

1 February 2010

Canadian Radio, Television and Telecommunications Commission
Ottawa, Ontario
K1A 0N2

By electronic submission

**Re: Broadcasting Notice of Consultation CRTC 2009-661
Review of community television policy framework**

Dear Commissioners,

Please find attached a submission by our organization to the above-mentioned consultation process.

The opportunity for public input into the Commission's Review of its community television policy framework is an important milestone in the evolution of the relationship between mass media and citizen participation in Canada. We commend the Commission for its practice of integrating public comment into its policy review process.

As we will have noted in completing the online Broadcasting interventions/comments form, the Independent Media Arts Alliance wishes to register to appear in person at the April 26 2010 hearing on this Notice to be held at the Commission's offices at Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec.

The Independent Media Arts Alliance feels that directly participating in the hearing will enable us to familiarize the Commission with the history and mandate of our organization, and with the role that our members play in the ecology of media production in communities across Canada, thereby more effectively communicating the relevance of our intervention.

We very much appreciate the opportunity for consultation and input that this process provides, and thank you for your time in considering our submission.

Sincerely,

Timothy Dallett
Interim National Director

***Review of community television policy framework, Broadcasting Notice of
Consultation CRTC 2009-661 (Ottawa, 22 October 2009)***

Submission of the

Independent Media Arts Alliance – Alliance des arts médiatiques indépendants

February 1, 2010

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A. Summary

- 1) The IMAA is intervening in the CRTC *Review of community television policy framework* in support of a proposal by the Canadian Association for Community Television Users and Stations (CACTUS) for creation of a “non-profit, non-commercial community access television broadcasting license class”, with an associated Community-Access Media Fund (CAMF) providing operational resources to the holders of such licenses.
- 2) The IMAA supports the Community-Access Media Fund proposal for the following reasons:
- 3) We endorse the principle that alternative points of view should play a much greater role in the medium of television broadcasting than they currently do.
- 4) Canadian society is best served by the development of policies that increase opportunities not only for citizens to have access to a diverse and inclusive range of media messages, but to be supported, encouraged and actively facilitated in participating meaningfully in active exchange and dialogue on community issues.
- 5) Locally managed and locally accountable community television broadcasting is the most logical means of realizing the goal of community participation in mass media.
- 6) The currently existing structure of community television-broadcasting is not fulfilling its obligation and potential to promote citizen interaction and active media-making to reciprocally engage local residents in dialogue.
- 7) Economic interests of a cable distribution undertaking are not consistent with the focus on access and dialogue necessary for the community television-broadcasting sector to attain its potential.
- 8) The current cable BDU license levy should be managed and used by community-based non-profit organizations mandated to achieve measurable objectives.
- 9) The Community-Access Media Fund envisaged by CACTUS is a credible structure that has promise, with appropriate governance, to provide fair, transparent and accountable allocation of the cable industry BDU license levy across the country.
- 10) The “multi-platform access production centre” model proposed by CACTUS is a relevant and forward-looking response to harnessing technological evolution and convergence in broadcasting and networked media in a community media context.
- 11) There is ample evidence, accumulated over decades that Canadian communities, both large and small, have the locally based talent, skills and experience to successfully found, govern and operate sophisticated and effective non-profit media facilities.
- 12) A representative portion of the IMAA member community has expressed interest in the potential of the proposed Community Access Media Fund to provide an important opportunity for supporting the creation and distribution of locally produced independent media.
- 13) We urge the CRTC to adopt and implement CACTUS' proposal for a new community television broadcasting license class with an associated Community Access Media Fund with appropriate and representative stakeholder governance to support the establishment and operation of community-based multi-platform access production centres.

B. Submission

- 14) The Independent Media Arts Alliance (IMAA) is a national arts service organization representing the independent media arts community in Canada. Incorporated in 1980, we serve a constituency of over 80 non-profit media arts organizations located in all regions of the country. Our membership includes independent film, video, audio and new media production, distribution and exhibition organizations, many of which have been in operation for several decades. Our member organizations themselves serve their own local communities of individual members, totalling over 12,000 independent film, video and media artists and cultural workers across Canada.
- 15) Our mandate, and that of our members, is to support and promote the vitality of independent media culture in Canada. By independent, we mean the exercise of creative and editorial control by the creator of a media production. Our member organizations actively produce, distribute and exhibit independent media productions to public audiences in non-commercial contexts. By comparison to the broadcast media sector as a whole, our milieu is a small but nonetheless important part of the Canadian ecology of locally-based media creation, education and training.
- 16) The IMAA is intervening in the *Review of community television policy framework* in support of a proposal by the Canadian Association for Community Television Users and Stations (CACTUS) for creation of a “non-profit, non-commercial community access television broadcasting license class”, with an associated Community-Access Media Fund providing operational resources to the holders of such licenses. We support the model advanced by CACTUS for community-based “platform-independent access production centres” as a technologically appropriate and forward-looking means of implementing the above policy goals.
- 17) The IMAA supports the Community-Access Media Fund proposal for the following reasons:
- 18) We support the principle that alternative points of view should play a much greater role in the medium of television broadcasting than they currently do. The role of independent voices and autonomous expression of ideas is central to the development and maintenance of democratic discourse in a free and open society that values citizen participation in social life. This applies particularly to broadcast media that amplify messages by the scale of their reach. Current trends toward consolidation of ownership in contemporary media industries work against the possibilities for this citizen participation.
- 19) Canadian society is best served by the development of policies that increase opportunities not only for citizens to have access to a diverse and inclusive range of media messages, but to be supported, encouraged and actively facilitated in participating meaningfully in active exchange and dialogue on community issues.

For this dialogue to reach its full potential, it needs to be extended through the mass media that occupy central roles in social communication. Citizens themselves should have increased access to effective means of producing and disseminating their own messages.

- 20) Locally managed and locally accountable community television broadcasting is the most logical means of realizing the goal of community participation in mass media. If the Broadcasting Act defined three distinct sectors of private, public, and community television broadcasting, each with particular characteristics, the community sector should be structured, in both its governance and operations, so that each local node actively reflects and fulfils each community's needs and interests. The community radio sector provides ample evidence of the effective application of this principle.
- 21) The currently existing structure of community television-broadcasting is not fulfilling its potential to promote citizen interaction and active media-making to reciprocally engage local residents in dialogue. The existing model of "community television channels" managed by Broadcast Distribution Undertakings has proven to be ineffective in supporting the transition of citizens from being consumers of media to producers of their own expressions.
- 22) Economic interests of a cable distribution undertaking are not consistent with the focus on access and dialogue necessary for the community television-broadcasting sector to attain its potential. The entrenchment of non-profit, locally based governance of individual broadcasting stations is a prerequisite for this potential to be fulfilled.
- 23) The above observations (paragraphs 18 through 22) are supported by the analysis of the historical development and recent changes in the Canadian community television broadcasting sector provided in a report entitled *Community Television Policies and Practices Around the World*. This document was available and accessed on the CRTC's public web site, up until early January 2010. Since this document appears to have disappeared from the CRTC's public web site, it is included as an attachment in the electronic submission of this intervention (Appendix I).
- 24) The current cable BDU license levy should be managed and used by community-based non-profit organizations mandated to achieve measurable objectives. Transferring the responsibility for a community access and dialogue mandate to local stakeholders will more effectively achieve the policy goal of community engagement envisaged for the license levy. Specifically this means empowering non-profit organizations with community-based boards of directors to hold the broadcasting licenses and access the CAMF resources proposed by CACTUS.

- 25) The Community-Access Media Fund envisaged by CACTUS is a credible structure that has promise, with appropriate governance, to provide fair, transparent and accountable allocation of the cable BDU license levy across the country.
- 26) The multi-platform access production centre model proposed by CACTUS is a relevant response to technological evolution and convergence in broadcasting and networked media. Platform independence ensures that the community media centre can be simultaneously integrated with both the current structure and audience model of cable television, the emerging dynamism of internet dissemination forms, the continuing relevance of over the air analog television broadcasting in many communities and the still pending transition to digital television broadcasting. Revising and extending the conception of the license-holding media centre from a 24 hour television programming grid to include podcasting and social networking models gives it the ability to be effective in building audience engagement and is consistent with the understanding of community television content as a form of the 'niche-casting'.
- 27) The combination of a physically accessible facility, a concentration of technological resources, training and support, and local governance embodied in the concept of the community media centre site is an appropriate complement to the evolution of internet-based forms of interaction. On-line social networking is not a complete process in a community without a spatial focus that can be associated with a recognizable organisational entity and act as a focus for interaction and dialogue. The potential of community media is most effectively realized by associating multiplatform dissemination electronic with a locally identifiable and accountable non-profit organization having a physical facility where the interactions and expressions of individuals and groups are facilitated and promoted, and knowledge and skills are disseminated.
- 28) There is ample evidence, accumulated over decades that Canadian communities, both large and small, have the locally based talent, skills and experience to successfully found, govern and operate non-profit media facilities. Besides the highly successful example of the community radio sector, the development of the IMAA's own nation-wide network of member organizations over the past 4 decades helps establish that the model of decentralized, locally-governed non-profit media production and distribution organizations is effective and credible. Years of service by our members' boards and staff in managing incorporated non-profit community organizations have yielded effective financial management and dynamic operations. This record shows that Canadian communities have the grass-roots know-how to manage and operate sophisticated media arts production facilities with a significant technology base.
- 29) Especially in recent years, our milieu has evolved in a direction away from the community television-broadcasting sector, but this does not diminish the potential relevance of the skills and experience accumulated in it to contribute to a renewed, restructured and locally governed version of community broadcasting. As the accessibility of the current community television broadcasting model has declined

in recent years, the incentives and possibilities for engagement with broadcasting in general at the local level by our members (among community users in general) have diminished. There is a continuum between community access and purely artistic production and our membership is situated at various points along it. It is the case that the vast majority of the IMAA's members currently carry out their activities outside the broadcast sector (for example, distribution by direct presentation of media productions at public screenings, festivals, art gallery exhibitions, etc.). Some of our members have evolved highly specialized mandates (for example audio art production or film festival presentation) that are not directly compatible with television per se. Yet there is considerable compatibility between some parts of our constituency and the model of community access production envisaged in the multi-platform access production centre model proposed by CACTUS. Given that the latter has only been expressed in the context of a proposal, and is not even yet an implemented policy that can be concretely offered to communities, the interest already expressed by some of our members is a strong endorsement of the need, and potential, for policy renewal around community television broadcasting.

- 30) The proposed CAMF should be established with transparent, accountable governance that legitimately reflects the interests of community stakeholders including the independent media community. The implementation of these objectives should proceed through appropriate policy development to maximize opportunities for locally based engagement in the restructured community broadcasting sector. The new license class and CAMF application process should be explicitly designed for public and community accessibility - including collaboration between existing non-profit organizations - and be accompanied by effective outreach and public communications to solicit and facilitate this involvement.
- 31) Should, as we are suggesting, the Community-Access Media Fund be established, the IMAA and its constituency would be interested in being consulted regarding the development of the Fund's terms of reference, governance and operations, in the context of a broadly diverse and representative consultation with stakeholders in community broadcasting across the country.
- 32) Canadian civil society has immense reserves of creativity, innovation and commitment. The potential of citizen participation in mass media underlies the concept of community media and is explicitly articulated in the Commission's own 2002 community TV framework. To fulfill and unlock the potential of the community media sector, we urge the CRTC to adopt and implement CACTUS' proposal for a new community television broadcasting license class with an associated Community Access Media Fund with appropriate and representative stakeholder governance to support the establishment and operation of community-based multi-platform access production centres.

C. Responses to selected questions asked in

Broadcasting Notice of Consultation CRTC 2009-661

Q. 1 Are the objectives of the existing policy framework being met?

33) No. See Paragraphs 20 to 22 above.

Q. 2 If the objectives are not being met, what needs to be changed to help meet them?

34) The CACTUS proposal that the CRTC create a “non-profit, non-commercial community access television broadcasting license class”, with an associated Community-Access Media Fund (CAMF) providing operational resources to the holders of such licenses should be implemented. See Paragraph 24 above.

Q. 3 Given significant changes to the media environment over the last seven years, are there reasons to revise the objectives?

35) The objectives of community participation envisaged in the concept of the “community broadcasting tier” need to actually be implemented coherently. As argued in Paragraph 26, the multi-platform access production centre model proposed by CACTUS is a relevant response to technological evolution and convergence in broadcasting and networked media.

Q. 4 Is it necessary to make a clearer distinction between community programming and the local programming provided by conventional television broadcasters? What are the principal distinctions?

36) Yes. The principal distinction between community-produced programming and conventional television broadcasting is that the former is characterized by self-initiated, freely conceived content and self-produced by local residents through productions that articulate and transmit individual and collective points of view to a community of viewers. Conventional (commercial) television broadcasting involves the production of program material by employees or contractors under the direction of the broadcaster’s management: its content is ultimately intended to stimulate advertising sales according to a commercial business model.

Q. 5 Are these roles and objectives still appropriate? Why or why not?

Q. 6 Are there reasons to revise the roles and objectives? If so, how?

37) Yes. All of the roles and objectives envisaged in the 2002 community TV framework are highly appropriate, even if they have not been effectively implemented to date. Increasing consolidation of ownership in mass media makes authentic and credible citizen involvement in media creation and distribution that much more important.

Q. 7 What are the reasons for this relatively modest take-up? Have conditions changed since 2002 so that the need for local expression is being met through other means?

38) See the attached Report, Community Television Policies and Practices Around the World (Appendix I), which documents the historical evolution of the community broadcasting sector in Canada, and the significant barriers to independently-operated community-based television services.

Q. 8 Are changes to the policy necessary? If so, what changes? If not, why?

39) Yes. See responses to Question 2 above.

Q. 20 Should a proportion of the BDU contributions be directed to

a) the production of access programming? If so, what would be the most effective means of doing this? If not, are there other funding means that may be more appropriate? and/or

b) the production of local programming through the LPIF? Why or why not?

40) The entirety of BDU contributions for local expression should be directed to the production of access programming, through the establishment of locally-governed, non-profit community access and production centres, through the Community Access Media Fund (CAMF) proposed by CACTUS. (see paragraphs 24 through 28 above). The production of "local programming through the LPIF" does not meet the criteria for community access production and BDU contributions intended for local expression should not be directed to the LPIF.

Q. 21 Should the community-based television programming undertakings have access to BDU contributions for local expression, as is currently the case for community channels and community programming undertakings?

41) Yes. This is an important and extension of the principle behind the collection of BDU contributions for local expression.

42) We again thank the Commission for the opportunity to present this information and for its consideration in reviewing it.

D. Appendices and References

43) *The following document is attached as an electronic file to the CRTC on-line Broadcasting interventions/comments form along with this intervention:*

44) **Appendix I.**

Community Television Policies and Practices Around the World

prepared by TimeScape Productions

for The Canadian Radio, Television and Telecommunications Commission

June 15, 2009

This document was publicly available on the CRTC web site until January 2010 and provided important reference material for points made in our submission. We are attaching this report here because we feel that its analysis and conclusions are valid, and that it should be considered by the Commission as part of the present Policy Review.

45) Note: Because this present submission endorses specific proposals being made by the Canadian Association of Community Television Users and Stations with respect to Broadcasting Notice of Consultation CRTC 2009-661, reference is also made to the document containing submission of that organization to the present Notice.

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