

BCJ CONFERENCE ON THE FUTURE OF MEDIA AND REGULATION

Opening Address

by

Professor Hopeton S. Dunn Ph.D.

Chairman,

Broadcasting Commission of Jamaica and

Director,

Caribbean Institute of Media and Communication, UWI

KINGSTON, JAMAICA

APRIL 8, 2014

Senator The Honourable Sandra Falconer, Minister with responsibility for Information,

Mr. Neal Lemlein, our special keynote speaker,

Mr. Brian Schmidt, Vice Chairman, Media Association of Jamaica,

Distinguished visiting participants,

Online participants in Jamaica and overseas,

Broadcasting Commissioners and Staff,

Ladies and Gentlemen,

Good Morning.

It is my pleasure to welcome you all to this conference on “**The Future of Media and Regulation**” hosted by the Broadcasting Commission. I welcome, in particular, our Minister, Hon Sandra Falconer and our Guest Speaker, Mr Neal Leimlin and his wife Patty.

I also extend a warm welcome to those persons who have joined us via the Internet and others who have travelled to be here from abroad.

The Conference

It is timely that this conference is convened to deliberate on important issues of the new digital economy: technology, content creation, distribution, innovation, regulation and public policy-in Jamaica, and globally. That the conference is so comprehensively oversubscribed is a measure of its significance, and a basis for us to contemplate making it an annual or biennial event.

Without a careful eye on these critical media issues, we run the risk of missing the mark in our planning and regulations for Jamaica’s digital future. This point takes on even more significance, when we contemplate that Jamaica, and many other sister Caribbean countries, are desperately seeking out new creative industries to help secure a sustainable and profitable future for our peoples. Our collective resolve to seamlessly carry out the mission of digital television switchover and to update our minds and technologies forms part of this search for economic renewal in part through the cultural and creative industries.

And it is indeed this continued search for sustainable economic industries that anchors our deliberations here today. I am therefore confident, that all of our deliberations today will catalyze and elicit ideas in this quest for development and sustainable growth in the media sector and nationally.

Permit me then, a few thoughts on the transforming digital environment and the creative destruction, (in the words of Schumpeter), being wrought within our sector, sometimes for good.

Considerations for the Future of Media

Today we live in a culture where media are widely available. While in the past it was mainly newspapers, television and radio that engaged our attention as the main information and entertainment sources, now we travel with our own media which provide us a steady stream of content.

This has been influenced by the miniaturization and portability of digital media devices, the increased performance and capacity of these tools, mobile broadband and more widespread internet access.

The Internet of Things

We are bombarded by a network of inanimate objects around us which can adapt content to our day to day lives. More and more you and I are interacting with the “Internet of Things”.

According to McKinsey Research “more objects are becoming embedded with sensors and gaining the ability to communicate (sic). The resulting information networks promise to create new business models, improve business processes, and reduce costs and risks.” From as early as 2008, the number of IP-enabled things exceeded the number of persons connected to the internet. These “things” include our cars, television sets, game consoles, computers, tablets, mobile phones, GPS devices, electronically enabled office doors, even road networks and traffic signals.

Further, the news is getting to us in new ways. Some of us no longer purchase newspapers but gain access to targeted information through online sources. In the future, a conference like this would probably be full of persons accessing real time content on wearable technology platforms, such as Google Glass.

Traditional news formats can no longer hope to be the first to report on news, and a hypothesis developed by media scholar, Ross Dawson, stated that newspapers as we traditionally know them, are likely to become extinct in most developed countries by 2030.

The discussion has now evolved and news businesses are now transforming in order to ensure that they are able to survive in the digital era. This evolution includes the monetization of digital news and transitions from mainly news reporting to the addition of unique commentary and analyses. Within our own local setting journalists are also becoming bloggers. This trend will continue and increasingly journalists will also have to be technologists, understanding the various platforms for communication with their varied demographic groups in their audiences.

Transitions in TV and Audio Content

Digital convergence is also disrupting traditional TV and video distributors within this multiplatform world. So called "OTT" services such as Netflix and Hulu deliver steady streams of old and new television and radio content to millions.

At the close of 2013, Netflix had over 44 million unique subscribers. With shorter breaks for advertisements and anywhere-anytime-any-device access, some consumers are keen to adopt this kind of service for accessing their media content.

Digital aggregators such as Spotify and iTunes are also disrupting the traditional methods of music distribution, where instead of buying a CD album, individuals can selectively access one song per purchase online. Internet radio and internet tv services exist currently without regulation. With these developments, how do we protect our children from harmful content? How should intellectual property issues online be managed?

Participatory Media

The media content accessible today is being developed by a range of citizens in trends known as wiki or “participatory media”. This is being driven by lower barriers to entry with less expensive hardware and software and internet-enabled collaboration.

As such, the content creation process is increasingly becoming decentralized. While this furthers the cause of giving audiences greater choice, challenges exist in relation to production quality, credibility and accuracy of content. As a result, emerging models are being used to incorporate dedicated online web sites and user-generated content, more broadly, into traditional media.

The approach of Wikileaks is an example of this. Wikileaks made arrangements with established newspapers such as the *Jamaica Gleaner* and *Le Monde* in France for the publication of leaked documents to which it had gained access.

The outcome of this was that the credibility of established newspapers was used to enhance the innovative and participatory new media formats to deliver a unique and attractive if controversial product to audiences for consumption.

Big Data

Research and content enrichment are among the processes facilitated by the emerging digital environment. We also know that there is this concept of “big data”, which is defined by Data providers SAS as “the exponential growth and availability of data, both structured and unstructured.... More data may lead to more accurate analyses. More accurate analyses may lead to more confident decision making. And better decisions can mean greater operational efficiencies, cost reductions and reduced risk.” (SAS 2014)

Big data is an opportunity to use digital analytics to resolve commercial and public policy issues. The big data we are talking about often reside in government departments,

Corporate data-bases and library archives, and includes an unending stream of content from all around the world. With the use of available technologies, these data, such as music catalogues and recordings, old movies, documentaries and ancient radio programmes can be collected, digitised, archived, used and re-used for informational and entertainment purposes. The process is aided by technologies that leverage **data and context** to deliver a more personalized experience for individual content consumers.

We ourselves can be the providers of such content for Jamaican and global audiences by accessing online portals. There remains an imperative for those of us here to be a part of the positive flow of marketable information leaving Jamaica and entering other markets. The Gleaner's creative marketing of its archives is one such example that can be more actively emulated in the more established electronic media sector.

Media and Information Literacy

How can we be more inclusive and widen access to the new tools of our times. We must increase the number of persons that are media and information literate.

While we continue to emphasise the importance of the culture of uploading positive work to the global stock of media content, it is critical that the area of techno-literacy are not neglected. According to UNESCO "information literacy emphasizes the importance of access to information and the evaluation and ethical use of such information and" Media literacy for its part emphasizes the "ability to understand media functions, evaluate how those functions are performed and to rationally engage with media for self-expression." (UNESCO)

The BCJ has been playing its role in helping to build the capacity of citizens to be digitally literate. In this respect, the Commission has been in collaboration with UNESCO, the Joint Board of Teacher Education and the Ministry of Education for some time now, to implement media literacy curricula in primary and high schools in Jamaica, as well as in the Teachers' Colleges. This is a defining part of the role of the modern media regulation going into the future.

Regulatory Treatment of Special Content

I would like to turn to a matter that has been of public concern in recent months. And that is public access to high value and special content, especially on television. The upcoming FIFA Football World Cup and the recent talent show -The Voice- featuring our own Tessanne Chin, are examples of premium broadcast content. Broadcasters extract the premium economic value from these programmes through the acquisition of exclusive broadcast rights for airing these programmes, sometimes on secured

subscription systems, such as what happened with the recent Winter Olympics. In these scenarios, there is the distinct possibility of undermining the public interest, especially where pre-existing cable contracts appear to confer unimpeded rights of access to such premium programming.

In light of all this, the Broadcasting Commission is of the view that a mechanism must be found that balances commercial interests with the public interest needs of the community in which those commercial entities operate. This is what we wrote recently to the IOC to clarify what might be expected in terms of free to air open television coverage during the Summer Olympics in which we are so invested as a country.

In response, we have been assured that such major events will be made available to the widest channels of public access and not to pay per view types of limited access channels.

At a policy level, there are also important correctives that are available to ensure that events such as Boys' and Girls' Champs, for example, will always remain in the public broadcast access domain. Other countries, for example, have instituted special legislative provisions to govern the acquisition of exclusive rights for premium programmes, in the public interest. Some of those countries include the United Kingdom, Australia, Singapore, Belgium, Austria, France, Finland and Germany.

In Australia, there is a so-called 'Anti-Siphoning Scheme' under which the Minister of Communications establishes a list of premium content, and further stipulates that only terrestrial broadcasters are eligible to acquire the exclusive broadcast rights for any of the programmes on the list. We are preparing to make similar recommendations to governments of the Caribbean to ensure unimpeded access to content of widespread and overwhelming public interest.

Some individuals will argue that the status quo does not necessitate anti-siphoning rules given the relative market strength of FTA broadcasters compared to subscription TV players. However, as is the case in the UK and Australia, FTA broadcasters that have secured exclusive rights to premium content events, must demonstrate to the regulator their capacity and capability to adequately broadcast that content to a particular percentage of the population (usually over 95%). Failing which, they are asked to share their signal with a rival (either STV or FTA) provider for a nominal fee. This could be a sensible approach for Jamaica since it secures the interests of citizens by ensuring the maximum number of people can gain access to the premium content, without unnecessarily encroaching in the commercial affairs of broadcasters.

Based on the foregoing discourse, it should be clear that any decision that emerges on this matter of exclusive content acquisition will be controversial. However, there is a wide spectrum of possible approaches to guide us in Jamaica, as we now consider the best way to treat with high value content. Suffice it to say, we must seek a solution that satisfies the widest public interests.

Concluding Remarks

As we ponder these and many other issues which will arise today, we should ask ourselves, what regulatory responses and strategic measures should be engaged in these and other matters. I won't attempt to answer this question, except to say that the regulator cannot be a bystander in this process of citizen rights and global media transformation. This conference is an example of how the broadcaster must remain proactive and relevant in a changing environment.

In closing, I am confident that we will have some thought provoking discussions and concrete solutions on some of the major challenges in media and regulation for the present and the future. I look forward to the insights and the new horizons that this event will unveil and thank you for your attention to the framework that I have sought to share right at the very start.

Thank you!