

July 22, 2024

Filed Electronically

Marc Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Mr. Morin:

Re: Broadcasting Notice of Consultation CRTC 2024-67: Call for comments – Co-development of an Indigenous Broadcasting Policy

1. The Writers Guild of Canada (WGC) is the national association representing approximately 2,500 professional screenwriters working in English-language film, television, radio, and digital media production in Canada. The WGC is actively involved in advocating for a strong and vibrant Canadian broadcasting system containing high-quality Canadian and Indigenous programming.
2. The WGC is pleased to participate in this process as set out in Broadcasting Notice of Consultation CRTC 2024-67: Call for comments – Co-development of an Indigenous Broadcasting Policy (the Notice). The WGC supports the Commission's stated objective in the Notice of ensuring that all forms of broadcasting in Canada, whether online or through radio and television, meet the needs and interests of Indigenous peoples. Given the nature of our organization, we particularly agree with the Commission's objective of supporting content creators, and making sure Indigenous stories and voices are represented, easily found, and shared across the broadcasting system.
3. Canadian Indigenous screenwriters are some of the most vulnerable, under-represented, and under-employed in our industry. It is our hope that this process will benefit Canadian Indigenous screenwriters, along with Canadian Indigenous producers and directors.

WGC Data on Indigenous Screenwriters

4. The WGC collects information on writers' room configurations, earnings and credits from members, productions and publicly available industry sources. Membership and demographic data are collected and maintained by the WGC. WGC members are encouraged to voluntarily self-identify to assist in data collection. This data is used to produce the annual WGC Equity, Diversity and Inclusion Report. The latest iteration of this report was published in October of 2023, it covers 87 series (58 live action and 29 animation) that were in production in 2022, in addition to 368 series covered in the period from 2018 to 2021, and focuses on writers belonging to the following groups: Indigenous, Black, People of Colour, LGBTQ2S, and People with Disabilities.¹
5. The percentage of new members joining the WGC that are indigenous has increased steadily from 1% of new members in 2018, to 7% in 2022.² Despite this increase, the participation of Indigenous writers remains markedly low, with 1.5% of our total membership self-identifying as Indigenous.³
6. The share of WGC's Indigenous member screenwriters working in television⁴ remains low when compared to population numbers. Indigenous peoples represent 5% of the Canadian population according to the latest census,⁵ but the percentage of Indigenous writers working in television was only 2.5% in 2022, with these writers getting just 2% of all writing jobs.⁶
7. WGC data demonstrates a lack of job stability, as seen in the percentage of Indigenous working members from year to year. This is explained by Indigenous writers being almost exclusively engaged on series with Indigenous themes. Therefore, the share of Indigenous members working at a given time tends to follow the volume of Indigenous productions in that year. In 2019, for example, the WGC reported that 4% of members working in television were Indigenous. The following year, the WGC reported 1% of working members were indigenous.⁷

¹ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report (https://www.wgc.ca/sites/default/files/2023-10/WGC_EDI-Report_2023.pdf)

² Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pg. 7.

³ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pg. 8.

⁴ The Guild considers a writer as a "working writer" when they get at least one writing contract in a given year.

⁵ 1 Statistics Canada. 2022. (table). Census Profile. 2021 Census of Population. Statistics Canada Catalogue no. 98-316-X2021001. Ottawa. Released October 26, 2022.

⁶ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pg. 9.

⁷ Writers Guild of Canada 2021 Equity, Diversity and Inclusion Report, pg. 7. (https://www.wgc.ca/sites/default/files/2021-10/WGC.EDI_Report.Oct21.pdf)

8. The participation of working Indigenous writers varies across formats. In live action, Indigenous writers represent 3.1% of working writers, and get 2.4% of jobs. In animation, they represent 2.1% of working writers and get 1.3% of jobs.⁸
9. Indigenous writers only make 1.8% of earnings made by WGC members working in television. When looking at earnings categories, the WGC reported that more than half of working Indigenous writers made less than \$50,000 derived from writing contracts in 2022.⁹
10. In live-action series, screenwriters in writers' rooms are given staffing credits (e.g., Executive Producer) that indicate seniority within the room, and these staffing credits influence compensation, responsibilities, and writing assignments. According to WGC data, the share of Indigenous writers receiving mid and upper-level staffing credits in 2022 decreased when compared to 2021. However, the WGC data also shows that there are writers with sufficient experience to take on roles with higher responsibility and compensation within writers' rooms. In 2021, for example, 5% of Consulting Producer and 7% of Supervising Producer Credits went to Indigenous writers.¹⁰ As such, there remains a glass ceiling for Indigenous writers to obtain higher-level credits such as Co-Executive Producer and Executive Producer (showrunner) credits.

The Definition of “Indigenous Audio-visual Content”

11. The WGC has spoken at length in other proceedings about the essential role of screenwriting in the process of audio-visual content creation. This is as true in the context of Indigenous content as in any other. Here as anywhere, it is vital to understand how—especially when we're talking about genres like drama, comedy, and children's programming—creative work actually happens. It starts with writing. As legendary director Alfred Hitchcock said, “To make a great film you need three things – the script, the script, and the script.”
12. Despite some popular misconceptions, a film or television script is not an outline, a set of suggestions, or “just the dialogue.” It is, fundamentally, the production on paper. A script describes all the meaningful action that will take place on screen. It contains virtually all the lines to be spoken and establishes the characters who speak it. It describes the settings, locations, mood, and themes. It tells the beginning, middle, and end of the story. It describes the sets to be built and the props to be obtained or manufactured. It is the narrative of the production and the roadmap for everybody who works on it subsequently. It is what the producer finances and produces, the dialogue

⁸ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pg. 12-13.

⁹ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pgs. 17-18.

¹⁰ Writers Guild of Canada 2023 Equity, Diversity and Inclusion Report, pg. 26.

the actors memorize, and what the director directs. The script is ground zero for the artistic vision, from art direction to wardrobe to pace, tone, and style.

13. In dramatic television series, the importance of the scripts—and the writers who write them—is especially pronounced. As stated by television critic Tim Goodman in a 2018 article for *The Hollywood Reporter*, “Television is a writer's medium. Always has been. ...Great dramatic television is serialized; the stories are ongoing, often from season to season, weaving a vast, multiple-hour tale.” Comparing series television to the novel, Goodman says, “in television, the actual telling of the story is everything—the narrative flow of that story and the character development within that story solidify greatness, if present.”¹¹ It is difficult to overstate this fact.
14. The current Golden Age of American television was born in the 1980s with the rise of the showrunner. A showrunner is a writer-producer who is the chief custodian of the creative vision of a television series and whose primary responsibility is to communicate the creative vision of that series through control of both the writing process and the production process—often from the pilot episode through to the finale. Showrunners are often the creators of their shows, and are more closely associated with their creative success than anybody else. See *The Sopranos*' David Chase, *Breaking Bad*'s Vince Gilligan, and *I May Destroy You*'s Michaela Coel. In Hollywood, showrunners are part of a star system and attract much publicized, top-dollar deals. Where content is truly king, companies know to invest in great writing.
15. In film and television production, there are numerous creative and non-creative roles, all of which are important contributors towards putting a project on the screen, and the system should value all of them appropriately. Yet the fact remains that, in serialized television, whether on traditional broadcast or streaming services, no other role is as creatively foundational as the showrunner and the screenwriters in their writing room that they manage. They are the authorial voice of the medium and the source of the authenticity of the stories they write. This applies as much to Indigenous screenwriters as any other.
16. In light of this, and following consultation with a number of our Indigenous members, the WGC submits that the definition of Indigenous audio-visual content must include a requirement that the project be written by an Indigenous screenwriter, especially in television.

¹¹ Goodman, Tim, “Critic's Notebook: The Rise of the TV Auteur? No Thanks.” *The Hollywood Reporter*, October 10, 2018, <https://www.hollywoodreporter.com/bastard-machine/critics-notebook-rise-tv-auteur-no-thanks-1150887>.

17. As stated in the Notice:¹²

In Broadcasting Decision 2022-165, the CRTC defined an “Indigenous producer” as an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and who resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and who reside in Canada. In the definition of “independent production company,” a “Canadian company” also includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

QC7. Do the definitions presented above properly define Indigenous content?

18. In our view, the short answer to this question is no. The above definition refers solely to the status of the producer or an independent production company. While this may be an important factor, given the essential nature of the screenwriter and showrunner positions as the creative, authorial voice in television, we submit that any definition of Indigenous audio-visual content must also include a requirement that those positions be held by Indigenous persons.

19. Another component of this issue is the matter of Indigenous creators outside of Canada and the role of colonial borders in relation to Indigenous content. The Indigenous Screen Office (ISO) stated in its initial written submission to Broadcasting Notice of Consultation CRTC 2023-138:

The ISO has an exemption in our Contribution Agreement with Canadian Heritage to allow us to support content creation where key creatives may be across borders, a particularly urgent need for those working with shared cultural and linguistic relations in Greenland and the US. This is a major advocacy issue for the ISO and this process opens an exciting opportunity to define Indigenous content as Indigenous people define it, which goes beyond the colonial imposed borders.¹³

20. In the WGC’s consultations with our Indigenous members, we heard both an understanding of the rationale for this approach, but also a concern about its potential impact on Indigenous screenwriters residing in Canada. Some Indigenous WGC members felt that while colonial borders have historically divided Indigenous communities, there also exists a distinct Canadian-Indigenous experience that only Indigenous Canadians have lived and fully understand. Moreover, some of our

¹² The Notice, para. 80.

¹³ Para. 43.

Indigenous members were concerned about the potential for losing out on vitally important work opportunities to Indigenous screenwriters from the United States, and that the dominance of the American industry writ large could translate into a similar dynamic in the context of Indigenous content within the Canadian broadcasting system.

21. As described above, the WGC's Indigenous members are under-represented and under-employed in the Canadian film and television sector. To reiterate, the share of Indigenous writers working in television remains low when compared to population numbers, and the percentage of Indigenous writers working working in television was only to 2.5% in 2022. The WGC submits that the Commission's Indigenous Broadcasting Policy must fundamentally improve this situation in order to be considered a success. The participation of Indigenous screenwriters who reside in Canada must be an important element of the definition of Indigenous audio-visual content.

The WGC supports the Indigenous Screen Office

22. The WGC supports the Indigenous Screen Office (ISO), and the vitally important work it has done, and continues to do, in support of Indigenous creators. We recognize the importance of including the ISO in the Canadian audiovisual framework and assigning significant resources for the organization to continue with its important mission.

Conclusion

23. We thank the Commission for the opportunity to participate in this proceeding.

Yours very truly,



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Cc: Victoria Shen, Executive Director, WGC
Council, WGC