



November 5, 2015

Mr. John Traversy
Secretary General
CRTC,
Ottawa, Ontario, K1A 0N2

**RE: A review of the policy framework for local and community television
Broadcasting Notice of Consultation CRTC 2015-421**

1. The Canadian Media Guild (CMG) is a union that represents 6,000 workers in the media sector. Our members in the television industry work at CBC/Radio-Canada, TFO, TVO, APTN, ZoomerMedia and Shaw Media.
2. We are pleased to participate in this CRTC public consultation about local and community television programming. We request to appear at the public hearing in order to comment and provide more material on any additional information that becomes available by that time.
3. Numerous surveys show Canadians greatly value local news and programming. It provides the information they rely on, and is effective in reflecting their communities.¹

Summary

4. CMG is proposing the following for this consultation:

****That prior to the hearing in January, the Commission indicate how the key role CBC/Radio-Canada plays in providing local news and other programming in communities across the country will be dealt with in the context of this review, and taken into account in the relevant decisions that will come out of the consultation.***

****That the CRTC recognize fully the crisis in local news and programming, and be responsive to it by strengthening this vital sector through innovative, sustainable funding approaches and renewed emphasis on quality and diversity. The CMG is proposing a Public Service Media Fund (PSMF) that's accessible for public interest local***

¹ What Canadians Think About Local Broadcasting, the CBC and the Federal Election
<https://www.friends.ca/files/PDF/2015-706-fcb-national-report-with-tabs-english.pdf>



programming on a diversity of platforms.

**That the CRTC commit to studying the impact on communities that lose their local news and programming.*

The exclusion of CBC/Radio-Canada from the current review of local programming offers an incomplete and unhelpful picture of local news and programming in Canada

5. According to the *Broadcasting Act*, the Canadian broadcasting system is comprised of public, private and community elements.²
The *Act* states that the “Canadian Broadcasting Corporation, as the national public broadcaster, should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains.”
6. In his speech to the London Chamber of Commerce when announcing the first installment of decisions from the recent Let’s Talk TV consultation³, CRTC Chair Jean-Pierre Blais reminded Canadians that “programming aired by local stations boasts a 40% viewing share, adding that “the vast majority of Canadians that responded to our public opinion survey considered local news to be important. (...) these statistics show us that Canadians rely on the television stations in their communities.”⁴
7. At the time, CMG noted that “The principles referenced in Blais’ speech on the importance of local news and information programming to Canadians as citizens, accessibility, journalistic independence, and broadcaster responsibility are fundamental.” We added that “Unfortunately, the unique role of CBC/Radio-Canada, a major provider of local news and programming across Canada, was not directly addressed.” We expressed hope that this would be fixed in subsequent announcements.⁵

² Broadcasting Act

<http://laws-lois.justice.gc.ca/eng/acts/B-9.01/page-2.html#h-4>

³ Archived - Jean-Pierre Blais to the London Chamber of Commerce on Let's Talk TV and the future of television
<http://news.gc.ca/web/article-en.do?nid=924999>

⁴ Archived - Jean-Pierre Blais to the London Chamber of Commerce on Let's Talk TV and the future of television
<http://news.gc.ca/web/article-en.do?nid=924999>

⁵ CRTC initial announcement supportive of local programming



8. The Commission did recognize that local Canadian stations – a majority of which are CBC/Radio-Canada stations – play an important role in meeting valuable objectives of the Act by including them in the Let’s Talk TV ‘s entry-level service decision :

“These services not only reflect Canadian attitudes, opinions, ideas, values and creativity but also, in the case of local stations, provide Canadians with up-to-the-minute news and information on local, regional, national and international matters.”⁶

9. There is no question that CBC/Radio-Canada plays a vital role in the country’s broadcasting system, delivering local service in 57 communities in 2011, including in the North where no other broadcaster has a presence. In comparison, the other large broadcasters served 31 communities, 25 and 13 respectively the same year.⁷. A recent Nanos survey shows Canadians want to see improvements in local news and programming, and they are looking to the CRTC for action on this front⁸.
10. Given the importance of CBC/Radio-Canada in delivering local programming throughout Canada, we are convinced any examination of local television programming that does not include the public broadcaster provides an incomplete and therefore unhelpful view of Canada’s local programming ecosystem.
- 11. RECOMMENDATION: As a result, we recommend that the Commission indicate prior to the January hearing how the key role CBC/Radio-Canada plays in providing local news and programming in communities across the country will be dealt with in the context of this review, and taken into account in the relevant decisions that will come out of the consultation.**

Need to be addressed: Local programming is in crisis and not immune to the shifts in the media landscape – It’s time to reassert fundamental principles

<http://www.cmg.ca/en/2015/01/29/crtc-initial-announcement-supportive-of-local-programming/>

⁶ A World of Choice - A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market
<http://www.crtc.gc.ca/eng/archive/2015/2015-96.htm#bm2>

⁷ Funding an Independent CBC/Radio-Canada – CMG Proposals
<http://www.cmg.ca/en/wp-content/uploads/2014/10/ENG-FINAL-DOCUMENT-JULY-2014-Funding-an-Independent-CBC-CMG-Proposals.pdf>

⁸ What Canadians Think About Local Broadcasting, the CBC and the Federal Election
<https://www.friends.ca/files/PDF/2015-706-fcb-national-report-with-tabs-english.pdf>



12. Canadians have said consistently that they value local news and want to see improvements in this area.

And according to a Pew research looking at communities in the U.S. – there is no reason to believe this is not also true in Canada – “Whether in a tech-savvy metropolis or a city where the town square is still the communication hub, local news matters deeply to the lives of residents. Across three disparate metro areas in the U.S., nearly nine-in-ten residents follow local news closely—and about half do so very closely, according to a new, in-depth Pew Research Center study, conducted in association with the John S. and James L. Knight Foundation. About two-thirds of the residents in each city discuss local news in person a few times a week or more.”⁹

13. Canadians, rely heavily on the public broadcaster when it comes to ensuring valued, independent local programming service is delivered and accessible in communities across this vast country.

14. And yet – and this is one of the reasons it’s important to take CBC/Radio-Canada into account when reviewing local programming in Canada – even this service of delivering local news and programming from the public broadcaster to Canadians, is itself in crisis.

15. For example, local programming is one of the main casualties of the ongoing cuts to CBC/Radio-Canada. The CMG found that cuts announced in April 2014 to the service offered by the public broadcaster had direct, harmful impacts in local and regional programming. Outside Québec, the following communities and regions have been negatively affected by the ongoing cuts:

- St. John’s
- Labrador City
- Grand Falls-Windsor
- Cape Breton
- Fredericton
- Halifax
- Charlottetown
- Ottawa
- Toronto
- Northern Ontario
- Winnipeg
- Regina
- Calgary
- Edmonton
- Vancouver
- Whitehorse
- Yellowknife
- Iqaluit

⁹ Local News in a Digital Age TV News

<http://www.journalism.org/2015/03/05/local-news-in-a-digital-age/> and

Local TV News

http://www.tvb.org/planning_buying/120562



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- Inuvik
- Kuujuaq
- Rankin Inlet

16. In describing the impact of the cuts on local news programming, one CMG member said: “If someone locally is being taken advantage of, or is not being treated right by their government, there may be no one who will tell that story because you just don't get as much coverage. (...) Is your politician representing your interests or his own? That's as important to know in our communities as it is on Parliament Hill.”¹⁰

Communities across the country are experiencing – and speaking out about – this loss of the basic coverage their residents rely on as citizens.

17. Other consequences of continuing cuts to CBC/Radio-Canada’s local programming service are: shrinking newscasts across the board and the use of radio programming on television (CBC/Radio-Canada response to a CMG request – June 2015) to fill in the schedule for lack of original visual programming. This is the way CBC/Radio-Canada management has proposed to meet local programming conditions of licence – if not the spirit of the *Act* – following severe cuts in funding and programming.

18. Similarly, French-language television programs produced in Minority Official Language Communities outside of Québec are being cancelled (Caméra boréale out of Regina), or significantly reduced (Tout le monde en parlait, and Quelle histoire out of Ottawa - Gatineau).¹¹

19. Local programming provided by private broadcasters is also in the midst of significant challenges due to the decline of advertising revenue¹²

¹⁰ Elements of a healthy Canadian television system on our public airwaves
<http://www.cmg.ca/en/wp-content/uploads/2014/07/ENGLISH-DOCUMENT-FINAL-CMG-Submission-CRTC-2014-190-CANADIAN-TV-June-27-2014.pdf>

¹¹ Elements of a healthy Canadian television system on our public airwaves
<http://www.cmg.ca/en/wp-content/uploads/2014/07/ENGLISH-DOCUMENT-FINAL-CMG-Submission-CRTC-2014-190-CANADIAN-TV-June-27-2014.pdf>

¹² Archived - CRTC releases 2014 financial results for Canadian local television stations
<http://news.gc.ca/web/article-en.do?nid=970049>



20. Furthermore, while much has been said about new sources of local news and programming, there is data that suggests we must take care in assessing the sources of information programming out there, especially in terms of what constitutes news and other information content. A Pew Research analysis has found for instance that “In digital news, the overlap between public relations and news noted in last year’s State of the News Media report became even more pronounced. One of the greatest areas of revenue experimentation now involves website content that is paid for by commercial advertisers – but often written by journalists on staff – and placed on a news publishers’ page in a way that sometimes makes it indistinguishable from a news story”.¹³

The pressures of the shifting media landscape may be creating a situation where it is unclear – or at least not deliberately clarified for the public – what is independent news programming and where advertising comes in. This is a huge disservice to the public.

CMG as well as other interveners at Let’s Talk TV hearings made the case for reinforcing all-news services, and the Commission has announced encouraging new measures for these news services “to ensure Canadians have access to high quality news information and are exposed to news and information from a diversity of views on matters of public concern.” All-news services are now encouraged to adhere to journalistic codes such as the RTNDA Code of (Journalistic) Ethics and to build their newsgathering capacity.¹⁴

As part of the Commission’s consideration of local programming, it may be worthwhile to take a similar look at local news programming with a focus on quality that may be taken into account during license renewals.

21. Another Pew study published this year also found that “some local entities outside of journalism, particularly within government, are using the Web in part to serve as news providers. In Macon, the county government streams official proceedings online, and the Facebook page of U.S. Rep. Austin Scott, a Georgia Republican, ranks among the most-liked and most-commented on over a two-week period. In Sioux City, a local congresswoman had more comments on her Facebook page than any of the news organizations studied. And in Denver, six of the 10 websites featuring access to data sets

¹³ State of the News Media 2014

<http://www.journalism.org/2014/03/26/state-of-the-news-media-2014-overview/>

¹⁴ Providing high-quality news programming and a diversity of views to Canadians - New criteria for national news services

<http://www.crtc.gc.ca/eng/archive/2015/2015-86.htm#bm5>



were those operated by local municipalities, such as Jefferson County’s financial data search tool.”¹⁵

If non-independent sources are investing resources in communications while organizations that provide independent news are struggling to do proper newsgathering, there results a lopsided environment is which citizens who need accurate, reliable information lose out.

22. Both trends identified in those studies point to a weakening of independent news information programming, and we know anecdotally that they are beginning to take hold in Canada as well. For example, TFO, an Ontario provincial public service education broadcaster has introduced information content that incorporates promoting the sponsoring entity within the story, unbeknownst to the viewer.
23. Another area of local programming component that contributes a great deal to diversity in our broadcasting system is ethnic media, and it too has been subjected to severe newsroom cuts.¹⁶
24. In other words, the crisis in local programming caused in part by changing funding models in a rapidly shifting media landscape is a broad, and is already having a major impact on the quality of information and diversity of views the Canadian public receives.

A word on Community programming

25. Community programming is being considered by the Commission as part of this consultation. CMG has expressed concern over the fact that the review of this important and unique pillar of our broadcasting system – which was not included in the Let’s Talk TV consultation – has now been lumped in with the local programming review for which the Commission had an opportunity to gather information and perspectives during the Let’s Talk TV review (CMG letter to the CRTC – June 30, 2015).

We submit that, given the important role community media play in supporting our broadcasting system – including providing a much-needed contribution to the diversity of points of view available to Canadians in their communities, an essential objective of the *Broadcasting Act*, and as a place of reflection on local issues and perspective in a context with increased availability of media from all over the world – the Commission

¹⁵ Local News in a Digital Age

<http://www.journalism.org/2015/03/05/local-news-in-a-digital-age/>

¹⁶ What the OMNI cuts mean for newcomer communities and journalists

<http://j-source.ca/article/what-omni-cuts-mean-newcomer-communities-and-journalists>



must ensure that this review serves to enhance community media as an essential part of our broadcasting system.

Funding quality, accessible local programming in the public interest

26. The need to fix local programming is clear. CMG believes this situation requires a bold approach that addresses the issue of sustainable funding, taking into account, as much as possible, the full scope of the changing media landscape, in order to improve and strengthen local news and programming Canadians expect.
27. The Commission has said that there is enough money in the system for local programming¹⁷. Our hope is that the current review will take a fulsome look at the evolving local programming system, its importance to Canadians in communities across the country and the challenges it is facing, as well as review all sustainable sources for funding it.
28. To ensure sustainable funding, CMG is reiterating its proposal that the Commission: **Create a Public Service Media Fund to restore funding for public service media programming, including local news and diverse programming on all platforms.**
29. Canada’s public broadcasters and community broadcasters would access the Fund to create local and regional programming, including news and programming in minority language communities. We also propose the Fund be used for creating innovative, compelling Canadian content on any platform. The Fund would be focused on supporting public and community broadcasters, and on helping increase content on a range of other platforms.
30. These include: CBC/Radio-Canada; Provincial Education broadcasters such as TFO, TVO, Knowledge Network, TéléQuébec, Independently-owned local TV stations (CHCH, CHEK); APTN; Independent community stations; ethnic media.
31. CMG is not opposed to the Fund being expanded to include private local news – as a public service – helping to continue diversity of editorial voices in the cities where it exists.
32. If the Commission agrees that private local news also provides an important public service – something CMG agrees with – the proposed Public Service Media Fund would need to be increased to include the private local stations.

¹⁷ Broadcasting Notice of Consultation CRTC 2015-421
<http://www.crtc.gc.ca/eng/archive/2015/2015-421.htm>



33. If the Fund is expanded to include private television local news, we propose that the contribution be increased in support of local, regional programming by CBC/Radio-Canada

.....

34. ISPs are not currently considered to be « broadcasting undertakings » under the *Broadcasting Act*, following Supreme Court decision Reference re *Broadcasting Act*, 2012 SCC 4.

35. At the same time, while ISPs are not currently recognized as broadcast distributors, the ISPs make money from allowing their customers to stream video, including local news.

36. As researcher Peter H. Miller points out in the report *TV Environment Scan prepared for ACTRA, FRIENDS, UNIFOR, CMPA and CMG*: “(...) the shift to on-demand and online will continue, and BDU/ISPs will accommodate it. And as BDUs lose their regulated monopoly as distributors of TV, they gain a potentially higher margin business as ISPs to video hungry Internet consumers.” (p. 11, *TV Environment Scan*) Miller also cites the below December, 2010 quote by Louis Audet, CEO of Cogeco Inc, just after the launch of Netflix:

“What we’ve implemented now are bit cap rates that when people stream more, they eventually exceed their rate and we charge for surplus usage. The revenue that could be lost, because less programming is bought, for example, or maybe some people decide to forego their TV service and then stream more, will be found on the Internet side. So I think cable wins one way or the other.” *Cogeco's Louis Audet on wireless, expansion, and why Netflix doesn't keep him up at night*, LESLEY HUNTER, *Cartt*, December 13, 2010. (p. 10, *TV Environment Scan*)

37. CMG believes that ISPs do play a role in distributing TV programming¹⁸ and Canadian broadcast regulation must be re-examined with a view to considering the role of ISPs’ *video streaming* activities in the broadcasting industry. We also believe this growing distribution sector must (*when regulation is changed*) contribute to ensuring Canadian programming, news and other content is available on our computer and mobile screens.

38. As a result, and given the crisis described above, we propose that The Public Service Media Fund can be funded from a percentage of BDU(/ISP) revenue, accessible to all local programming on all platforms. On the ISP side, we can start by getting funding from the larger companies that are part of vertically integrated entities.

¹⁸ Surge in data use drives up telco sector revenues 2.5%: CRTC report

<https://cartt.ca/article/surge-data-use-drives-telco-sector-revenues-25-crtc-report>



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39. Given the ongoing shifts in the media landscape, the Fund can be reviewed every five years to ensure it is meeting the objectives and make any required adjustments.

-----End Document-----