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Commission
Session II
Introductory Statement**

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Good morning. It's a real pleasure to be here and a privilege to be able to contribute to the discussion of such an important and topical issue.

I would like to share with you the Canadian experience in fostering mutual respect and understanding through our broadcast media and in dealing with questions of fair and accurate portrayal of minority groups on television and radio. I will focus on our experience with industry-developed solutions and broadcast codes; initiatives that are developed and agreed upon by broadcasters themselves in consultation with the communities in question.

The CRTC (Canadian Radio-television and Telecommunications Commission) is an organization independent from government that is charged with regulating and supervising the broadcasting and telecommunications industries. A key part of our mandate is to ensure that the broadcasting system in Canada is effectively owned and controlled by Canadians and provides pride of place for Canadian expression, programming, music and other creative talent. The legislation that sets out our mandate on the broadcasting side (Broadcasting Act) specifies that the Canadian broadcasting system should serve to safeguard, enrich and strengthen the cultural, political, economic and social fabric of Canada.

Canada is one of the most ethnically and culturally diverse countries in the world. It is home to people of more than 200 different ethnic and cultural groups. Approximately 20% of our population was born outside the country. As in many countries, Canada's visible minority population is expected to continue to increase. It is projected that by 2017, one Canadian in five will be a visible minority and that visible minority groups will account for approximately 85% of our overall population growth.

Canada's broadcasting system serves its ethnocultural and Aboriginal communities in a variety of ways. The CRTC licenses radio and television services to provide programming specifically by and for ethnic and Aboriginal communities. There are currently over 100 3rd language ethnic radio and television services, numerous Aboriginal radio and tv stations, and Aboriginal Peoples Television Network, a national network available to all Canadians. Providing Canadians from all backgrounds with the opportunity to participate in the broadcast media is but one piece of the puzzle.

In the view of the CRTC, all broadcast media can play an important integrative role in society by fostering mutual respect, acceptance and understanding of minority groups. In fact, we believe that mainstream broadcasters have a responsibility in this regard -- to respect, reflect and actively promote Canada's diversity.

What this boils down to is developing a system that is inclusive; one that reflects all Canadians to each other and that respects equal rights of women, visible minorities, Aboriginal peoples, persons with disabilities and other minority groups.

Television should be an accurate reflection of the society it serves, but this is not always the case.

Recent research shows that while Canadians of Asian and Southeast Asian descent represent Canada's largest visible minority population, they are significantly under represented on television.

Similarly, Aboriginal peoples are virtually absent from the screens of private television in Canada. In fact, they are "persistently invisibilized by the media and continue to be one of the most misrepresented and stereotyped groups in Canada."

What message does this send to viewers? The lack of presence of specific groups in our mainstream media sends a signal to the communities in question and to Canadians overall that these groups are not part of Canadian society; in fact, it denigrates their value as equal members of society.

Reflecting diversity is not simply a matter of putting faces on the screen. Fair and accurate portrayal is a fundamental responsibility in this regard as it helps to ensure respect and understanding of the many communities that

make up our population. The manner in which a group is portrayed by the media can have a significant impact on how others perceive that community and how members of the community perceive their place in society. Stigmatization and stereotyping of a given minority group, for example, can contribute to its marginalization and prevent full contribution and participation in society.

Take for example victimization. Research shows that on television in Canada, persons with disabilities, when shown, tend to be portrayed as vulnerable or weak; as victims of a crime or other wrong doing. This, in turn, can strongly influence the way in which viewers perceive a person with a disability – as weak, vulnerable and incapable, and can contribute to their exclusion from employment and other areas of life.

Racialization of crime in news and drama. Anti-immigration sentiment in the news. Reinforcement of negative stereotypes of Aboriginal peoples as ‘problem people’. These were also found to be prevalent in recent studies. These patterns can reinforce an “us” against “them” mentality that generates hostility towards visible minorities and Aboriginal peoples.

Industry-Developed Solutions

Fostering cultural diversity in broadcasting has been a key priority for the CRTC in recent years. Our focus in this regard, as in other areas of social policy, is on industry-developed solutions and broadcast codes.

The strategy we have taken is to impose obligations on broadcasters to improve representation and portrayal in the media, but to put the onus on the industry itself to come up with the initiatives and solutions to accomplish this. We have found that this strategy increases broadcasters’ understanding of the issue at hand and tends to result in greater acceptance by the industry. It also generates solutions that are consistent with broadcasters’ business strategies.

For example, upon request by the CRTC to take action, the Canadian Association of Broadcasters (CAB) – which represents Canada’s private broadcasters -- undertook extensive research into the reflection of visible minorities and Aboriginal peoples on television. It also conducted extensive research on the representation and portrayal of persons with disabilities on TV. Based on its research findings and consultations with communities, the

CAB developed an extensive set of best practices for broadcasters, along with specific industry initiatives.

The best practices – which virtually all private broadcasters have committed to -- deal with many aspects of a broadcaster's operations, both on- and off-screen, such as recruitment and hiring, internships, news and information programming, and community connections. For example, one of the best practices dealing with news programming provides that: "A television, specialty, or pay broadcaster will diversify its use of experts on air to include individuals from a broad range of ethnocultural and Aboriginal backgrounds." Broadcasters have implemented this in various ways, such as diversifying their contact data bases and holding open houses with experts from ethnocultural communities in order to generate new contacts.

The CAB has also been implementing a variety of initiatives on its own and with industry partners to advance diversity goals within the broadcasting system – for example, developing an industry website on diversity initiatives and programs, and creating a public service announcement directed at influencing a positive shift in public attitudes about persons with disabilities.

The Commission monitors how individual broadcasters and the industry association are progressing through annual reports that they file.

In addition to the best practices and industry initiatives, broadcast codes for programming standards play a critical role in the Canadian broadcasting system by setting out industry standards and specific guidelines for portrayal and other programming content. Broadcasters adhere to a variety of codes, addressing areas such as gender portrayal, ethics, violence on television and advertising to children. Through these codes, broadcasters commit to respect the interests and sensitivities of the people they serve, while meeting their responsibility to preserve the industry's creative, editorial and journalistic freedom. Broadcasting codes are developed by the industry, sometimes at the request of the Commission and other times are initiated by the industry itself.

The beauty of industry codes is that they are created and agreed upon by the broadcasters themselves, and are developed in consultation with the public. Hence they contain generally agreed upon principles and serve as the basis for adjudication in the event that a complaint is received about programming content.

For example, the Canadian Association of Broadcasters' *Code of Ethics* prohibits abusive or unduly discriminatory comments based on race, religion, national or ethnic origin, skin colour, gender, sexual orientation and so on. It prohibits unfair or unsafe contests. It requires that news be presented accurately and without bias.

The CAB's *Sex-Role Portrayal Code* stipulates that men and women should be portrayed as intellectual and emotional equals. It says that negative or degrading comments are to be avoided. It also provides that the sexualization of children is unacceptable.

The industry is currently working on a new portrayal code to address the concerns that have been raised in research about the portrayal of visible minorities, Aboriginal peoples and persons with disabilities on television.

Most broadcasters in Canada are members of the Canadian Broadcast Standards Council (CBSC). The CBSC is a self-regulatory, independent, non-governmental body that administers broadcaster codes and adjudicates complaints. The CRTC remains the final arbiter in the event that a complainant isn't satisfied with the outcome from the CBSC. However, it is rare that we have to exercise that power. In our experience, the self-regulatory system works because it strikes a nice balance among the needs of the public, the CRTC and the broadcaster.

In addition to industry codes, the CRTC has a regulation in place that prohibits the broadcast of comments that are likely to expose a group to hatred or contempt based on race, national or ethnic origin, colour, religion, sex, sexual orientation, age, mental or physical ability. This prohibition is consistent with the Canadian *Charter of Rights and Freedoms* which protects "freedom of thought, belief, opinion and expression", subject "to such reasonable limits ... as can be demonstrably justified in a free and democratic society."

We refer to our regulation as "abusive comment". Abusive comment is an extreme situation. It is important to understand that it is a very high threshold in terms of intervening or limiting speech. Our experience has shown that CRTC intervention is required in very few and only very clear instances of hatred or contempt. Our focus is on ensuring the broadcaster takes corrective action and puts measures in place to prevent recurrence of

similar situations. There has been one instance in which the CRTC did not renew the licence of a broadcaster because of abusive comments that were aired. This was an unusual circumstance in which there were repeated instances of abusive comments over years, a flagrant disregard for Commission regulations, and lack of attempt on the part of the broadcaster to take corrective measures.

Conclusion

In Canada, the right to freedom of expression comes with responsibilities. This is especially the case in broadcasting, where the privilege to be able to operate a radio or television station is granted to relatively few citizens. As a result, we as regulators, and the broadcasters themselves, generally recognize that broadcasters are most likely to enjoy the benefits of journalistic freedom and creative independence when their responsibilities are clearly articulated and agreed-upon by all involved. In this kind of environment, the rules are made clear through the development of consensus-based solutions to challenges such as the fair, accurate and equitable portrayal of minority groups.

In our experience, building consensus involves a combination of key elements, including:

- engaging in research to identify the roots of specific problems or concerns and develop potential solutions
- collaborating with communities, broadcasters and the regulator to share knowledge, develop expertise and build relationships of trust
- encouraging and supporting leadership within the industry
- ensuring broadcaster accountability (to both the regulator and the public) through formal, public commitments that are concrete, specific and measurable over time.

These steps take time and patience, but are worthwhile when they create an environment where all perspectives and points of view can thrive in a culture of respect and understanding.

Thank you very much for your patience in listening to me this morning and I look forward to your questions.

CRTC links:

CRTC web site: www.crtc.gc.ca

- Broadcasting Act: <http://www.crtc.gc.ca/eng/LEGAL/BROAD.htm>
- *Commission's response to the report of the Task Force for Cultural Diversity on Television*, Broadcasting Public Notice CRTC 2005-24, 21 March 2005
<http://www.crtc.gc.ca/archive/ENG/Notices/2005/pb2005-24.htm>
- *Commission's response to the Canadian Association of Broadcasters' final report on the presence, portrayal and participation of persons with disabilities in television programming*, Broadcasting Public Notice 2006-77, 19 June 2006
<http://www.crtc.gc.ca/archive/ENG/Notices/2006/pb2006-77.htm>

Canadian Broadcast Industry links:

Canadian Association of Broadcasters (CAB): <http://www.cab-acr.ca>

- Social Policy Issues: <http://www.cab-acr.ca/english/social/default.shtm>
- Diversity in Broadcasting:
<http://www.cab-acr.ca/english/social/diversity/default.shtm>

Canadian Broadcast Standards Council (CBSC): <http://www.cbsc.ca>

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