Convergence: Culture and Policy in the Digital Age

The Australian Key Centre for Cultural and Media Policy's conference ran from November 18 to 20, 1998 in Brisbane. Tim Dwyer of the Policy and Content Regulation Branch at the Australian Broadcasting Authority reports

Unlike the 1997 multistrand conference *Cultural Crossroads*, in which the Key Centre also played the main role, this conference was a single strand event with keynote addresses and focus sessions. The logic behind this approach was that it complemented conference themes.

The conference opened with an indigenous welcome from **Charlie Watson**, who grew up in Gangala country in Central Queensland. Watson has an extensive history of involvement with indigenous media organisations and more recently has been active in cross-cultural seminars. He said it was vitally important that mainstream Australia not restrict itself to culture arising from the past 200 years. He suggested that non-indigenous Australians have access to indigenous perspectives to enhance our understandings of the cultural traditions of indigenous Australians. Watson placed the conference on a strategic footing by arguing that culture should embed technology, not the reverse.

Richard Collins, head of education at the British Film Institute, pursued a central theme of the challenges ahead for governments in managing the transition from older regulatory regimes based on technological distinctions between wired and wireless delivery to the prospect of a more integrated network environment with "a single stream of digitised data". For Collins a critical issue would be how to secure public policy goals in this environment of a "protracted and uneven transition". He argued that this task would be more difficult in a delivery context where governments no longer control market entry, previously the main regulatory mechanism. Describing the entry of BSkyB into the European market as the beginning of the end (it pre-empted its rival, the government-authorised British Satellite Broadcasting), Collins noted that while government can no longer fulfil its side of the bargain, commercial broadcasters are not as willing to carry out their obligations in terms of meeting positive (content quotas, children's programming) and negative (harmful, unsuitable, illegal programming) regulatory goals.

Collins said that future regulation must be stable and predictable for investment. New goals would need to embrace universal service obligations, the reduction of negative programming and the inclusion of positive programming. Invoking the U.K.'s telecommunications model, he argued for the role of regulators to be rethought using the concepts of essential facilities, bottlenecks and interconnection between networks. But he was also conscious of the telecommunications experience in the U.K. evidencing the necessity of both sector-specific and competition law regulation - since media and communications were different industries with

unusual "public good" characteristics.

A case study focus session followed on two online networks: the *Australian Cultural Network* (ACN) established by the New Media Section of the Department of Communications, Information Technology and the Arts (DoCITA), and the *Australian Indigenous Cultural Network*, an initiative coordinated by The Gallery of Aboriginal Australia, within the National Museum of Australia (to be funded through private and public monies). While the former is operating in a near finalised format, linking numerous cultural organisation and policy sites, the latter has not yet progressed beyond the planning stage. **Dr John Cook** spoke on three important policy issues underpinning the ACN project: cultural identity for Australians; a set of economic issues concerning integration into the Asia-Pacific region; and planning the transition to Australia's future communications environment. **Djon Mundine**, senior curator with the National Museum of Australia, emphasised the role of the Indigenous Cultural Network as a means to provide access to indigenous culture.

Cathy Robinson, chief executive officer of the Australian Film Commission (AFC), spelt out its mandate which she argued must be to inform, enrich and empower audiovisual content producers. She observed that this charter is being pursued in the context of declining government funding, reduced tax breaks under the FLICs scheme, and with the local content standard under increasing pressure. She said that the Blue Sky case was a classic instance

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of free trade versus cultural protection, where the cultural rationale for the standard was being undermined, possibly to further detriment in future international trade forums like the 2000 WTO negotiations. Robinson also noted that local content was being weakened in relation to pay TV services where the 10 per cent expenditure requirement on predominantly drama channels is being undermined by its lack of enforceability.

In an industry future likely to include increasing digital production and post-production, Robinson argued that there was a need for: strong, innovative regulators for further choice and diversity, where government ought to actively foster screen culture; a constant redefining of cultural policy including what is meant by "Australian"; and for cultural industries to be included in that process. She also argued that a viable film and television production industry would need to include more diverse productions, and for film makers to have access to "the opportunities and flexibility that bigger budgets provide".

In the focus session, **Debra Richards**, executive director of ASTRA and **Bruce Berryman**, 3RRR broadcaster and RMIT lecturer, offered their views of digital futures. While Richards was sceptical about much of the hype surrounding the introduction of new digital services, and aware of the important role that lobbying plays in the shaping of laws, Berryman was enthusiastic about the possibilities for extending radio as an interactive media for entertainment and information. Noting that there are about 4,500 stations in the U.S. broadcasting over the Internet, Berryman debated whether the Internet and downloading tracks would prove a future model for radio.

Janet Wasko of the School of Journalism and Communication at the University of Oregon offered an insight into the Disney Corporation as a case study of a "converged" and "synergised" communications media organisation. She tracked the activities of Disney as a vertically integrated corporation from its origins in the 1920s to its current diversified structure where no fewer than 10 interlocking corporations control activities in broadcast TV, film, cinema, video, conventional and new media publishing. A content creation powerhouse, Disney is acutely aware of the importance of cross-media synergies, to the extent that each division within the Disney empire now has a designated "Director, Synergy" position.

The second day of the conference began with a focus session on intellectual property in the digital environment. While **Kylie Brown** and **Nick Smith** of DoCITA's Intellectual Property Branch traversed rights and exemptions within the government's proposed digital laws, **Dr Kay Daniels**, also of DoCITA, and **Helen Simondson**, a project officer at Cinemedia, discussed legal policy and practical copyright difficulties in their joint Performing Arts Multi-media Pilot Project (PAML).

Brown explained some of the trade-offs between access and remuneration in online environments, for example, relating to digitising, uploading, downloading and streaming. She advised that the government would seek feedback from cultural institutions and users on the soon-to-be-released exposure draft. Nick Smith then navigated through some of the technical issues arising from the implementation and enforcement of the new laws. He discussed new software developments in copyright locks, including encryption and circumvention devices. Daniels gave an overview of the PAML project, explaining how four companies would be given funding to produce a range of electronic products, and highlighting some of the intellectual policy issues the project had encountered. For example, how copyright difficulties could arise in the translation from live performance to an electronically-mediated product.

John Rimmer, chair of the Australia Council's New Media Arts Fund, consultant and Australian Broadcasting Association (ABA) member, focused on "digital tools for a convergent culture". He said that he considered the tool concept was more important as a metaphor than when used in its more conventional technical sense. Rimmer's presentation reviewed a number of useful theoretical ways of understanding practical issues emerging with new communications and information technologies. He referred to the notion of an "information commons" where information access was facilitated as being desirable, in contrast to aspects of current policy which undervalued "civic convergence". He also drew on several personal experiences relating to the construction of online networks and argued for a more integrated policy framework to deal with convergence.

The focus session which followed contrasted a corporate view of the implications of convergence and digital broadcasting with a more personal one. **Geoff Heriot**, general manager, Corporate Strategy at the ABC, analysed the role and purpose of the broadcaster in a converging communications media future. **Jock Given**, director of the Communications Law Centre, sketched the nation-building role of broadcasting and "shared broadcasting experiences", asking whether they could survive in a digital future.

The final focus session on the second day had papers by **Colin Mercer** of Comedia in the U.K., and **Louise Denoon**, director, Global Arts Link Ipswich. They represented global and local perspectives on cultural policy formulation and its institutions. Mercer wanted to de-emphasise what he referred to as the "plumbing paradigm" of the telecommunications network, and emphasise a "more

historical, anthropological and sociological understanding of conduct (or policy)". In his view, copyright was the key driver of the contemporary cultural industries and in that regard only the U.S. and the U.K. were net exporters, all other nations being net importers of cultural products. Denoon argued in support of the importance of community consultation in developing a local visual arts museum, and of the need to connect local cultural identity with daily lives.

Roger Wallis, director, City University Multimedia Research Group, presented a paper dealing with the threats to the music copyright regime and the institutions which support it, from primarily a European perspective. He argued that the domination of large multinational groups and their policies may lead to the destruction of the current institutions which collect copyright revenues.

The final day of the conference began with a focus session examining strategies for developing audiences in new media environments, and the role of libraries in a digital age. **Patricia Gillard**, ACT manager, Roy Morgan Research, argued for a more complex understanding of the variety of new media audiences, which can be used to inform the construction of new media products and services. She referred to the concept of "audiencing" - the building of relationships between content and users.

Eric Wainwright, pro-vice chancellor of James Cook University and a former senior official of the National Library, assessed the "public good" characteristics in the future of libraries. He stressed the importance of conceiving of libraries "as a mechanism rather than a place" whose principal goal is to link people to information. His list of key technologies for successful electronic delivery included: multi-level user interfaces; work station capabilities at

the user level; fast retrieval from massive databases; national and global interoperability; and standard modes for search and retrieval.

The morning focus session considered global and national aspects of broadcasting regulation.
Gareth Grainger, deputy chairman, ABA, said that while much media regulation for traditional and new services required an international approach, national governments remained the only entity capable of representing single citizens. He noted that rules operating at the national level, such as local content rules, remained of critical importance and ought to be extended to cover the ABC, pay TV and the Australian music industry.

Grainger also argued that in the Australian context the tripartite regulatory model of the ABA, the Australian Communications Authority and the Australian Competition and Consumer Commission worked well to deliver on public interest goals. In a combined presentation, **Christina Spurgeon**, lecturer, Southern Cross University and **Sally Stockbridge**, senior classification officer, Network Ten, reported on research in progress which was mapping classification issues in the context of a "digital/life panic". Their research confirmed that the ABA supervised, market-based approach to classification regulation was capable of strengthening the position of the public interest. In their view this co-regulatory approach was best equipped to handle market failure in delivering merit goods such as programming for children.

ATSIC Commissioner for Arts, Broadcasting and the Environment, **Ian Delaney**, provided a stark reality check. He argued that in the face of the availability of a plethora of new communications media technologies for metropolitan Australians, for indigenous Australians living in

remote and regional areas "having a reliable and affordable telephone service is a luxury most people simply do not have".

In the final focus session **Ian Gray**, general manager, Production and Industry Development, Pacific Film and Television Commission, and **Tom O'Regan**, director, Centre for Research in Culture and Communication, Murdoch University, offered contrasting visions of the state of Australia's film and television industries. Gray argued for producers to address wider audiences in order to attract greater investment opportunities, and thus opportunities for those employed in the industry. O'Regan assessed Australian cinema through a close reading of some recent films and their increasingly internationalised production practices. He offered an optimistic prognosis which saw consolidation on existing skills and at the same time an openness to international capital.

Stuart Cunningham, head of Media and Journalism at QUT, summarised the conference. He observed several trends in convergence including that it can become a mythical and elemental force in its own right rather than simply a putative effect, and that there are significant knock-on effects which cannot be predicted within today's technological horizon of understanding. He also lamented the technological reality of having to carry around "too many passwords in your head". In his view the most useful model of convergence was one which presupposes change but not necessarily singularity.