



Opening remarks

The Quebec Community Groups Network (QCGN), the Quebec English-Language Production Council (QEPC), and the English-Language Arts Network (ELAN)

to

The Canadian Radio-television and Telecommunications Commission hearing re: Licence renewals for the Canadian Broadcasting Corporation

January 27, 2021

Check against delivery

(QCGN Marlene Jennings)

Good afternoon Chairman Scott and Commissioners,

My name is Marlene Jennings and I am the President of the Quebec Community Groups Network (QCGN). I am accompanied by three members of the Quebec English-Language Production Council (QEPC): Co-Chair Kenneth Hirsch, Board Member Michael Solomon, and Executive Director Kirwan Cox; Guy Rodgers, Executive Director of the English Language Arts Network (ELAN); and Sylvia Martin-Laforge, Director General of the QCGN.

Let me begin by stating the vital need for our official language minority community (OLMC) in Quebec to be reflected in all aspects of the Canadian Broadcasting Corporation – on television, radio, and on-line platforms.

English-speaking Quebec counts more than 1 million people – half of all Canadians living in Official Language Minority Communities.¹ We are a unique community – not an extension of the English majority in the rest of Canada.²

English-speaking Quebecers are loyal listeners and viewers of our public broadcaster. For many of us, CBC is the sole source of local and regional news for and about English-speaking Quebecers and the communities in which we live.

For that reason, as the COVID pandemic began last March, we were dismayed when the CBC made the terrible decision to temporarily replace local evening newscasts with “one core news offering” on the CBC News

¹ 850,000 live in greater Montreal, 300,000 in other regions of mainland Quebec.

² Half (51.6%) of our radio listening and three quarters (75.7%) of our television viewing are primarily in English. The rest is largely in French <https://chssn.org/pdf/2015-2016-CHSSN-Community-Vitality-Survey.pdf>

Network. Under pressure, CBC walked back that decision, but we want to make clear the importance of local news on CBC, especially during emergencies such as COVID³.

CBC Radio – particularly the Quebec Community Network – is crucial to rural and isolated communities and our vulnerable populations like seniors. It is the medium that connects us to each other, and to the rest of Canada.

Yet, CBC dedicates only limited resources to cover English-speaking Quebecers in the regions. For example, residents of West Quebec receive little or no provincial news coverage because listeners receive the feed from Ottawa. We need more reporting on rural and isolated regions outside of Montreal where there are large pockets of English-speaking Quebecers.

ELAN (Guy Rodgers)

We need to see more of ourselves, not only in news, but in all genres and all platforms. Our society, like others, breathe the oxygen our artists provide.

CBC has never been more needed by all Canadians as it is now when our broadcasting system, indeed our cultural sovereignty, is under assault from foreign streaming services.

Yet, some seem to believe public broadcasting is a luxury, not a necessity, and continue to use CBC's budget as a political football. As a result, CBC is

³ See Brodie Fenlon, CBC Editor-in-Chief, at this hearing: "...We have a survey that ...showed Anglophones in Québec in terms of CBC News Network. Highly value the service. Nearly half are regular viewers of the service. And that swells and increases exponentially as news breaks; we saw it with COVID in March and April. And so we think it's a valuable service for the Anglophone community." CRTC Transcript #5058, Jan.15, 2021

chronically underfinanced and none are more hurt by this fact than the official language minorities. Most of CBC's chronic challenges, including over-dependence on advertising, could be resolved if the CBC was funded on a par with most other public broadcasters, such as the OECD average \$87 per capita instead of the \$29 per capita CBC must live on⁴.

The CBC simply does not have the money it needs to fulfill its mandates under the *Broadcasting Act* and the *Official Languages Act*, much less the long awaited C-10. We believe it is the duty of the CRTC to officially inform the Minister of that fact.

(QEPC - Kenneth Hirsch)

CBC is critical to the identity and continued vitality of English-speaking Quebecers. Indeed, OLMC productions seen across the country help all Canadians understand who we are.

Official language minority communities are diverse, and include Indigenous, visible minorities, LGBTQ+, disabled, and other underrepresented or marginalized groups.

We cannot overstate the importance of CBC to official language minority production. During CBC's current licence period, we estimate that nearly half of all OLMC production has been commissioned or acquired by CBC⁵.

⁴ Canada spends an average \$29 per capita on public broadcasting. In 2016, the OECD average expenditure was \$87 per capita. See par. 22 of our intervention Feb. 20, 2020, #11241.

⁵ See Table 52- CBC supports 43% of total OLMC production averaged over 6 years. We mention this to emphasize how much more important CBC is to us than other Canadian broadcasters that CRTC licenses.

Yet, we continue to lose ground⁶ despite CBC's six per cent OLMC production quota⁷. Over a generation, English-Quebec production has fallen from 25 per cent of total English-language production in Canada to just seven per cent.⁸

Without action from this Commission, our decline will continue. On the current trajectory, we can foresee the end of OLMC production in Quebec.

CBC estimates that during this licence term, it has spent 8.43 per cent of its independent budget on official language minority production in Quebec. More than its six per cent condition of licence, but this is a significant drop from the 12 per cent CBC spent on OLMC production during its previous licence term⁹.

(QEPC - Michael Solomon)

In addition, the CBC does not accurately classify its feature films as OLMC content and overstates OLMC production expenditures¹⁰. Its list¹¹ includes international co-productions that have little if any connection to Quebec, such as *Beowulf and Grendel*. Also misidentified as OLMC productions are French-language Quebec films such as *Monsieur Lazhar*, *Incendies*, *Gabrielle*, *J'ai Tué Ma Mère*, and *Rebelles*.

⁶ The decline in OLMC production began with a 1999 CRTC TV policy decision which eliminated broadcast funding quotas. Quebec OLMC production fell by one-third in a single year – a loss of \$120 million. See our Intervention #11241, par.34 and footnote 18.

⁷ See last CBC Licence Renewal: CRTC 2013-379, #131-133.

⁸ See Table 2

⁹ See Table 23 from 2008-09 to 2010-11

¹⁰ See feature films that are not OLMC but included in CBC's Appendix 7. Therefore, CBC expenditures are lower than 8.43%.

¹¹ See CBC's annual Appendix 7

CBC has told the Commission that over this licence period, 18 of 100 Canadian features on GEM are from Quebec. We don't know how many of those are OLMC¹². A more appropriate definition of OLMC features, and more accurate CBC data, is essential.

CBC's percentage of OLMC production has relentlessly declined for the last four years, from a peak of 15 per cent to less than six per cent the last two years¹³. Quotas are an excellent mechanism, but the six per cent quota was set substantially below previous CBC OLMC spending and is far too low¹⁴.

Broadcasters always request more "flexibility", and that means flexibility to reduce their Canadian programming obligations. We need the CBC's independent production quota increased to a level closer to their previous

¹² See 2571 MS. CATTO: "I'm ready.

Thank you, Commissioner [LaFontaine]. We have really enjoyed evolving and developing our relationship with QEPC, and certainly we feel that the current conditions of licence regarding production with independent producers, English language in Québec, are working well. We are satisfied with those. We would like to keep those conditions. I mean, I can say that CBC broadcast 18 feature films from independent producers in Québec over the last licence period, which actually represents 18 percent of our overall budget.

However, we really do require flexibility..." CRTC Transcript, #2571-73, Jan.13,2021

¹³ See Table 23 from 2016-17 to 2019-20

¹⁴ Commissioner Barin raised this point: « Bon, alors on poursuit avec les dépenses en contenu canadien pour les CLOSM. Dans votre réplique écrite, vous avez fait remarquer que la CBC/Radio-Canada a affecté des ressources raisonnables au reflet de la réalité des CLOSM. Néanmoins, plusieurs intervenants ont fait valoir que votre contribution à la programmation et aux productions des CLOSM était insuffisante. Par exemple, dans leur intervention conjointe, l'AQEPIC et ELAN et le QCGN ont proposé une augmentation de dépenses de six à dix pour cent pour la production indépendante des CLOSM de langue anglaise et de 10 à 12 % pour le développement de la production indépendante.

Veuillez nous fournir vos commentaires sur cette augmentation aux exigences minimales en dépenses pour la production indépendante des CLOSM. » M. Bissonette responded for SRC. We do not believe CBC answered the Commissioner's question. CRTC Transcript #5279-5280, Jan.15, 2021.

OLMC expenditures¹⁵- from six to at least 10 per cent; the development quota from 10 to 12 per cent; and a separate feature film acquisition quota of 10 per cent should be introduced.

(QEPC- Kirwan Cox)

We must emphasize that the needs and capacity of the OLMC industry in Quebec, and the French-language minority industry outside Quebec, are different. One size does not fit all. The French CLOSM industry wishes to increase their quota from six to nine per cent, but only 5% will be French CLOSM production outside Quebec. Please do not apply identical solutions for both linguistic minorities.

Canadian Heritage, Canada Media Fund, Telefilm – and, in fact, the CRTC – have established that diversity includes linguistic minorities. Unfortunately, CBC takes a different approach. We urge the CRTC to put an end to this confusion and oblige CBC to include linguistic minorities within its “diversity” objectives and programs.

As for consultation with the Quebec OLMC, the CBC tries to fulfill its 2013-365 obligations, but the results are not satisfactory. To meet our consultation needs, we request that CBC be required to negotiate a Collaboration Agreement as a Condition of Licence. CBC has signed such an agreement with the French-language minority outside Quebec, but not us¹⁶.

¹⁵ See Table 23: OLMC expenditures were 12-13% of total CBC independent production during the three years 2008 to 2010.

¹⁶ This “Collaboration Agreement for the Development of Arts and Culture in the Francophone Minority Communities of Canada” was signed in 2009 and subsequent years by PCH, CBC, Telefilm, NFB, Canada Council, and the National Arts Centre, with the *Fédération culturelle canadienne-française* on behalf of the CLOSM. At this time, only the NFB has signed a Collaboration Agreement with the Quebec OLMC.

Such an agreement, negotiated within a set deadline, would cover minority language production; research obligations; a consultation process; and other matters of mutual interest. The final agreement would be approved by CRTC.

We also request that CRTC require a Terms of Trade agreement to be negotiated between the CBC and the Canadian Media Producers' Association. Such agreements will prove indispensable when foreign streamers are finally brought within Canadian jurisdiction.

Under the *Broadcasting Act* and the *Official Languages Act*, the CRTC and the CBC have a legislated mandate to support our vitality. Your CBC licence decision in 2013 marked an important step forward, recognizing official language minorities and establishing OLMC/CLOSM production quotas.

Regrettably, CRTC's Quebec OLMC quota was too low. It has not stemmed our sharp production decline, nor the economic decline those losses represent, as the Commissioner of Official Languages has indicated in his support of our 10% quota request at this hearing¹⁷.

¹⁷ See Commissioner of Official Languages Raymond Th  berge: "I also support the proposal presented jointly by the Qu  bec Community Groups Network, the Qu  bec English-Language Production Council, and the English-Language Arts Network that would require CBC to spend 10 percent of its total independent programming expenditures in Qu  bec.

TV and film production has historically represented a major driver of economic development and community vitality in Qu  bec. In the context of this licence renewal process, English-speaking Qu  becers have sounded an alarm about the continuing decline of this important industry as English-Canadian TV and film production becomes centralized in Toronto and Vancouver. The conditions of licence governing CBC/Radio-Canada over its next licence term should seek to reverse this decline by investing in the province's vibrant English-speaking production sector." CRTC Transcripts #10167-10168, Jan.22, 2021

(QCGN - Marlene Jennings)

All of us before you today believe that the CBC is badly underfunded. We therefore support CBC's request to increase the subscription fee for News Network and RDI.

CBC Radio is a lifeline for Quebec's English-speaking minority. For that reason, its budget, and regional production, should be protected and increased.

We believe that Tandem undermines the journalistic integrity of the CBC and should be abandoned as a source of additional revenue.

Finally, as you determine the CBC's new Conditions of Licence, we urge you to consider the needs of English-speaking Quebecers as both consumers and producers of CBC content. Your decision will have a huge impact on the vitality, and future, of our communities.

Simply put, our community needs more production by, and for, English-speaking Quebecers on the CBC.

Thank you.

Tables 2, 23, 52

TABLE 2
English-language Domestic Production
by Region
1996-97 to 2018-19
(\$ millions)

| Year | Quebec | | | Ontario | | | B.C. | | | Prairies | | | Atlantic | | | Total English | | |
|------------------|--------|---------------|----|---------|---------------|----|------|---------------|----|----------|---------------|----|----------|---------------|---|---------------|---------------|-----|
| | # | Can. Cost | % | # | Can. Cost | % | # | Can. Cost | % | # | Can. Cost | % | # | Can. Cost | % | # | Can. Cost | % |
| 1996-97 | 71 | \$201 | 24 | 212 | 445 | 52 | 48 | 128 | 15 | 37 | 33 | 4 | 26 | 43 | 5 | 394 | 850 | 100 |
| 1997-98 | 74 | 240 | 27 | 181 | 472 | 53 | 56 | 96 | 11 | 43 | 50 | 6 | 25 | 37 | 4 | 379 | 895 | 100 |
| 1998-99 | 89 | 304 | 23 | 228 | 554 | 42 | 81 | 318 | 24 | 52 | 64 | 5 | 39 | 87 | 7 | 489 | 1,327 | 100 |
| 1999-00 | 91 | 306 | 22 | 241 | 609 | 45 | 90 | 305 | 22 | 63 | 92 | 7 | 38 | 55 | 4 | 523 | 1,367 | 100 |
| 2000-01 | 69 | 184 | 15 | 283 | 541 | 45 | 99 | 299 | 25 | 79 | 90 | 8 | 39 | 80 | 7 | 569 | 1,194 | 100 |
| 2001-02 | 75 | 211 | 17 | 326 | 694 | 56 | 92 | 206 | 17 | 74 | 79 | 6 | 41 | 58 | 5 | 608 | 1,247 | 100 |
| 2002-03 | 85 | 189 | 14 | 333 | 679 | 52 | 100 | 223 | 17 | 98 | 152 | 12 | 49 | 67 | 5 | 665 | 1,309 | 100 |
| 2003-04 | 92 | 169 | 14 | 337 | 726 | 60 | 98 | 188 | 16 | 85 | 72 | 6 | 43 | 58 | 5 | 655 | 1,213 | 100 |
| 2004-05 | 101 | 163 | 13 | 333 | 657 | 53 | 117 | 230 | 19 | 116 | 115 | 9 | 41 | 69 | 6 | 708 | 1,236 | 100 |
| 2005-06 | 102 | 191 | 14 | 356 | 752 | 54 | 119 | 278 | 20 | 109 | 89 | 6 | 42 | 73 | 5 | 728 | 1,382 | 100 |
| 2006-07 | 110 | 214 | 14 | 365 | 715 | 47 | 147 | 374 | 24 | 107 | 153 | 10 | 36 | 72 | 5 | 765 | 1,528 | 100 |
| 2007-08 | 95 | 182 | 12 | 377 | 791 | 52 | 129 | 356 | 23 | 113 | 146 | 10 | 39 | 61 | 4 | 753 | 1,536 | 100 |
| 2008-09 | 86 | 195 | 12 | 380 | 853 | 54 | 137 | 303 | 19 | 96 | 175 | 11 | 48 | 67 | 4 | 747 | 1,593 | 100 |
| 2009-10 | 71 | 242 | 16 | 334 | 894 | 59 | 112 | 192 | 13 | 101 | 113 | 7 | 39 | 76 | 5 | 657 | 1,516 | 100 |
| 2010-11 | 70 | 174 | 11 | 343 | 993 | 63 | 114 | 240 | 15 | 84 | 109 | 7 | 29 | 66 | 4 | 640 | 1,582 | 100 |
| 2011-12 | 66 | 165 | 8 | 356 | 1,288 | 65 | 111 | 324 | 16 | 111 | 124 | 6 | 51 | 88 | 4 | 695 | 1,988 | 100 |
| 2012-13 | 71 | 154 | 9 | 327 | 1,051 | 61 | 137 | 364 | 21 | 83 | 84 | 5 | 31 | 67 | 4 | 649 | 1,720 | 100 |
| 2013-14 | 70 | 187 | 10 | 333 | 1,130 | 60 | 132 | 375 | 20 | 91 | 107 | 6 | 41 | 96 | 5 | 667 | 1,895 | 100 |
| 2014-15 | 64 | 211 | 11 | 342 | 1,154 | 60 | 141 | 407 | 21 | 82 | 100 | 5 | 31 | 55 | 3 | 660 | 1,927 | 100 |
| 2015-16 | 63 | 129 | 7 | 362 | 1,194 | 62 | 147 | 402 | 21 | 92 | 107 | 6 | 29 | 80 | 4 | 693 | 1,912 | 100 |
| 2016-17 | 80 | 215 | 10 | 343 | 1,220 | 57 | 148 | 481 | 23 | 82 | 118 | 6 | 36 | 89 | 4 | 689 | 2,122 | 100 |
| 2017-18 | 67 | 138 | 7 | 331 | 1,206 | 62 | 140 | 370 | 19 | 93 | 132 | 7 | 46 | 111 | 6 | 677 | 1,957 | 100 |
| 2018-19 | 68 | 138 | 7 | 349 | 1,278 | 62 | 141 | 462 | 22 | 91 | 119 | 6 | 38 | 58 | 3 | 687 | 2,056 | 100 |
| 5 yr CAGR | | -8.14% | | | +2.06% | | | +2.57% | | | +3.54% | | | +1.07% | | | +1.30% | |

Source: Estimated from CAVCO CPTC data, Fall 2020

Notes: Numbers from more recent years are subject to change.

CAGR is the compound annual growth, or loss, rate calculated for the last 5 years of this table.

CAVCO numbers reflect applications it has received for CPTC accreditation with principal photography start dates in the listed fiscal year.

are projects, and totals may not add due to rounding.

TABLE 23
CBC/SRC
English-language Independent Production Expenditures
by Region
2008-09 to 2010-11
and 2013-14 to 2019-20
(\$ millions)

| Year | Quebec | | | | | Ontario | | | | B.C. | | | | Prairies | | | | Atlantic | | | | Canada | | | |
|-------------------|--------|------|-------------|----|-------|---------|-------|-------------|----|------|------|-------------|----------|----------|------|-------------|----|----------|------|-------------|----|--------|-------|-------------|-----|
| | # | \$ | Prog. Costs | % | Dev.% | # | \$ | Prog. Costs | % | # | \$ | Prog. Costs | % | # | \$ | Prog. Costs | % | # | \$ | Prog. Costs | % | # | \$ | Prog. Costs | % |
| 2008-09 | 35 | \$63 | \$11 | 12 | na | 52 | \$162 | \$42 | 46 | 14 | \$23 | \$7 | 8 | 15 | \$71 | \$21 | 23 | 13 | \$48 | \$10 | 11 | 129 | \$366 | \$90 | 100 |
| 2009-10 | 25 | 65 | 9 | 12 | na | 39 | 177 | 42 | 57 | 10 | 9 | 3 | 4 | 9 | 33 | 10 | 13 | 9 | 41 | 10 | 14 | 92 | 324 | 74 | 100 |
| 2010-11 | 14 | 61 | 10 | 13 | na | 42 | 139 | 36 | 48 | 19 | 16 | 4 | 6 | 11 | 46 | 12 | 16 | 10 | 57 | 13 | 17 | 96 | 320 | 75 | 100 |
| 2011-12 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na |
| 2012-13 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na |
| 2013-14 | 21 | na | 5.9 | 7 | 20 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 151 | na | 87 | 100 |
| 2014-15 | 25 | na | 6.1 | 5 | 9 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 212 | na | 113 | 100 |
| 2015-16 | 27 | na | 12.6 | 10 | 16 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 192 | na | 126 | 100 |
| 2016-17 | 38 | na | 24.8 | 15 | 11 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 227 | na | 161 | 100 |
| 2017-18 | 56 | na | 13.8 | 9 | 11 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 280 | na | 147 | 100 |
| 2018-19 | 44 | na | 7.1 | 5 | 10 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 256 | na | 140 | 100 |
| 2019-20 | 47 | na | 5.9 | 5 | 9 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 245 | na | 131 | 100 |
| 7 Yr. Avg. | 37 | na | 10.9 | 8 | 12 | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | na | 223 | na | 129 | 100 |

Source: CBC Independent Production Activity Reports

Notes: na- not available

#- number of projects

\$- total production budgets

Dev. %- CBC independent development fees. CRTC 2013-263 licence requires CBC spend at least 10% of its fees on OLMC development.

No other regional requirement.

Prog. Costs %- CBC total independent program costs. CRTC 2013-263 requires that CBC spend at least 6% of its total program costs on OLMC production.

No other regional requirement.

Average from 2013-14 to 2019-20.

TABLE 52
CBC/SRC
Estimate of CBC Percentage of
English OLMC Independent Production
2013-14 to 2019-20
(\$ millions)

| Year | CBC Program Costs | CBC Budget | CBC % of OLMC | Total OLMC | % |
|----------------|-------------------|-------------|---------------|--------------|------------|
| 2013-14 | \$5.9 | \$37 | 20% | \$187 | 100 |
| 2014-15 | \$6.1 | \$38 | 18% | \$211 | 100 |
| 2015-16 | \$12.6 | \$79 | 61% | \$129 | 100 |
| 2016-17 | \$24.8 | \$155 | 72% | \$215 | 100 |
| 2017-18 | \$13.8 | \$86 | 62% | \$138 | 100 |
| 2018-19 | \$7.1 | \$44 | 32% | \$138 | 100 |
| 2019-20 | \$5.9 | \$37 | na | na | na |
| Average | \$10.9 | \$68 | 43% | \$170 | 100 |

Source: CBC, CAVCO; Tables 2 and 23

Notes: Independent English Quebec production with CBC funding.

CBC % of OLMC is the percentage of total OLMC production funded by CBC.

Total OLMC- see Table 2; CBC program costs- see Table 23.

CBC Budget is production budget estimated from 16% program costs.

CAVCO tax credit data subject to change.

CBC and CAVCO fiscal years do not match.

Average for CBC Program Costs and Budget is 7 years; and for other columns average is 6 years.

Caveat: This is an estimate based on average program cost percentage, so CBC Budget may vary in any one year.