

APPENDIX 2

Statement to the Broadcasting and Telecommunications Legislative Review Panel from the Official Language Minority Communities in Quebec October 25, 2018

Thank you, Mme. Yale and members of this Panel, for meeting with us on this important topic. In fact, we can't think of a more important subject. Your recommendations, and the Government's decisions, will decide the digital and cultural future of our country in the 21st century.

We represent the official language minority (OLMC) in Quebec.

I am Kirwan Cox, Executive Director of the Quebec English-language Production Council (QEPC). We represent the English-language media production industry in Quebec. Our members produce over \$100 million in production per year and represent over 3,000 people working in the industry. Let me introduce two members of our board: Arnie Gelbart (Galafilm), and Kenneth Hirsch (PMA Productions).

I am Guy Rodgers, Executive Director of ELAN. The English-language Arts Network of Quebec (ELAN) represents 8,000 English-speaking artists in Quebec. Many of these cultural workers are employed in the production of film, television, and video and ELAN provides resources to individuals for professional development and networking.

ELAN generally plays a supporting role to the Quebec English-language Production Council (QEPC) regarding industry and production issues. ELAN regularly collaborates with the Quebec Community Groups Network (QCGN) to represent the interests of Quebec's minority official language community regarding local content and regional reflection.

I am Chris Neal, a member of the Board of Directors of the Quebec Community Groups Network, and with me is Andrew Palucci, our intern, and student in Concordia University's Public Policy and Public Administration masters program. The QCGN brings together 57 community sector organizations from across the province that serve the 1.1 million people who make up Canada's English linguistic minority communities, which we refer to collectively as the English-speaking Community of Quebec. Both ELAN and QEPC are QCGN members.

Every federal institution, and that includes any board, commission or council, or other body or office, has a duty to ensure that positive measures are taken to enhance the vitality of the English and French linguistic minority communities in Canada, support and assist their development, and foster the full recognition and use of both English and French in Canadian society.

The QCGN believes this commitment should be written into Canada's broadcasting and telecommunications acts. Those legislative instruments and their respective regulations require support for programming that protects and expresses the unique culture and perspectives of Canada's English and French linguistic minorities. This principle needs to be enunciated clearly and unequivocally in the new legislation.

Next, we believe the public interest needs to be defined as more than a communications system located in Canada. It is a Canadian communications system that is strong enough to maintain our cultural sovereignty in the face of overwhelming pressure from our neighbour, the most powerful communicator in the world.

There can be no Canadian communications system, nor diversity of programming, without Canadian content. Cancon must be at the center of our national communications network. We must be able to communicate to, and with, ourselves as well as the world.

We must be able to take measures to encourage Canadians to access their own programming on the new digital platforms. If we can't do that, we are not a country, we are not a nation-state. We are a market with no shared identity, and little shared future.

In an age of rampant “globalization” that masks cultural homogenization, how can we guarantee the survival of a Canadian vision? Of Canadian programming? Of a diversity of voices that includes our own, and includes the minorities within Canada?

The formula is simple. The execution of that formula is difficult.

We must protect our cultural sovereignty so we can control and regulate our market. Through regulation, we must assure that all players in the Canadian system raise sufficient funding to support Canadian programming. Sufficient funding is needed to create competitive quality programming. Competitive quality programming is needed to reach and maintain domestic audiences, especially in English.

We embrace new or digital technologies that allow Canadians to consume diverse content. We see it as a natural corollary of the evolution of Canadian programming that all players in the Canadian communications system, or domestic market, must contribute to Canadian content, regardless of the technologies or platforms they use to deliver that content to Canadians.

We need to repeat this. Every player in the Canadian communications system, or domestic market, must contribute to Canadian content. That is not only a question of fairness. It is essential if we are to have competitive programs that audiences want to see.

Furthermore, competitive quality programming will be attractive to larger foreign audiences, and we welcome that.

However, Cancon cannot be dependent on export markets for its survival. We need to fund Cancon primarily from within our domestic market.

Let’s be clear. A funding strategy dependent on foreign markets is illusory. French programming cannot generate sufficient foreign sales to survive. English programming funded by foreign markets will leave us with service production telling someone else’s stories, not our own, and eventually drive our best talent to Los Angeles.

We believe it is in the public interest to ensure that Canadians have access to their own stories, in both official languages, and the opportunity to tell those stories.

How do we do that?

First, we need to once again acknowledge that the Canadian broadcasting system is a “single system”. That single system must be subject to Canadian control and regulation.

Second, the Official Languages Act is not enough. English and French OLMC programming and production must be guaranteed in the new legislation. All elements of the broadcasting system, regardless of platform or role, should be required to support OLMC programming as well as Canadian programming. The details can be decided by the CRTC and PCH, but the principle needs to be enunciated clearly and unequivocally in the new legislation.

Third, key to that single system is the national broadcaster. The role of the public broadcaster has never been more important. CBC/SRC must have its independence guaranteed. CBC/SRC funding must be assured at an appropriate level to fulfill its growing mandate on all platforms.

CBC/SRC should be required to spend a minimum of its program budget, or production resources, on OLMC minorities. We would request a minimum of 10% of each production envelope.

Like the BBC, CBC should have a ten-year mandate with adequate and stable funding. The CBC board should have the power to choose its CEO.

Fourth, all Canadian broadcasters must have the resources to do more. They haven't raised their license fees in over 10 years. They stick to the minimum Canada Media Fund (CMF) requirement of \$315,000 per episode. CBC doesn't put in more than C\$1,000,000 in total license and CMF funding. That might generate a top-end Canadian drama costing about C\$2,500,000 per episode like “Anne with an E”, “Rookie Blue”, or “Saving Hope”. These shows compete against average American dramas with C\$5,000,000+ budgets up to top end mini-series like C\$13,000,000 per episode for “Game of Thrones”.

Fifth, the key role of the Canada Media Fund (CMF) should be included in the new legislation. While the needs of the two OLMC minorities are different, in principle the two OLMC minorities should be treated equally. At present that is not the case.

The PCH-CMF Contribution Agreement requires that at least 10% of its French envelope be spent on French OLMC production. However, there is no minimum obligation for English OLMC production. We believe that at least 10% of the CMF's English envelope must be spent on English OLMC production.

Sixth, all elements of the communications system operating in Canada, whether ISPs, traditional broadcasters, or over-the-tops like Netflix, Google or Facebook, must fund Canadian production.

Seventh, we support the request of the French CLOSM that the CRTC should include two national linguistic commissioners in addition to the regional commissioners. One representing the English language and the other representing the French language.

Finally, Canadians have to be able to easily locate their programming, whether through a traditional quota, a Cancon "discoverability" algorithm, both, or something else.

We would be happy to answer any questions you may have.

Thank you.