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December 16, 2016

BY FAX: 819-994-0218

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

Dear Ms. Secretary General:

**Re: Renewal of Television Licences held by large English and French -
Language Ownership Groups (BNoC 2016-225)**

Unifor wishes to bring the following matters to the attention of the Commissioners, in reply:

Weekly Minimum Exhibition and Expenditure for Locally Reflective News

On the final day of the Gatineau hearing Mr. Malcolmson of Bell Media stated:

6148...Unifor and other union groups have expressed concern about our local news proposal. Unifor would like existing news levels, which aren't currently mandated, to be transformed into obligations. In our view, setting a higher local news exhibition requirement for those that historically invested in this area rewards those licencees who have reduced their amount of local news and punishes those who have remained committed to local news despite the difficulties facing conventional television.

6149 Furthermore, it fails to acknowledge that the Commission has already set the required levels of local programming, of which local news is a subset. If the exhibition of local news is set at historic levels, this would effectively revise the Commission's decision on local television programming.

We have two points in reply to this argument.

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First, we question why Mr. Malcolmson would describe setting higher local news exhibitions as “punishment” unless Bell Media seeks to preserve room for future cuts to the exhibition of local news.

In this connection, Unifor has previously pointed out to the Commission that the “6 and 3” minimum standards jointly proposed by the broadcasters are aimed *far below* the actual exhibition of locally reflective news by Bell Media CTV and Corus Global News. To illustrate this point, we have updated the chart from our intervention submission using the news segment data filed by the broadcasters in response to exhibit 1, attached to this letter as appendix A.

Second, Mr. Malcolmson continues to portray the local programming minimums as 100% of local programming, of which local news is a subset. But of course the “14 and 7” minimums do not reflect anything *close* to actual local programming. Accordingly, those regulatory figures are relevant only as regulatory ceilings for local news exhibition.

In this regard, there is a great deal of available space in which the Commission may set minimums for local news in between “6 and 3¹” and “14 and 7.”² Unifor advocates those minimums should be set at 100% of each broadcaster’s actual news exhibition, or some reasonable figure just below. Otherwise it will be Canadian audiences who will be “punished.”

As Unifor stated during questioning by the Commission, there is no regulatory logic to setting slack standards for weekly news exhibition *and* non-binding expectations on local presence. That would mean there are relaxed standards for both quantity *and* quality of local news exhibition. It would be difficult to reconcile that regulatory approach with the following statement from the Commission in BRP 2016-224:

“As custodians of the television system, broadcasters have a special obligation to ensure that the system reflects our identity, contributes to our democracy and enhances our safety and security. Local news, information and analysis produced and distributed through the broadcasting system are of central importance to meeting these objectives of the Act and remain important today - not only as an expression of journalistic independence and a reflection of Canadians’ right to freedom of expression, but also as a key part of the Canadian democratic system and trust that Canadians place in it. Broadcasters have a duty to ensure that news reporting and analysis continues to be properly funded so that Canadians, as citizens, understand events occurring around them every day.”

¹ The “3” figure would have been “3.15” if the broadcasters had not rounded down the figure they calculated as 60% of local programming time.

² 10 and 5.25 hours when measured in segment minutes

Condition of Licence on Editorial Independence

Bell Media denies that it should accept a condition of licence on editorial independence as suggested in Commission questioning.

We need not launch into a lengthy overview of the recent threats to an independent press, and in particular journalists, both in Canada and the United States.

Moreover, we need not remind the Commission of the egregious facts of March 17, 2015 that underlies your suggestion of a condition of licence to safeguard editorial independence. If it were not for the courage of two veteran news journalists that evening, it would have been a dark night indeed for editorial independence in this country.³

Bell Media's opposition to a condition of licence addressing this kind of situation amounts to saying that it should not be "punished" when it does good things (exhibit local news) or when it does bad things (violate basic journalistic principles). That is not acceptable.

A condition of licence on editorial independence should be a condition of licence for Bell Media, and in fact for all broadcasters.

Condition of Licence: Potential Station Closing

We support a condition of licence requiring a lengthy advance notice of any station closing. At the very least, a notice period would provide a public opportunity to examine the business challenges in the local market which, in turn, would facilitate the opportunity for a new licence holder to step up.

Yours truly,



HOWARD LAW
Director
Unifor Media Sector

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³ <http://www.theglobeandmail.com/report-on-business/bell-head-meddled-in-ctv-news-coverage/article23607402/>