

**‘National Broadband Network and The Future of Television:  
Finally Time to Put Broadcasting in the Hands of its Audiences?’**

by

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My thanks to Mark Armstrong and Network Insight for the opportunity to participate in this timely seminar about how television fits into the Australian National Broadband Network (NBN). My perspective is one of someone who has worked for many years on telecommunications, mobile, and Internet, and now researches the user side of the new media cultures associated with these.

As everyone here would be well aware, television is in a period of enormous, multi-faceted transition. What is more than passing strange, however, is that the policy and regulatory frameworks have been so unresponsive to these changes. No better example of this can be found in the abiding reluctance of governments of both persuasions in Australia to seriously open up television to new entrants, channels, and platforms. The recommendations of the 2000 Productivity Commission Broadcasting Inquiry have resonated, unacted upon, for almost a decade. Even the opportunity in 2006-2007 to reform media laws left the *ancien regime* in broadcasting pretty unscathed. The overarching problem we have are legacy arrangements for television broadcasting enduring far too long, even in the digital switchover and through the discussion over digital dividend.

Meanwhile the dynamic growth and user-driven innovation made possible by the Internet platform and cultures that has been reshaping what we understood by television has been having a steady effect not only in shaping the people formerly known as the audience, but the offerings and technologies of the broadcasters, from Foxtel IQ, and the prevalence of podcasting, to ‘catch-up TV’ on ABC’s iView, to the capital investment of broadcasting in video-sharing and downloads sites like Hulu. What is television is literally changing before our eyes, not least with new concepts like ‘social television’ (however vapourware-ish this might be, along with other Web 2.0 shibboleths).

Mobile television is an interesting case in point here. About five years ago, mobile handset manufacturers around the world, like Nokia, teamed up with carriers, television broadcasting, media and entertainment companies, and media producers, to offer an apparently revolutionary new form — TV on the mobile. Unfortunately, mobile television pretty quickly was commuted, or relegated, to ‘snack TV’. Then the lack of spectrum for direct broadcasting to handsets has been very slow to eventuate, despite the previous government setting aside the much vaunted channel B for mobile television, and channel A for new in-home digital free-to-air services. In the meantime, viewers haven’t exactly flocked, or migrated, to mobile television — but there are all sorts of interesting signs that mobile media is very engaged, in unexpected ways, in the make-over of television. The use of mobiles to produce video

has been very important, as we see in global media events (such as the ‘Green Revolution’ in Iran), the emergence of mobile journalism and news, as well as more everyday contexts like schoolyard culture. Mobile broadband has been the outstanding, unexpected, area of growth, that makes apparent the lack of consideration and definition of wireless technologies and mobile media in the NBN — and, by extension, television also.

So, on the television side of the policy equation, we have lacked frameworks to bring together old and new modes, spectrum, and possibilities for broadcasting. On the Internet side, until the current government reframed its broadband network to make it a wholesale network, and seriously engage in regulatory reform to make open access a real possibility, we have been dealing with constrained infrastructures.

Hence there is an extraordinary opportunity now to have a wide-ranging, public conversation about what the future of television in Australia would look like. Here the user-side of television from the world of Internet has much to teach us.

As Geof Heydon has suggested, and is borne out in the Alcant-Lucent paper arguing for RF overlay as a critical part of the future of television the NBN, the implications of such a vision is very much about architecture. As Lawrence Lessing famous observes, code has a law-like grip — something that Ross Kelso has made clear in his account of the development of Australian broadband to date, especially in the various policy decisions that were made around the hybrid fibre coaxial cable (HFC) roll-out in the mid-1990s.

I am not sure, however, that the future of television — even thirty or fifty years on — is all IP TV. Clearly our present broadband network delivered subscription television and broadband Internet as separate services via HFC (or satellite). The lure and excitement of the NBN — and the conundrum too — is not only how subscription television will find its way on the NBN, and on what terms. It is also how IP television, and various forms of televisual culture of the Internet (file-sharing, downloading, video sites), will co-exist with the transmogrified forms of free-to-air and subscription television.

While NBN may well be the grand nation-building network it was conceived to be, my view is that it is more likely that our hybrid mess of tangled networks will keep going on for some time. This is consistent with the investments going into digital television infrastructure, as the switch-off draws night.

All of which presents a challenge for how we understand and conjure with the affordances of NBN for television, its backers, broadcasters, producers, audiences, and users.

So if we have an opportunity to set frameworks and shape architectures for NBN that keep open — rather than foreclose — possible world for television, including much greater competition and genuine support for user-innovation, we can certainly seek to generalize our valued concepts in media policy across the still separate realms of broadcast, telecommunications and Internet.

In my mind, a detailed vision about regulating for users is central to this.

Regulating for the user is one pretty obvious area where different kinds of consumer protection obtain and user policies existing across media areas, depending on whether

you look at telecommunications, broadcasting, or Internet perspective. Or the mobiles perspective, which has tend to fall into the large gulfs between the existing laws and industry and regulatory approaches.

Figuring out what users want and do resembling employing a tuning fork to divine for water. And some of the possibilities are in tension. For example, users potentially like to:

- 1) watch content they really value — when they want to, where, and how;
- 2) create their own content, and make it available to others (‘broadcast yourself’);
- 3) watch and create content at the same time;
- 4) be part of the ‘common conversation’ that free-to-air television represents;
- 5) have easy easy to specialized or niche content too;
- 6) enjoy public service media;
- 7) have access to traditional as well as new television services;
- 8) avail themselves of a trusted intermediary, brand or aggregator to arrange and inform themselves of taste preferences.

The looming NBN, depending on how it is configured, is set to make IP TV a much more pervasive and easy to access service for consumers (as say it is with AT&T’s service in the US). The NBN will certainly accelerate the other already existing varieties of television and video on the Internet, that are changing our notions of the medium. It’s not so clear what television will look like for those 10% served by the wireless infrastructure part of the NBN, nor those consumers receiving mobile media services likely to appear with spectrum released as as part of the digital dividend.

But I’m very wary of assuming that the vision harmonious of IP TV, television assembled through the Internet, and mobile television, will be the answer to users’ desires. I reminded here of Barry Melville’s comments at the *Network Insight* seminar on the ‘Digital Dividend’, urging that we take the broadest look at this moment, to ‘denote a range of public benefits such as improvements in service utility, better or more services, improved public access, diversity, enhanced services or better signal coverage for free-to-air services’ (Melville, 2009).

Competition in television is sorely needed. The problem with the long-running, select arrangements for free-to-air television has been alleviated, but not remedied, by the de facto, also select arrangements for subscription television. Both sectors have a limited number of players, and have been relatively slow to respond to users’ increasingly desire to consume television on their own terms. The varieties of Internet television have filled the breach —and this is a trend that will — and should — be deepened on the NBN, if we are interested in this network enabling new television services to be established. So licencing and access arrangements need to be reformed to allow the competitive processes of a consolidated television market to unfold through an NBN that will become increasingly central as a broadcast, on-demand, and social media television architecture.

There are at least two major implications for users in this reconfiguration of television, summarized by Jock Given and Marion McCutcheon in their recent study of television for ACCAN’s *FutureConsumer* report:

First, the perceived social and cultural significance of broadcasting means a lot of special laws and regulations apply to it. Key questions for future consumers are:

- Are radio and TV becoming less special, so the rationale for special rules melts away?
- Or are their special qualities shared or even exaggerated by emerging media forms, so the rationale for special rules extends to them?

Second, despite the perceived significance of broadcasting, the lack of a direct customer relationship between free-to-air broadcasters and their audiences means that some of the normal elements of relationships between service providers and consumers have not existed. Equipment manufacturers, retailers, installers, regulators and especially government, rather than broadcasters, have carried considerable responsibility for service coverage and quality issues. This emphasis may shift as broadcasters are forced closer to their consumers (Given & McCutcheon 2009)

In my mind, what the shift to the NBN, and increased reliance on the market, highlights is the pressing need for a new social contract around broadcasting. This is something that relates to the idea of a charter for the NBN, but really needs to go beyond it.

The elements of a new social contract clearly include classic aspects such as viewer access, quality of service, choice, ‘more channels, more shows and better picture, for free’, media and cultural diversity, multilingual channels, community broadcasting, stipulated kinds of programs, as well as various kinds of regulated content (for competitive access, rating, and so on). So the debate over publicly-funded content, such as that offered by ABC and SBS, and whether it should be available without charge (metering), over the NBN is an important one. The further difficulty is articulating the new expectations of television audiences — especially likely to prevail in an NBN — that are being created through the cross-over between Internet cultures and television cultures — captured through concepts of ‘commons’, ‘open source’, ‘user-generated content’, ‘download’, ‘mash-up’, and ‘remix’.

Of course, the process of redefining such a social contract is well underway in the actual practices of broadcasters, content owners and producers, and users that are reconstructing television (witness the new capabilities of the set-top box, personal video recorder, and household media centre). The advent of the NBN simply offers us a golden opportunity to articulate a new charter for these networked televisions — and to finally put broadcasting in the hands of its audiences.

## References

Given, Jock and McCutcheon, Marion (2009) In *FutureConsumer*, ed. Australian Communications Consumer Action Network (ACCAN), 83–130. Sydney: ACCAN.

Melville, Barry (2009) ‘Digital Dividend: Reaping the Benefits of Analogue Switch Off’, *Network Insight*, 8 July, [http://www.networkinsight.org/events/digital\\_dividend\\_8july09.html/group/6](http://www.networkinsight.org/events/digital_dividend_8july09.html/group/6)

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