

September 30, 2010

Robert A Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
1 Promenade du Portage
Gatineau, Québec
J8X 4B1

Dear Secretary General,

Re: CRTC PN 2010-623
On contributions by broadcasting distribution undertakings to local expression

1. ELAN requests permission to address the Commission at any eventual public hearing on this issue, to discuss in greater detail the points summarized in this intervention.
2. ELAN is the English-Language Arts Network of Quebec, representing English-speaking artists in Quebec. ELAN was established in 2004 and now has over 1,800 members. For more information, see www.quebec-elan.org.
3. ELAN is a member of the Quebec Community Groups Network (QCGN) which represents nearly one million Anglophones who live in Quebec. At the QCGN Annual General Meeting in Gatineau on September 11, 2009, the members passed the following resolution.

“Be it resolved that the QCGN and its members, who represent English speaking Quebec, agree that the vitality of our communities is greatly strengthened by hearing and seeing our stories, news and information produced and broadcast from our regions and communities.

We further note that Canadian broadcasting is regulated by the Canadian Radio-television and Telecommunications Commission (CRTC), whose policy decisions are guided by the Broadcasting Act and the Telecommunications Act, and subject to the Official Languages Act.

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The QCGN and its members support and bring to the attention of the CRTC the concerns of the Commissioner of Official Languages about equitable treatment of both official language minorities. Moreover, the QCGN wishes to emphasize to the Department of Canadian Heritage, and other relevant government departments, agencies and institutions the importance and priority the official minority language community in Québec places on the implementation of broadcasting policy that supports our regional reflection.”

4. ELAN wishes to focus its comments on question (iii) of this public notice: “What is the most appropriate use for the resulting difference?” – i.e. the most appropriate use of the 0.5% of BDU revenues.
5. ELAN agrees in principle with the CACTUS proposal for a Community-Access Media Fund (CAMF). We believe the CAMF model establishes a transparent framework to address the need for local expression and regional reflection within Canada’s official language minority communities (OLMCs). Currently, that need is almost entirely unmet in the case of Quebec’s Anglophone communities.
6. ELAN sees the creation of an independent and flexible CAMF as an appropriate allocation of the 0.5% BDU revenues presently at question.

Context

7. Although supported in principle by the *Official Languages Act*, in practice Quebec’s OLMCs are often ignored by policy-makers. This blind spot has its roots in multiple assumptions, most particularly that our communities face no challenges because we speak the majority language of North America. In the broadcasting realm this lacuna is very evident.
8. The central issue for Anglophones in Quebec is not language per se. English-language programming is not absent from Quebec airwaves. However, the glut of content emanating from the United States, and even English Canada, does not strengthen our communities; it undermines local identity and attachment, and threatens the vitality of Quebec’s OLMCs. This threat is, of course, further amplified when the strength of external voices is paired with the silence of local ones.
9. In these matters, there exists a clear distinction between questions of English-language quantity and local expression quality. On the latter point, Quebec’s OLMCs are woefully underserved. To quote Commissioner of Official Languages Graham Fraser:

‘In a nutshell, the English language is not endangered in Quebec—but English communities are.’ (*Beyond Words*, Sept. 7, 2010).

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10. Outside greater metropolitan Montreal, some 200 000 Anglophones live in small, historically Anglophone communities, many locked in a downward cycle of outward youth migration and economic decline. These communities suffer from an extreme media deficit. For all intents and purposes they are as invisible to each other as they are to mainstream media audiences. These small, isolated communities have special needs which require targeted solutions that allow access to regional reflection and, to the degree that it is feasible, local expression.

11. Within greater metropolitan Montreal, some 700 000 Anglophones are ill-served within the current regulatory environment. Since the partial deregulation of community channels in the late 1990s, local content has regressed drastically. At present, this local focus is essentially restricted to news, weather, and sports reporting on conventional network stations. Educational, historical, cultural, community, and regional programming are all absent from the mix. This hole cannot be filled by productions imported from Hollywood or even Toronto. Once again, solutions that permit and promote local expression and regional reflection are required.

12. As noted in ELAN's CRTC 2010-622 submission, the experience of Quebec's English-speaking communities over the last decade leaves no doubt that control of community television cannot be left in the hands of cable companies or terrestrial BDUs. Consider the example of Videotron. Upon acquiring the CF Cable community channel more than ten years ago, Videotron shuttered the English-language service in favour of the French-language VOX channel. Yet, more than 90% of Quebec's Anglophones reside within the Videotron cable territory.

13. It is easy to conclude, therefore, that hundreds of thousands of Videotron OLMC subscribers have spent the past decade contributing to the subsidization of a system that fails to enhance the vitality of their communities, as mandated under the Official Languages Act. Such a legacy underscores the more general need for funding solutions that are entirely independent of BDU control.

14. For a more fulsome discussion of the issues raised in paragraphs 11-12, see paragraphs 11-18 of ELAN's intervention on CRTC 2009-661.

15. Unfortunately, the CRTC's community TV decision 2010-622 did not address these well-known defects challenging access to local expression and regional reflection among Quebec's OLMCs. We do not believe that the answer proposed in 2010-622 – namely that Videotron track requests by Anglophones for access to the VOX channel – takes meaningful steps to address these matters. How is an Anglophone request defined? Why would Anglophones contact a French-language channel for English service? And, in what way would such a list of such anomalous requests represent a quantification of OLMC needs in the Videotron territory?

16. The 0.5% of BDU revenues at issue in CRTC 2010-623 therefore represents an excellent opportunity to address these policy gaps, which were effectively ignored in 2010-622.

Suggested Solution

17. Community television can be - and should be - a powerful vehicle for empowering audiences with stories and information that speaks to collective challenges as well as shared achievements. These local stories create a sense of community identity and significance, especially among youth, who can feel marginalized, insignificant and irrelevant in a minority environment.
18. As stated in Statistics Canada's recent report *Portrait of Official-Language Minorities in Canada – Anglophones in Quebec*:
“...issues related to identity are likely to play a role in Anglophones’ sense of belonging to Quebec society.” (Statistics Canada – Catalogue no. 89-642-X, Sept. 2010, p.90)
19. ELAN proposes that the 0.5 % of BDU revenues should be placed in a CAMF. Part of the CAMF should be used to establish a substantial and stable funding platform for the development of community media centers and community programming within the English-speaking communities of Quebec.
20. Because the CAMF would service both rural and urban populations, it is essential to take into account the different types and levels of support required in these disparate contexts.
21. The CAMF should guarantee funding for both official language minorities. Considering the precedent of the Canada Media Fund, which reserves 10% of its total French-language envelope for French-language production outside Quebec, the CAMF should reserve 10% of its total English-language envelope for production inside Quebec, and 10% of its total French-language envelope for production outside Quebec.
22. Distribution of CAMF-funded programs must also be addressed. ELAN holds that relevant BDUs should be required to carry the output – or a negotiated percentage of the output – emanating from the independent community media centers funded through the CAMF. In Quebec, this programming could be carried on a dedicated community channel in both official languages where audiences warrant, or shared on the appropriate BDU’s existing branded channels. However, please note that sharing existing channels is by far the less desirable option. For example, if Videotron were to distribute OLMC content via VOX, past experience suggests a strong likelihood that such content would be relegated to off-peak hours.
23. The CAMF must have a mandate that is flexible and includes funding for the organization and promotion of community media, in addition to funding for production of community programming. This is of particular significance in the CAMF’s first years as audiences, producers, community groups, and other partners develop their respective relationships with a hitherto missing piece of the local media puzzle.

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24. In the Quebec context, some general points that would have to be addressed by or through the CAMF include:

a) Expertise: Core staff will be required to encourage and support the volunteers who define and produce content.

b) Facilities & infrastructure: A centre in Montreal for OLMCs with regional satellites would jumpstart the evolution of services to target both urban and rural minorities. Basic facilities could include on-air studio, mobile ENG, and editing services.

c) Distribution platform: Community cable service would provide the primary distribution platform. For some programming, the media centres should explore supplemental distribution through alternate platforms such as UHF off-air signal, internet, DVDs, or satellite. In specific contexts, closed circuit television may also offer a useful distribution outlet.

d) To the extent that it is possible, community television and community radio should be developed in tandem. Shared facilities, pooled staff and volunteers, cross-promotion, and avoiding unnecessary duplication are all examples of the potential opportunities that accrue from such an approach.

Conclusion

25. Quebec's official language minority populations do not have access to suitable levels of local expression and regional reflection within the current broadcasting regulatory environment. Issues of identity and visibility must be addressed to stop, and perhaps reverse, downward trends in matters of vitality and development of Quebec's OLMCs, as mandated by the Official Languages Act.

26. CRTC 2010-623 offers an excellent opportunity to establish stable and substantial funding for community media in Canada. The creation of an independent and flexible Community-Access Media Fund (CAMF) that reserves a minimum percentage of French- and English-language funding envelopes for OLMCs, and which guarantees distribution via existing BDUs is the most appropriate use of 0.5% of BDU revenues.

Sincerely,

Guy Rodgers
Executive Director
English-Language Arts Network of Quebec

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