

The Writers Guild of Canada's Comment on Written Submissions

As part of the Canada Media Fund Industry Consultation

September 18, 2009

The Writers Guild of Canada (“WGC”) is the national association representing 2000 screenwriters working in English-language film, television, radio and digital media production in Canada. The WGC has been pleased to be involved in this Industry Consultation process. The issues involved are complex given the nature of the industry, the history of the CTF and the new mandate provided by the Department of Heritage. We agree that it is appropriate for the various stakeholders to review the issues and give the CMF staff and Board their informed and thoughtful comments on how best to proceed to transition the fund for the next fiscal year and those thereafter. The WGC has strived to provide the CMF with helpful comments on those issues of particular importance to the WGC’s members. We have read many of the other stakeholder submissions with interest and we look forward to healthy debates through the Focus Group process.

However, we do not think that it is appropriate for stakeholders to raise issues which have been addressed in the past and are no longer up for discussion in an attempt to either derail conversations or merely a refusal to accept the government’s decisions. In particular, the WGC was disheartened to see submissions from the Canadian Association of Broadcasters, CanWest Television and Corus Entertainment advocating loosening of eligibility to allow for 8 point production.

The WGC and other members of the creative community were very vocal in opposition to this recommendation during the CRTC’s Public Hearing on the CTF Task Force Report. We provided examples of how the added flexibility in talent citizenship did not guarantee domestic or international success. We argued that Canadian taxpayer and subscriber monies should only go to support Canadian talent. Individual members of the WGC cared enough about this threat to their careers to attend at the Public Hearing and share their experiences and their fears should this proposal be implemented. We were heartened by the CRTC’s recognition in their Report to the Minister of Canadian Heritage on May 5, 2008 that an 8 point fund would naturally

result in the 'loss of valuable Canadian talent' with no evidence that it would necessarily lead to greater audience success. The CRTC also noted that the CTF guidelines already had some flexibility to allow exceptions for some non-Canadian talent. The case had not been made for the necessity to expand those exceptions further.

After the CRTC presented its report to the Department of Heritage the WGC reiterated its concerns regarding an 8 point fund in a letter to the Minister of Heritage (Hon. Josée Verner at the time) on August 1, 2008. We again made our case that lowering the point count is no assurance of success but on the contrary is a clear reduction in support of Canadian talent. Canadian funding should not finance the careers of non-Canadians.

After due consideration of the issues and the copious documentation provided by the CRTC and stakeholders, the Department of Heritage chose to uphold the 10 point eligibility criteria. In Minister James Moore's announcement of the Canada Media Fund on March 9, 2009 there was no mention of reducing the point count in order to focus the fund on 'what Canadians want'. In subsequent technical briefings with senior staff at the Department of Heritage stakeholders were assured that the CMF would remain a fund for 10 point production. We were specifically assured that the 10 point eligibility criteria would remain part of the Funding Criteria in the Department's Contribution Agreement and therefore could not be amended by the guidelines.

The discussions have taken place, cases have been presented and decisions made. It is inappropriate therefore for certain broadcasters to keep proposing a reduced point count in this process. Nothing has changed in the interim. In fact, as can be seen by recent BBM numbers, the lower point count new series "Defying Gravity" has not done as well with audiences as the summer repeats of the 10 point production "Flashpoint". Consistently, Canadian audiences have flocked to 10 point productions more than to the lower point count 'industrial' Canadian programs: "Flashpoint", "The Listener", "Corner Gas", "Rick Mercer Reports" and "Little Mosque on the Prairie" are well-known and well-loved programs across the country.

As mentioned above, the WGC is very concerned that the broadcasters' proposals for reducing the point count and the stated plan to raise the issue at Focus Groups will divert conversations from the real business that needs to take place. Allocations between convergent and experimental streams, second platform content, definitions of documentaries, prime time, original and first run broadcast, audience success and ROI, eligible distribution entities etc. are all decisions that are within the jurisdiction of the CMF and will be better served with a full

discussion between stakeholders. These proposals to reduce the point count also create instability in the industry as creative talent start to worry about the implications of a fund open to non-Canadian talent. New business models featuring U.S. broadcasters have already raised concerns about U.S. control or influence on content and creative talent. Broadcaster lobbying for a reduced point count will encourage just a few more screenwriters, performers and directors to head to Hollywood rather than stay and struggle to get hired at home.

The WGC therefore calls on the CMF to clearly state that the 10 point eligibility requirement cannot be amended through guidelines and will not be a topic for discussion during Focus Groups. We ask that you assure Canada's talent pool that the federal government and its programs support them. Then we can focus on what is really important.