

BIPOC TV & FILM

BLACK, INDIGENOUS AND PEOPLE OF COLOUR IN TV AND FILM

Claude Doucet
Secretary-General
Canadian Radio-Television and Telecommunications Commission
Gatineau QC K1A 0N2

RE: Intervention of BIPOC TV & Film - Broadcasting Notice of Consultation CRTC 2023-138

A. Introduction

1. Over the past decade, BIPOC TV & Film has been a primary representative and place of gathering for the Black, Indigenous and people of colour (BIPOC) community working in the film and television industry across Canada. Since 2020, we've convened regular meetings with BIPOC staff and DEI committee members of ACTRA (National and Toronto), DGC (National and Ontario), IATSE 667, IATSE 411, IATSE 873, NABET 700-M Unifor, and the Writers Guild of Canada. Together we are advocating for anti-racism and anti-oppression training for union and guild members and staff, revised codes of conduct, and membership diversification. BIPOC TV & Film is a trusted grassroots organization that partners with the CBC and Bell Media, among other key Canadian broadcasters, to ensure the investment of equitable practices and opportunities for BIPOC creators. Bell Media is a foundational partner of our Hire BIPOC database, serving over 8,000 employers and jobseekers across Canada. For the 2020 launch, CBC, Corus Entertainment and Rogers Communications joined Bell Media to support the initiative. BIPOC TV & Film works closely with the Racial Equity Media Collective (REMC), and has collaborated with the Indigenous Screen Office (ISO) to deliver the Solidarity Fund for BIPOC creators funded by Amazon Prime Video. We have received international recognition, especially for our Showrunner Catalyst and Showrunner Bootcamp programs, being highlighted in The Hollywood Reporter and PLAYBACK numerous times, along with mentions of our work in Variety and Deadline. BIPOC TV & Film also contributed to the revitalization of the Canadian Independent Screen Fund. We are uniquely positioned in our community, with direct access through our Facebook group, a private forum with 3,200 members, and our Instagram, where we communicate with our 13,400 followers on a daily basis.
2. BIPOC TV & Film refers to the advocacy efforts of the ISO in matters relating specifically to First Nations, Métis and Inuit peoples of Canada. Our interventions are complementary to any provided by the ISO, and primarily address Black and racialized creators.
3. The CRTC must expand efforts towards equity. The most recent census indicates that Canada's population of racialized communities has significantly increased: 26.6% of the population is not White and three racialized groups alone, South Asian, Chinese and Black, account for over 16% of Canada's total population, while 23% of the population are immigrants. In 2016, the proportion of the racialized population in major urban centres neared 50% or has surpassed 50% of the total population within the metropolitan area. Statistics Canada projects that by 2041, metropolitan areas such as Toronto and Vancouver will reach a majority population of racialized people, while 2 out of 5 Canadians will be racialized. The current system has not kept pace with the ongoing demographic and cultural shifts within the Canadian population. For example, an internal audit of the British Columbia public broadcaster the Knowledge Network found a stark disparity in funding supporting racialized owned production firms (1.7%) compared to

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non-diverse production firms (98.3%). The CRTC's system must adapt to reflect the realities of Canada's population. In order to expand Canada's film and television industry to achieve commercial success within Canada and also internationally, the CRTC must recognize and champion the creative talent that exists within Indigenous and racialized communities, whose work will resonate with all communities globally.

4. The CRTC, like all public organizations, has a responsibility to reflect the realities and demographic makeup of the public it serves. In addition to "meaningfully engaging" with racialized and equity-deserving groups (including Indigenous, Black and other racialized communities along with disability and LGBTQIA2S+ groups), the CRTC's leadership and staff should include a diversity of voices with the lived experience to contribute to equity in policy-making and consultations. We find ourselves at a pivotal juncture, where we can transform the system and set up tools to reflect Canada as it is today. Please consider the following:
 - I. The participation and influence of Black and other racialized groups along with other equity-deserving communities in the development of cultural policy and regulatory decision-making must be increased.
 - II. Recognition and ongoing support of content owned by Black and other racialized groups along with other equity-deserving communities must become a priority.
 - III. The CRTC must support the growth and stability of existing independent production funds managed by and serving Black and other racialized groups along with other equity-deserving communities.

B. Comments

Q9. - *Digital media broadcasting undertakings*

1. Canadian Independent Production Funds (CIPFs) are a useful tool of the broadcasting system that are guided by a comprehensive policy framework implemented in 2016. In the past seven years since the last release of the policy framework governing CIPFs, much has changed and therefore CIPF criteria needs to be significantly updated to reflect the reality of our country's contemporary demographic make-up. The CRTC should evaluate CIPFs based on equity goals.
2. The measurable targets set by the CRTC for equity-deserving groups should be required by all CIPFs. Number 19 of the Broadcasting Notice of Consultation CRTC 2023 -138 states objectives of a new contribution framework including funds that "are reflective of Canada's diversity and meet accessibility requirements in the projects they support". It seeks to ensure, "incentives and other regulatory measures are introduced to better support the creation and distribution of Canadian content..." There is a systemic problem whereby racialized creators are not receiving adequate funding and this issue requires systemic solutions. The objectives outlined can be met by supporting and certifying CIPFs on the basis of investments made in Black and other racialized groups along with other equity-deserving communities.
3. In order to make CIPFs more equitable, new measures of success should be introduced. The current policy framework for CIPFs requires "CIPFs to introduce a system to measure success". CIPFs should use both qualitative and quantitative measurements to assess the success of

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projects with targets beyond commercial success, which can include viewership, international reach, community impact, and other goals that advance Canadian culture, history and identity, reflecting the diversity of the Canadian population.

4. The current policy framework for CIPFs requires, “that all programming supported by CIPFs, regardless of the platform on which it is distributed, be closed captioned and provided with described video.” This tells us that it is encouraged to make accessibility, and therefore equity, a consideration. However, in order to fully make programming accessible, it should be a consideration earlier in the creative process, not only in post-production, but also development and production. A cultural shift must happen within the industry and can be triggered through amending CIPF criteria. In order to truly commit to accessibility, overcoming challenges for racialized communities to participate in CIPFs must be considered. For example, the makeup of the selection committee should reflect the equity-deserving communities seeking CIPF support.
5. The CRTC has a responsibility to increase accessibility for equity-deserving communities, who face barriers to access for CIPF funding. For example, the CRTC has previously eliminated broadcaster–associated triggers for CIPF funding, making it more accessible to equity-deserving communities that traditionally do not have distribution deals with broadcasters, to choose which platforms will best suit the specific needs of their production. The CRTC should set expectations for CIPFs to centre equity approaches and introduce flexibility into criteria to provide better access for equity-deserving groups.

Q32. - Diversity and inclusion

1. In Canada, while online undertakings have contributed funds towards industry development initiatives for equity-deserving communities, there is little to no evidence that this support has directly contributed to the production & discoverability of diverse and inclusive content.
2. OU must have an obligatory contribution towards the production and discoverability of diverse and inclusive content, that incorporates the same methodology used to support Canadian content (ie. time credits and spending credits).
3. OU need regulation and should contribute towards targeted independent production funding for equity-deserving communities, ideally managed by a fund controlled and administered by and for equity-deserving groups.
4. The current initiatives related to the professional development of creators from equity-deserving communities should continue and expand, such as the Netflix partnership with the Indigenous Screen Office for the “Apprenticeship and Cultural Mentorship Funding”, however this support should not be used as a substitute for independent production funding.
5. Initiatives that are adapted to promote diverse and inclusive Canadian content should be administered with the collaboration of community organizations such as BIPOC TV & Film, that have trusted channels of communication with members of equity-deserving communities.

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Q34. - Diversity and inclusion

1. There is currently no standardized approach to self-identification data collection in the screen sector. Without metrics on how our communities are being represented, we cannot adequately advance equity. There is a common misconception within the Canadian broadcasting system that it is against the law to collect race-based data, while what is unlawful is to share this data without consent. In exercising its powers under section 11.1 of the Act, the Commission is directed to consider demographic data — including data concerning the participation of Black and other racialized persons in the Canadian broadcasting system — collected from various sources, including broadcasting undertakings, industry organizations and information published under the Employment Equity Act.
2. For example, the CRTC should acquire a harmonized data collection tool that can collect, verify, and save an individual's voluntary self-identification form, and provide an identification number to provide when asked for self-identification information. The purpose of this form would be to identify individuals within equity-deserving communities as well as to measure the performance of a project with the purpose of reaching specific targets as they pertain to different communities. To ensure meaningful consideration is taken to the challenges different equity-deserving communities face, this data must contain specific categories and avoid generalizations (ie. identifiers like "South Asian" instead of "racialized communities"). To ensure a holistic approach is taken to actively reach measurable targets, producers, broadcasters, funders, and the Commission should all be able to access a project's performance profile with the collected data presented in aggregate and the data should be held in a secure encrypted server ensuring privacy protections are prioritized. It is recommended that this tool is issued by the CRTC as a mandate to all certified independent production funds, broadcasters, and producers to adopt and use in the creation and certification of projects. *Persona-ID*, as administered by the Canada Media Fund, is a great tool that could either be looked to as a reference, or otherwise acquired by the Commission and expanded in its usage to fulfill this recommendation. The CRTC should establish a points system, similar to the Canadian content 10-point system that rewards the maximization of points received (ie. 10/10 projects are rewarded higher than 6/10 projects).
3. Broadcasters should have to report the percentage of projects from equity-deserving communities that they have greenlit to the CRTC. Reporting requirements should include ownership, key creative roles and key performer roles, identifying race, gender, ability and language. Broadcasters and funders should have a department tasked with data collection that considers barriers to entry and discoverability challenges faced by racialized communities, taking into account matters of intersectionality by factoring in gender equity and disability justice. Broadcasters should be reporting to the CRTC and the CRTC should then report this data to the public about all broadcasters.
4. While support for equity-seeking groups in the production industry benefits the creation of content, the accessibility and discoverability of content for equity-seeking groups amongst Canadian audiences is paramount in ensuring that Canadians can see themselves on screen. While the BDUs and the OUs should not be collecting self-identification data on their customers, the CRTC should collaborate with Numeris on aggregating audience data in relation to their race, gender, ability and language.

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5. Achieving racial equity in the screen industry requires accountability and measurement mechanisms to track progress and address shortcomings. The Canadian government and industry stakeholders must establish transparent equity and inclusion targets and benchmarks in content creation, distribution, and decision-making positions. Regular reporting and ethical data collection will ensure systemic barriers are identified and dismantled, fostering an environment of continuous improvement.
6. It is important to recognize that everyone benefits from collecting demographic data, not only Black and other racialized groups along with other equity-deserving communities.

Q39. - Promotion and discoverability

1. BIPOC TV & Film has observed a lack of support for the production and discoverability of diverse and inclusive content for racialized communities working in the screen sector. The Canadian broadcasting system benefits from ensuring that Canadian and Indigenous content is discoverable and promoted, drawing larger audiences to their platforms.
2. International recognition is critical for a Canadian series to succeed. Canadians watch what is popular around the world. According to Parrot Analytics, the only Canadian shows that reached the Top 10 of audience demand in Canada in June 2023 were “Letterkenny,” a series which gained international popularity through its broadcast on US channel Hulu, and “PAW Patrol” which airs on Nickelodeon as well as kids TV broadcasters worldwide. Canadians tend to discover Canadian content when it is recognized internationally. Series like “Schitt’s Creek” and “Kim’s Convenience” became internationally recognized, increasing popularity in Canada after they were made available on non-Canadian streaming platforms such as Netflix and POP TV. The CRTC should incorporate international visibility within its discoverability requirements. The production of Canadian content should be viewed as an international endeavour, including international discoverability tactics in audience strategy plans.
3. A lack of discoverability tactics ensures that target audiences are not adequately reached, making a case for subsequent seasons or new project development of diverse and inclusive content difficult for racialized communities when pitching new concepts or seeking renewals. For example, “The Porter” is Canada’s biggest Black-led TV series with notable Black creators attached. However, the production’s limited support for discoverability resulted in a lack of promotion dedicated to Canadian audiences. Although “The Porter” won a record-setting twelve Canadian Screen Awards, the series was unable to secure a second season.
4. In the current Canadian broadcasting ecosystem, the cost of production for drama, including labour and resources, outweighs the level of funding received from a combination of the Canadian broadcaster, the Canada Media Fund, CIPF funding, and tax credits. This means that most Canadian drama productions require international investment, either through a distributor or a foreign broadcaster licence fee. Therefore, despite the success of a drama series in Canada, if the series is not able to succeed internationally, the drama series may not be renewed, as was the case for “The Porter.” In building discoverability requirements for OU, where the OU likely will play the role of Canadian and foreign broadcaster, the CRTC should take into account both

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discoverability in Canada as well as internationally, especially for diverse and inclusive content to ensure their success.

5. There is a lack of programming of content that authentically represents equity-deserving groups. In 2021, Telefilm Canada funded the “Study of audiovisual content consumption habits and the expectations and perceptions of the Canadian public” in which a key takeaway was that 31% of Canadians “do not believe it is easy to access Canadian and Quebec content”. Only 20% of the study participants believe that Canadian/Québec content features diverse characters. This groundbreaking study proves that diverse audiences are mistrustful and even potentially dismissive of Canadian content because they do not feel adequately represented. The study importantly indicates that, “Half of Canadians in the general population (49%) believe that minority groups should be given more space in Canadian audiovisual productions.”
6. Audience success with diverse audiences is contingent on the audience not only finding out about the production but trusting the creators. The directives outlined by the 2021 Being Seen report by the Black Screen Office articulate the importance of being directly involved with the communities that are underrepresented in the production, marketing, and promotion of a project, in order to achieve authentic representation and maintain the trust of audiences. The Being Counted report by the Black Screen Office found that 41% of participants of colour choose content based on recommendations from friends or family. While many people of colour have friends and family in Canada, many also take recommendations from friends and family abroad.
7. Television broadcasting must recognize how racist stereotypes are continually present. A similar commitment to anti-racism must be carried out through the CRTC. There needs to be a substantial investment in anti-racism strategies, especially because the media can be a key tool to enforce or combat racism. The CRTC process and regulatory process need to have the same objectives because storytelling is an essential part of battling racism in Canada.
8. The CRTC should appoint a commissioner with lived experience as someone from a Black or racialized community to guide their racial equity framework, and someone with lived experience as a person with a disability should also be appointed to advance disability rights and justice. The CRTC's leadership should reflect Canada's diversity (specifically equity-deserving communities) and prioritize the appointment of racialized, Indigenous, LGBTQIA2S+ and disabled individuals. This would be a demonstration of its leadership and commitment to advancing equity in the broadcasting sector.
9. One of the strategies listed by the CRTC is “audience success” - while the everyday Canadian is disappointed with the lack of promotion of Canadian content. To enhance discoverability without adjusting algorithms, the CRTC should establish a minimum presence for diverse and inclusive Canadian content on the home screen of OU platforms. Projects from equity-deserving communities should receive bonus time credits (or the comparable credits used for online and on-demand services) to incentivize broadcasters to place them on the air in prime time and on the front page of on-demand services. It is recommended that 35% of all support mechanisms for Canadian content discoverability should be allocated towards equity-deserving communities.

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10. BIPOC TV & Film proposes that equity consultants be mandated onto Canadian film and television productions not only for distribution and discoverability purposes, but hired from development and active through production to post-production, and even be available for conversations on audience reception. For example, NABET was able to negotiate an EDI (equity, diversity, inclusion) representative for cast and crew to be able to report issues on set, similar to a health and safety representative. Similarly, equity consultants with demonstrated expertise and lived-experience should be required to suggest and encourage ethical means of attracting equity-deserving communities to content portraying their own communities.

C. Conclusion

BIPOC TV & Film is a crucial organization catering to the immediate and long-term needs of racialized creators across Canada. We respectfully request to be included in the November hearing and look forward to continuing to build a more equitable film and television industry in our increasingly diverse country. BIPOC TV & Film appreciates the opportunity to engage with other key intervenors in this consultation process on behalf of our community of talented and irreplaceable creators.

Submitted by



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