



15 August 2016

****Filed Electronically****

Ms. Danielle May-Cuconato
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Dear Ms. May-Cuconato:

Re: Broadcasting Notice of Consultation CRTC 2016-225: Renewal of television licences held by large English- and French-language ownership groups

1. Please find below the comments of **Women in Film +TV Vancouver (WIFTV)** in response to the above Notice of Consultation for broadcaster Group Licence Renewals.
2. Women In Film + Television Vancouver (WIFTV) is a member-driven not-for-profit society. WIFTV's membership is multicultural and our main objective is to further the artistic and professional development of all women, regardless of ethnic origin or status, in Canada's screen-based media production industries.
3. Responding to the limited opportunities for women in leadership positions in the film and television industry, WIFTV was formed in 1989 by a group of professional women working in the industry. WIFTV is one of the 35 worldwide chapters of Women in Film & Television International.
4. WIFTV is deeply concerned by persistent gender inequality in the production of Canadian film and television programming and the lack of concerted action by the Commission and Canadian broadcasters to rectify this long-standing problem.
5. In general however, WIFTV supports the renewal of the specific licences held by the three large English-language ownership Groups, Bell Media Inc., Corus Entertainment Inc. and Rogers Media Inc., subject to our concerns and recommendations below.
6. We wish to appear at the public hearing scheduled to commence 28 November 2016.

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Executive Summary

7. WIFT believes the time is now for the Commission to take the lead and commit to new gender equity policies in all its dealings with the Canadian broadcasting industry and the content production industry that supplies much of its programming.
8. In its renewal decisions resulting from the November hearings, the Commission should require each large broadcasting group to:
 - File a 3-year plan to achieve a specific gender equity target and to incrementally increase the number of development and production projects, at all budget levels, that are written and directed by women (regardless of the producer's gender). An annual report on progress should be required and subject to review by the public and the Commission.
 - Implement accurate metrics that track and compare male and female participation as producers, directors and writers both annually and over the 3-year period, and monitor female participation in the 5 key creative roles of producer, director, writer, cinematographer and editor.
 - Present an evaluation report of the 3-year plan in 2021-2022 with an indication of what strategies would be used in the following years to maintain and build upon the progress already made.
9. The Commission has a clear mandate under the Broadcasting Act to serve the needs and interests and reflect the circumstances and aspirations of Canadian women and girls. If the current programming in the Canadian broadcasting system isn't working for half the population, then the system needs to be changed.

Overview: Achieving Gender Equity in the Canadian Broadcasting System

10. In Canada, film and television programming is created largely by independent production companies but it is heavily subsidized by public funds at both the federal and provincial levels, either directly through investments by government funding agencies or indirectly through generous tax credits afforded to these productions.
11. The Government of Canada, through the Broadcasting Act (1991), has played a significant role in shaping our country's media environment both through the Commission's regulation of the Canadian broadcasting system, and by funding policies that ensured the creation of programming reflective of Canada's bilingual and highly regionalized nature. In the case of gender equality, however, this government policy framework has not succeeded in establishing a level playing field for female content creators in the film and television industry.
12. Not only are Canadian women facing employment barriers and economic inequality behind the camera; the portrayal of women onscreen also suffers as a result. At best, women's varied roles in Canadian society are poorly represented and, at worst, female characters are sexualized and stereotyped, presented as passive followers rather than leaders, and portrayed as victims of

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sexual violence. Clearly these are not the gender role models that should determine how Canadian girls and young women foresee their future.

13. WIFTV's main objective is to further the artistic and professional development of all women in Canada's screen-based media production industries. Since women represent 50% of the population in Canada, we believe that closing the gender gap must be a **high priority** for the Commission; while at the same time we recognize the need to ensure increased cultural diversity among both female and male filmmakers.

The Gender Gap in the Canadian Industry

14. There is no single root cause of the gender gap in the film and television industry. It is a complicated and pervasive systemic problem that began during the historical development of our industry and is perpetuated by the same attitudes and practices that keep women from advancing in other sectors of Canadian society. Just as women are underrepresented in Parliament and in the upper echelons of the corporate world, they are also disproportionately absent from the most important decision-making positions in film and television production – the positions that ultimately determine what Canadian content appears on our screens. In particular we are referring to the roles of producer, writer, and director.
15. The latest statistics from Women In View's 2015 Onscreen Report find that:
 - *The Canada Media Fund invested \$97,637,939 in 29 live-action English language drama TV series in 2012-13.*
 - *Women numbered 14 of 84 (17%) directors, an increase from 14% in 2012-2013; however, these women directed only 11% of the episodes.*
 - *17 of the 29 series - representing a public investment of \$39,329,607- employed not a single woman director on any of their 151 episodes.*
 - *In TV as in feature films, women were significantly better represented among the writers than directors at 38% (47 of 125), although they had only 34% (117 of 340) of the writing credits.*
 - *Again this year, not a single one of the 293 episodes employed a female cinematographer. This pattern has been consistent over the three years we have reported.*
(see Appendix 1 for further highlights regarding feature films, web series and on-screen roles)
16. WIFTV believes that it's not only possible, but essential, that Canada's screen-based industries become more gender-balanced, culturally diverse and inclusive. Any cultural industry that depends on talent, imagination and originality for its success must draw upon the creative potential of its entire population. Building a more inclusive industry means building a better industry

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The Commission's Responsibility

17. Canadian broadcasting policy under the Act has shaped our media landscape. The Commission has taken notable steps to implement Canadian broadcasting policy, based on the clauses of Section 3 of the Act.
18. Section 3 1) of the **Broadcasting Act (1991)** states:
It is hereby declared as the broadcasting policy for Canada that...
(d) *the Canadian broadcasting system should...*
(iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of aboriginal peoples within that society;
19. It is clear that the Commission's responsibility is to ensure that the Canadian broadcasting system is to serve the needs and interests and reflect the circumstances and aspirations of Canadian women and girls.

History of Gender Issues in CRTC Regulatory Policy

20. Since the implementation of the 1991 Broadcasting Act, the Commission has published the following policy statements in reference to gender equity:
21. **1992 - Policy on Gender Portrayal (PN CRTC 1992-58)**
In 1992, the CRTC issued the above policy on Gender Portrayal, endorsing the Canadian Association of Broadcaster's (CAB) Sex Role Portrayal Code and the CAB's establishment of the Canadian Broadcasting Standards Council (CBSC) in support of industry self-regulation to deal with complaints from the public.
22. In the 1992 policy it states:
The Commission considers that continued progress may be achieved more effectively through institutional mechanisms ... that focus on such aspects as education, awareness and employment equity, rather than through regulatory intervention.
23. And that:
The Commission will continue to impose a condition of licence requiring adherence to the CAB's sex-role portrayal guidelines, or, in the case of the CBC, to the Corporation's guidelines. The Commission will continue to monitor industry progress through its assessment of the activities of the industry associations and the CBSC, as well as through its analysis of the semi-

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annual reports on complaints. It also encourages each industry sector to assess its own progress. The Commission will continue to report to the public on a regular basis through its annual reports and public notices.

24. 1992 - Implementation of an Employment Equity Policy (PN CRTC 1992-59)

1997 - Amendments to the Commission's Employment Equity Policy (PN CRTC 1997-34)

While the 1992 Employment Equity Policy required broadcasters to report on gender portrayal under the Code, the 1996 Employment Equity Act superseded this. Broadcasters that had more than 100 employees were no longer required to report on gender employment equity initiatives to the CRTC.

25. 2008 - Regulatory Policy – Diversity of Voices

The Commission's approach to diversity in Canadian programming is reflected in its 2008 regulatory policy "Diversity of Voices" (PN CRTC 2008-4).

26. In this policy the Commission sought to define "diversity":

6. Although terminology varies and various parties to the proceeding provided a range of perspectives and understanding of the term "diversity of voices," the common objective appears to be to ensure the provision of a diversity of viewpoints either through ownership regulations or by means of programming obligations...

11. The Commission considers that the concept of "diversity" in the Canadian broadcasting system should be approached at three distinct levels: diversity of elements, plurality of editorial voices within the private element, and diversity of programming....

18. Diversity of programming can mean several things, such as the expression of Canadian voices amidst foreign ones, the availability of different genres and formats, or the airing of content made by a variety of producers, including independent producers.

19. Ensuring that Canadians receive programming from different sources - including content from the public, private and community elements - constitutes a significant aspect of the Commission's mandate, including contributing to the maintenance and enhancement of national identity and cultural sovereignty.

27. 2008 Regulatory Policy – Equitable Portrayal Code (PN CRTC 2008-23)

In 2008, the Commission approved the CAB's Equitable Portrayal Code in response to the Commission's request to develop a plan for other under-represented groups including visible minorities and Aboriginal people.

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28. In the Commission's determination:

17. With respect to matters concerning various groups' participation in the industry, both on- and off-screen, the Commission reiterates that these matters are being addressed through other venues, such as the Commission's cultural diversity requirements of television and radio broadcasters, various initiatives being undertaken by the CAB and employment equity legislation.

These latter approaches have been designed precisely in recognition that the changes required to improve participation of marginalized groups in the broadcasting system require longer-term, corporate and system-wide efforts rather than measures that concern specific instances in specific broadcasts, which is what codes governing programming standards address.

Conclusion

The Commission considers that the Code contains the necessary elements to be an effective self-regulatory tool that ensures equitable portrayal of Canada's cultural diversity by Canadian broadcasters. Furthermore, the fact that the Code applies to all radio and television programming, including fictional and non-fictional programming, and commercial messages, ensures that all licensees are accountable for equitable portrayal at all times.

29. Attached to the Commission's 2008 policy decision is the CAB's Equitable Portrayal Code, where one of the General Principles states:

Assessment of a station's performance in relation to program development, acquisition and scheduling should take into account the station's overall schedule and record on the issue of the portrayal of individuals or groups on the basis of race, national or ethnic origin, colour, religion, age, gender, sexual orientation, marital status or physical or mental disability.

30. While acknowledging that ensuring equitable participation in the industry, both on- and off-screen, requires longer-term system-wide policies and solutions, in 2008 the Commission simply noted that gender issues remain relevant and should not be neglected.

Gender Equity as a Minority Issue

31. The Commission's 2008 decision points out that:

Additional observation

23. The Commission wishes to emphasize that while the Code broadens the industry's responsibility for portrayal matters from women to all identifiable groups, the concerns identified in the Commission's 1992 Policy on gender portrayal (Public Notice [1992-58](#)) remain relevant and should not be inadvertently neglected by the industry as a result of the broadened applicability of the Code.

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32. While these policy statements are laudable, they fail to acknowledge that **women are not a minority**, but are half the population of Canada. Lumping in gender equity with other cultural diversity concerns gives the impression that the Commission and the broadcasting industry consider gender issues to be a minority issue. Women's minority status in the film and television production industry is a systemic problem that should not be accepted by the Commission as either natural or inevitable.
33. By categorizing women content creators as minority voices Canada's public agencies, including the Commission, are helping to perpetuate an out-dated business culture and biased attitudes in our screen-based industries. A forward-looking vision for the 21st century is needed, one that boldly states without apology that Canada will create a gender-balanced and more inclusive film and television industry – not only because it is the fair thing to do, but because it is also the smart thing to do. Any industry that depends on talent, imagination and originality for its success must draw upon the creative potential of its entire population.
34. Making change is a matter of political will. The new Liberal Government would not have achieved gender parity in its 2015 Cabinet if the Prime Minister hadn't committed to making it happen, despite the naysayers who claimed it would result in lower quality in his choice of Ministers. The same arguments are being made about the film and television industry today – that funding choices must be made on merit, rather than gender – arguments that totally disregard the fact that women and men have an equal capacity to achieve excellence in the production of screen-based media.
35. While there are no national statistics on the gender breakdown in Canadian film schools, anecdotal evidence from teachers of film production at the University of British Columbia and other universities indicates that they teach mixed classes of young men and women every year who show similar levels of talent and ambition. Male and female graduates from the program enter the industry with similar hopes, but the vast majority of the women end up with very different career paths from their male classmates.
36. The 2013 Focus on Women report by Canadian Unions for Equality on Screen (CUES) showed that men progressed up decision-making levels, and income brackets, at much higher rates than women, particularly in some of the key creative positions that define Canadian content. As they note:

The women working behind the scenes in Canadian media are facing systemic barriers to career advancement into the highest creative and decision-making ranks. This is both an employment equity issue, as well as a social, political and cultural issue. A gender imbalance behind the screen shapes the stories we see on the screen.

(See Appendix 2 for representational graphs from this report).

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37. Most of the female film creative leaders – producers, directors, cinematographers, editors and writers, in Canada can be found in documentary production – not always by choice, but because it is a lower-cost alternative to drama production and it therefore presents fewer barriers to women. At the higher end of the scale, in the production of both television drama and dramatic feature films for theatrical release, most women creative leaders quickly encounter the glass ceiling. Very few Canadian women get the chance to direct, produce, write, edit or shoot a feature film with a budget of more than \$1 million. As previously mentioned, this also leads to a significant underrepresentation and stereotyping of the roles of women and girls presented on screen in Canadian film and television.
38. This gender gap in the film and television industry has prevailed for a very long time because women filmmakers, being in the minority, have not had the leverage to change the system, and government funders and agencies, as well as broadcasters, have not insisted that it change. There is a widely held assumption that, left to its own devices, the industry will naturally produce a gender-balanced workforce. History has shown that assumption to be incorrect and it's now clear that government, at both the federal and provincial levels, will have to take a leadership role to ensure that change occurs.
39. Issues regarding the lack of gender equity in the film and television industry are not unique to Canada. Several other countries have already announced policy changes to advance gender equality in their domestic content production industries. Spurred on by the Swedish Film Institute's ground-breaking approach, other countries are reviewing their current equity policies. Governments and creative industry representatives are working to address the systemic bias. Detailed plans have already been put in place to address gender parity in content production, including in the major English-speaking countries of the UK, Ireland and Australia. Even in the USA, the industry is attempting to deal with these challenges. Canada is falling behind the rest of the world when it comes to supporting gender parity in film and television production. (See Appendix 3 for detailed international plans).

A Forward Looking Plan for Canada

40. As we've already said, the film and television industry gender gap is a complex problem and will require a multi-faceted set of solutions.
41. WIFTV would like to acknowledge the initiatives and actions currently being taken by various members of the Canadian broadcasting and production sector.
- **CBC** – the CBC has committed that women will now make up at least half of all directors on *Murdoch Mysteries*, *Heartland*, *This Life*, *Baroness Von Sketch Show* and *Workin' Moms*. Alternately, 50 per cent or more of the episodes for these series will be directed by women in upcoming seasons.

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- **Telus** – Telus Optic’s STORYHIVE is a simple production funding and distribution competition for emerging content creators in British Columbia and Alberta. For 2016, STORYHIVE is focusing exclusively on shorts directed by women.
- **Bell Media** - Bell Media’s BravoFACT (Foundation to Assist Canadian Talent) announced that that in an effort to foster and support up-and-coming female filmmakers across the country, BravoFACT is committing a guaranteed minimum of 50% of its funds, in perpetuity, to female-led projects, commencing with the February 2015 BravoFACT award recipients.
(We note that ongoing BravoFACT funding is being questioned by Bell Media in its renewal application and we strongly urge the Commission to ensure Bell continues to fund this important initiative.)
- **2X More - Women in View**, a Canadian non-profit group working for gender parity in media onscreen and behind-the-scenes, released a report last fall that noted women are still a minority in the industry: representing only 17 per cent of directors, 22 per cent of writers and 12 per cent of cinematographers. The group's 2X More initiative urges the industry to double those numbers, for instance to boost women directors from 17 per cent to 35 per cent in two years.

42. While short-term training and mentorship programs like the initiatives mentioned above can play a supporting role in the overall strategy, they cannot bring about lasting change on their own. Over the years there have been many such programs, but none of them have succeeded in creating sustainable gender equality in the industry because they involved only a small number of women. What is needed now is policy change within the Government and its agencies in cooperation with broadcasters. Only leadership of this nature can foster an inclusive work culture in the Canadian screen-based industries so that media production will, in the future, be considered gender-neutral work.

43. At WIFTV we have been advocating for gender equity in the Canadian screen industries for over 10 years, and were a partner in establishing Women In View’s statistical reporting on the lack of women in key creative roles.

44. With the new federal government, we are optimistic that gender parity will be addressed in future policy announcements. In May of this year we met with the Honourable Minister of Canadian Heritage Melanie Jolie and her staff to explore possible solutions to gender equity issues in Canadian production. Similarly we have met with the heads of the Canada Media Fund and Telefilm Canada.

45. The Canada Media Fund has committed to a process and a timeline to provide its Board with options and recommendations regarding gender equity in CMF-funded production, to implement in the next fiscal year of 2017/18. The CMF is also addressing the metrics problem of accurate reporting on gender parity and will be developing a baseline of statistics for all the genres it finances.

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46. Now we are looking to the Commission to play its mandated role in regulating the Canadian broadcasting system. While stating its intention in 1992 to monitor and report on gender equity in its Annual Reports, we have been unable to find any reference to gender equity in the Commission's 3-Year Plans and Monitoring Reports for the past few years.

The First Priority: Setting a Goal

47. It is time for the Commission to publicly acknowledge its responsibility to ensure gender equality in Canadian television programming, a creative content industry with enormous social impact.

48. In the words of Anna Serner, CEO of the Swedish Film Institute:

"There is no one best practice except to establish a practice. I believe the most urgent issue is to start working to create equality. And to do that you need to set a goal, choose a strategy and start work to be able to measure how your work is doing."

49. WIFTV believes that the positions of director, screenwriter and producer deserve special attention within a new funding policy for film and television production because of the very low numbers of women employed in those categories in productions funded by Telefilm Canada and the Canada Media Fund.

50. It is critical that policies target gender equity both behind and in front of the camera to ensure that Canadian women and girls see their realities and aspirations reflected on screen. Various research reports have shown that an increase in the number of women in key creative positions has a direct impact on the number and variety of onscreen female characters¹. The importance of strong role models for Canadian women and girls cannot be overstated and we applaud the work of the Geena Davis Institute for Gender in Media for its campaign "If she can see it, she can be it".²

51. The time is now for the Commission to take the lead and commit to new gender equity policies in all its dealings with the Canadian broadcasting industry and the content production industry that supplies much of its programming. As noted in the previous sections, broadcasters acknowledge their accountability for the programming they produce and acquire, and the Commission has a clear responsibility under the Broadcasting Act to ensure gender equity in broadcaster programming.

¹ For example, see Polygraph's article ***Hollywood's Gender Divide And Its Effect On Films***

Examining The Gender Of Writers, Producers, And Directors Who Make Films That Fail The Bechdel Test,
<http://polygraph.cool/bechdel/>

² See more data on the Geena Davis Institute for Gender in Media at <http://seejane.org/research-informs-empowers/>



Elements of a New Regulatory Policy

52. The goal must be to encourage producers of both genders to develop an ongoing production slate that embodies the principle of gender equality. This does not mean that each film must have an equal number of males and females in leadership positions. It does mean, however, that the total number of projects produced in Canada over a specific period, such as 3 years, should have an equitable percentage of productions written and directed by women. While the annual output might not always attain an exact 50/50 ratio, the variation should always be within the 40/60 range for both genders.

How to Achieve the Goal

53. Prior to or during its upcoming hearing in November, the Commission should request and review large broadcast groups' Canadian programming, broken down by gender in the key creative positions noted above.

54. In its renewal decisions, the Commission should require each large broadcasting group to:

- File a 3-year plan to achieve a specific gender equity target and to incrementally increase the number of development and production projects, at all budget levels, that are written and directed by women (regardless of the producer's gender). An annual report on progress should be required and subject to review by the public and the Commission.
- Implement accurate metrics that track and compare male and female participation as producers, directors and writers both annually and over the 3-year period, and monitor female participation in the 5 key creative roles of producer, director, writer, cinematographer and editor.
- Present an evaluation report of the 3-year plan in 2021-2022 with an indication of what strategies would be used in the following years to maintain and build upon the progress already made.

Conclusion

55. The Commission has a clear mandate under the Broadcasting Act to serve the needs and interests and reflect the circumstances and aspirations of Canadian women and girls. If the current programming in the Canadian broadcasting system isn't supporting the needs and interests of half the population, then the system needs to change.

56. The Commission has an opportunity to take the lead on gender equity. The upcoming hearing is a critical one that will set the regulatory agenda for the next several years. The Commission needs to establish policies regarding gender equity in front and behind the camera in Canadian programming.

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57. WIFTV strongly urges the Commission to take this important opportunity to investigate gender inequities in Canadian programming with the large broadcast groups and require their commitment to significant policy change.

58. Canada is lagging behind other countries and the Commission needs to take action now. We cannot wait another 5 years for these issues to come to light at licence renewal time. We urge the Commission to review and implement an action plan similar to our recommendations regarding 3-year plans to achieve gender equity in Canadian programming, and to commit to do so on a timely basis.

59. Thank you for the opportunity to present our comments and we look forward to discussing these matters with the Commission in more detail at the November 2016 hearings.

Sincerely,

Women In Film + Television Vancouver (WIFTV)

Sharon McGowan
Chair – Advocacy Committee

cc: - Bell Media Inc. – Application 2016-0012-2
- Corus Entertainment Inc. - Application 2016-0015-6
- Rogers Media Inc. - Application 2016-0009-9

Appendices:

1. Women In View 2015 On Screen Report – Summary
2. CUES 2013 Focus on Women Report
3. International Gender Equity Initiatives