



October 2016

Short History of Official Language Advocacy

English-Language Television in Quebec

When the English Language Arts Network (**ELAN**) was created in 2004 there was much to learn about specific conditions in different disciplines. The largest discipline, measured by production budgets and people employed, was film and television. Kirwan Cox, who had worked for many years at the National Film Board (**NFB**) and taught at Concordia, joined ELAN's founding board and brought with him a wealth of knowledge. Kirwan had recently (October 2003) produced a **Survey of English-Speaking Film and TV Producers in Quebec** for the Quebec Community Groups Network (**QCGN**) and (May 2004) a study on **A Comparison of Broadcast Licence Fees in Canada, Australia, the UK and the USA**.

Kirwan's research had identified a number of problems faced by English-language producers in Québec's official language minority community (**OLMC**). For example, the provincial tax credit available to English-language producers was lower than the tax credit offered to French-language producers. It was also lower than the tax credit offered by other provinces, notably Ontario and B.C., which created a double financial disadvantage. The Charest government recognized that the problem was causing a significant decrease in production inside Quebec and wanted to correct it, however it was politically impossible to give English producers the same tax advantage as French producers and so the government increased both tax credits. Over the next five years English-language producers received an additional \$25 million in tax credits, while our francophone colleagues received at least four times that amount.

Between 2005 and 2012 Kirwan worked with ELAN to make interventions to the Canadian Radio-television and Telecommunications Commission (**CRTC**) regarding policy and licence renewals. This is painstaking, long-term work because broadcasting licences and CRTC policies may only be reviewed

once per decade. ELAN also began to speak on behalf of Quebec's official language minority community and to use arguments from the official-languages act (OLA). This had never been done before in Quebec.

The Department of Canadian Heritage (PCH) wished to obtain a clear understanding of the situation for minority language film and television production in Quebec and in 2009 funded Kirwan Cox to produce a report on **Local Television Support for the Official-language Minority in Quebec**. This report marked the beginning of dramatic changes in the way television production was supported in Quebec.

December 4, 2010, *Montreal Gazette* columnist Brendan Kelly raised the issue of regional reflection on national television in his article *Montreal is missing from the programming map*. He began: "When was the last time you saw a television series set in Montreal on CBC, CTV or Global? Exactly my point. You haven't caught a glimpse of a drama or comedy show based in our fine city in years and years for the very simple reason that the national TV networks have basically abandoned Montreal.... This week I talked to programming executives from the three major national broadcasters and the most recent network series set in Montreal that anyone could come up with was *Urban Angel*...that ran on our national public broadcaster in 1991-2. Since then, nothing. Nada. It's downright bizarre, no? Why wouldn't the networks want to occasionally —like, I don't know, say once every five years— set a show right here in what most of us believe is the country's sexiest, most exciting burgh?"

Summary of Results

2011

Prior to its decision 2011-441, the CRTC had considered Montreal a major market – with no distinction made between majority language producers (French) and minority language producers (English). All Montreal producers were therefore exempt from special support for smaller regions, although English Quebec was much smaller than Toronto or Vancouver. CRTC's decision 2011-441 on group based licence renewals established that English production in Quebec should be defined as a region, and benefit from regional incentives. CRTC also recommended that the Canada Media Fund (CMF) establish a designated funding envelope for Quebec's OLMC producers.

2012

The ***Quebec English-language Production Council (QEPC)*** was created to represent the English-language production industry in Quebec. Its members include major producers of English-language television programs, feature films, and other media, as well as ACTRA-Montreal and the Directors Guild of Canada

–Quebec Region. Together, these associations have over 2,500 members representing about 80% of the people working in the English-language industry in Quebec. Kirwan Cox became QEPC’s executive director. In subsequent interventions with CRTC, QEPC represents producers while ELAN represents the interests of the English-speaking community for content that tells its stories.

In 2012, Rogers purchased CJNT to create a Montreal version of CITY TV. CRTC’s decision 2012- 697 made it a requirement for Rogers to spend at least 3% of its national independent production budget for CITY TV in English Quebec. This was the first time a private broadcaster was required to take into consideration the interests of minority language producers.

2013

The Office of the Commissioner of Official Languages (OCOL) released a report (OCOL: 0654-2010-PCH1, Jan 17, 2013) in response to a complain filed against the Canada Media Fund for refusing to recognize English producers in Quebec as members of an OLMC. This report found that CMF was subject to the Official Languages Act, contrary to the position taken by both PCH and CMF. OCOL found that English-Quebec needed to be recognized as an OLMC, not simply a region, and PCH and CMF needed to stabilize the level of CMF’s OLMC funding to mitigate the negative impact of production funding uncertainty on the vitality and development of the English OLMC. The decision had a major impact on CMF policies, most notably the creation of an Anglophone Minority Incentive (AMI) which was created with a budget of \$3.5m annually, and has subsequently grown to \$4.5 million

CBC’s licence was subject to renewal in 2013 and CRTC decision 2013-263 required that 6% of CBC’s total independent production budget be spent in Quebec. This represent approximately \$5.5M per year. The decision also required that 10% of CBC’s development budget be spent in Quebec.

In 2023 Bell bought Astral. The effects were two-fold. CRTC’s decision 2013-310 required that 10% of Bell’s national English production expenditures be spent in Quebec. Part of the ‘tangible benefits’ (\$3m) from the acquisition were invested in the Broadcasting Participation Fund, which provides financial support to enable communities to participate in costly CRTC interventions when their interests are often in direct conflict with Broadcasters who have the resources to retain entire legal teams. ELAN’s eligibility to receive BPF support to represent Quebec’s English-speaking community has greatly increased its capacity to hire consultants to research and prepare our subsequent interventions.

2014-15

Videotron's licence came up for renewal for the first time in seven years. CRTC had previously (during a review of the Local Programming Improvement Fund CRTC 2011-788) recommended that ELAN speak to Videotron about creating community content in English for their English-speaking subscribers. In 2014 Videotron applied to CRTC to create a full English-language community station). A long, complex community debate ensued, which took many twists and turns. The result was that Videotron's existing French-language community channel, MAtv, began allocating 20% of its resources and air-time to English-language productions starting September 2015. This has provided paid work for dozens of people and created valuable content.

The National Film Board (NFB) signed a \$3-million, three-year tripartite cooperation and collaboration agreement to strengthen Quebec's audiovisual sector and culture in October 2015. The agreement was generated in collaboration with the Quebec English-Language Production Council. NFB will increase support to strengthen Quebec's audiovisual sector and culture in four main areas: research, production, accessibility, and improved consultation. With this agreement, NFB has taken the lead among federal cultural institutions to bolster its commitment to Quebec's official language minority artists.

2016

For many years, English-Quebec television has been in decline. To help counter this trend, four years ago the Quebec English-language Production Council worked with the CMF to create the Anglophone Minority Incentive fund. Oversubscribed in a matter of weeks when introduced in 2013-14, the AMI was an immediate success. Now, about 85% of all CMF-funded English-Quebec TV production uses this fund. AMI-supported TV programs are a net importer of capital into Quebec, and a major exporter to markets outside Quebec.

Series currently in production include: Rezolution Pictures' APTN comedy *The Mohawk Girls*; Muse Entertainments' *March to the Pole*; Eyesteel film's *Tokyo Girls*; Handel Productions' *Raising Pompeii*;

Apartment 11's *Look Kool*; Galafilm's *Newfoundland at Armageddon* and Sphere Media Plus' domestic CBC drama *This Life*, as well as their English-language version of the popular cop show *19-2* on Bravo.

The most recent series was announced this week by CBC.

September 26, 2016 – CBC has commissioned **21 THUNDER**, a new original eight episode one-hour drama series from **PMA Productions** and **Generic Productions**. Set in Montreal, the series takes viewers into the fiercely competitive and high-stakes world of an under-21 soccer academy, following the players and coaches who risk it all for a shot at the pros. Production started in late August in Montreal and will continue until November 15, with the series set to premiere in summer 2017 on CBC.

After years of decreasing production, a renaissance is now underway. No less than eight different TV dramas will be in production in 2016. Six are funded by CMF's Anglophone Minority Incentive and two from regular CMF funds. The combined budgets of these productions is over \$85 million and an additional \$10 million is being spent on documentaries. These productions provide work for directors, writers, actors, set and costume designers and all of the other skills required for television production.

In addition, after years of lobbying from ELAN, Vidéotron made a corporate decision in September 2015 to devote 20% of the budget and airtime of its community channel MATv to English-language production. This was a major change of direction. MATv has been pleased by ratings for its English-language productions and has also detected a promising trend of crossover viewers between its French-language and English-language production. MATv has become a true community channel that produces quality programming about interesting people and events in Montreal, and creates a dialogue between the steadily receding solitudes.

We have come a long way from 1992, when the production well dried up, or even 2010 when Brendan Kelly was lamenting the neglect of English-Quebec by broadcasters.