



## Platform proliferation and its implications for domestic content policies



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### ABSTRACT

The rapid rise in audio-visual distribution platforms is challenging regulators' abilities to fashion and maintain domestic content policies designed to support national production and national cultural protection and promotion objectives. Broadcasters in a number of nations and regions operate under content regulatory schemes designed to serve cultural and economic purposes, put into place during the age of terrestrial broadcasting in which national policymakers could tightly control the availability of content in the country. This article explores these issues through an analysis of the rationales, policy approaches, and effectiveness of domestic content policies in four countries (Australia, Canada, Ireland, and South Korea) and considers the implications of these approaches in a globally connected environment. The researchers identified common issues across the four countries: (1) development of national content industries does not necessarily imply the promotion or protection of national culture, (2) production companies and broadcasters have interests and incentives that diverge from those of policymakers, and (3) it is difficult to assess the relevance and quality of broadcast content with regards to domestic culture other than in terms of conventional standards: critical acclaim and audience share.

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The Internet and the proliferation of new television-like platforms, including cable and satellite television and downloadable content, have created conditions in which an ever increasing amount of content is crossing national borders. This development has significant national policy repercussions with consequential fundamental economic and financial implications for competition, carriage, business models, and packaging and pricing of audio-visual content and services. The policy consequences are much broader, however, because the changing environment is reducing the ability of national regulators to fashion effective domestic audio-visual policies—especially those related to cultural concerns.

The widespread access to new distribution platforms is particularly eroding the effectiveness of regulations adopted by many countries to assist production of domestic content and promote their national cultures. These regulations are considered to have special importance by policy makers in countries with smaller broadcast markets and in markets dominated by foreign content. Domestic content requirements were typically imposed as a condition of the licences issued to broadcasters and were considered a quid pro quo for the exclusive right to use the broadcasting spectrum to access a specific geographic audience. New channels and distribution platforms enable access to an expanded range of service providers, including many

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beyond the reach of national regulation, and this weakens the capacity of policy makers to influence content through domestic regulation.

The fundamental economics of broadcasting have been altered through the development of digital broadcasting and connected television. Audiences are shifting viewing time from 'appointment' broadcasting to non-linear forms of consumption (Barwise et al., 2012). Internet-based streams and downloads, and the development of original programming on some of the platforms is driving more viewers to services such as Netflix, LoveFilm, Hulu, and Internet service providers with similar services.

This article explores domestic content policies in this changing environment through a comparative analysis of domestic content policy in Australia, Canada, Ireland and South Korea—all of which have produced policies to specifically favour domestic content production. Although they differ significantly in geographical, political, cultural, and marketplace conditions, they share commonalities of being relatively small national markets (Lowe and Nissen, 2011). The primary intent of the article is to review the policies, the extent to which they are producing desired results, the effects of new distribution and how content policies are being adapted for them, and to suggest broad policy approaches that might better attune them to the contemporary digital environment.

The study compares the countries' policy frameworks in support of domestic content and the effectiveness of their policies. Because of their linguistic and cultural proximity to the U.S. and U.K, Australian, English Canadian, and Irish television broadcasters are disadvantaged in producing original programming due to the availability of less expensive and high quality American and British fare. Korea is a small market, but its linguistic protection has led to growth in the content sector as a means of serving domestic needs as well as supporting the economy through content exports to other Asian countries that share similar cultural values. Korea was successful in replacing mainly American TV fare in primetime in the 1980s by a predominantly domestic TV programming since the 1990s. Domestic content policies played an important role in that transition, particularly within the broader context of government policies in support of the growth in the content industries. There are thus similarities between Korea and smaller Anglophone countries such as Canada, Ireland and Australia, where there are government driven policies to protect and promote the national culture and domestic content industries.

## 1. Domestic content policies

The development of domestic content policies is influenced by four different policy domains: cultural policy, industrial policy, competition policy, and media-specific policy (Karlsson and Picard, 2011; van Oranje-Nassau et al., 2008; O'Regan and Goldsmith, 2006). Countries tend to emphasize 1 or 2 of these domains more than others and economic approaches to media policymaking have played increasingly stronger roles (Picard, 2011).

The U.S. has long been the primary supplier in the international flow of audio-visual cultural products, in part because of its longer commercial history (Wildman and Siwek, 1988). With the spread of cable and satellite distribution channels, and now the Internet, renewed fears about U.S. entertainment's global domination and influence on local production are being voiced (Banerjee, 2002; Straubhaar, 2008). The U.K. has also played a large role in the export of television programs because of the quality and stable funding for the BBC and several decades of commercial television programming that enjoyed limited competition for advertising funding. Nevertheless, historic Western control of export content is breaking down because of the rise of large national and regional players globally (Steinbeck, 1995; Thussu, 2007; Tunstall, 2007), many of which are beneficiaries of quota requirements or support mechanisms.

Other countries, particularly those with significant dependencies on imported content, have tended to respond by adopting policies to protect and promote national cultures. While the often-expressed cultural and national identity rationale is to ensure that mass broadcast media devote substantial airtime to domestic content, the policy and regulatory instruments employed often tend to take the forms of broadcast quotas on foreign productions or support mechanisms for the domestic production industry. The link between protecting national culture and protecting or promoting the domestic content industry is not always clear.

The cultural rationales behind domestic content preferences are similar across the four countries (Park et al., 2015), but are based in specific circumstances and legislative requirements. Our aim here is to clarify the domestic content policies of the four countries, what lessons can be learned from the four, and the implications of the changing audio-visual environment on their future efficacy of such policies.

## 2. Methods

This comparative policy research study, with authors in multiple nations, required significant coordination and planning to ensure that common approaches and methods were applied to permit cross-case comparisons and to make sound overall conclusions. In developing the study, the authors met personally and via telephone, and used online communications, to develop a common understanding of and rationale for the research, clarify data that would be gathered, create a standard set of questions about existing policy to be addressed in each national case study, and agree on indicators and evidence to be used to inform results in the study.

The researchers then independently gathered the data and developed the information for each case country. National information for this article was produced by the individual researchers and then critiqued by the other researchers.

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