

Appointments to the CRTC

Research note by the Forum for Research and Policy in Communications (FRPC) (March 2016)

The Canadian Radio-television and Telecommunications Commission, or CRTC, makes decisions about Canada's broadcasting and telecommunications sector. It consists of up to thirteen Commissioners appointed by the federal Cabinet and who are assisted in their work by more than four hundred civil servants, most of whom work at the CRTC's offices in Gatineau, Quebec, just across the river from Ottawa.

Eight Commissioners have been appointed to the CRTC, meaning there currently are five vacancies on the Commission. The current CRTC Commissioners are: Jean-Pierre Blais (also appointed as the CRTC's Chairman and Chief Executive Officer; his term ends in mid-2017), Peter Menzies (also appointed as the CRTC's Telecommunications Vice-Chairman; his term ends in 2018), Candice Molnar (term ends in 2017), Raj Shoan (2018), Stephen Simpson (2018), Yves Dupras (2019), Linda Vennard (2020) and Christopher MacDonald (2020).

Under the current legislation any Canadian citizen may be appointed as a CRTC Commissioner, as long as he or she does not have any ownership, financial or controlling interests in companies that offer telecommunications service or make telecommunications devices.¹ Being a CRTC Commissioner is a full-time job, as part-time Commissioners' positions were abolished in 2010.² Cabinet may offer appointments with terms of up to five years, and it may renew these appointments. Since 1968 176 people have been appointed or reappointed to the CRTC.

Apart from the citizen and ownership requirements, Cabinet may appoint whom it wishes. The current federal government has expressed an interest in diversity,³ and some empirical research⁴ indicates that diversity of companies' boards and leadership teams in terms of gender and ethnicity is positively correlated with companies' financial performance.

To answer this question the Forum for Research and Policy in Communications (FRPC) collected information about the appointments made to the CRTC since its establishment in 1968. The sources for our research included CRTC *Annual Reports*, reports to Parliament, notices of appointments in the *Canada Gazette*, occasionally Wikipedia, and for the CRTC's early years, newspaper and other reports.

¹ *Canadian Radio-television and Telecommunications Commission Act*, s. 5.

² The abolition came into force in 2012 (see S.C. 2010, c. 12, sections 1700-1709).

³ Liberal Party of Canada, "Diversity in government", <https://www.liberal.ca/realchange/diversity-in-government/>:

We will build a government as diverse as Canada.

Our country is stronger, and our government more effective, when decision-makers reflect Canada's diversity.

We will include an equal number of women and men in our Cabinet.

We will also adopt a new government-wide appointment process that is open and based on merit.

⁴ See e.g. V. Hunt, D. Layton & S. Prince, *Diversity Matters* (McKinsey & Company: 24 November 2014), <http://www.business-diversity.de/content/downloads/Diversity%20Matters.pdf>.

After identifying CRTC Commissioners, their status within the CRTC (as Chair, Vice-Chair or Commissioner) and the nature of their appointment to the CRTC (full- or part-time), we identified the legislation under which the appointment was made (the 1968 vs the 1991 *Broadcasting Acts*), and the federal party in office at the time of the appointment (Liberals or Conservatives). Other characteristics of appointees were identified such as gender and, to the extent of available information, indigenous status, race, occupation and employment background.

Results

The 176 appointments made to the CRTC involved 103 individuals, 46 of whom were reappointed one or more times. The current reappointment record-holder is David Colville, who was re-appointed six times to the CRTC. Proportionately more women have been reappointed to the CRTC, than men: of 27 female appointments, 15 (56%) were reappointed for a second or other terms; of 76 male appointments, 29 (38%) were reappointed.

Currently six of the CRTC's eight Commissioners are men, or 75%. Since 1968 more men have been appointed as CRTC Commissioners than women: 76 men (74%), compared to 27 (26%) women. The percentage of women appointed to the CRTC increased during the 1990s and 2000s, but decreased in the 2010s:

People appointed to the CRTC				
Decade	Women	Men	Total	% women
1970s*	7	26	33	21%
1980s	5	19	24	21%
1990s	8	17	25	32%
2000s	4	5	9	44%
2010s	3	9	12	25%
Total	27	76	103	26%

* 1970s includes 1968 and 1969

Of the 68 people named as CRTC Commissioners by Liberal governments, 28% were women. Of the 35 people named to the CRTC by Conservative governments, 23% were women.

Party in office at time of appointment	Women	Men	Total	Women as % of total
Conservatives	8	27	35	22.9%
Liberal	19	49	68	27.9%
Total	27	76	103	26.2%

The Chairman of the CRTC is responsible for managing the work of the CRTC and its staff. All but one of the CRTC's ten Chairmen have been men, the exception being Françoise Bertrand from 1996 to 2001. All but two of the CRTC's 17 Vice-Chairmen have been men, and all of the CRTC's Telecom Vice-Chairmen have been men.

Position within Commission	Women	Men	Total	Women as % of total
Chair	1	6	7	14%

Chair, Acting		1	1	0%
Commissioner	26	58	84	31%
Vice-Chair		4	4	0%
Vice-Chair, Broadcasting		5	5	0%
Vice-Chair, Telecom		2	2	0%
Total, all positions	27	76	103	26%

Both of the women appointed as CRTC Vice-Chairmen had previous terms as CRTC Commissioners. Of the fifteen men appointed as CRTC Vice-Chairmen, eleven had no previous experience as a CRTC Commissioner.

Only one CRTC Chairman has been reappointed for a second term – Keith Spicer – and this may be due to the interruption of his first term by an 8-month appointment to chair the Citizen’s Forum on National Unity.

Since 1968 two of 103 first-time appointments have involved visible minorities – 98.1% (101 of 103) of the remaining appointments have been Caucasian. No member of a visible minority has ever been appointed to be the CRTC’s chairman or one of its Vice-Chairmen.

Since 1968 just one of the 103 first-time appointments to the CRTC is known to have involved an Indigenous person. (Ron Williams’ appointment as Commissioner in 1999 by the Liberal government – see the comments by the Hon. Secretary of State for Children and Youth, Ethel Blondon-Andrew, at: <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=535265&Language=E&Mode=1>). No visible minority or Indigenous person has ever been appointed to be the CRTC’s Chairman or one of its Vice-Chairmen.

The Forum also looked at CRTC appointments in terms of occupation, using Statistics Canada’s National Occupational Classification system as a starting point to describe the employment information available for current or former CRTC Commissioners. The NOC system has ten broad categories:

1. Management occupations
2. Business, finance and administration occupations
3. Natural and applied sciences and related occupations
4. Health occupations
5. Occupations in education, law and social, community and government services
6. Occupations in art, culture, recreation and sport
7. Sales and service occupations
8. Trades, transport and equipment operators and related occupations
9. Natural resources, agriculture and related production occupations
10. Occupations in manufacturing and utilities

Identifying occupation was somewhat imprecise, as people’s occupations may change over time. In cases where individuals could be said to have several occupations – having been a lawyer as well as a civil servant, for instance – we identified the licensed profession as their occupation (e.g. engineer, lawyer, doctor or accountant). In other cases we identified occupation as the

one in which the person appeared to have spent the most time at the time of their appointment to the CRTC.

Of the 99 persons appointed as CRTC Commissioners for whom we located occupational information⁵ the majority were employed in government or law (35%), management (34%) or art and culture (21%) before their appointments. More specifically, 34 had occupations in areas such as advertising, broadcasting or telecommunications management, 23 were lawyers, and 19 had occupations in the art and culture category. More than half of those appointed by Conservative governments had had occupations in management (33%), and arts and culture (28%); more than half of those appointed by Liberal governments had had occupations in education, law and government (41%) and management (34%).

NOC occupation	Details	Conservatives	Liberal	Total
Management	Advisor		1	1
	City councillor		1	1
	Consultant		1	1
	Executive	1	4	5
	Executive (advertising)	3		3
	Executive (broadcasting)	5	7	12
	Executive (insurance)		1	1
	Executive (telecommunications)	2	1	3
	City alderman		1	1
	Member of Legislature		3	3
	Member of Parliament	1	2	3
		Subtotal	12	22
Business, finance and administration	Accountant		2	2
	Civil servant	1	1	2
	Finance		1	1
	Subtotal	1	4	5
Natural and applied sciences	Engineer	4		4
Health occupation	Physician		1	1
Education, law and government	Cambrian College of Applied Arts and Technology		1	1
	Consultant		2	2
	Judge		1	1
	Lawyer	6	16	22
	Professor	3	6	9
	Subtotal	9	26	35
Art and culture	Anchor	2		2
	Canada Council Chairman		1	1

⁵ We were unable to locate required information about these former CRTC Commissioners: Harry Bower (a Commissioner from 1975-1978), Armand Cormier (1968-1978), Gordon Hughes (1968-1975), and George McKeen (1968-1973). If you knew or know of these former CRTC Commissioners and could provide us with information about their occupation or employment, please let us know, at execdir@frpc.net.

	CBC public affairs programming		1	1
	Curator		1	1
	Editor	1	1	2
	Journalist	5	5	10
	Librarian/editor		1	1
	Publisher	2		2
	NFB - International distribution		1	1
	Subtotal	10	11	21
Total		36	64	100

One appointee had worked at the Consumers Association of Canada prior to his appointment; none mentioned employment by a broadcast or telecommunications union.

The Forum also looked at CRTC appointments in terms of previous employers. Of the 77 individuals with some published documentation about their previous employers, just over half (40, or 52%) had worked for a broadcast or telecommunications company before their appointment to the CRTC.

CRTC-regulated employer?	1970s	1980s	1990s	2000s	2010s	Total
Broadcaster	4	7	7	4	5	27
Broadcaster and telco		2	2	2	1	7
Telco	1		2	3		6
Neither broadcaster nor telco	11	12	8		6	37
Total	16	21	19	9	12	77
% with broadcaster or telco experience	31%	43%	58%	100%	50%	52%
% without broadcaster or telco experience	69%	57%	42%	0%	50%	48%

Two thirds (21) of those appointed to the CRTC by Conservative governments had been employed by broadcasting or telecommunications companies, while 42% (19) of those appointed by Liberal governments had such backgrounds:

Regulated employer?	Conservatives	Liberal	Total
Broadcaster	16	11	27
Broadcaster and telco	3	4	7
Telco	2	4	6
Subtotal - regulated	21	19	40
Not regulated	11	26	37
Total	32	45	77
% with CRTC-regulated employer	66%	42%	52%

Conclusions

A recent article in the *Globe and Mail* quoted the senior deputy governor of the Bank of Canada on the impact of diversity within groups responsible for decision-making: "It's important to think about diversity – gender diversity, but also cultural diversity – because we ... have a

natural tendency to want people to fit into a mould. You need to be conscious of that, so that you don't fall into the trap of confirmation bias or group-think."⁶

The CRTC plays a significant role in Canada. Its decisions affect Canadians' access to programming that informs, enlightens and entertains, to wireline and wireless telephone service, and to the Internet. Its decisions also touch on the economy: in 2014 the companies regulated by the CRTC provided Canadians with radio, television and telephone service, earned \$63 billion in revenues and employed more than 140,000 people. Three-quarters (74%) of the people appointed as CRTC Commissioners have been men, 98% have been white and three-quarters (77%) have had backgrounds in management, finance, government or law.

Five of the CRTC's thirteen positions are now vacant – for the Vice-Chairman of broadcasting and four other members of the CRTC. The terms of four Commissioners, including the current CRTC Chairman and Vice-Chairman of Telecommunications, end in 2017 or 2018. The current government has an opportunity to ensure that the Commission – the group of people charged with implementing Parliament's broadcasting and telecommunications policies in the public interest – is as diverse as Canada itself.

⁶ T. Grant and D. Parkinson, "In economics, a troubling gender gap persists", *Globe and Mail* (5 March 2016) at B3, quoting Carolyn Wilkins.