CBC Radio-Canada

15 March 2005

Marc O'Sullivan
Executive Director
Broadcasting
Canadian Radio-television &
Telecommunications Commission
Ottawa, Ontario
K1A ON2

Re: Fourth Annual Report Pursuant to Public Notice CRTC 2000-1
(Case Number 220840)

Dear Mr. O'Sullivan:

CBC/Radio-Canada is pleased to provide the following responses to the Commission's request for additional information related to its fourth annual report filed on December 17, 2004, corresponding to the 2003–2004 broadcast year.

Yours sincerely,

Bev Kirshenblatt
Senior Director, Regulatory Affairs

P.O. Box 3220, Station C
Ottawa, ON
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Attach.

CBC English Television for the Broadcast Year 2003/2004 Report

1. *Under "2. Diversity of Foreign Content", you indicate that for the full day, 59% of foreign content originated from countries other than the United States. What percentage of foreign content in peak time originated from countries other than the United States?*

   Answer:

   The percentage of foreign content in peak time that originated from countries other than the United States was 42% in 2003/04.

2. *It has come to the Commission staff's attention that in 2003, it was confirmed with Ms. Lanny Morry that the inclusion of "4. Entertainment Programming" was an error, as the renewal decision makes no reference to this commitment relating to entertainment programming, nor requires reporting on entertainment programming as such. Please submit a revised version of the report with "4. Entertainment Programming" removed.*

   Answer:

   A revised version of CBC English Television's Annual Report to the CRTC for the 2003/2004 broadcast year is enclosed (see Appendix A).

3. *Under "25. Victoria Reflection on CBUT – Report on Activities", please provide the following:*

   a) the running time of each documentary that is listed under See B.C. on CBC, Docs on the Coast
   b) the dates that the identified artists were featured on ZeD.

   Answer:

   a. Documentary running time:
   - *Criminal Acts* - November 29/2003 - Duration 60 minutes;
   - *New Happiness* - December 20/2003 - Duration 60 minutes;
   - *Sharing Visions* - January 3/2004 - Duration 60 minutes;
   - *The Making of the Vinedressers* - February 21/2004 - Duration 30 minutes;
   - *Flying on Water, The Life and Times of Silken Laumann* - August 5/2004 - Duration 60 minutes; and
   - *49 Degrees* - July 15/2004 - Duration 60 minutes.

   b. Appearance dates of artists featured on *ZeD*:
   The appearance dates for the artists featured on *ZeD*, our innovative late night TV program, in the 2003-04 season are noted below:

   - Jeremy Lutter "Consumer Monster"– February 21/2004;

- Chantelle Tucker “Breaching” (working title Orcagirl)– January 21/2003;
- Billy Reid “ Zed Read” – March 24/2004;
- Tessa Riecken “Twiggy” (“Art to Go” piece) October 30/2003 and July 30/2004; and
- Constance Cooke “Solome: The Headhuntress” November 11/2003

Social Issues:

4. *In its response to the CBC’s third annual report pursuant to Public Notice 2000-1, the Commission encouraged the Corporation to “continue to strive to reflect the full diversity of Canadian society and to report on its activities in this regard, including the reflection of persons with disabilities.” To that effect, please describe the strategies and incentives put in place to ensure a better reflection of persons with disabilities.*

Answer:

See response to question 8a.

CBC (SRC) French Television for the Broadcast Year 2003/2004 Report

5. *Condition 1 – Broadcast of Canadian programs in Categories 8 and 9 (Music and Dance and Variety) in the peak viewing period (7 p.m. to 11 p.m.):*
In your letter dated 17 December 2004, you reiterated your comments outlined in your letter dated 23 July 2004, to the effect the existing requirement by condition of licence to broadcast five hours of Categories 8 and 9 programming in the peak viewing period on the French-language television network, is proving particularly troublesome given your goal to reach a balanced schedule.

You also point out, that in the event the Commission would take into account the overall French television network and stations (FTV) contribution towards Music and Dance and Variety programming, the average weekly total of categories 8 and 9 programming broadcast by the FTV would have increased from 4.1 hours to 7 hours weekly in 2003-2004.

In view of the existing wording of your condition of licence, please submit the following detailed information to the Commission for the 2003-2004 broadcast year including, titles, duration (hours: minutes), and dates of broadcast (original/repeats):

a) Categories 8 and 9 programming broadcast on the network:
   i) during the peak viewing period;
   ii) outside of the peak viewing period;
b) Categories 8 and 9 programming broadcast in regions:
   i) during the peak viewing period;
   ii) outside of the peak viewing period.

Answer:

a) Categories 8 and 9 programming broadcast on the network:
   i) See Appendix B
   ii) See Appendix C

b) Categories 8 and 9 programming broadcast in regions:
   i) See Appendix D
   ii) See Appendix E

6. *In light of your comments relating to the existing wording of the Commission's condition of licence, please indicate whether the Commission should treat your letter and the results outlined in your 2003-2004 annual reports, as an application to amend your existing condition of licence, to include the overall Categories 8 and 9 programming broadcast by the FTV in your weekly average? If this is not the case, please outline:*

   a. *The actions you intend to take to remedy the alleged non-compliance with your condition of licence, or;*
   b. *The actions the Commission should consider to ensure the SRC's compliance with its condition of licence.*

Answer:

a. CBC/Radio-Canada does not wish that its July 23, 2004, letter and the results outlined in its 2003–2004 annual report be treated as an application to amend our existing condition of licence respecting Music, Dance and Variety programming.

   We have indicated to Commission staff and in each of the annual reports submitted since our licence renewal, that the Corporation has, from the start, had great difficulty fulfilling this condition, which was imposed on us without prior consultation. The reasons for these difficulties were explained at length in our July 23, 2004, letter and in the meetings held on this matter. Lack of audience interest in this programming, the high production costs involved, and pressures on the system for financing Canadian programming of this type are the key contributing factors to our difficulty in this regard.

   It is important to note that in all other areas, Télévision de Radio-Canada has performed exceptionally well since the beginning of the current licence term. The Commission's conditions and expectations have been met and, in many cases, even exceeded.

We have worked very hard to meet the requirements of this condition, and have even surpassed them when our network and regional programming throughout the broadcasting day is considered as a whole.

However, it has now become apparent to us that we will not be able to achieve this licence condition in the coming years, given the increasing difficulty in financing this type of programming, the serious pressure these costs place on our programming budgets, and the marked lack of audience interest in these programs. Moreover, in early 2004, French Television launched a major repositioning of all its programming, centred on five characteristics (open, credible, unifying, innovative and passionate). This repositioning was intended to give the network a strong personality that would allow it to fulfill its public service role in a rapidly evolving television landscape, where viewer habits, tastes and interests have changed considerably.

As a result, CBC/Radio-Canada would now like to inform the Commission that it will shortly be filing for an amendment to this condition of licence.

7. Condition 2 - In each year of the licence term, the licensee shall broadcast an average of at least 4 hours per broadcast week of original Canadian programming directed to children under 12 years of age:

As a result of restructuring of FTV, you state in your report that in 2003-2004, the SRC network has broadcast an average of one hour weekly of original Canadian children's programming. However, you indicate the network should be in full compliance with the 4 hours weekly requirement for the 2004-2005 broadcast year:

a. *Considering the major discrepancy between the end result and the requirements of the condition of licence, please detail your action plan to remedy the alleged non-compliance;*

b. *Please provide examples of programming projects or programs which may assist in reaching the average level of broadcast of 4 hours weekly as required by the condition of licence.*

Answer:

a. As stated in the report, this discrepancy was due to the extensive overhaul of our children's and youth programming division and to the need to reduce a large inventory of second-run series. This overhaul is now complete and our inventory has been reduced to the point that French Television can begin focusing on new programming. For the 2004–2005 broadcast year, we acquired a sufficient number of original Canadian series to bring us up to four hours of original programming.

   Now that our "spring-summer" schedules (April 11 to August 31, 2005) are almost finalized, we can project an annual weekly average of four hours of

original Canadian programming for the September 1, 2004, to August 31, 2005, period.

b. Some examples of programs that will enable Télévision de Radio-Canada to reach the four-hour weekly average as required by the condition of licence, include the animated series *La Famille Pirate, Wounchpouch, Chasseurs de dragons* and the dramatic series *Sur place ou à emporter.*

Social Issues:

8. *In its response to the CBC's third annual report pursuant to Public Notice 2000-1, the Commission encouraged the Corporation to "continue to strive to reflect the full diversity of Canadian society and to report on its activities in this regard, including the reflection of persons with disabilities. Similarly, the Commission reiterates the importance of making the CBC programming available to as broad an audience as possible, through initiatives such as described video."*

   a. *Please describe the strategies and incentives put in place to ensure better access to and better reflection of persons with disabilities.*

   b. *Your report indicates an absence of described video programming without providing a reason for this and CBC's action plan on this front. Please report on your development plans related to described video and describe the differences between the availability of such programming in French and in English.*

Answer:

a. CBC/Radio-Canada is pleased to provide the CRTC with additional information relating to its strategies and activities concerning the reflection of persons with disabilities. The requirement set out in Public Notice CRTC 2000-1 prescribes that:

> " . . . the Corporation . . .report annually on its progress in implementing its commitment to 'more adequately reflect the multicultural and multiracial nature of Canada and the special place of Canada's Aboriginal Peoples, and to balance their representation on the air and in the work force in a manner that realistically reflects their participation in Canadian society, and that will help to counteract negative stereotypes.'"

We note that this request is in addition to our annual reporting requirement to the CRTC as prescribed in Public Notice 2000-1.

CBC/Radio-Canada must be relevant to its viewers and listeners. That is why various steps have been taken by each media line to ensure that this relevance is reflected on air and on our staff. For example, with respect to content or programming, CBC commissioned a detailed content analysis that benchmarks the degree to which our programming accurately reflects the diversity that exists within Canada. We have undertaken a detailed measurement of our current on-

air reflection of disabled people as well as other under-represented groups. We are currently assessing the results of this analysis and will be using it to provide further guidance in how we reflect persons with disabilities and other groups in our programming.

Further, in 2004, CBC created its New Faces / New Voices Database, an electronic rolodex to broaden the diversity of commentators and experts for CBC journalists. This rolodex includes the disability-related contact database that has been developed by the producers of *Moving On* over its 7 seasons on air.

The principal program examples of CBC's efforts to reflect and serve the interests of persons with disabilities are its regularly scheduled documentary series *Moving On* and its coverage of amateur sports, such as the Paralympics.

Moving On is a documentary series about people with disabilities who are developing ways to live more independently. The people seen in the program are neither victims nor heroes, but human beings striving to lead as full a life as possible. *Moving On* depicts people with disabilities at work, receiving healthcare, using and developing technology, forging relationships, producing art and entertainment and playing sports. In the process, the program challenges stereotypes and provides useful information about disability issues.

With respect to amateur sports, CBC Sports presented over 16 hours of coverage of the 2004 Paralympic Games in Athens, as well as a one-hour arts and performance special in salute of the Paralympic athletes. In addition, CBC Sports is currently working out a potential arrangement for the coverage of the 2006 Turin Paralympics. CBC Sports also integrates its coverage of sporting events from the disabled community within its regular sports coverage.

Télévision de Radio-Canada, meanwhile, reflects the realities of disabled people in several time slots in its schedule. These programs aim to tackle social issues, including the respect of differences, in formats that both appeal to general audiences and maintain high standards. Examples include the daily magazine show *37,5,* which focuses on health and related social issues (e.g., a report to raise viewer awareness of motorists who use disabled-parking stickers) and the public-affairs magazine *Enjeux*, which profiled a highly unconventional family made up of six mentally disabled adults and the two men that care for them 24/7.

Persons with disabilities are also prominently featured in Télévision de Radio-Canada's sports programs. Two two-hour programs were dedicated to the Athens 2004 Paralympics on *Adrénaline* and we are currently negotiating for the Turin 2006 Paralympics.

In the 2003-2004 season, the sports programs *Adrénaline* and *Revers de la Médaille* aired the following reports on athletes with disabilities:

Adrénaline:
- Défi sportif: athletes with disabilities competition
- Paralympics selection: Benoit Huot - swimming
- Steve Quevillon - golf
- Jean-Thomas Boily – cross-country skiing, luge

Revers de la Médaille:
-France Gagné - blind, paralympic athlete, javelin
-Chantal Peticlerc - paralympic athlete, wheelchair
-Trent McCleary – former NHL player, now disabled because of a game injury

With respect to the diversity of staff in the CBC, we collect staff information across a range of diversity measures, including gender, visible minorities, disabilities, aboriginals, age and language. These measures enable our Diversity Project Manager to provide a centralized data source to all of the CBC departments and to measure the level of CBC's outreach and its mentoring and recruitment efforts.

One of the results of this initiative was the recent creation of a position for an Outreach Producer for our program *Moving On*. This position was designed to extend the work being done by *Moving On* and ensure that its content migrates to other parts of the CBC schedule. To date, the producer has:

- recruited three freelance print journalists to write a disability column on a rotating basis for CBC News online.
- produced an update of a Toronto-based *Moving On* story from last season for Canada Now - Toronto.
- spoken to the Journalism fellows at Massey College about disability coverage in the media.
- arranged for Joanne Smith (*Moving On* host) to speak to a Ryerson journalism class, and a class in critical journalism in U of T's new journalism program about improving coverage of disability issues.

In addition, we are planning to introduce an editorial board comprised of people with disabilities to speak to TV staff about the community's relationship with the media. We also note that our employment practices fall under the jurisdiction of the *Employment Equity Act.*

b. In the Commission's 1999 Television Policy (Public Notice CRTC 1999-97), the CRTC addressed the provision of descriptive video services for visually impaired viewers and concluded that it would be premature to impose specific requirements on licensees and encouraged gradual implementation.

In the 2000 decisions renewing CBC and Radio/Canada's licence for a seven-year term, (CRTC Decision 2000-1 and CRTC Decision 2000-2), the CRTC reiterated its position that "it is premature to impose specific requirements on licensees". Instead, the Commission encouraged the Corporation to continue to develop the use of described video services and to co-operate with the National

Broadcast Reading Service in order to effect the gradual implementation of this service.

As part of CTV's and Global's licence renewal decisions (Decision CRTC 2001-457 and Decision 2001-458), the CRTC imposed specific conditions of licence on these English-language broadcasters respecting the provision of described video services. That same year, in the licence renewal decision for the French – language television network TVA and the French-language television programming undertaking CFTM-TV Montreal (Decision CRTC 2001-385), the Commission imposed expectations on the licensee respecting the provision of descriptive video services. In adopting this approach, the CRTC recognized that:

> It is apparent from the discussions during the hearing on descriptive video services (DVS) that the main concerns relating to implementation of such a service by Canadian broadcasters are technical or financial in nature. TVA submitted that implementation of DVS would be more feasible in a digital environment and that this transition to digital mode could begin in 2004 and be completed by 2008.

More recently, in Broadcasting Public Notice CRTC 2004-94, *Introduction to Broadcasting Decisions CRTC 2004-530 to 2004-540 renewing the licences of 21 French language stations*, the Commission once again recognized the technical and financial constraints faced by broadcasters.

> The discussions at the hearing on the subject of video description revealed that Canadian broadcasters' main concerns around the implementation of this type of service are technical or financial. In particular, the CBC pointed out that digital broadcasting will be more easily able to integrate video description.
>
> The Commission considers that it is too early to impose new video description requirements, but it expects licensees to purchase and broadcast versions of programs that integrate description whenever possible. It also expects licensees to take appropriate action to ensure that their services take into account the needs of persons who are blind or whose vision is impaired. The Commission advises the licensees that these concerns will be analyzed in greater depth at the time of the networks' licence renewals.

The June 2003 Report of the Standing Committee on Canadian Heritage recognized the financial constraints faced by broadcasters in providing descriptive video services in both official languages. The Committee recommended that the Federal Government develop and fund a training program for descriptive video services. This is particularly important for the French language market, where the provision of these services is at a very early stage and the costs to provide such services are significantly higher. The Committee also recommended that the federal government develop a program to assist broadcasters in providing descriptive video services. Finally, the

Committee recommended that the CRTC should set escalating conditions for the amount of descriptive video provided by broadcasters once the appropriate training and assistance programs are in place. The Government's upcoming response to the Heritage Committee may further address this issue.

In the fall of 2004, the Corporation initiated formation of a working group of broadcasters and describers to establish industry standards for communicating about described video (DV) to the public. Among the objectives set out by the working group, is the consistent use of a new logo for the identification of DV programming by broadcasters and publishers of television listings information. The working group has since formalized as the Canadian Described Video Broadcast Committee and is chaired by a representative from the Corporation. The Committee intends that its work will provide a template for a parallel French-language Committee to create industry standards for all Canadians, in both official languages. CBC/Radio-Canada is following these developments closely through our corporate representation.

Almost all of CBC/Radio Canada's licences are up for renewal August 31, 2007. This includes the French television network and all of the regional stations and retransmitters for those networks. The Corporation recognizes the importance of access to the broadcasting system for all Canadians and intends to present a detailed action plan in the context of its licence renewal application.

CBC Newsworld for the Broadcast Year 2003/2004 Report

9. *Under "3. Journalistic Reach", you list a number of "under-served" areas in which CBC TV and Newsworld have new VJ services. Bathurst, New Brunswick and Kelowna, British Columbia are listed in this Year's report and last Year's report. Are there additional VJ services in Bathurst and Kelowna or is this a reporting error?*

   Answer:
   We have continued VJ services in Bathurst and Kelowna. There are no additional VJ services.

10. *Under "11. Programming Initiatives Related to the Rate Increase", you indicate that Culture Shock continued in 2004 and that Newsworld is planning a new francophone stream in the fall of 2004.*

    a. *Please indicate how many episodes of Culture Shock were aired and how much was spent on them.*

    b. *Please indicate whether or not the new francophone stream was implemented in the fall of 2004 and provide details on what this entailed.*

Answer:

a. Newsworld aired 23 episodes of Culture Shock at a total cost of $336,000.

b. The new francophone stream debuted on Newsworld on February 5, 2005. It is called *Au Courant* and is a weekly half-hour current-affairs talk-show that reveals what is hot and happening in French Canada, as well as the topics and people that Francophones are discussing. It tackles sensitive issues and finds humour in the relationship between French and English Canada.

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