

Address

by

Professor Hopeton S. Dunn, Chairman
Broadcasting Commission of Jamaica

at

BCJ Strategic Retreat, October 28, 2015,
Hope Gardens,
Kingston.

Representative/s of the OPM,
Specially invited industry partners
Colleague Regulators, Commissioners
BCJ Management and Staff
Friends all

Good Morning!

It is my pleasure once again to welcome you to yet another Strategic Planning Retreat of the Broadcasting Commission. These events are crucial to how we go forward, creating the opportunity for a shared vision of the next phase of our institutional journey.

Staff Appreciation and Remuneration

I want to start by thanking the staff of the Commission for its sustained and high quality service under less than desirable conditions of remuneration. I for one, and the full Commission, have been unhappy about the public sector circumstances that prevent our staff at all levels from receiving more adequate remuneration.

However, a recent report from the Ministry of Finance has given cause for hope and expectation. In an article appearing in the Gleaner of Saturday October 24, 2015 it was reported that the Ministry was to begin a public sector pay policy review during the current fiscal year. Minister with responsibility for the Public Service, Hon. Horace Dalley said the review is aimed at examining and guiding how civil servants can best be compensated for their work in order to help preserve the quality of the public service establishment.

I hope that this will include granting more latitude to public sector agencies with the ability and willingness to pay. With the assistance of the Secretariat, I plan to write to the Ministry shortly to add our voice to those supporting the proposed and long overdue public sector wage review initiative. For those who may not be aware, we are talking here about our full time staff not Commissioners, who, like the Chairman, render unpaid public service.

Our strategic goal is to build internal capacity, expand staff opportunities and enhance the working environment. In this regard, the Commission is very pleased with decisive progress being made in the acquisition of our own headquarters.

Cabinet approval on September 7, 2015 of our proposal to acquire the building and property at 9 Central Avenue in St Andrew marks an important milestone in our strategic journey. I want to thank the Commission Staff; the Finance, Administration and Outreach (FAOC) Committee; the OPM and Cabinet itself for helping us to get to this important stage. The transition from our present location to the new building will take months. I expect that it will require **the engagement of short term specialist project management staff** to assist in speeding up the process of renovation and relocation as we go forward. This move will consolidate the BCJ and provide a more ample working environment for staff, commissioners and stakeholders and **provide an enabling environment for further modernization.**

BCJ in the Caribbean

Although there is still a lot to be done, the Commission continues to move from strength to strength.

We are proud of the work of the BCJ and especially its reputation nationally, regionally and wider afield. Just in the last month alone, we have seen many instances in which certain of our key Caribbean regulatory counterparts have shown due regard to our leadership.

The decision of the Telecommunications Authority of Trinidad and Tobago, to introduce demands to their own cable operators for compliance with copyright requirements for programming content, follows our own landmark directive in this regard, a directive that has received full compliance by cable operators vindicating our contested but necessary regulatory action.

I was pleased, further, to receive, in my capacity as BCJ Chairman, an invitation from the Trinidad-based Caribbean Telecommunications Union (CTU) to be the keynote speaker at the 2nd Caribbean Regulators Forum held in Tortola, BVI, on October 1, this month. In keeping with their request, I addressed the very relevant topic of 'The Challenge for Regulators in a Converging Environment'.

Within this same month, we also responded to a request from the Eastern Caribbean Telecommunications Authority to be the keynote speaker at its 15th Ministerial Assembly Anniversary Public Forum held on October 15 and at its Regional Regulators Workshop on October 16, both in St Kitts Nevis.

I allude only to the most recent, but there have been many other such invitations, not just to me, but to other leaders of the Commission, to bring our insights and analyses to a wider regional or international audience.

These invitations reflect the regard in which the BCJ is held regionally and within the global ICT sector. It also underlines the necessity for us to continue to maintain our consistent high quality work locally and maintain a positive public profile and regional leadership, despite challenges that we may encounter from time to time.

BCJ and Single ICT Regulator

These recent meetings, and prior consultations within the Commission over the past year have reaffirmed the long standing recommendation that Jamaica should move expeditiously to a Single ICT regulator, bringing together existing institutional resources and regulatory capacities. This year, we submitted to government a detailed proposal and justification under which the BCJ would become the hub for this single ICT regulator.

It will be necessary, in the forthcoming year, to advance this proposal through intensive dialogue with our stakeholders and Ministry.

Convergence and Consolidation

The necessity for this strategic institutional reform is becoming more urgent by the day, as we see the enactment of long predicted industry consolidation and technology convergence.

Alongside a one-stop shop, the evolving industry in Jamaica requires legislative reforms that have now moved from the need to amend the existing 1940s Broadcasting and Radio Re-Diffusion Act (BRRRA) and the 20th century Telecoms Act, into 21st century legislation that acknowledges the digital era and redefines the meaning of 'broadcasting'. Perhaps this is the single most urgent transformation that is demanded if Jamaica is not to be seen as being among the laggards in policy and legislative reform.

The dialogue on these reforms must be advanced into the public domain, including through **a new round of industry and public consultations that should be convened in the middle of 2016.**

A part of this dialogue should be around reforms in the area of merger and acquisitions and on data protection, provisions for which remain non-existent or grossly inadequate in existing national Competition legislation.

As part of our mission for equity and modernization, we will have to continue to speak about the need for Net Neutrality, thereby avoiding a dual speed Internet that favours the wealthy corporate giants of the North. As we resist these tendencies, we must recognize that new innovations will arise that will challenge and change our operating environment.

It is interesting to see local responses to the rise of OTTs in ways other than those that seek to fence them out or make them illegal.

Reality is that we have to become a society of creators and uploaders of our own content and not just net downloaders of other people's creative content. As I reminded our friend in the Eastern Caribbean, content remains king, and we do have in the region the creativity and capacity to generate and market Jamaican and Caribbean programmes.

DSO our only Future

But if we are to market our productions locally and to the world, whether as culture, sports, environmental programming or news, this has to be within the framework of high definition television and digital content.

We continue to make slow progress on the ITU mandated mission of analogue to digital switchover. This is the heart of our industry modernization strategic goal. But we can go only as fast as our industry partners are able to move.

The Jamaica Roadmap Report produced with our ITU counterparts will go some way in assisting our planning for DSO. The modest but important technical improvements in the ATSC American standard also takes us some way in our vision of the future.

But it is the movement of our television broadcast licensees that will represent qualitative progress, as the BCJ itself continues its role of facilitation through the National DSO Steering Committee. The time has come for a Ministry Paper to be tabled in the Parliament concerning the DSO national objectives. The BCJ will stand ready to play its part, as the policy aspects traverse our Ministry, partner regulators and industry players on its way to Cabinet and hopefully the next Parliament.

I hope that we can mobilize all the resources and stakeholders to enable more substantial progress in 2016 than we have been able to make with DSO in the current year, despite notable advances.

Content Regulation

Even as we concern ourselves about issues of infrastructure, the Commission will never lose sight on the critical importance of content regulation of the airwaves and transmission networks. Our monitoring teams have remained vigilant, and continue to review far too many instances of careless breaches of the regulations. While we have seen and are encouraged by an increased incidence of licensee-initiated remedial action, we would recommend tighter internal measures to prevent the breaches in the first place. In the period forthcoming we will step up our recruitment and training of new citizen monitors and re-engage with existing ones all over Jamaica. Our plans to acquire an electronic monitoring system has been delayed by the necessity to ensure that the technology we acquire at considerable public expense is fit for purpose.

But our collective will and capacity to monitor the airwaves must remain undiminished, knowing that the protection of our children and vulnerable members of the public remain paramount.

Elections and the Sector

As I conclude, I note with interest talk of an imminent General Election in Jamaica. The BCJ will be ready to play its part, as we have done over so many other such electoral moments. Our Regulations prescribe certain roles that we must play to help ensure fair play on the airwaves. We will be equipped to honour these obligations and to handle complaints, which hopefully will be few.

We should be meeting shortly with the Electoral Commission and separately with political party representatives and relevant media licensees.

These meetings will be with a view to re-affirming the shared strategies that we have successfully employed in the past, to help generate a calm and reflective atmosphere island-wide, ahead of voting.

These plans include securing industry agreement on the ending of electronic media campaigning and the announcement of opinion polling results, by an agreed time-band before the start of voting.

Conclusion

Once again, let me thank you all for your assistance and co-operation with the Commission over this past year. I thank my colleague Commissioners. We commit to remaining a firm but fair regulator, operating as an evidence-based organization, holding the scales to balance competing interests.

We are keen to embrace institutional reform towards a single regulator built around the BCJ, and will welcome any movement whatsoever in the legislative reforms that have been recommended to government by the Commission for over four years.

In addition, we want better remuneration for our full time staff and deeper consultation with all our stakeholders, as we move to consolidate our role and reputation locally and globally, in an era of convergence.

Thank you!