

APPENDIX A: A New Start⁷

III A New Start

There are 3 key elements to the proposed National Content Distribution System:

- i) A commercial sector composed of private content distribution entities (aka telecommunications corporations);
- ii) A newly constituted public media system which, for the sake of differentiation, we have titled Canada Public Media /Médias publics Canadiens (CPM/MPC);⁸
- iii) A new funding agency: the Content Development & Distribution Fund/Fonds de développement & de distribution de contenu (CDDF/FDDC) to help finance CPM/MPC, support local and regional media, and assist private media who wish to develop and distribute Canadian content.

For discussion, here are suggested steps for moving toward these objectives.

1. **RESTRUCTURING CANADA'S MEDIA SYSTEM**

- 1.1 Restructure the Canadian Broadcasting Corporation/ Radio-Canada. For the sake of this document, it will become Canada Public Media /Médias publics Canadiens (CPM/MPC).
- 1.2 CPM/MPC shall be a non-commercial Crown Corporation **acting at arm's**-length from government.
- 1.3 Redirect the current federal appropriation for CBC/R-C to CPM/MPC, and increase the annual appropriation to \$1.5 billion, still well below the average per capita expenditure of all nations with public systems This appropriation is to be set within the

⁷ From 'Perspectives on Public Media in 21st Century Canada' PBC21, August 2017.

⁸ Note: this phrase is used to clearly distinguish the current CBC/R-C from its new incarnation.

framework of a five-year Memorandum of Understanding with Parliament.

- 1.4 End the current system of Canadian Content regulation. Remove levies on cable and satellite distribution companies and wind-down most - if not all – related funding agencies and programs, and broadcast regulations governing Canadian content.
- 1.5 In lieu of Canadian Content regulations previously imposed on private broadcasters, a newly constituted Content Distribution Fund/ Fonds de développement & de distribution de contenu (CDF/FDC) shall impose a 2.5% levy on the wireless and internet revenue of telecommunications corporations, the private data distributors who now own and operate private television, cable, satellite and Internet systems delivery systems. In 2017, the income from this levy would have generated some \$1.7 billion.
- 1.6 Of the monies thus collected:
 - two-thirds shall be directed to Canada Public Media /Médias publics Canadiens.
 - One-third shall be available for private data distributors on a per-project basis to support the acquisition and distribution of Canadian content programming on their platforms.
- 1.7 Any portion of the funding for private data distributors that is not distributed by year-end shall be re-directed to the CPM/MPC.
- 1.8 Private broadcasters shall be required to maintain local news services as long as they continue to transmit signals over-the-air (OTA).
- 1.9 Private broadcasters shall be released from all existing content regulation when they cease transmitting OTA. This measure may encourage private networks (and national publishers) to move quickly toward online-only distribution. Such action could free up local frequencies and markets for use by local and regional entities wishing to serve local audiences and advertisers, as well as for possible extension of local/regional services from CPM/MPC

2. ELEMENTS OF CANADIAN PUBLIC MEDIA

The following set of values and principles for Canada Public Media /Médias publics Canadiens (CPM/MPC) are proposed with three goals in mind:

- CPM/MPC must be operated as a *not-for-profit* public trust, a dedicated instrument of Canadian cultural and democratic life.
- CPM/MPC must focus primarily on telling the stories of Canada and Canadians at home and abroad, interpreting the world through a Canadian perspective and offering a broad range of social and cultural content to inform, entertain, challenge and inspire its audience.
- CPM/MPC must reflect **Canada's regions, people and cultures**.

GENERAL

- 2.1 All forms of CPM/MPC service (Television, Radio, Online) shall be entirely commercial-**free, and operate at arm's-length** from political, commercial and religious agencies.
- 2.2 Each of the six services (Radio, Television, Online: English and French) shall function as a corporate subsidiary of its parent company and be provided with an annual budget, the amount of which is to be made public at the beginning of each fiscal year.
- 2.3 CPM/MPC shall create and distribute programming in French and English and in select Indigenous languages.
- 2.4 A minimum of 80% of all programming on CPM/MPC shall be 100% Canadian in content. Up to 20% of CPM/MPC programming may be acquired through partnerships with domestic (e.g. provincial) or international public broadcasters, **through "exceptional acquisitions" (e.g. Olympic coverage, special news features, etc.)** or via partnerships with other sources.
- 2.5 Original CPM/MPC programs and formats may be leased to commercial distributors as desired.
- 2.6 CPM/MPC will resume the use of – and reasonably compensate - freelance contributors and freelance content creators.

DISTRIBUTION

- 2.7 CPM/MPC services shall be distributed OTA and on cable, satellite and online. Distribution redundancies are intended to ensure continuous availability to all Canadians, especially in the event of regional or national emergencies and/or interruption of online service.

TELEVISION/VIDEO SERVICES

- 2.8 CPM/MPC shall offer regional and national scheduled video services on one OTA television channel in English and one in French over regional transmitters. The programming focus of these channels will be on news, information, current affairs and documentary programming in addition to live coverage of events of social and cultural significance. Most of these **programs will be produced 'in house'**.
- 2.9 CPM/MPC will jointly operate a national streamed, on-demand video service providing 100% Canadian programming designed to enlighten, entertain and challenge viewers (e.g. drama, comedy, documentary, dance/**music, children's**). All **programming will be produced by Canada's independent** production sector. Access to this service will be free-of-charge to Canadian viewers/households. All programming will be provided with soundtracks in both official languages and/or with subtitles.⁹ All programming so acquired will be held in **Canada's national program inventory and remain permanently** available for use by Canadian audiences.
- 2.10 CPM/MPC will pay the full cost of all independently produced programming on its OTA and streamed services. It will share with its independent production partners the costs of foreign marketing and in profit from the sale of international distribution rights of all such programming.
- 2.11 CPM/MPC shall maintain in-house local and national video production resources adequate for production, packaging and presentation of news, current affairs, and some information/cultural content

⁹ We have here adopted the model proposed by John P. Roman in his 2016 submission to the Cultural Policy Review Committee and found at http://www.canadiancontentconsultations.ca/system/documents/attachments/e987c78d8467871c59a942a3bc1b478600946500/000/004/395/original/John_Roman_CCDW.pdf?1478195347

RADIO/AUDIO SERVICES

- 2.12 English and French divisions of CPM/MPC shall each maintain two audio (radio) networks.
- 2.13 Audio One shall be an Information, News and Current Affairs service. Audio Two shall program the best in a broad range of domestic entertainment programming: drama, music, comedy, history, science, literature and arts.
- 2.14 Audio services shall be presented in a regular broadcast schedule (over-the-air), **as well as being available 'live online' and 'on demand' as podcasts** or other formats.

ONLINE SERVICES

- 2.15 CPM/MPC shall provide online access to all audio and video services.
- 2.16 CPM/MPC shall maintain discrete program and corporate web sites.

NEWS

- 2.17 A news department for each of CPM and MPC shall coordinate service for Audio, Video and Online news, with appropriate provision for services to Indigenous communities.
- 2.18 The local and regional English and French language services of CPM/MPC shall each be responsible for creating a weekly news summary of events in their communities for broadcast in primetime in the other official language.
- 2.19 CPM/MPC shall present on its audio, video and online services, three types of daily newscasts, updated as required:
- i) regional newscasts produced in each CPM/MPC location;
 - ii) a daily national newscast of stories from the regions;
 - iii) daily newscasts of national and international content
- 2.20 CPM/MPC news resources will be staffed by teams of multi-Media-literate reporters, specially trained to organize multi-platform reporting, with time afforded for research and supported by access to sources of national and international content-support.

REGIONAL

- 2.21 CPM/MPC shall be required to maintain an interlaced chain of robust local, regional, and national outlets/stations with responsibility for local news, information and cultural programming.
- 2.22 Local and regional CPM/MPC outlets will be encouraged to choose formats, styles of content, timing and delivery methods that best serve the needs of their audiences.
- 2.23 Regional CPM/MPC outlets will be encouraged to share programs of common interest, join in diverse configurations during emergency situations and create occasional one-off or short-term networks as required to meet service objectives.

CONTENT ARCHIVES

- 2.24 As rights expire, all programming produced for the exclusive use of CBC/R-C and successor institutions shall be archived in a Canadian Media Depository and made accessible to Canadians online at no additional cost.

3. GOVERNANCE STRUCTURE

There shall be a tiered governance structure for Canada Public Media/Médias publics Canadiens [CPM/MPC]. The membership of each tier shall be refreshed with qualified individuals chosen for their understanding and appreciation of the primary purpose of CPM/MPC, which is described as:

A national meeting place where the diverse, dispersed population of Canada may gather to share in the civic and cultural exchange of ideas and concerns, and participate in an informed manner in Canadian society and democracy.

3.1 CPM/MPC **shall operate at arm's-length** from governmental, commercial and religious influence.

3.2 CPM/MPC shall operate distinct but parallel and cooperating services in English and in French, each of which will also address the special needs and interests of northern and Indigenous communities.

3.3 The Board of Directors of Canada Public Media/Médias publics Canada shall consist of fifteen (15) members: one member from each province and territory, a Chairperson and a President. The Board of Directors shall oversee and direct the global affairs of the CPM/MPC. The Chairperson shall be appointed by the Governor-in-Council and from among their number, and the President/Chief Executive Officer shall be appointed by the Board of CPM/MPC.

3.4 The President /CEO shall appoint an Executive Vice-President from within the CPM/MPC who will be responsible to the President for management of the operations of the CPM/MPC and adherence to its public service policies.

3.5 The President/CEO shall appoint Vice-Presidents and a Senior Management Team to oversee day-to-day media operations. Wherever possible, appointments shall come from within the institution, not excluding the possibility of an external appointment where persons of suitable background and demonstrated commitment to the mission of public media system are available.

3.6 Each province and territory shall have a Regional Director appointed by the President who shall oversee the day-to-day functioning of CPM/MPC within their regions.

3.7 Each CPM/MPC location with a staff of five or more persons shall have a Local Manager **appointed by that location's Regional Director** to run day-to-day operation at the local service site.

Regional Directors of CPM/MPC may apply to the Board of Directors and the President for permission to make adjustments to the governance structure within their jurisdiction appropriate to their particular cultural practices and issues, within the intent and function of the overall Governance Structure as outlined above.

4. ADMINISTRATIVE STRUCTURE

Operational schemata for CPM/MPC were devised to facilitate conversations among Canadians – *"people talking to people"*. This idea is at the very root of the service.

4.1 CPM/MPC shall conclude with Parliament, through the office of the Minister of Canadian Heritage, a five-year Memorandum of Understanding laying out its business plan and the public

appropriations to be given to it by Parliament to fulfill its mandate.

- 4.2 CPM/MPC shall report to Parliament annually through the Minister of Canadian Heritage or such other Minister as may be designated in legislation.
- 4.3 CPM/MPC **shall present a regularly scheduled "town-hall"** discussion about its operations and performance and their relationship to its mission and mandate at least annually in audio and video formats on all platforms.
- 4.4 CPM/MPC **shall constitute Canada's local, regional and national** emergency media system.
- 4.5 Each CPM/MPC language service shall have an Ombudsperson with a staff of appropriate size to acknowledge and respond to concerns regarding the operations of CPM/MPC. The Ombudspersons shall report to the Board of Directors and be chosen for their skill in mediation, and knowledge of and commitment to the public media mission and mandate. The Ombudsperson shall participate regularly in CPM/MPC **"town hall" forums, responding** to the public and reporting on the affairs of the public media system.
- 4.6 A CPM/MPC Regional Centre shall be located in each provincial or territorial capital. Each major city with a population of approximately 200,000, shall host a CPM/MPC Location to provide radio, television and/or online services for communities adjacent to its area.
- 4.7 Each Regional Centre and location shall be responsible for developing programming suitable to the needs of its audiences, and shall utilize its resources and mix of platforms to facilitate its **audiences' engagement in the national public conversation at the** heart of the CPM/MPC mandate.
- 4.8 Co-operation in sharing, trading and co-producing content between CPM and MPC and among locations will be deemed a priority, and
- 4.9 CPM and MPC services shall meet regularly to explore new ways to share programming ideas and content.

5. FUNDING CANADA PUBLIC MEDIA /MEDIAS PUBLICS CANADA

- 5.1 CPM/MPC shall be funded through appropriations from the Parliament of Canada within the framework of a five-year Memorandum of Understanding.
- 5.2 Funding from the Content Development & Distribution Fund/Fonds de développement & de distribution de contenu (CDDF/FDDC) shall augment federal appropriations for CPM/MPC, as described in 1.3 and 1.6.
- 5.3 Other funding mechanisms (Foundations, bequests, sponsorships, etc.) shall be considered and implemented as the Board deems appropriate and consistent with the public service objectives of the CPM/MPC.

6. LANGUAGE SERVICES OF CPM/MPC

A taxi driver in Montreal recommends that his English-speaking passengers practice their French by listening to Ici Musique and watching the news on Radio-Canada. An English cabinet-maker in Kitchener, Ontario learns to speak French by listening to Radio-Canada in his shop every day for ten years. Digital platforms open up entirely new possibilities for French and English Canadians to share their news, culture and visions of this country.

As it now stands, most English-Canadians are less familiar with the news and culture of French Canada than they are with events in Paris, and many French-speaking Canadians are equally unaware of events in English Canada. In the distant past, mild attempts were made to share some content such as the occasional exchange of recorded concerts, attempts to adapt sit-com formats or the occasional two-language production. Almost the only success came with the very first such attempt, *La famille Plouffe*.

But most symphony and pop recordings have now been curtailed due to budget cuts. French-speaking Canadians do not lack for access to American pop culture, but an alien audience listening to English media might be surprised to learn that a francophone population even exists

in Canada. Aside from a weekly CBC Radio music program, *A Propos*, and the summer 2017 replacement half-hour, *Seat at the Table*, and the occasional news report (usually in a time of crisis in Quebec), the only recognizably Francophone voice heard with regularity on CBC is that of Chantal Hébert, a panelist on *The National: At Issue*. After eight decades, our national public broadcaster has yet to come to grips with bridging *les deux solitudes*.

Current translation software is admittedly imperfect but it will improve in time, especially as artificial intelligence technology develops. And with time, resources and encouragement, creative young minds will produce entertaining multi-lingual content (à la *Bon Cop, Bad Cop*) on multiple platforms.

Of course, there will be challenges. For example, what manner of speech in either language should be employed to represent the accents and speech patterns of Newfoundlanders, Quebecers or Indigenous voices so that the program remains credible? An atmosphere of willingness, tolerance, humor and grace will be required to overcome such hurdles.

But the goal is communication: people talking to people, despite barriers. The redesign of our public media and the creation of CPM/MPC should provide us with the opportunity to address this domestic challenge and its global implications.

Now is the time to decide how inclusive our 21st century national public media service should be and what sort of partnerships might be forged with relevant agencies to best serve all Canadians.