-line’ and ‘above-the-line’ personnel, along with all equipment and facilities, the owners of the copyright, the production company and the majority of the total film finance were from New Zealand (Fitzgerald 2010). Additionally, and despite the Samoan location of the story and filming, the majority of the production spend would occur in New Zealand (ibid.). Second, there is a unique relationship and history between New Zealand and Samoa (ibid.). When Western Samoa gained independence on January 1, 1962, both countries signed a Treaty of Friendship, in which New Zealand agreed to “consider sympathetically requests from [Samoa] for technical, administrative and other assistance” (NZ Government, 1962, Article IV). Samoa is also the only country with which New Zealand has a Treaty of Friendship. Finally, there are currently 130,000 Samoan people living in New Zealand, comprising 50 percent of New Zealand’s Pacific Island community (Fitzgerald 2010). This situation and the historical relationship that precedes it, has created stable links and solid ties between New Zealand and the sovereign state of Samoa (ibid.).

19 NZFC Script Development for *The Orator* was NZ\$73,000 (2008/09) and NZ\$20,000 (2009/2010). Source: NZFC Past Funding Decisions.

NZFC policy requires a completion guarantor where a production budget exceeds NZ\$1 million, and *The Orator* was no exception. However, the filmmakers had to convince both the NZFC and the completion guarantor that such small budget – NZ\$2.5 million – would be viable. As the completion guarantor of *The Orator* commented, “We were surprised at Catherine Fitzgerald’s budget for *The Orator*, but then she explained how they were going to do it and the fact that Tamasese comes from where they were shooting, and had a lot of good relationships there. We then saw how it would work” (Parnham 2011). This also helped *The Orator* to meet the NZFC’s ‘value for money’ funding criterion, when it considers whether or not the investment request is appropriate for the level of cultural and creative achievement. Overall, the performance expectations for *The Orator* were considerably high. When NZFC CEO Graeme Mason read the script, he said that he could picture himself seeing it at the Venice Film Festival. Even if this prediction put a considerable amount of pressure on the filmmakers (Fitzgerald 2013), it was proved to be realistic.

Production challenges

The Orator faced three main challenges during production, the first of which was shooting in Samoa, the second, working with a predominantly local untrained cast, and the third being the limitations of the film’s small budget. Shooting a feature film in Samoa was not easy. Even though there is a growing television industry in Samoa, the infrastructure for a domestic feature film production remains limited (Hedley 2011). Additional challenges were presented by Samoa’s unsettled and sometimes extreme weather conditions (ranging from torrential rain and floods, to extreme heat and mosquitoes), which caused daily inconveniences for both cast and crew (Rudkin 2012). Further challenges came from working with untrained and predominantly local actors, including Fa’afiaula Sagote, who played the main character Saili. After overcoming these obstacles, they had to cope with another unusual situation, which involved convincing “the older chiefs to stick with the words on the script and not use their own words” (Rudkin 2012, para. 6). The filmmakers had to manage all of the above challenges within the constraints of a low budget. As producer Fitzgerald explained, one way to overcome the funding challenge was to locate and hire talented individuals who could complete their tasks with maximum effect and efficiency, and who were also willing to work for lower rate of pay (Fitzgerald 2013).

This has been a perennial approach to the frequent problems of obtaining sufficient financing for New Zealand features and, testifying to the ‘shoestring’ budget tendency of domestic film productions, New Zealand crew members

customarily earn far higher salaries working for Hollywood films than they can by working on New Zealand-financed production (Jones et al. 2003). The economic restrictions of working on New Zealand-financed films do tend however to find compensation in the potential for greater creative control and freedom for local filmmakers, a situation that is confirmed in the producing experience of Catherine Fitzgerald (Fitzgerald 2013). This infers that the makers of smaller budget films at least have the freedom to pursue the kinds of depictions and portrayals of New Zealand (or Samoan) culture they most value.²⁰ The real challenge, as Fitzgerald also acknowledged, is to produce films with both domestic and international audiences in mind (ibid.), given that the domestic market is simply too small to amortise the cost of film production, so that export sales are inevitable and essential (Dunleavy 2005, 2009; Dunleavy and Joyce, 2011).

Tamasese understands why his first feature film had to be low budget. First, they had to convince the NZFC to support the production of the first Samoan-language film ever (the NZFC had initially thought it would be in English) (NZFC 2011b). Second, Tamasese did not have a 'track record' as a feature film writer or director. His first short film, *Va Tapuia (Sacred Spaces, 2010)*, was made with a very small budget to demonstrate to the NZFC that he could direct. Even though this film was selected for inclusion in the international film festival circuit, the NZFC was still doubtful and, bearing in mind the greater challenges entailed in directing a feature film, considered their investment risky due to lack of substantial previous achievements (Hedley 2011). Nevertheless, sometimes having a small budget is not as important as receiving the money at the right moment, a point that Fitzgerald emphasised during our interview by stating that: "I could have been more efficient with the money if I had got it when I needed it" (Fitzgerald 2013). This concern is by no means unique to New Zealand and underlines the inefficiencies of bureaucratic processes and acknowledges that these have real consequences.

Domestic distribution

The Orator took a total of NZ\$766,758 at the domestic box office (MPDA 2012b).²¹ Considering that a perfectly respectable New Zealand bottom-tier art film might be expected to earn upwards of NZ\$300,000 domestically (a level at

20 Big budget films have strong commercial imperatives, which tend to diminish the creative freedom of the filmmakers involved.

21 NZFC Theatrical release support for *The Orator* was NZ\$53,319 (2011/2012). Source: NZFC Past Funding Decisions.

which the distributor is not losing money),²² *The Orator* can be regarded as very successful, even if the filmmakers have not made much of a profit from it to date.

Piracy

Piracy in the case of *The Orator* involved some unusual elements. The film was uploaded in its entirety on YouTube²³ in January 2012, three months after its New Zealand theatrical release. The culprit was neither a New Zealander nor a Samoan, but a person residing in Alaska (Fitzgerald 2013). Upon discovering this, producer Catherine Fitzgerald immediately contacted YouTube outlining and emphasising that the Alaskan individual had no right to upload this particular feature film on YouTube. Curiously, the person in Alaska went back and asserted that they did, so YouTube sent a letter to Fitzgerald asking for evidence of copyright ownership (Fitzgerald 2013). It seems that simply checking Fitzgerald's credentials in the credits of the film itself were not enough evidence for the YouTube team. With the NZFC unable to assist, Fitzgerald sought help from Australian-based Transmission Films, the film's Australasian distributor, a move which, in view of its international experience, networks and influence, was an important decision. As one of the main distributors for independent cinema, and the company who also distributed *The King's Speech* (2010) for example, Transmission Films had established the kind of reputation, international influence, and business relationships (including an output deal with Paramount) that gave them significant power in the higher circles of the international film business (ibid.). After Transmission Films challenged YouTube on the issue of copyright, YouTube was left with no option other than to remove the film from its website.

If Transmission Films had not been the official distributor of *The Orator*, or lacked the international reach and influence that it evidently did have, it is very likely that *The Orator* would still be available on YouTube. In terms of their ability to challenge and resolve acts of piracy, the cost of enforcement presents the greatest barrier for NZ producers. As Fitzgerald explained: "For me to employ a US lawyer to pursue this in Alaska would cost me considerably more money than I would ever lose from having it up on YouTube...I don't have the money" (Fitzgerald, 2013). In contrast, famous and internationally recognised

22 For a distributor not to lose money in releasing a feature film would require its revenue to be higher than the P&A and expenses spent prior and during the theatrical release of that feature film.

23 Producer Fitzgerald is not aware how the digital copy of *The Orator* was accessed.

filmmakers, such as Peter Jackson, are able to afford the cost of enforcement, as demonstrated when Jackson filed a *lawsuit* against New Line cinema claiming that he had not been properly paid. “The people who have the most power are the people who are the biggest players”, emphasised Fitzgerald (ibid.).

International distribution

The international critical response to *The Orator* was overwhelming. The film’s world premiere was held at the prestigious Venice International Film Festival, as NZFC CEO Graeme Mason had predicted. It screened in the Orizzonti Competition section of the Festival and received a Special Mention from the Orizzonti Jury along with two awards: the Art Cinema Award from the CICAIE Jury of the Festival and the CinemAvvenire Best Film – *Il cerchio non è rotondo* Award from the Jury of the Associazione Centro Internazionale CinemAvvenire (*OnFilm* 2011). Subsequently, the film also screened at three of the main international film festivals worldwide: Sundance and Toronto in 2012, and Berlin in 2013. It won the Audience Award at the Brisbane International Film Festival and was the finalist for Best Performance at the fifth Asia Pacific Screen Awards. *The Orator* has also been screened in other major foreign international film festivals, including the New Zealand Film and Television Festival to celebrate fifty years of the Treaty of Friendship between New Zealand and Samoa (NZFC 2012).

Launching an international world premiere at one of the world’s most prestigious film festivals, such as Venice, is a big achievement for any feature film. But it was not by chance. *The Orator* was permitted to enter the Venice festival thanks to the positive reaction to *Va Tapuia*, the previous short film by writer-director Tusi Tamasese. A year before, producer Fitzgerald sent this short film to the Venice Film Festival, whose director wrote her a personal letter advising that they were sorry not to be able to include *Va Tapuia* in the festival programme, but that they hoped she and Tamasese would submit more films in the future. A year later, NZ Film took *The Orator* promo-taster (not the official trailer, as they were still editing at this stage) to Cannes to show the footage. People from the Venice Film Festival recognised the distinctive voice of Tamasese in the film and were immediately interested (Fitzgerald 2013). This demonstrates how short films can actually be quite important in a longer term marketing strategy, and for the career development of feature producers, directors and writers.

Thus, even if a short film is not selected for screening at a big international film festival, it can still make a significant, lasting impression on festival selectors. However, this can also work in reverse. Festival selectors might reject a first feature film on the basis of their response to a first short film. Finally, *The Orator*

was submitted as Best Foreign Language Film for the 84th Academy Awards, which was held in Hollywood on the 28th of February 2012.

Comparative analysis and conclusion

This final section offers a comparative analysis, following a value chain structure, of the three bottom-tier case studies analysed in this chapter. Any feature film project begins with the conception and then the development of a script idea. In the case of those three films, all stories are similar in that all are based on original screenplays. The cultural representations of each feature are nevertheless different. While the film *Boy* offers a Māori coming-of-age story, *The Orator* tells a story of power and struggle that is overtly Samoan in character, as well as being filmed on Upolu. Different again, *Sione's Wedding* offers a portrayal of Samoan community life in contemporary Auckland, the largest, most populated city of New Zealand.

The source of inspiration for each story was unique. On the one hand, *Boy* and *The Orator* screenplays emerged from first-hand life experiences of their directors and writers Waititi and Tamasese respectively. On the other, the feature film *Sione's Wedding* created its story using milieu that had been effectively 'tested' in earlier theatre and TV productions, with the film offering additional security to its investors through its deployment of the same group of demonstrably popular actors from these earlier productions. For reasons which these differences make clear, it can be suggested that the first creative strategy, used by *Boy* and *The Orator*, whose stories were entirely without creative precedent, entailed significantly greater commercial risk.

Be they producers, distributors or public organisation personnel, the one thing that most interviewees reiterated was the idea that knowing your audience in advance is fundamental to achieving a successful release. In Barnett's words, it is not about how much advertising budget you have, "it's about the fact that you connected with somebody" (Barnett 2013). In the case of the three bottom-tier feature films analysed, they all connected with their targeted audience, because they correctly identified it in advance and planned a subsequent distribution strategy to reach them. This seems to be a decisive aspect to ensure a successful film.

Regarding the final budgets of the three bottom-tier case studies analysed, *The Orator* had the lowest budget with NZ\$2.5 million, followed by *Sione's Wedding* with almost NZ\$4 million, and *Boy* with a budget of NZ\$5.6 million. There seems to be, nevertheless, no correlation between the amount of financial investment and the international critical response. *The Orator* – with the lowest

budget – received an overwhelming international critical reaction, premiering at Venice, screening at Sundance, Toronto and Berlin, and being submitted for the Best Foreign Language Film category for the 84th Academy Awards. Undoubtedly, good ‘art-house’ film productions can be made with small budgets and simultaneously receive international critical acclaim.

Interestingly, there does seem to be a correlation between budget and domestic box office results. On the one hand, the feature film *Boy*, with the highest budget, surpassed all expectations and became the highest grossing New Zealand feature at the domestic box office with NZ\$9.3 million, an amount equivalent to 166 per cent of its total budget. On the other, *Sione’s Wedding* was able to equalise its final budget with its domestic box office result, having a budget of NZ\$3.95 million and a box office revenue of NZ\$4.1 million. Finally, *The Orator* film, with the lowest budget but with the best international critical response, had the lowest domestic box office result with NZ\$0.76 million, which equals 30 per cent of its total budget.

Nevertheless, any correlation between final budget and domestic box office numbers is inaccurate as it ignores not only the production circumstances under which each feature film was produced, but also its marketing budget.²⁴ As already explained in the case study analysis, not only was *The Orator* made partly thanks to the generous help of many Samoan people who participated in the production for no commercial compensation, but *Boy* was also made thanks to the help of Waititi’s family and friends. If everybody involved in making those films had been paid at New Zealand rates, as was the case for *Sione’s Wedding*, the real cost of producing *The Orator* and *Boy* would have been significantly higher.

From a business perspective, feature films are audio-visual products developed to provide considerable economic returns to their investors. The amount of the final budget of a film production is, nevertheless, no equivalent security for economic success, as the analysis of the previous three bottom-tier case studies demonstrates. *Sione’s Wedding*, with a medium budget of NZ\$3.95 million, is the production that has been the most commercially successful for the filmmakers; compared to the other two productions, due to two circumstances. First, distributors and exhibitors were able to predict box office results more easily given the screenplay was based on already successful characters. Consequently, P&A spending for the theatrical release was based on recoupment expectations and the advertising campaign was targeted and focused. Second, the

24 Due to being commercially sensitive, no private company or public institution make theatrical marketing budgets publicly available.

extensive business and creative experience of production company SPP allowed the filmmakers to negotiate more favourable theatrical distribution terms and conditions.

In theory, the lower the budget, the easier it should be to recoup the initial investment for the simple fact that there is less to recoup. However, the *Boy* case study showed that the distribution deal is a pivotal factor, in the sense that *Boy*'s filmmakers had to accept a less than ideal distribution deal partly due to their inexperience and partly due to pressures from the NZFC. Even if in absolute terms *Boy* has reached the highest grossing domestic box office of all times, the filmmakers did not earn much money beyond their normal production fee. The advertising budget was quite high and the distribution terms and conditions were mostly favourable to the distribution company. However, thanks to *Boy*'s success, next time a Waititi-directed film is on offer, it may expect far better terms from prospective distributors and exhibitors.

Piracy, unfortunately, was an issue for all three bottom-tier feature films. While both *Boy* and *The Orator* were made available online from unknown sources, a pre-production copy of *Sione's Wedding* was stolen by an employee of the Auckland-based post-production company. Although the offenders have not yet been revealed for *The Orator* and *Boy*, in the case of *Sione's Wedding* it was relatively easy to identify and convict the employee who pirated it. In *The Orator* case, producer Fitzgerald was able to claim copyright ownership to YouTube thanks to the reputation, international influence, and business relationships of the film's distributor, Australian-based company Transmission Films. Without such backing, *The Orator* would very likely still be available in its entirety on YouTube.

The NZFC's financial support has proven to be crucial for supporting the conception, development, production and even the distribution of bottom-tier feature films in New Zealand. As already mentioned, *Boy* and *The Orator* needed development funding from the NZFC in order for the screenplay to be completed. This necessity is underscored by the fact that these films came from small and/or newly established independent production companies. In contrast, *Sione's Wedding* was produced by one of the most successful and recognised New Zealand television and film production companies, which is able to develop its own projects in-house before applying to the NZFC for production finance. Additionally, while *Sione's Wedding* and *The Orator* were able to attract some private and external investment, the production of *Boy* was entirely financed by New Zealand public institutions, including NZoA, Māori TV and Te Māngai Pāho.

Significant for the overall research is the purpose underlying the exercise of the NZFC's supreme influence upon bottom-tier films within the New Zealand

film industry. Due to economic and institutional contextual circumstances, the NZFC plays a pivotal role in the survival of bottom-tier films, not least because it is the only NZ public agency that significantly supports features in this tier. As a consequence of their dependence upon NZFC finance, most bottom-tier productions have to contend with and overcome the problem of a dearth of development and production funding.

One way to increase the productivity of the limited funds available is to increase the efficiency and effectiveness of the NZFC's financing process, especially by introducing greater flexibility around when its funding can be accessed by the filmmaker. Although some of the problem arises from the necessity of a competition between eligible film project proposals for a limited supply of NZFC funding support, it is clear that filmmakers could be more efficient with this funding if they were able to receive it when it is most needed. Nevertheless, in order to ensure transparency and accountability, government agencies like the NZFC cannot simply act as a bank to provide funding on request, instead needing to assess applications objectively and transparently in the context of their relative as well as their individual merits. Based on the comparative analysis between the three bottom-tier cases, there is no recurring correlation between the amount of financial investment involved and the national and international critical response or economic returns from theatrical distribution deals.

New Zealand public funders, especially the NZFC, are caught between Government Ministries with opposite, but at the same time, complementary aims – cultural and economic. These tensions shape NZFC's priorities by, hopefully, making decisions that will not only result in culturally meaningful films, but also economically successful ones. From an institutional point of view, supporting the filmmakers that achieve the highest domestic box office takings is a business strategy to reduce outcome uncertainty. Based on the New Zealand case, and from an analytical approach of critical political economy, these considerations regarding policy and institutional arrangements might be useful for other small countries with lack of economies of scale aiming at strengthening their local cinema.

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