



Stakeholder Submission to Broadcasting and Telecommunications Legislative Review Panel

About us: The National NewsMedia Council of Canada is a national self-regulatory organization for English-language news media. Our organization is currently comprised of about 700 titles, which include local and national newspapers and their websites, periodicals, and digital-only publications. Since our inception in 2015, our organization has been on the front lines of the fight against the dissemination of misinformation, and a champion of quality journalism through the enforcement of editorial standards. We have mediated or resolved public concerns on many thorny issues, including climate change, the ongoing discord in the Middle East, and allegations of so-called ‘fake news’. We have, moreover, done preliminary work on dealing with requests to de-index news articles from search engines, research into the state of local news in Canada, and supported ongoing news literacy campaigns for both our industry members and the public.

Submission: The following submission is made by the National NewsMedia Council of Canada, a modernized incarnation of the former provincial press councils, to the Broadcasting and Telecommunications Expert Panel for their consideration.

The National NewsMedia Council’s submission addresses two sections set out in the Government of Canada’s terms of reference. The first is ***Section 11 on Democracy, News and Citizenship***; the second is ***Section 14 Governance and Effective Administration***. On this latter section, our comments are specific to point ***number 5***, which examines accountability and transparency in local cultural content.

The primary reason for this submission is that the NNC has discovered a ‘gap’ in the current public complaints framework vis-à-vis traditional broadcasting news organizations. At present, the Canadian Broadcasting Standards Council is responsible for managing public complaints about content that is aired live on television or radio. As Canada’s media landscape continues to mature, diversify, and move towards platform-agnosticism, broadcast news outlets are shifting their business model away from the traditional 6 and 11 p.m. newscasts and towards more on-demand video and digital journalism products that are easily viewed on smartphones.

The problem this reality presents for the current public complaints framework is that the Canadian Broadcasting Standards Council has no interest in overseeing public complaints about news content that is consumed online.

In practice, the National NewsMedia Council has received an increasing number of complaints over the past 18 months from members of the public about news stories published to the websites of what would be considered as ‘traditional broadcasting outlets’. These organizations include CTV, Global, TVO, APTN, amongst others. Given the speed at which broadcast news outlets continue to ‘pivot’ their business operations, the NNC expects the volume of these complaints to increase into the future.



The National NewsMedia Council has consulted with Sylvie Courtemanche, the chair of the CBSC on two occasions to identify how to manage this burgeoning phenomenon. On both occasions, Mme. Courtemanche told the NNC that the CBSC had no interest in taking on the additional work and responsibility of addressing public complaints generated by news that was consumed online.

In a time when public mistrust of news is touching on critical levels, the NNC believes that adhering to the same traditional structures, even as realities change in our media landscape does not constitute sufficient action. Since our organization's founding in 2015, we have been made keenly aware that direct contact with complaints is a model that works to build trust in accountable news organizations, and that yields a better understanding of the process of journalism.

The NNC would like to alert the committee that we have already approached CTV and Global about the possibility of their becoming members in our organization in order to develop a workable solution to complaints related to broadcast news websites.¹ While there was an initial expression of interest on their parts, the reality of joining a second industry association (in addition to the mandated membership in the CBSC) devoted to standards presents a significant practical hurdle. The CBC, it should be noted, already has its own independent ombudsperson.

From an international perspective, the topic of how to effectively 'regulate' the websites of traditional broadcasting outlets is clearly a topic of interest amongst press councils. Last month, the NNC was invited as an official observer to the annual Alliance of Independent Press Councils of Europe (AIPCE) conference held in Helsinki, Finland. At that conference, we discussed the issue with many of the members and there was a strong consensus that further action is required.

At the moment, New Zealand is presently an international leader on this issue. Like Canada, the New Zealand Media Council's scope applies to materials published in newspapers, magazines and their websites. They do, however, have jurisdiction over the online content of six major broadcasters, including: TVNZ, MediaWorks, Sky Network TV, and Radio New Zealand; as well as overseeing video-on-demand services. It is clear there is room for Canada to become an international leader on this issue.

As Mr. Jesse Wentz, a noted Canadian broadcaster, speaker, and cultural critic recently noted at the recent meeting of the Canadian Chapter of the International Institute of Communications: the [Canadian] media sector needs "to do all things differently". Although there are certainly larger issues in terms of scope and technicality that confront your expert panel, we have been made aware of how vitally important the issue we have described above is to the Canadian public. The NNC is eager to be part of the solution to this problem and we'd be happy to work with you to ensure that a modern, forward-looking solution is reached.



¹ *This is an example of the document prepared by the NNC and sent to broadcast news organizations.*

Proposed terms of NNC – [media name] membership

Thanks very much for meeting with the NNC team last week. It was very encouraging to hear that we both share a vision for telling journalism's story, promoting news literacy, and addressing complaints from members of the public in a fair and transparent way. As requested, please find a brief summary (below) of the benefits available to [organization name] if your organization does, indeed, decide to become members of the NNC. We hope you find this ensemble of services to make for an enticing offer.

- 1) **Dispute resolution services:** What instills confidence in readers is a media organization willing to make amends and set the record straight when the need arises. The NNC has a transparent process of addressing public concerns, which are cast against accepted industry codes of conduct. In this way, we can act as a neutral third party to address complaints (both substantive and unfounded) against content hosted on [your news website], for example, and help your organization mediate thorny issues such as concerns about climate change, the Israel-Palestine conflict, etc in a timely manner.
- 2) **Pre-publication ethics support:** Our media ethics 'hotline' is always available for you to consult. Our experienced staff will listen carefully to your query and provide quality feedback on how to navigate any sticky situations you might encounter. As well, the varied expertise of our board of directors is also available to you.
- 3) **We offer opportunities for ongoing training:** The NNC offers tailored in-person seminars on a variety of topics, ranging from social media ethics, to respecting individual privacy, to the rights of reporters. We also have a partnership agreement in place with the Poynter Institute so anyone in your organization can sign up for one or more of their award-winning webinars.
- 4) **Promote news literacy and instill the importance of responsible readership:** In a time of digital echo chambers, the NNC is committed to educating the public about the importance of critical thinking. We are currently partnering with institutions, such as universities and community colleges across the country, to bring this goal to fruition. We foresee a relationship with [organization name] as a way to help extend that mission.
- 5) **Serve as a forum for industry self-regulation:** With the uncertain political climate surrounding Canadian news media (whether in the form of regulating social platforms, the government supporting local news, or the updating of the Broadcast Act), it is important for member news organizations to provide a strong alternative to government regulation. As a coalition of 'trusted media sources' the NNC is equipped to fulfill that role.
- 6) **Lay the foundation for a platform agnostic bureau to address reader concerns:** The notion of having a press council to examine solely reader complaints from member newspapers, periodicals, or digital-only publications is antiquated and does not reflect the current nature of the 24/7 news cycle. We regularly receive complaints from members of the public about content seen on the site of what would be considered a 'traditional broadcaster'. Until now, the NNC has had to refer those concerns to the Canadian Broadcast Standards Council, where, we have been told by complainants, they seldom receive a resolution, let alone a reply. In a time of constant communication, that level of service does not 'cut it'. We think the public deserves better and, should [organization name] decide to become a member, we are confident we will have a strong partner to move toward that goal.
- 7) **Affordable fees:** As an ensemble of journalists, the administration of the NNC believes that the vast majority of resources of media organizations should be devoted to producing quality journalism. We strive to ensure that membership fees are not cost prohibitive.

These seven points should only be considered as the beginning of a much more substantive relationship. We are keen to work with members in a way that enhances journalism and best suits your organization's needs.