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EDITORIAL

Welcome to the first issue (10.1) of our renamed *Journal of Digital Media and Policy* (formerly *International Journal of Digital Television*). This is in fact a special Issue with the theme: “Media and Communication Policies in a Digital World”, on the occasion of the Journal’s 10th year and its rebranding. The future facing theme of this special issue signals the broadened scope of the *International Journal of Digital Television* that goes beyond digital television to incorporate emerging wider socio-cultural, technological, regulatory and political questions such as the role of ‘digital citizens’, the regulatory environment for the new platform industry, and the role of state regulation in an increasingly global media industry. The reports and articles that feature here aim to celebrate the 10th year of the Journal with us and to take a look into the future of media policy.

Media industries, media services and companies continue to evolve, creating important challenges for policymakers and regulators globally. Many traditional media are impacted, and some may be facing a bleak economic future. New, online networks are exploring new business models for producing news and entertainment. Main drivers for this transformation are globalisation, digitalisation and technological convergence. Socio-cultural media policy objectives, striving to safeguard pluralism, diversity and national culture are battling for prominence with the economic and industrial imperatives of a global free market and open competition. Free market media systems advocate freedom of expression, allowing consumers open market pricing. Critics argue that under a free market capitalist system there is concentration of power and information asymmetry, while public service content is scarce. Is intervention by government policy needed to address these concerns, or is media regulation a thing of the past in the converged digital era?

There is certainly a question of regulatory capacity and remit in the online world. The initial light-touch ‘network’ governance of the internet is under pressure from the tech giants Netflix, Facebook, Twitter, Google, Apple, Microsoft and Amazon. The size and internet presence of these firms has brought issues of piracy and abuse of copyright to public attention. Do these corporations bear any responsibility for even inadvertently facilitating the increased ease of distribution of terrorist propaganda, hate speech, violence and harassment, and online bullying? Should the current regulatory policy continue? What new national and supranational policy measures might address these issues? Regulating Facebook and Twitter - something unthinkable a few years ago - is now openly discussed (see Iosifidis and Andrews, forthcoming). Should policy-makers perceive these large multi-national conglomerates as internet intermediaries or media companies (see article by Flew, Martin and Suzor in this issue)?

This Special Issue hosts works that reflect and critically investigate media policies for the future, in relation to both prevailing systems of communication and the systems now emerging around the application of online networks, big data, the rise of cloud computing, and the internet of things. Cloud technologies, big data and algorithms are a reality, but much will depend on how we deploy and use these technologies and, above all, how we regulate the platform economy in order to promote the public interest. In exploring the implications of media and communication in an interconnected world, these articles mainly reassess and reimagine sustainability in relation to media openness, transparency, accessibility, and the re-composition of media power. The manuscripts predominantly focus on current and future policy topics in an open way.

We kick-off with the Commentary ‘The Challenge of Forward-Looking Regulation’ by Chi Onwurah MP, former Head of Telecoms Technology at Ofcom, that sets the tone for this special issue as it discusses the need to bring about forward-looking changes to the UK communications law. To quote the author, ‘good regulation must be forward looking otherwise it is quickly obsolete’. She makes references to the 2003 Communications Act that set out a regulatory regime to address future developments in the interests of citizens and consumers with the key theme of the next 10 years

being the convergence of platforms, industries and services. The Act created Ofcom – a converged regulator that had the powers to deal with a converged world, it introduced a forward-looking regulatory framework, and ensured that citizens and consumers benefitted from convergence. However, the next big transformation in communications is data – and according to the author, the UK ‘is not even in the discussion stage, let alone in a position to legislate’. And she goes on: ‘from the regulation of opaque machine learning algorithms to fake news to data rights, technological evolution is generating challenges legislators and regulators do not seem close to solving’. In this thought-provoking article the author argues that the lack of an effective framework is now hampering UK’s ability to make that economy work for everyone and calls for the creation of a fresh, more effective regulatory framework that will enable the UK to continue being a leading digital economy. Chi Onwurah MP concludes that: ‘unless the public and private and third sectors work together to build an effective, regulatory framework we will end up with a messy, ad hoc regulatory jungle as legislators respond to discrete issues and indiscreet newspaper headlines’.

There follows the topical Commentary ‘The Digital Democratic Dividend’ by Michael Starks, founding editor of the *International Journal of Digital Television*. The well-argued piece deals with the threat to standards of journalism in the age of digital media and points to the absence of rigorous editorial checks of material claiming to be news available by internet search and social media networks. The author makes a strong case for regulating these sites in order to combat ‘fake news’, disinformation and misinformation and argues that effective policies will require participation from traditional media and pressure from civil society. The article includes statistics showing falling trust in social media firms and a rise in trust for traditional media. Given this, the tech giants are beginning to see where their medium-term self-interest might lie and have in fact taken some initial self-regulatory measures like improved codes of conduct and best practice related to their business objectives and their sense of corporate responsibility. However, Michael Starks contends that implementation of better standards through self-regulation by the independent internet companies would take time and concludes that the answer to our democratic concerns about fake news lies in the interaction between civil society debate, peer pressure from traditional media, service user attitudes and behaviour, and internet company reputational and market protection.

Amanda Lotz’s reflective and thoughtful contribution ‘The Multifaceted Policy Challenges of Transnational Internet-Distributed Television’ focuses on the wide range of policy and business challenges facing services such as Netflix and Amazon Video that long prevented the technological potential of internet-distributed television. The author rightly argues that these relatively new services have entered the fiercely competitive field of audiovisual service providers, but they lack governance by a clear regulatory framework in many countries. In her words, ‘internet-distributed video services at once co-exist with established video distribution technologies such as broadcast, cable, and satellite, and yet also are distinguished by different technological affordances—particularly the ability to allow users on-demand access to a library of content—while broadcasters and cable/satellite distributors remain bound to linear distribution technologies’. The author acknowledges that access to internet-distributed video remains far from universal, which certainly limits the extent to which tools of internet distribution can be relied upon, and they should not be viewed as a replacement for existing policy provisions. She concludes that existing regulatory means might not be directly applicable to new distribution technologies; instead, what might work for the benefit of all is sophisticated regimes that account for the variation among distribution services.

The paper ‘Internet Regulation as Media Policy: Rethinking the Question of Digital Communication Platform Governance’ by Terry Flew, Fiona Martin and Nicolas Suzor provides the context for a renewed debate about whether digital platform companies are effectively media companies (publishers and broadcasters of media content), and implications this has for 21st century media policy. The issue of whether the digital platform giants are media businesses, and hence can be

appropriately regulated in order to achieve desirable communication policy outcomes, is intensely debated. Unsurprisingly, digital platforms present themselves as simply the conduits for the communication activities of others, rather than as media companies in their own right, whereas traditional media companies point to what they see as an unacceptable regulatory asymmetry between public interest criteria applied to publishing and broadcasting that is evaded in the online arena. There are different views on this across the Atlantic and the authors rightly point to the more interventionist approach of the European Union in relation with the digital platform companies than the 'hands-off' approach that has prevailed in the United States. The paper's stance is that the global digital platform firms are expected to be accountable for the content available from their sites in order to meet public interest concerns. However, the authors acknowledge the challenges arising as national and regionally-based regulatory possibilities are considered for digital platforms that are 'born global'.

In their contribution 'Literacy of digital television policies: A case study analysis of audiences' knowledge and 'willingness-to-know' in Flanders – Belgium' Anne-Sofie Vanhaeght, Karen Donders and Leo Van Audenhove examine media users' knowledge and awareness of media policy. By adopting a case-study approach to explore the above issue for the region of Flanders, based on both quantitative and qualitative data, the authors focus on users' knowledge of digital television and internet policies. The findings demonstrate that knowledge of media policies is in general terms low, though the 'willingness-to-know' about policies is higher for currently fiercely debated issues such as privacy, surveillance and data. The authors have found that, first, people's interest to know more about media policy is on issues that matter to them personally (e.g. privacy), second, that extensive media coverage might explain a higher level of awareness on specific matters like big data, and third, that the existence of bodies like the Flemish Knowledge Centre for Digital and Media Literacy whose specific obligation is to raise media literacy competences and awareness clearly make a difference in media literacy. True, the article focuses on a specific context (Flanders), but as the authors argue its theoretical basis, as well as findings, may be relevant beyond this. It might be interesting to see more case studies on the important, but relatively neglected issue of media users' knowledge and awareness of media policy.

Ktiszina Rozgonyi has written the piece 'Governance of digital switchover of terrestrial television in the European Union: the role of policy framing'. This key contribution looks at Digital Switchover (DSO) of terrestrial broadcasting, a process that constituted one of the most critical moments of policy change in Europe since it provided a unique opportunity of reconceptualising public media space for the digital era of communication. The article contends that DSO was constructed around overly technical and economic frames in the policy, but paid less attention to the social and political consequences of free-to-air reduction (e.g. exclusion). It further argues that the process was characterised by low citizen participation and limited public deliberation, a strategy that clearly undermines democratic practice and meaningful transparency in European policymaking. Without doubt, EU DSO policy has ensured smooth and low-salience policy-making process. As the author argues though, it reduced the possibilities of open and democratic debates on articulating a contemporary public interest agenda for European citizens. Rozgonyi concludes: 'the story of DSO policy-making reflects well the historical identity struggles of the EU about its responsibilities and competencies towards European integration within media and culture'.

Mariela Baladron and Ezequiel Rivero's last contribution in this special issue titled 'Video on Demand Services in Latin America: Trends and Challenges towards access, concentration and regulation' examines the Over-the-top Video on Demand (OTT VOD) services market in Latin America. It looks at issues of market penetration, relationship with traditional pay-TV, content policies, and contemporary strategies in the field. This important article is basically a comparative study on the five main audiovisual markets of the region: Argentina, Brazil, Chile, Colombia and Mexico looking at the position of Netflix, the predominant OTT VOD service in all these markets. The article comes up with two key findings. First, the internet's potential to generate higher levels of competition and

diversity from online distribution of audiovisual content has been limited by practices of vertical integration between a few new entrants and preexisting, dominant players of the info-communications industry. This is in line with the situation in other parts of the world like the USA and the EU, also characterised by a wave of mergers, acquisitions and other strategic alliances between traditional and new players. Second, the article emphasises the role of the state as a guarantor of public interest in all countries under scrutiny, particularly in periphery contexts with deeply structural asymmetries. Further, it is interesting to see the dominant position Netflix enjoys in the Latin America region that greatly hinders the possibilities of smaller OTT players to compete, precisely in the same way that is the case in many other regions.

Iosifidis, P. and L. Andrews (forthcoming) 'Regulating the Internet Intermediaries in a Post-Truth World: Beyond media policy?' in *International Communication Gazette*.

