



**Building Trust:  
Licensing a New Canadian Multicultural Broadcaster  
for the 21st Century**

***Applications for a national, multilingual multi-ethnic television service  
offering news and information programming,  
which, if licensed, would receive mandatory distribution  
on the basic service pursuant to section 9(1)(h) of the Broadcasting Act,  
Broadcasting Notice of Consultation CRTC 2018-127 (Ottawa, 17 April 2018)***

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Forum for Research and Policy in Communications (FRPC)

Remarks

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## I. Introduction: about the Forum

1. Good afternoon. My name is Monica Auer, and I am the Executive Director of the Forum for Research and Policy in Communications (FRPC), a non-profit and non-partisan organization that undertakes research and policy analysis broadcasting and telecommunications.
2. With me today is Dr. Mark Bourrie, the Forum's outside counsel in this proceeding.
3. Thank you for the opportunity to appear before you today.

## II. Ethnic broadcasting in Canada

4. The Forum supports a strong Canadian broadcasting system that serves the public interest, and meets Parliament's objectives for a diverse, multicultural society.
5. Apart from serving the section 3(1)(d) requirement of the *Broadcasting Act* to ensure that Canada's broadcasting system reflect its multicultural nature, the availability of ethnic broadcasting enables Canada to meet international and Canadian law. Section 3(1)(h) of the 1988 *Multiculturalism Act* makes it government policy to "promote the reflection and the evolving expressions" of Canadian society's diverse cultures.
6. At its best, ethnic broadcasting should help new arrivals to learn about Canadian political and social values. It should expose new Canadians to content produced by Canadians for Canadians, and to the cultural values this content transmits. It should reflect Canada's ethnic communities to themselves, to each other, and to the rest of Canada.
7. Given ethnic broadcasting's importance, the Forum is concerned that this proceeding is taking place before the 20-year old *Ethnic Broadcasting Policy* is reviewed. That *Policy* is based on the CRTC's first, 1985 ethnic *Policy*, which said that it was essential to Canadian society to develop broadcasting services reflecting Canada's cultural plurality.
8. Yet 33 years after the CRTC's first ethnic *Policy*, ethnic broadcasting remains a very small part of conventional television in Canada. People who have chosen to immigrate to Canada and to make it their home, lack access to the same level or quality of programming available to Anglophones and Francophones in the conventional system. By 2036 immigrants and their children, however, will make up the majority of people in Vancouver and Toronto, with sizeable minorities in Montreal and Ottawa.

9. Changing demography is a key reason that Canada needs a policy for ethnic communications content for the 21<sup>st</sup> century. Another is the impact of Canadian audiences' online access to ethnic broadcasters from around the world, which do not share or promote Canadian values.
10. A public hearing to update the ethnic *Policy* will enable the CRTC to consult with ethnic community members in far more detail than is usual in a licensing hearing, to understand their concerns, their needs and their wants. This is why the Forum is recommending that the CRTC review its ethnic *Policy* at least two years before any licence issued in this proceeding expires.
11. Insofar as this proceeding is concerned, the hearing panel's questions so far have emphasized applicants' commitments. These commitments bring credibility into play.

Mark?

12. The Forum's written intervention concluded with a recommendation that the CRTC either license Ethnic Channels Group or Bell, and opposed the licensing of Rogers.

## **A Rogers**

13. Briefly, Rogers' application continues to lack credibility. It testified on Monday that "the core of OMNI's brand is [its] news and local programming" and that its "first priority is to cover the news for the local language community" (Opening remarks, pp. 5 and 6).
14. These statements are puzzling. It was Rogers, after all, that cancelled newscasts on its OMNI stations in May 2013 (see Decision CRTC 2013-657, para. 4). It was Rogers that, in December 2013, said it could not afford \$2 million to reinstate the local programming (Decision CRTC 2013-657, para. 148) that it had cancelled. It was Rogers that, in May 2015, cancelled all third-language news on the OMNI stations (Decision CRTC 2016-8, para. 1) – five months before a federal election.
15. Rogers testified on Monday that it does not take the responsibility for mandatory carriage lightly (*Rogers Opening Remarks*, p. 7), implying that it takes its regulatory responsibilities seriously. Again, this is somewhat puzzling. While the 1999 *Ethnic Broadcasting Policy* says that "[e]thnic stations play an important role in serving local communities", Rogers argued in 2015 that "cancelling OMNI's local newscasts did not breach any ... Commission policy ..." (Decision CRTC 2016-8, para. 13) – implying that it felt free to ignore the intent and spirit of the CRTC's policies.

16. It is true that, if the CRTC grants Rogers' licence application, it could impose conditions on the licence, to try to ensure that Rogers meets the commitments it now seems to be making. It is therefore worth remembering that in 2017 Rogers argued that a condition of licence stating that "[t]he licensee shall produce and broadcast..." daily newscasts, did not mean that the licensee should produce daily newscasts. Rogers said this actually meant that third parties – and not the licensee – could produce these daily newscasts (Decision CRTC 2018-118, paras. 2 and 3).
17. Just what licensing language will be clear enough to prevent Rogers from reducing or cutting back on one, some or all of the many promises it is making in this proceeding?

## **B Bell**

18. As for Bell, the Forum's written intervention noted its application's strength but raised concerns about its reliance on English and French-language content, and the fact that granting its application would solidify BCE's dominance in Canadian news and the broadcasting system.
19. Bell's submissions yesterday have not addressed these concerns. Bell said that its "application provides the best opportunity for stability and reliability" (Bell Opening remarks, para. 3). Yet Bell said much the same thing in 2000, when it bought CTV, and since then it has closed TV stations and threatened repeatedly to close others. The CRTC's *Statistical and Financial Summaries* also show that Bell has reduced CTV Newsnet's Canadian programming expenditures by 40% over the past five years, and reduced its staff from 82 in 2014, to 68 in 2017. Over this period of CPE and staff cuts, Newsnet's PBIT margin nearly doubled, from 32.2% in 2014, to just over 60% in 2017.
20. Bell IS stable and reliable, in delivering shareholder value – but will a licence for Bell simply transform Canada's ethnic communities into another cash stream for one of Canada's largest communications companies?

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## **III. Conclusion**

21. This hearing panel bears a heavy duty. It must decide if any of the eight applicants in this proceeding ought to be granted the still-rare privilege of a new ethnic television licence for distribution to all broadcasting distribution subscribers, to remedy the inadequate ethnic television service they have received for some time.

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22. If that answer is yes – and we think it should be yes – your burden is to decide whether ethnic communities will finally enjoy new local content and original news from a new voice, in a wide range of languages. If so, the Forum asks that the CRTC:
- state in its decision the importance of local and national in-house original news to all broadcast audiences
  - Attach clear and detailed conditions of licence to any service licensed, to mandate the broadcast of daily hours of original local and original national news produced in-house, by the licensee and its employees
  - Attach expenditure, employment and news-gathering commitments by condition of licence, and
  - Require the licensee to create, produce and broadcast its own, in-house, quality current affairs programming.
23. The Forum also respectfully urges the CRTC to update the 1999 *Ethnic Broadcasting Policy* through a well-publicized proceeding that includes at least one hearing, and – preferably – also hearings in Vancouver, Edmonton, Montreal, Ottawa and Toronto – where so many people in Canada’s ethnic communities live and work. This proceeding should take place at least two years before the licence of any new service emerging from this proceeding, is renewed.
24. Canada’s ethnic communities deserve high-quality TV programming. None of the applications in this proceeding is absolutely perfect – but perfection need not be the goal of licensing. With appropriate conditions, and the same chance to grow which other broadcasters have enjoyed, at least one of the applications could meet the needs of Canadian ethnic communities in the short term.

Thank you for your time; we would be pleased to respond to any questions you may have.