

**OMNI CHANNEL AND CANADIAN ETHNIC MEDIA:  
A CRITICAL CASE STUDY OF THIRD LANGUAGE BROADCASTING POLICY**

**by**

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## **Abstract**

The foundations of the Canadian broadcasting system are pillared by the recognition of Canadian culture through language. The Canadian Radio-Television and Telecommunications Commission (CRTC) recognizes this by setting minimum broadcasting content requirements for Canada's English, French, Métis and First Nation's language on Canadian television channels. What is exempt from this requirement is the remaining media: the ethnic or third language media.

This investigation set out to review the history of ethnic media policy from 2007 to 2019 through a case study of the OMNI multicultural channel because of its significant role as the largest multicultural and multilingual media company in Canada. Findings of this case identify policy gaps that question how well CRTC regulations serve the Canadian ethnic media audience. This study has identified key CRTC broadcasting notices and public hearings for close documentary analysis to create a case study timeline for ethnic media programming.

Results of this investigation show how private ethnic media companies, such as OMNI, are tailoring their broadcasting schedules to benefit from their Category A channel statuses; yet, fail to challenge the status quo to meet the rapidly changing needs of the ethnic media audience. Audience competition for licensed programming, new media and a globalized media environment is evolving with technological developments that do not support the existing ethnic media programming model.

The findings will be of interest to key broadcasting private media companies, advertisers and ethnic media audiences that benefit from the Canadian third language programming. News media is valuable for community building, but there is an informational gap for Canadians who remain uninformed due to language barriers. New media and globalization shed a new light on the future of programming for the Canadian ethnic audiences and Canadian broadcasting policies.

**Keywords:** ethnic media; third language media; streaming; digital broadcast; multilingual; CRTC ethnic broadcasting policy

## **Dedication**

Thank you to the family, friends and instructors who supported me throughout my program.

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## List of Acronyms

APTN	Aboriginal People's Television Network
CBC	Canadian Broadcasting Corporation
CRTC	Canadian Radio-television and Telecommunications Commission
OTT	Over-The-Top broadcasting
BDU	Broadcasting Distribution Undertaking (CRTC, Public Notice 2008-100)
VOD	Video-On-Demand

## Glossary

Ethnic Media	: Media produced “by and for a minority group” (Matsaganis, Katz and Ball-Rokeach, 2011 pg. 10)
Ethnic Programming	: The CRTC Glossary defines this term as “programming, including cross-cultural programming, that is specifically directed to any culturally or racially distinct group rather than one that is Aboriginal Canadian or from France or the British Isles. Ethnic programming may be in English, French, a third language or a combination of languages. Where television programming includes subtitles, the audio portion of the program determines the language. For radio, the spoken word component of the program determines the ethnic group being served.” (CRTC Glossary 2015)
Third Language	: The CRTC regards Third Language as “programming in languages other than French, English or those of Aboriginal Canadians” (CRTC, Public Notice 1999-117)
Broadcasting in new media	: The CRTC Glossary defines this term as “the migration of digital broadcasting content to mobile and Internet Protocol distribution. New media broadcasting undertakings provide broadcasting services delivered and accessed over the Internet.” (CRTC Glossary 2015)
Channel	: “A specified frequency band for the transmission and reception of electromagnetic signals, used in conjunction with a predetermined letter, number, or codeword” (CRTC, Glossary 2015)
Category A Channel	: A channel that holds the status of “must carry” on all basic cable packages
Category B Channel	: A channel that may be purchased as part of a cable bundle package or added individually to a cable package
English or French language Channel Services	: Subject to the conditions of the channel’s license: -In the first year of operation, the licensee shall devote not less than 15% of the broadcast year and of the evening broadcast period to the broadcast of Canadian programs  -In the second year of operation, the licensee shall devote not less than 25% of the broadcast year and of the evening broadcast period to the broadcast of Canadian programs.  -In the third year of operation, and in each year thereafter, the licensee shall devote not less than 35% of the broadcast year and of the evening broadcast period

to the broadcast of Canadian programs.” (CRTC, Public Notice 2000-171-1)

Ethnic Channel Requirements

: Canadian ethnic broadcasting companies are required “to air at least 50% third language programming” (CRTC, Public Notice 1999-117

In addition, “in each broadcast year or portion thereof, the licensee shall devote not less than 15% of the broadcast year and the evening broadcast period to the broadcast of Canadian programs” (CRTC, Public Notice 2000-171-1) (See above)

New Media

: The CRTC defines this term as “media services delivered through the Internet. It encompasses a diverse range of communications products and services that make use of video, audio, graphics and alphanumeric text. Such services include but are not limited to video games, electronic mail (e-mail), on-line paging services, faxing, electronic commerce, and Internet Protocol (IP) telephony.” (CRTC Glossary 2015)

Over-The-Top broadcasting

: This term refers to streaming services which air licensed and original programming over the Internet to users and/or paid subscribers. “programming independent of a facility or network dedicated to its delivery (via, for example, cable or satellite) is the defining feature of ‘over-the-top’ services.” (CRTC, 2011, pg.1)

Programming

: The CRTC defines this term as “Broadcast[ed] presentation of sound (for radio) or of sound and visual (for television) matter that is designed to inform or to entertain but does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text.” (CRTC Glossary 2015)

Video-On-Demand

: The CRTC defines this term as, the ability for “customer access, via a digital cable set-top box, to browse large libraries of audio-visual content including feature length films, television programs and a variety of sporting events. A point-to-point unicast connection is set up between the customer’s decoder (set-top box or PC) and the delivering streaming server. Programming can be accessed on a pay-per-view or subscription basis, or can be available for free to digital subscribers.” (CRTC Glossary 2015).

*“Today, we took note of the final text of the government’s policy direction, which requires that the CRTC consider how it can promote competition, affordability, consumer interests and innovation in its decisions on telecommunications matters.”*

**-Ian Scott, Chairperson and CEO of the CRTC (Scott, 2019)**

## **Introduction**

The Canadian media landscape is painted with a multitude of cultural influences. The foundations of our broadcasting system are based on our recognition of English, French, Indigenous and First Nations influences. What is excluded from this system is the remaining media: the *third language media*. In the discourse on Canadian broadcasting, there is a distinction in the use of *third language* to refer to media in languages commonly spoken in Canada but not an official language. In most cases this refers to Arabic, Italian, Spanish, Cantonese, Mandarin, Punjabi or Tagalog (Statistics Canada, 2016). The CRTC has constructed a system of media using terms such as *third language* and *ethnic media* as categories, used to encapsulate an identity that is built up of ‘others’—not English, not French. This thesis argues that Canadian broadcasting policy has failed to adequately meet the needs of ethnic audiences. Instead, what results is a system that demands linguistic assimilation and provides limited public models for multicultural content selection and choice.

The Canadian Radio-television and Telecommunications Commission (CRTC) uses *third language* to refer to media content not in English, French, Metis or Indigenous language. Sociologists and multiculturalism scholars use the term *ethnic media* to describe *third language* speakers. The ethnic media discourse focuses on the cultural implications of language and ethnicity within population groups. In Canada, diasporas both newly immigrated and multi-generational recount the unique experience of bridging cultures between diasporic homelands and Canada.

Understanding the distinction between these terms and the schools of thought is critical to this study. Throughout my paper I will use the term *ethnic media* to refer to this population, as I will discuss the cultural ties and immigrant experience that is implied by this terminology (Yu, 2015).

The objective of this thesis is to identify key issues in Canadian ethnic broadcasting policy from 2007-2019. To achieve this, I developed a case study of OMNI Multicultural Channel, which examines how well the CRTC has served the ethnic media audience. This research compiles CRTC television broadcasting notices and public hearings for documentary analysis to as evidence for my case study. From this case study, I will draft policy recommendations based on my documentary research and case study.

The 1991 Broadcasting Act is Canada's framework for understanding media and a guide for policymakers in regulating Television and Radio broadcasters and their content. Third language media in Canada is rooted in the nation's approach to bilingualism<sup>1</sup>. Media policy has operated in two languages since Canadian broadcasting policy began in 1929 through the Aird Commission. The Commission was instrumental in forging a space for Canadian content creators in the radio broadcasting system, and these policies transferred over to television. As a result, the history of bilingualism<sup>2</sup> is reflected in the most recent iterations of the Broadcasting Act.

For regulators, categorizing ethnic groups by language is a practice based on historical approach to assimilation<sup>3</sup>. This is reflected by third language news and broadcast programming as a source of community building for ethnic diasporas (Matsaganis et al., 2011). Today, language in quality ethnic broadcasting is supported by local ethnic media production companies and supported by channel access to foreign third language channels available for Canadian cable subscribers. These local and global interests are documented in key CRTC notices within the 2007-2019 timeline and identify key opportunities where the CRTC has historically fallen short for the ethnic media populations. This timeline of Canadian ethnic media programming documents how policy sought to regulate local and foreign ethnic media broadcasters.

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<sup>1</sup> Bilingualism in Canada references English and French directly and has direct policies referring to Indigenous languages as a separate Canadian language.

<sup>2</sup> This research uses data provided by the 2016 Statistics Canada Census on Population. The data presents information on reported ethnic or cultural origins in Canada.

<sup>3</sup> Assimilation in media refers to the act of using media as a method of integrating new immigrants into society (Fleras & Elliott, 2002).

The Canadian Radio-Television and Telecommunication Commission (CRTC)<sup>4</sup> is charged with regulating the nation's radio, television broadcasting and telecommunication policy<sup>5</sup>. To a great extent telecommunications, television and radio systems have become essential components of modern Canadian life (Natale et al., 2016), thus, its role is quite valuable to keep checks and balances between private companies and keeping them in line with the country's needs. The CRTC's role is outlined in the 1991 Canadian Broadcasting Act, which empowers the body with the ability to regulate the methods of media consumption (radio or television), but also the type of content aired on these media<sup>6</sup>.

The CRTC has identified language as the defining requirement for ethnic media produced for Canadian television. The Broadcasting Act outlines clear requirements for content produced by Canadians for the ethnic groups in the respective third languages. The requirements are outlined such that Canadian ethnic broadcasting companies are required "to air at least 50% third language programming (CRTC, Public Notice 1999-117). Additionally, "in each broadcast year or portion thereof, the licensee shall devote not less than 15% of the broadcast year and the evening broadcast period to the broadcast of Canadian programs (CRTC, Public Notice 2000-171-1). The benchmarks for channels to air specific content at certain times of day have not undergone any major revisions since the 1991 Broadcasting Act. As the national regulator, the CRTC has a seemingly broad influence; yet, is restricted to making broadcasting decisions that are largely reactionary rather than proactive.

Historically, Canadian broadcasting policy has focused on assimilation for non-English or French speaking populations (Raboy, 1990). However, over years of migration, Canada's linguistic makeup has changed significantly to include languages from around the world such as Italian, Arabic and Chinese.

Canada is unique in that its population is made up by a majority who are immigrants or their descendants. Canada's diversity represents a wide range of

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<sup>4</sup> In terms of telecommunications, the CRTC works to put regulations in place that secure accessible infrastructure and connectivity for Canadians.

<sup>5</sup> As of 2018 the CRTC has not released a Public Notice to formally regulate the Internet as it operates. Instead, it regards Internet policy through the lens of intellectual property, digital piracy and regulating illegal services that are operated over the Internet.

<sup>6</sup> Content regulation follows requirements for Canadian content and especially in the case of ethnic media, language requirements.

diasporic homelands—each with its own variety of cultures and languages. In 2017, Statistics Canada produced a “Census in Brief” analyzing the 2016 Census data on ethnic and cultural origins of Canadian populations. It reported that “7.8% of the immigrant population reported a mother tongue other than English or French... The largest share, 38.2% simply said their mother tongue was Chinese. Another 34.4% reported Cantonese and 24.6% reported Mandarin” (Statistics Canada, 2017). This data reveals the extent of change for Canada’s linguistic landscape, but how much has Canadian policy changed to reflect this?

To fill a need for the multilingual content market, the CRTC has called for applications from television channels that operate in third languages. For example, large language groups such as Cantonese and Punjabi fit the third language category, and multiple companies have designed ethnic programming around these language audiences. These channels have operated in single languages or represent multiple language groups—the largest multilingual channel being OMNI Channel.

In 2017, OMNI Channel successfully bid for a Category A (“must carry” license)<sup>7</sup> under the name OMNI Regional. The parent company, Rogers Media emphasized its importance as a multilingual news source for local communities and presented the Regional brand as a regionally specific multilingual channel catering to the Vancouver, Calgary, Toronto and Montreal diasporic communities. When the company eliminated its multilingual news programming in 2015 (Haupt, 2015), they cited advertising revenue as the primary challenge in meeting the ethnic audience needs. In removing the locally produced multilingual news casts, the company significantly impacted the local news content diversity<sup>8</sup>. Thus, the company argued that it would revive its service to these communities again but with a revitalized funding model based on the Category A “must carry” funding. This history is the inspiration and subject of my case study, which is built up of CRTC public notices and broadcasting decisions.

OMNI’s status as Canada’s largest and best-known multicultural channel is the result of its diverse programming, language inclusions and original multilingual news content. Yet, how does ethnic media service shore up to the group’s needs compared to

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<sup>7</sup> Category A television channels hold the status of “must carry” on all basic cable packages. Whereas, Category B channels may be purchased as part of a cable bundle package or added individually to a cable package.

<sup>8</sup> Backlash in response to this identified how critical the service was to the subscribers to the 2015 Category B status OMNI Channel. In 2015, Rogers Media cut original OMNI news broadcasting in Punjabi, Mandarin, Cantonese and Italian (Haupt, 2015).

the content that the channel produces? In terms of ethnic media as a whole, are the community's needs being met by the current model?

I have chosen to investigate the OMNI regional case because as a channel it has been vital in Canada's ethnic media environment. "Rogers media president Keith Pelley said OMNI was in a "financial crisis," as ad revenues for the multicultural network had plunged from \$80 million in 2011 to \$35 million in the 2013-14 broadcast year" (Haupt, 2015). The 2017 OMNI Regional case outlines the channel's transition from a Category B option to a Category A "must carry" channel. Analyzing OMNI's pursuit of a Category A license is critical as it considers what changes have been made to differentiate the channel from a "financial crisis" to a culturally significant Canadian service. The Category A status secures OMNI with a stable form of income from the mandatory cable subscription revenue, but if technology shifts away from cable changes, it alludes to larger problems for the future of OMNI Regional—and ethnic media broadcasting in general.

As technology evolves, Canadian policymakers are tasked with responding to changes in Canadian broadcasting audience patterns. The CRTC has kept regulating the Internet at an arm's distance, but as the Internet and over-the-top broadcasting<sup>9</sup> (OTT) become increasingly popular, regulators have analyzed the future of Canadian broadcasting in the CRTC's 2018 study "The Future of Programming Distribution in Canada". This element of technological development is the final element in telling the future story of ethnic media broadcasting in Canada.

## **Definitions:**

I have chosen to define my study of *ethnic media* in Canada using the wording provided by the CRTC. The CRTC's Public Notice 1999-117 is Canada's most recent update of its Ethnic Broadcasting Policy. In this review, the commission updated its definitions of *third language media*, *ethnic programming* and *Canadian content requirements for ethnic programming* from 1985 definitions.

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<sup>9</sup> This term refers to streaming services which air licensed and original programming over the Internet to users and/or paid subscribers. "programming independent of a facility or network dedicated to its delivery (via, for example, cable or satellite) is the defining feature of 'over-the-top' services." (CRTC, 2011, pg.1)

The commission defined *third language media* as “in languages other than French, English or an Aboriginal language” (CRTC 1999-117). Additionally, these media were tasked with conditions of minimum programming requirements: “ethnic stations must air at least 50% third-language programming. This regulation may be varied by condition of license” (CRTC 1999-117).

The commission defines *Ethnic programming* as “[a program], in any language, that is specifically directed to any culturally or racially distinct group other than one that is Aboriginal Canadian or from France or the British Isles”. A cross-cultural program also qualifies as ethnic programming provided, once again, that it is “specifically directed to any culturally or racially distinct group other than one that is Aboriginal Canadian or from France or the British Isles” (CRTC 1999-117). These other cultural or racially distinct groups are distinct in that they are outside the programming identified as British, French or Aboriginal but not themselves limited by language in this definition of programming.

The CRTC definitions for third language and ethnic programming work in conjunction with each other as they both serve the same indicated migrant populations, but a distinct difference between them is the inclusion of language in the commission’s definition of cultural and racial groups.

In the Public Notice, the CRTC chose to use the same definition of *Canadian content requirements for ethnic programming*: “Ethnic television stations are subject to the same minimum Canadian content requirements as private non-ethnic stations: 60% overall and 50% during the evening broadcast period. These requirements may be varied by condition of licence” (CRTC 1985-139). These definitions are imperative to my study of Canada’s current ethnic programming landscape as the content requirements are critical to each channel’s role as upholding the Broadcasting Act’s mandated ethnic component.

In my investigation into the Canadian audience, uses Statistics Canada data and discusses a subsection of Vancouver’s ethnic media radio channels as a supporting example. My scope will acknowledge the definitions of Canadian and what it means to be a Canadian audience. Discussions of audience tied to the ideas of Canadian identity are fundamental to the definition of ethnic programming. I have chosen to include diasporic populations (not of English, French, Métis or Aboriginal descent) born in Canada but with immigrant parents, as part of the *ethnic broadcasting audience*. Immigration can take place at any time in an individual’s life, and indicate “various reality gaps: generational gaps, when parents perceive their children as drifting away

from the old culture” (Fleras & Elliott, 2002 p.45) and begin to assimilate to Canadian culture.

It can be difficult to define the potential ethnic media audience, as categorizing populations of immigrants have thus far been categorized by country of origin, as well as by language. Therefore, my research will follow the Statistics Canada definitions, which regards *immigrants* as: “a person who is, or who has ever been, a landed immigrant or permanent resident...Immigrants who have obtained Canadian citizenship by naturalization are included in this group” (Statistics Canada, 2017). These immigrants who have attained or are in the process of attaining Canadian citizenship make up what I will refer to as the ethnic media audience, as primary consumers of ethnic media content available in Canada.

### **Third Language as a ‘Category B’ Service:**

The categorization of television channels is a prioritization of channels deemed by the CRTC as critical to the public interest. Those falling under the category of “must carry” are typically crown corporations (the Canadian Broadcasting Corporation and Radio-Canada) or operate to service a niche Canadian audience and must be included in all basic cable packages. For example, the Aboriginal Peoples Television Network (APTN) is a well-known Category A channel dedicated to supporting Aboriginal programs, culture and language through broadcasting. The Category A status allows the APTN channel to collect revenues from the mandatory subscription, which goes towards funding and producing unique programming for the niche market.

According to the Broadcasting Act, 9(1)(h) states:

“(1) Subject to this Part, the Commission may, in furtherance of its objects, ...  
(h)any licensee who is authorized to carry on a distribution undertaking to carry, on such terms and conditions as the Commission deems appropriate, programming services specified by the Commission” (CRTC Broadcasting Act, 1991)

Traditionally, ethnic programming in Canada operated on a Category B license. With no mandate by the Broadcasting Act to include multilingual discourse in the Canadian “must carry” market, consumers have had to turn to Category B multilingual channels for these services. Typically, these services also came at an additional cost to consumers.

While all television licenses undergo reviews and approvals by the CRTC, “Category B services provide the opportunity to address more niche-oriented genres”

(CRTC Public Notice 2008-100 (70), 2008). Therefore, the critical shift from a Category B license to a Category A, identifies two things: a critical shift in how multiculturalism is perceived and included in Canadian policy, and the challenge for funding niche channels in an increasingly digital world.

## **Methodology:**

This study identifies key CRTC broadcasting notices and public hearings for documentary analysis to create case study timeline of ethnic media programming from 2007 to 2019. From this timeline, I will draft policy recommendations based on my analysis of CRTC broadcasting notices and OMNI Channel case study.

This analysis will look at how closely these notices follow regulations set out by the Broadcasting Act of 1991. The 1991 Act describes ethnic media from a policy perspective, and outlines key requirements set by the CRTC. These requirements function as descriptors for what is considered a “third language media” channel, as well as outlining programming targets for certain languages. In my documentary research, the Act serves as the benchmark for evaluating ethnic media in the Canadian context. In doing so, Channel M and Rogers’ OMNI Channel are identified as major ethnic media actors during this time period. This case study is important to understanding how ethnic media has been regulated in Canadian policy and identifies opportunities for the CRTC to adapt to changing demographic interest, advertising trends and technological developments in the ethnic media market.

The CRTC Broadcasting Decisions and Public are compared against the requirements set out by the 1991 Broadcasting Act and then further analyzed in the context of ethnic media sociologists and Canadian media scholars. The discourse surrounding ethnicity and diversity is fundamental to the foundations of this study. My approach is interdisciplinary as it seeks to assess more than just policy frameworks for ethnic media. It goes into detail of the multicultural landscapes formed by patterns of migration and the subsequent influence this has had on Canadian broadcasting media. How does the existing approach to ethnic media fit into the cultural shifts shaping our media future?

Lastly, to fully assess the implications of ethnic media content in the digital age, my last chapter discusses the 2018 CRTC study “The Future of Programming Distribution in Canada” on Canadian viewership. The study makes conclusions and

recommendations based on its scope of English and French audiences, I take these recommendations and analyze them further in the ethnic audience context.

### **Research Objectives:**

My research seeks to contribute to the growing and shifting Canadian ethnic media Sociological and Communication schools of thought. The technological advances in digital streaming have altered cable television viewing patterns and identified new sources of access for audience content diversity. Nevertheless, as Canada seeks to increase fibre optic connectivity and digitally advance, there are key systems and minority groups that may be left underserved or even without service entirely. While my focus refers to accessibility, it is rooted in the cultural implications of the OMNI case study.

In this context, the case study is poised to challenge the status quo on how the CRTC regulates ethnic media.

These questions form the structure of my five chapters:

1. Who are the Canadians included in the ethnic media audience?<sup>10</sup>
2. Can we maintain our supply of ethnic media with the increasing competition of foreign content available?
3. Are government bodies, such as the CRTC, responsible for ensuring that the needs of ethnic media audiences are met? Are there measures of accountability?
4. How does the sale of Channel M and the OMNI case study document the historic shifts in Canadian ethnic media? Where does ethnic media fit in the future of Canadian broadcasting policy?
5. The CRTC has outlined the importance of ethnic media to the Canadian public, but as technology evolves, so does content consumption patterns. Has the CRTC created a policy environment for the most effective<sup>11</sup> mode of content consumption for ethnic media communities?

### **Research Design and Procedure:**

My research will examine the existing ethnic media broadcasting public audience in Canada via documentary research. Scholarship from Marc Raboy and Sherry Yu are fundamental to my theoretical approach. Marc Raboy's research on the history of Canadian Broadcasting, English and French broadcasting policy, American influence

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<sup>10</sup> This question considers the breadth of media types available to each language (newspapers, radio and online media) but my study will focus only on television.

<sup>11</sup> The term 'effective' in this context refers to the ability to meet the needs of the ethnic media audience by demonstrating channel maintenance or growth in viewership.

and the nature of public and private media in Canada, and Sherry Yu's 2018 recent work with Matthew Matsaganis, *Ethnic Media in the Digital Age*, present relevant discourse on ethnic media broadcasting. However, it is important to note that *Ethnic Media in the Digital Age* does not discuss ethnicity in media in Canada exclusively, the themes present in Matsaganis and Yu's work illuminate the shared experience of diasporas looking for original broadcasting content.

Chapter 1 of looks at "language" in Canadian broadcasting policy. Beginning with early regulation of Canadian content and English and French language requirements. This chapter also introduces the foundations of the third language structure. Communication scholars discuss the implications of Canadian broadcasting law that shape Canadian broadcasting for all subsequent diasporic communities entering Canada.

Chapter 2 focuses on the growing third language audience as presented by Statistics Canada data in 2016. This audience will be introduced in the context of a growing technological and cultural challenge of television programming in Canada. To some extent, ethnic media has embodied the role of the 'other' in our regulatory system (Fleras & Elliott, 2002). As official languages, English and French are the dominant paradigm. For migrants, where they land determines the language they must speak, work and be educated in. This section will discuss how digital media fits into traditional regulatory systems amidst consistent waves of migration and a changing Canadian demographic. Analyses by Fleras, Karim, Matsaganis and Katz will be employed to define Canadian ethnic populations and the importance of available programming for diasporic communities. These frameworks of ethnicity provide the framework for my discussion of third language media and how it serves ethnic audiences.

Chapter 3 consists of documentary analysis of the CRTC Broadcasting Notices pertaining to ethnic media. My case study timeline refers to the discussion at the CRTC during this time and will assess how well the ethnic media audience has been served. Moreover, it discusses the nature of private and public sector involvement in servicing these audience groups. The policies outlined in this section draw from the Canadian Broadcasting Act of 1991, the Ethnic Broadcasting Policies of 1985 and 1999 as references for the minimum guidelines for ethnic media service in Canada.

Chapter 4 looks at the case study by focusing on Channel M and OMNI Channel from 2007-2019. This section discusses the channel's application for Category A status in Canadian cable packages. Here I will bring together the analysis introduced in

Chapter 1 and 2 regarding ethnic audience and CRTC mandates for quality ethnic programming. The components will evaluate whether ethnic audiences' needs are being met with the existing OMNI programming framework<sup>12</sup>. Media is often regarded as a reflection of our political and cultural climate, and the Canadian media landscape is heavily influenced by colonial cultural influences; thus, this section considers how ethnic media fits into this landscape.

In Chapter 5, I will expand on the key statements illuminated by Chapter 4 by discussing ethnic media in the context of the future and future technology. To fully examine the ethnic media programming environment, it is fundamental to assess the shifts in broadcasted technology. The rise of over-the-top (OTT) Internet video streaming<sup>13</sup> and Video on Demand (VOD) cable packages has altered viewership consumption patterns. Chapter 5 will discuss the implications of these technological advances from a policy and regulation standpoint. In 2018, the CRTC produced "The Future of Programming Distribution in Canada" study, which analyzes Canadian consumer viewership methods. This material is critical documentary evidence for mapping the types of shifts facing the broader Canadian programming audience (which includes and refers to members of the ethnic media audience).

The policy recommendations stemming from this assessment will serve as the foundation for my conclusion. Furthermore, the implications of this research hope to influence Canadian policymaking as it faces increasing influence from globalization<sup>14</sup>.

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<sup>12</sup> As of 2019, Rogers Media's OMNI Regional holds the Category A "must carry" license for Canadian multilingual and ethnic media programming.

<sup>13</sup> Moving forward I will use 'streaming' to refer to all internet-based viewer services. This includes Internet based streaming platforms such as Netflix, Crave or Hulu.

<sup>14</sup> Globalization theory trends are critical to the final chapter. My research will not discuss globalization theory in depth. However, I would like to reference the research by Arjun Appadurai in 1996, who has made the link in Communication theory between culture and digital media consumption trends. The research links to culture and identity formation as a direct result stemming from diaspora.

# CHAPTER 1: A HISTORY OF THIRD LANGUAGE IN CANADIAN MEDIA

This section seeks to understand how ethnic media came to be in Canada, and how it exists in 2019. The 1991 Canadian Broadcasting Act is the most current version of broadcasting regulation by outlining regulations for broadcasting companies, Canadian content requirements and language requirements for Canadian radio and television broadcasting channels. Within the 1991 Act, third language media channels are referenced as a group separate from English and French content. This separation of third language programming is an important example of how policymakers have 'othered' third language populations.

This chapter will introduce the foundations of Canadian broadcasting and its impact on policies that define ethnic media in Canada. Firstly, I will discuss the impact that French and English language services have made on the existing broadcasting framework. The division between French and English content has had a profound effect on other language groups in Canada, and more importantly illuminates how Canadian policymakers regulate third language programming. Secondly, I will discuss influences from the United States on Canadian broadcasting frameworks and how this has shaped third language policy.

## Canadian vs. Canadien: Language and the Foundation of Canadian Media

Canadian broadcasting policy relies heavily on the precedents of British and French actors who established Canada's founding government. In *Missed Opportunities* (1990), Canadian communications scholar, Marc Raboy describes the distinct difference in interests between the French and British groups in the 1920s.

The CRTC was officially established in 1968 and acts as an independent regulatory body. The Commission has 13 appointed Commissioners, selected by the Canadian Cabinet<sup>15</sup>. Its operations and responsibilities as a Commission are first

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<sup>15</sup> CRTC Commissioners are appointed for five years as representatives of the various regions and provinces in Canada. Appointments may be reviewed once for extension.

outlined in the 1968 Canadian Broadcasting Act, which, at the time charged the commission with management of the broadcast industry. Its responsibilities largely referred to infrastructure and radio broadcasting (Raboy, 1990). It was not until 1976, that the CRTC assumed responsibility of Canada's telecommunications sector. Through the 1993 Telecommunications Act, the CRTC began to oversee a broader sector of Canada's media system that included television and cable connectivity.

According to the CRTC,

"Our mandate is entrusted to us by the Parliament of Canada and administered through the Minister of Canadian Heritage. It focuses on achieving policy objectives established in the Broadcasting Act, Telecommunications Act, and Canada's anti-spam legislation (CASL). We do not intervene in newspapers, magazines, the quality and content of TV and radio programs or the retail rates for most communication services" (CRTC Mandate, 2018).

From this, the CRTC has had a distanced involvement in Canadian broadcasting: focused on monitoring and regulation. Its larger responsibilities in the broadcasting realm includes licensing, promoting compliance with regulations and making decisions on ownership<sup>16</sup>. The CRTC's influence in licensing, ownership and content compliance has historically made significant changes to the Canadian media landscape. Included in this is the case study which I will discuss in Chapter 4 on OMNI Regional.

When it comes to language, the policy approach for English and French in Canadian media policy has consistently sought to promote Canadian content that meets the needs of their respective audiences. This includes television programming that spans news, drama, comedy and children's content. In hopes of promoting domestic content, it has established various requirements for Canadian content<sup>17</sup>.

Despite the clear nature of the Commission's mandate and policy goals, Raboy argues that Canada's broadcasting sector has had a history that demonstrates the 'struggle' between French and British policymakers. This was embodied by the deliberations between those in favour of private versus public broadcasting models (Raboy, 1990). Raboy states that in 1928, several critical issues in Canadian broadcast

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<sup>16</sup> The CRTC intervenes in cases of mergers and acquisitions, as it is part of the CRTC's mandate to assess the nature of Canada's media concentration

<sup>17</sup> Canadian content is assessed by the *Canadian Program Certification* which looks for programming that meets specific criteria pertaining to production, program leadership and a minimum 75% program expenses and post-production expenses are paid for services provided by Canadians or Canadian companies.

would shape the foundation of today's broadcasting environment around ideas of 'nationalism'.

Firstly, poor radio reception and connectivity was a result of "interference" from strong American radio stations (Raboy, 1990); secondly, a need for more diverse infrastructure for radio signals to remote regions; thirdly, finding "quality" content that challenged the imported American content.

To a great extent, the driving forces for Canada's broadcasting structure were a result of British and French policymakers combining private and public broadcasting models from their own homelands and issues of nationalism as key stances for Canadian channels. Canadian broadcasters were concerned about the influence of American signals on Canadian soil. Culture and heritage had to be preserved through Canadian programming, but there was no designated body concerned with Canadian content protectionism.

In 1929, the Aird Commission's Report<sup>18</sup> began initial assessments of the Canadian audience. The Aird Report in Quebec and New Brunswick "expressed reservations" towards a nationally organized radio broadcasting system, offered as a public service. This was largely a question of protection for culture, freedom and democracy, as French-Canadian groups were concerned about the public services meeting the cultural needs of the community. The Aird Commission identified the divide between French-Canadian and British-Canadian citizens; however, the threat of American influence warranted a protectionist stance from Canadian policy.

Radio communication was depicted as essential for political movement discourse. "Nationhood was relatively unimportant to the social movements of the 1920s, who were more concerned with democratic values and new forms of social organization" (Raboy, 1990, p.19). Those involved in social movements existed largely outside the realm of Anglophone policymakers. However, ideas of nationalism and Canada as a unified nation did not convince Quebec. It was perceived that the divide between Quebec and the rest of Canada was one on the basis of cultural and linguistic terms.

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<sup>18</sup> The Royal Commission on Radio Broadcasting is also known as the Aird Commission, after its chairman Sir John Aird. It was established to determine the influences of American and British radio systems and create policies for Canada's radio broadcasting. The report ultimately recommended a broadcasting system funded by the Canadian public. This report set the stage for a discussion of public broadcasting in Canada and resulted in early iterations of today's Canadian Broadcasting Company/Société Radio-Canada.

Quebec policymakers sought autonomy and privatization from the greater 'Canadian' system. In order to preserve the culture of French-Canada, they formed "the anti-imperialist nationalism of French-Canadian leaders like Henri Bourassa, who sought independence from British policy" (Raboy, 1990, p.19). In the struggle between the Quebec 'nationalists' and the Anglophone-British idea of nationalism, Quebec did not identify with the greater nation's definition.

"The dominant vision of Canada was that of an emerging nation struggling to find its place between a British colonial past and the American dream of the future, anxious to preserve the trappings of the former without denying itself the promised pleasures of the latter" (Raboy 1990, 18). This led to Anglo-Canadian nationalists vying for stronger legislation in favour of Canadian content. Canadian nationalists were largely from the Anglophone urban centres, and as a result, French Canadians and minority populations "were a benignly tolerated minority" (ibid., 19). Despite these discontents, the case for public broadcasting was eventually made, as the agenda setters were largely from the Anglophone groups—also being the groups in favour of a nationalist public radio broadcaster.

One of the best known lobbyists for what became the Canadian Broadcasting Company (CBC), "Graham Spry[,] viewed the issue of broadcasting as a question of freedom: "Let the air remain as the prerogative of commercial interests and subject to commercial control, and...free will the voice, the heart of democracy"" (Raboy, 1990 p.36). Canada has historically treated media as an extension of democratic voice. For both sides of the French and British story, the attempts to unify the nation under one Broadcasting Act with two official languages is an institutionalized representation of both groups. Establishing a public broadcaster with both French and English services only seems to emphasize this point further.

The CBC was the cornerstone to bridging the two opposing French and English forces; however, this was only the first step in establishing policy to target interference from American signals. By controlling media signals and establishing minimum Canadian requirements for programming, Canadian media would be able to thrive without jeopardizing its claims to freedom of speech. "Broadcasting appeared...at a time when class cleavages and class struggle were very pronounced features. According to Williams, it was 'a new and powerful form of social integration and control' (1975: 23)" (Gripsrud, 6). By controlling the Canadian Media, the government was effectively putting a cap to the interference of American signals.

The tension between commercial private systems, public services and protectionism against American interference became the dominant tone that directed policies for broadcasting in Canada. However, these themes are fundamental to how the sector continues to grow for the ethnic media groups. The 1991 Broadcasting Act was written to include ethnic media broadcasting on Canadian soil (as both a local product or exported product for local consumption). At the time, this was an invaluable inclusion for ethnic minority groups in Canada that had faced years of discrimination based on race<sup>19</sup>.

This history is vital to understanding how Canadian policy has shaped its idea of the 'nation' as largely a defensive maneuver against foreign influence. The protectionist nature of this structure has shifted over time, in amendments that reference Canada's television broadcasting sector more directly but overall two ideals have remained constant: bilingualism and protectionism.

From these two ideals lie a legacy of language that defines how third languages are treated in policy. The Aird Report and the 1991 Broadcasting Act set the precedent for how the CRTC would include diversity in policy. Moreover, by creating the policies that unified the polarized French and British groups into a single idea of what it means to be 'Canadian', policy makers set the tone for the meaning behind being Canadian or Canadien.

## **Ethnic Media and the CRTC**

The first section's discussion of English and French history is an important context for ethnic media in Canada. The system of bilingualism and the CRTC's interest in securing a space for Canadian content production against rising American influence reveals how challenging an open Canadian media market can be. A major challenge to ethnic programming today is the influence of 'foreign' content cutting into the locally produced Canadian ethnic programming.

Rather than being shaped as groups, or even waves of migration populations, the immigrant groups (not of English or French heritage) are recognized by the CRTC simply as one group of "other". This identity is written into the CRTC's Broadcasting Act:

"Section 3 (d)(iii) of the *Broadcasting Act* states, in part, that the Canadian broadcasting system should reflect the circumstances and aspirations of

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<sup>19</sup> The history of Canada's racism can be traced back to historic atrocities such as the 1885 Chinese Immigration Act which stipulated that all Chinese populations entering Canada had to pay a Head Tax fee.

Canadians, including the multicultural and multiracial nature of Canadian society. As one way of furthering this objective, the Commission has licensed ethnic television and radio broadcasters that specialize in providing ethnic programming. Ethnic programming is programming directed to any culturally or racially distinct group other than one that is Aboriginal Canadian, or from France or the British Isles. Such programming may be in any language or combination of languages.” (CRTC, Public Notice 1999-117)

In doing so they are inclusive of the non-English, non-French, non-Aboriginal Canadian linguistic roots, but also exclusive in the way that these other third languages are represented in that the policy gives room in its definition to represent the population, but no tangible methods of achieving such representation.

This portion of the Broadcasting Act is broadly referenced for its definition of ethnic programming management on a policy level. In particular, it outlines key identifiers for ethnic programming as well as mandatory inclusions for language content. The CRTC established an official Ethnic Broadcasting Policy in 1985<sup>20</sup>, which defined it in 5 different typologies:

- “Type A: a program in a language or languages other than French, English or native Canadian.
- Type B: A program in French or in English that is directed specifically to racially or culturally distinct groups whose first or common bond language (in the country of their origin) is French or English (such as Africans from Algeria, Mauritania and Morocco; Caribbean Blacks; groups from India).
- Type C: A program in French or English that is directed specifically to any culturally or racially distinct group whose heritage language is already included in Type A (such as those groups who have not retained the use of a third-language).
- Type D: A program using a bilingual mix (French or English plus a third-language from Type A) that is directed specifically to any culturally or racially distinct group (such as French and Arabic, English and Italian, English and Punjabi).
- Type E: A program in French or in English that is directed to any ethnic group or to a mainstream audience and that depicts Canada’s cultural diversity through services that are multicultural, educational, informational, cross-cultural or intercultural in nature.” (CRTC Public Notice, 1999-117)

In 1999 this policy was amended in Public Notice 1999-117 “Ethnic Broadcasting Policy”. It included additional changes to typology:

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<sup>20</sup> Timing of this Ethnic Broadcasting Policy is pertinent as it identifies a key moment in Canadian political history. In 1971, Prime Minister Pierre Elliot Trudeau introduced the first Multiculturalism Policy on immigration. This policy set a precedent for to include multiculturalism in Canadian policy and greatly influenced the establishment of a firm policy identifying cultural and linguistic diversity in Canadian Broadcasting.

“An ethnic program is one, in any language, that is specifically directed to any culturally or racially distinct group other than one that is Aboriginal Canadian or from France or the British Isles.

A cross-cultural program<sup>21</sup> also qualifies as ethnic programming provided, once again that it is specifically directed to any culturally or racially distinct group other than one that is Aboriginal Canadian or from France or the British Isles.” (CRTC Public Notice, 1999-117)

Between the 1985 and the 1999 revisions, the CRTC had amended its terminology for Aboriginal populations and had expanded by adding a category of “cross-cultural” programming to qualifying ethnic programs. In terms of programming requirements, the 1985 Policy had specified requirements for each station. Additionally, “Ethnic television stations [were] subject to the same minimum Canadian content requirements as private non-ethnic stations: 60% overall and 50% during the evening broadcast period” (ibid.). Yet in 1999, requirements had become more distinct in its *ethnic* identifiers; for the CRTC, ethnic was synonymous to third language. Quantifying cultural content was difficult, as culture had no quantitative measure that fit the CRTC’s broadcasting model. Language on the other hand, could be measured based on percentage of words spoken on the air.

The new policy stated:

Ethnic stations must air at least 50% third-language programming. This regulation may be varied by condition of license.” (ibid.)

As a result, content from ethnic channels had to be both at least 50% ethnic media programming and 60% overall Canadian. The reasoning behind this is rooted in the CRTC’s history of establishing programming guides based on language and protection of Canadian content.

In Jostein Gripsrud’s *Television in the Digital Public Sphere*, broadcasting was used as a form of “social integration and control” (Gripsrud, 2007 p.6). Communication theories of fostered a common social identity which stabilized societal class struggles and sought to bond groups in imagined communities<sup>22</sup>. For immigrant groups, this theory was a suitable method for members within ethnic groups to establish ties with other immigrants also within the ethnic group living in the same region to bond over shared experiences.

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<sup>21</sup> Cross cultural programming is noted as a significant development as it initiates the inclusion of programming across and between cultures, rather than programming produced by a single country or group.

<sup>22</sup> “modern research tends to conceptualize ethnicity as social construction, a matter of negotiated self-identity and “imagined community”” (Anderson, 2006; riggings, 1992 p.2)

In *Understanding Ethnic Media*, Matsaganis, Katz and Ball-Rokeach argue that ethnic media have three conceptualized dimensions:

“First, one needs to possess the necessary cultural knowledge associated with [identity], which might include traditions, customs and values. This is called the **cognitive dimension** of ethnic identity formation that develops via lessons taught by older members of the ethnic group. However, it is not enough just to know the cultural tenets of the ethnic group; one has to behave in accordance with group norms, which is the **behavioural dimension** of an ethnic identity. Finally, there is the **affective dimension**, which refers to feelings of belonging to a particular ethnic group, and to identifying with its history and current concerns.” (Matsaganis et al., 2011 p.71)

When one considers the cognitive, behavioral and affective dimensions in media, there is a correlation to how the dimensions affect immigrant populations learning about societal norms and support systems offered in their new country (Matsaganis et al., 2011 p.71). Identity shaping is critical to the understanding of ethnic media because the cognitive dimension that forms emotional bonds to the groups are indicated when one begins to describe their ethnic identity. This may take shape in the form of blood roots or manifest in a form of cultural hybridity, which takes multiple learned identity bonds and creates a hybrid identity mosaic. These hybrid groups take part in both worlds of their diasporic homeland and new migrant home, and form an identity that includes cultural ties to both spaces (Matsaganis et al., 2011;)

The most recognized use of ethnic minority community building in media has historically been through community newspapers. “For many groups, the reason to create independent media produced by members of that group, for members of that group, is to represent themselves in their own words” (Matsaganis et al., 2011 p.76). For a community that was arguably the least familiar with social norms of Canadian life, the newspapers often included tips on living in Canada, news articles and stories in the ethnic language of the community. On a policy level, establishing Canadian content and language requirements for broadcasting came after years of negotiating a space in the Canadian mosaic for people of colour and linguistic diversity. It meant that not only were ethnic audiences given access to multilingual content on Canadian soil, but it also meant that ethnic media companies were responsible for their own community voice.

The implications of this are interesting as they identify a two-pronged approach to achieving Canadian identity: one of assimilation and the other of community development. Augie Fleras and Jean Leonard Elliott in *Engaging Diversity: Multiculturalism in Canada*, state “Canada for a long time managed diversity by adopting ideologies of assimilation,

segregation, and integration” (ibid., p.37). The ethnic community has seen a dual approach that hinges on multiple cultures coexisting, but all working within the framework outlined by the dominant English and French language system.

Essentially, by carving out a space for ethnic media to operate, the CRTC reflects a politically correct image of inclusivity. However, this diversity is limited, as policymakers have also required that most of this ethnic content is also Canadian programming. In doing so, this limits the amount of licensed content ethnic programs can purchase from foreign companies and promotes the production of locally produced content in a qualifying third language. I will discuss the implications of assimilation and multiculturalism further in the second chapter.

Moving forward, today’s “public ownership of media in Canada includes the operation and funding of CBC Radio, CBC Television and the internet service cbc.ca in English Canada, Société Radio Canada (SRC) serves radio, television, and internet in Quebec and French speaking communities in the rest of the country” (Bredin, 2013, p.9). The public broadcaster has sought to target earlier concerns of Canadian programming by and for Canadian audiences but faces modernization challenges due to declining audiences and technological developments in OTT digital streaming (Matsaganis et al., 2011 pg. 10). And as technology advances further, the French and Canadian mainstream media will see further competition as access to competing Canadian and International programs are made easier with the Internet.

Broadcasting protectionism policies drafted in the 1920s challenged the interference of American programming on Canadian soil. With the development of broadcasting technology, we are seeing this discussion return. The ease of access to international OTT streaming and global programming challenges locally produced Canadian content and re-introduces the idea of broadcasting protectionism. However, for ethnic media is this also true? Can we balance media globalization with protectionism?

This chapter has reviewed the context of a growing technological and cultural challenge of television programming in Canada across generations. To some extent, ethnic media has embodied the role of the ‘other’ in the Canadian regulatory system (Fleras & Elliott, 2002). As official languages, English and French are the dominant paradigm and as a result ethnic media is viewed through a lens of multiculturalism in order to encompass all the remaining cultures not included in the mainstream. The next chapter

discusses how digital media fits into traditional regulatory systems amidst consistent waves of migration and a changing Canadian demographic.

## CHAPTER 2: ETHNICITY AND AUDIENCE

In the previous Chapter I presented ethnic media through the lens of Canada's broadcast regulation history. This history defines ethnic media on a policy level as third language, as well as identify restrictions for Canadian content and language use for multilingual channels. In this Chapter, I will discuss the implications of ethnic media policy on ethnic media audiences.

To correctly portray the Canadian audience, first one must understand how this audience is shaped—by whom and for whom. This section introduces critical ethnic media scholarship which offers a multitude of definitions to satisfy *what ethnic medias are* and *who they serve* and why these two aspects are important (Katz et al. 2019). Scholarly analyses by Fleras, Elliott, Karim, Matsaganis and Katz will be employed to define Canadian ethnic populations and the importance of available programming for diasporic communities. Their frameworks provide the basis for my discussion of ethnic media and my evaluation of its ability to serve ethnic audiences.

### Diversity within Canadian Broadcasting

The broader Canadian audience has traditionally been defined as Canadian audiences subscribing to and consuming Canadian radio and television content. The ethnic audience is a subset of the Canadian broadcasting audience. However, the Canadian audience as a whole has been difficult to define<sup>23</sup>. The nation has been shaped by waves of migration, with a breadth of language and cultural backgrounds. The CRTC and the Broadcasting Act have left the definitions open to future interpretations of Canadian nationality. However, with the migration of a wider variety of ethnic groups, Canada's demographics have shifted to include diverse populations from a global pool—as a result, the definition of “Canadian” changes.

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<sup>23</sup> English and French languages have been the most predominant groups in Canada, for most of Canadian policy is written 'officially' in both English and French.

From a policy perspective, the CRTC supports diversity through regulation and basic language requirements<sup>24</sup>. Its mixed public-private model<sup>25</sup> is indicative of its commitment to variety in content choice, allowing for the market to decide successful channels, while also keeping alive the culturally significant channels that require financial aid.

Nevertheless, accessibility and diversity sometimes conflict when prioritizing Canadian content. According to the CRTC's broadcasting decision, "Canadians should not be denied access to the best material available from other countries. Any broadcasting system must remain constantly open to ideas coming from other parts of the world." (CRTC, 15: 1969). CRTC minimum broadcasting requirements have prioritized Canadian content in hopes of limiting the influence of foreign programming. As we have seen in Chapter 1, this is largely a response to American influence in the Canadian radio sector in the 1920s and has grown further as technology develops.

Today, in ethnic media, communities require access to premium foreign channels<sup>26</sup> to engage in the internationally produced programming of their diasporic homelands if the content is not licensed by Canadian multilingual channels<sup>27</sup>. This licensing structure has allowed local channels to thrive financially through licensing and advertising, without producing unique Canadian programming. The CRTC's regulations that focus on Canadian media and language quotas are challenged by an increasingly diverse broadcasting system. The shifting broadcast consumption options via cable connectivity, satellite and now with online streaming services. And with the increase in consumer choice, it is reasonable for viewers to choose services that do not charge a premium for multilingual options.

Canadian content protectionism has done little to retain audiences for Canadian programming, because the CRTC has sought to advance its diversity agenda by relaxing

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<sup>24</sup> See the 1985 Ethnic Broadcasting Policy as discussed in Chapter 1

<sup>25</sup> The Canadian broadcasting model is recognized as "Mixed Public-Private" as it subsidizes a crown corporation for public broadcasting (the CBC) while also subsidizing other public service programming. In addition to this, the broadcasting system also allows privately run broadcasting companies to produce, license and air programming and advertising (outside of the public system). (Raboy, 1990; Boardman & Vinning, 2009)

<sup>26</sup> Category B premium channels

<sup>27</sup> Canadian multilingual channels are not part of the basic cable package and must be added to cable packages for viewing at a cost

regulations for foreign owned channels offered as “pick and pay” options on Canadian satellite and cable. The 2015 CRTC Lets Talk TV hearings defined the current model for basic cable with options to bundle additional channels for a cost. This advanced the agenda in favour for diversity but illuminates the ethnic media dilemma between supporting Canadian produced content and access to foreign programs.

## **Changing Canadian Demographics: Who are today’s Canadians?**

Canada has become increasingly multicultural and its demographics are constantly shifting (Raboy, 1990; Boardman & Vining 2009). Statistics Canada has collected data on the ethnic demographic and the diasporic communities. This data is critical for understanding who make up the Canadian audience.

According to Statistics Canada, the most recent census published was in 2016. It was reported that “7.5 million foreign-born people came to Canada through the immigration process” (Statistics Canada, 2016). The census states that between 2011-2016 approximately 1.2 million people are recent immigrants, making up 16.1% of new immigrants in Canada (Statistics Canada, 2016). From 2001-2005 12.3% of people in Canada were new immigrants and 14.0% in 2006-2010. This information is important because, though the census tracks new migrants in Canada within a five-year period, the percentage is not a cumulative total assessment of migrants from previous periods.

The total number of migrant populations is higher than the 2016 census data. If one correlates the statistics with the number of immigrant languages spoken in Canada, the increase in migration reinforces the idea that immigrant populations in Canada are significant and growing. “In 2016, 22 immigrant mother tongues each had a population of more than 100,000 people...Combined, these 22 mother tongues comprised more than 6.3 million people in 2016, or 81.5% of the population with an immigrant mother tongue” (Statistics Canada, 2016). This census data is significant as it indicates an audience for ethnic programming, while also illuminating the diversity of communities that ethnic media aims to represent. This demand for third language content continues to increase as “the number of people who reported an immigrant mother tongue rose from 6,838,715 in 2011 to 7,749,115 in 2016” (Statistics Canada, 2016).

From this census data, there is a steady increase of foreign language speaking migrants on Canadian soil. Those communities migrating to Canadian cities once landed

have had a history of establishing diasporic communities. Toronto and Vancouver are two of the largest homes to ethnic East Asian and South Asian demographics, with street signs populating diasporic community centres in a wide variety of languages. Yet, this population of migrants on the policy level has been grouped into one audience: Third Language (non-English, non-French, non-Indigenous/Métis). This term is meant to embody and define the whole group of migrants that populated Canada and have gone on to create communities that require representation on Canada's Broadcasting spectrum.

Some of these lasting communities have made significant impacts on the cultural landscape and cultural makeup of some of Canada's largest cities. Critical ethnic media scholar Karim H. Karim states, "ethnic media are viewed as serving two primary purposes—they contribute to cultural maintenance and ethnic cohesion, and they help members of minorities integrate into the larger society (Karim, 2012 p.166). Census data has tied major Canadian cities as the locales for multicultural groups to collect and form diasporic communities, and effectively form the ethnic cohesion as described by Karim.

The implications of this cohesion reinforce the ability of an immigrant (and their descendants) to maintain their homeland's culture and negotiate assimilation. Sherry Yu argues that, "visible minorities are...entitled to their original ethnicity regardless of the level of integration and assimilation" (Yu, 2015 p.136). The ties of ethnocultural identity are so strong that integration and assimilation do not negate the individual's original ethnic identity. Moving forward, I will discuss further contributions to the idea of ethnic identity, but the one shaped by Karim and Yu demonstrate how critical the cultural tie is to individual identity. At the core of cultural maintenance is the concept of imagined communities, which I will discuss in the next section.

### **Imagined Community and the gaps between:**

Based on the information presented in discussions of Canadian public and private broadcasting sectors, it seems convincing that there are gaps when one takes into consideration, the needs of the ethnic audience. Canadian news content is particularly important when considering the influence of local news media dialogue on establishing national unity and identity. In particular, the *type* of information and *how* the information is relayed to audiences and communities are valuable components of

broadcasting. Yet, these components are even more important for migrant audiences as they navigate the immigration system, and also seek to establish a sense of Canadian identity. We have discussed how policy has chosen to include the needs for multicultural groups, as outlined in the Broadcasting Act of 1991, and these requirements are largely restrictions on the type of content available (with an emphasis on supporting locally Canadian content). This section will discuss the questions of identity and diversity in Canada.

Marian Bredin, in “Media Policy in Canada: Sources for Critical Analysis”, frames media as the focal point for Canadian society: to build a Canadian identity, foster internal social linkages, and generate an inclusive Canadian society. This ideal, put in practice has struggled to fight against the dominant public broadcasting system, which meets the basic needs of Canada’s three pillar groups: English, French and Indigenous. Canada’s public broadcasters largely fail to regard diversity as a broader public need. Canada currently does not have dedicated public broadcasting in third languages.

Instead, this third language community needs to rely on private broadcasters: to establish and create a sense of identity for third language speakers. Bredin notes that “the growing numerical force of multiculturalism is also gradually changing the cultural landscape through the creation, circulation and reception of programming and other works that reflect the backgrounds of their creators and consumers” (Bredin, 2013, p. 19). As ethnic content is being produced by and for their respective ethnic groups, the model by which this information will be disseminated has changed drastically over the past 10 years (Matsaganis et al., 2011 pg. 10). The circulation and reception components borrow from a globalized society, that links and connects content beyond borders, and between languages. Groups that previously had limited access to content from their diasporic homelands through Canada’s formal cable television signals, now have access to a global bank of content.

Ethnic news media have been critical for multicultural populations, in filling the informational gaps and developing a sense of community through their programming. The content offered by third language news casts is instrumental in keeping minority communities involved and informed on important civic level occurrences, such as local elections. Participation from third language communities as a result of media diversity began before television, but the inclusion of politics in Canadian third language

broadcasts are important for inspiring diversity for political dialogue. Radio and print media have been the traditional forms of disseminating local news information for ethnic communities. But as technology has shifted, how audiences reach their preferred content has shifted as well.

The implications of this shift are most notably recognized in the amount of Canadian content being consumed by ethnic communities:

"In the context for globalization and transnational developments, the limitations of the national frame may be starting to become more apparent. In times that are constantly throwing up more complex forms of cultural experience--and are consequently requiring more open and inventive kinds of response--the national agenda may increasingly be seen to have certain significant inadequacies" (Robins, 2006, p.20)

For those participating in this culture, the influences of globalization have trickled into national broadcasting systems, and even questions of what it means to be a Canadian, and identity. "Nation state's ways of thinking and managing culture--or cultures--are now proving to be restrictive" (Robins, 2006, p.20). To a great extent, cultural hybridity is critical and important for many participants. Instead of identifying with a singular cultural trope tied to national borders, a shared "imagined community" is constructed, amongst like-minded individuals who also share in the consumption, dissemination and discussion of multicultural, multilingual and multinational broadcasting content (ibid).

In this paradigm, there is no hegemony or central policy, as the "world is divided into societies along the lines of nation states" (Robins, 2006, p.22) but not constricted by its borders when it comes to consuming media content. Within Canada we can see these divisions making up components of a cultural mosaic, viewers subscribe to channels owned in the United States or abroad in addition to their basic cable packages that include Canadian based programming, like the CBC. However, converting this reality into policy has been troubling. Balancing diversity with nationalism has been a challenge for policymakers looking to increase options without sacrificing Canadian content. Yet, execution of this relies on the private sector to support critical and necessary multilingual and multicultural programming.

Gripsrud suggests that the rise of broadcasting came about during the dissolution of older, more stable social community. The lack of which, led to an increase in social diversities, but also meant that there were no strong ties between members of a

community. As a result, the value of broadcasting was not identified as a culture building tool, but merely a medium to disseminate and to communicate with the wider audience. "Broadcasting appeared as a communication technology perfectly suited to this sort of society, at a time when class cleavages and class struggle were very pronounced features...it was 'a new and powerful form of social integration and control' (1975: 23)" (Gripsrud, 6). Emphasis on common social identity fostered an imagined community, which is now being challenged by existing globalized dissemination models of television broadcast.

As we have seen, the imaginary Canadian public includes explicitly the interest of English, French and Indigenous/Metis audiences. All third language audiences are described as a diverse set of others. This diversity embodies the immigrant identity and immigrant experience. It is united with pre-existing immigrant populations, creating a 'cultural mosaic' of multiple migrant generations, and subsequent, culture hybridity at varying levels of assimilation to Canadian culture. Fleras argues that common notion of the 'mosaic' is misleading, as "the tiles in Canada's cultural mosaic are not equal: some are raised while others are lowered, reflecting differences in social status and unequal contributions to society" (Fleras & Elliott, 2002 p.41). This inequality underscores differences between the diverse set of interest groups, and the prevalence of specific groups as more dominant than others.

For example, Vancouver has the following distribution for diversity in its radio programming content. In this city, radio is the most diverse indication of third language variety in in Canadian media. Below, **Figure 1**, depicts the multicultural Radio stations that serve the Metro Vancouver Area:

Frequency	Radio Call Sign	Channel Name	Owner	Language of Broadcast
AM1200	CJRJ	Spice Radio	I.T. Productions	<b>Hindi, Punjabi</b> , Bengali, Gujarati, Tagalog, Italian, Malayam, Persian, Tamil and Sinhala

AM1320	CHMB	AM1320	Mainstream Broadcasting Corporation	<b>Cantonese, Mandarin,</b> Brazilian, Danish, Tagalog, Greek, Icelandic, Japanese, Norwegian, Swedish, Tamil, Ukrainian and Vietnamese
AM1470	CJVB	Fairchild Radio	Fairchild Media	<b>Cantonese, Mandarin,</b> Cambodian, Croatian, German, Hungarian, Irish, Italian, Japanese, Laotian, Macedonian, Persian, Polish, Russian, Tagalog, Thai, Urdu and Vietnamese
AM1550	KRPI	Sher E Punjab	BBC Broadcasting	<b>Hindi and Punjabi</b>
AM1600	KVRI	Radio India	Multicultural Broadcasting	<b>Hindi and Punjabi</b>
FM93.1	CKYE-FM	Red FM	South Asian Broadcasting Corporation	<b>Hindi, Punjabi, Urdu,</b> Polish, Russian, Tagalog, Persian, Fijian, Gujarati, Malayam, Twi, Swahili, Spanish and Tamil
FM96.1	CHKG-FM	Fairchild Radio	Fairchild Media	<b>Cantonese, Mandarin,</b> Cambodian, German, Hungarian, Italian, Japanese, Laotian, Macedonian, Polish, Russian, Swaraj, Spanish,

				Thai, Urdu and Vietnamese
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**Figure 1: Multicultural Radio Stations in Metro Vancouver**

The radio stations depicted in Figure 1 outline the 7 radio stations with multicultural classifications on their license in Metro Vancouver. The chart indicates the channel frequency, radio call sign, branding and languages of broadcast. The languages identified in bold were the main broadcasting languages of the channel. All other languages listed were for programming aired in the evening or weekends.

Classifying these radio channels as multicultural illuminates an issue with the existing terminology for ethnic media. Currently, the term encompasses such a wide diversity of languages, but does not specify time spent engaging with cultural value of the channel’s content. The channels cover languages such as: various African languages, Bengali, Brazilian, Cambodian, Cantonese, Croatian, Danish, Farsi, Fijian, German, Greek, Gujarati, Hindi, Hungarian, Icelandic, Italian, Irish, Japanese, Laotian, Macedonian, Malayalam, Mandarin, Norwegian, Persian, Polish, Punjabi, Putumayo, Russian, Sinhala, Spanish, Swedish, Tagalog, Tamil, Thai, Ukrainian, Urdu, and Vietnamese. All languages are referenced as ‘spoken’ during broadcasted programming. And while radio remains the most diverse broadcasting medium in terms of sheer number of languages spoken—even in Vancouver, where in 2016 over 140 (Statistics Canada, 2016) non-English or French languages were spoken at home—the radio stations in Figure 1 only played up to 37 different languages in their programming. Some languages appear in on one or more multicultural Radio channel, but the non-bolded languages in Figure 1 are indicated as off-peak languages to portray an image of diversity in order to meet CRTC language criteria.

Statistics Canada’s census data in 2011, found that 57.7% of the population of Vancouver spoke an immigrant home language. Moreover, the city is unique in that 40% of that immigrant population spoke only three dominant languages: Punjabi, Cantonese or Mandarin (Statistics Canada, 2011). For many of the languages spoken on the multicultural radio channels, the programs would air certain programs featuring smaller language groups in off-peak hours. In doing so, the channel is classified as ‘multicultural’ and meet the demands of their CRTC licenses.

The representation of programs in various languages is concentrated to very specific time slots, with more dominant<sup>28</sup> ethnic groups airing during peak times. The gap between official languages and third languages is large, but equal representation between the different third languages is even more disparate. The single third language title is set to embody more than 140 different languages, cultures and identities, with some more dominant and profitable than others.

As individual audiences, the market is thin for each unique group and for private broadcasters, the margins rely on advertising dollars and profitable programs to survive. As some communities are small in comparison to the dominant Punjabi, Mandarin and Cantonese counterparts, equity among third languages is challenging. Therefore, the group itself is not exactly an imagined community, but a collection of in-groups with a shared migrant experience and identified as different or 'other' based on language.

### **Multiculturalism, Ethnic and Third Language:**

Applying these same sociological concepts of Canadian identity, national unity and imagined community, it seems that there are profound implications on the ways in which multilingual broadcasting has taken shape in Canada. For the most part, policy has identified diverse groups of Canadians through their linguistic backgrounds. I have introduced the history and the importance of language to Canada's foundation, and this has created a legacy which has shaped Canada's broadcasting future. Canadians who are non-French, non-English and non-Indigenous groups make up the "multicultural audience". And it is these linguistic differences that are illuminated by the CRTC when creating policy to include the populations' needs.

The role of newspapers, radio and television were key connectors in a world before the Internet and rapid intercontinental communication. "The inherent contribution of multilingual media in Canada evolved from a need to have not only information in one's language of comfort, but also relevant editorial perspective reflective of ethnocultural community leadership, ethno-specific and other relevant social issues" (Ziniak, 2017, p. 22). Madeline Ziniak discusses the power of media as a component of

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<sup>28</sup> The term dominant refers to groups with the highest ad revenue potential. Groups with higher populations have a greater proportion and influence in the ethnic media broadcasting market for advertisers.

nation building by acknowledging its role as a linguistic bridge for those who are separated by societal and cultural borders.

Critical to this realm of scholarship is the emphasis on marginalized communities. The populations that did not fit into the mainstream were on the borders of society, often facing career and institutional racism in their everyday life. In this context, the history of ethnic media plays a larger more representative role, which champions the journey of equality and inclusivity.

At this point I would like to emphasize the nature of terminology used. Thus far, 'third language', 'multicultural' and 'ethnic' have all been used interchangeably to refer to the groups of non-French, non-English, non-Indigenous speaking Canadian populations. However, the root of these terms is largely associated with differing actors in ethnic media studies. To a great extent, the term 'third language' was implemented by the CRTC in 1968 to encompass the 'non' population in policy. Later, the term 'multicultural' was integrated into policy, when Prime Minister Pierre Trudeau announced the 1971 Multiculturalism Act. Lastly, the term 'ethnic' is used in discussions of race and ethnic identity in Canada (Fleras & Elliott, 2002). In policy, this is redefined as third language media, to fit their definition of the demographic. These differences are important to note, as I delve into the sociological components tied to multiculturalism and ethnicity, and their implications on the future of Canadian broadcasting.

## **Cultural Maintenance and Serving the Third Language Audience**

Understanding the third language audience as a group is critical, as the roots of terminology define the boundaries by which the policy can serve the community. In the context of broadcasting policy, most questions of identity and ethnicity are in reference to third language policy, on the grounds of multiculturalism:

"The Broadcasting Act of 1991 firmly entrenched the concept of "cultural expression" by expanding airtime for ethnic communities. As well, the CRTC has made it known that when it comes to license renewals, broadcasters will be evaluated on the basis of their hiring practices. The CBC and Global TV have promised a series of diversity initiatives to reach out to minorities (Siddiqui, 2001b). These initiatives will be consistent with the principles of the Multiculturalism act...[whereby] all government departments and Crown agencies must improve their practices as they relate to minority access, equity and representation" (Fleras & Elliott, 2002, p.186)

In the above passage, Augie Fleras, a sociologist in race and ethnic relations and multiculturalism, references mainstream media attempts to include the ethnic media agenda in the 1991 Broadcasting Act, but efforts since then have shifted dramatically.

In 2012 Global National launched a Mandarin version of their National news broadcast under *Global National Mandarin*. The program was aired on Shaw's Multicultural Channel in Vancouver and Calgary until 2016 when the program was cancelled. The program was not replaced by the mainstream media company, and as of 2018, Global News has not launched any third language news broadcasts to replace the Global National Mandarin program. The program has been erased from the [globalnews.ca](http://globalnews.ca) website archives, where the show's 30-minute news programs were previously stored for public viewing. Failing to sustain the third language news program alludes to a disconnect between the mainstream ethnic programming and audience retention. Fleras' arguments are critical in this respect, as they pertain to ethnic groups producing "insider viewpoints, in large by appropriating modern technology for community-based communication" (ibid., p. 187). This means that while the news broadcasts were airing in the third language, they did not seek to create any ties to an ethnic diaspora to work and reinforce a stronger ethnic community.

Fleras and Elliott note that ethnic media do contribute to isolating ethnic communities by distancing the mainstream community from the ethnic diaspora. Also, "the growth in ethnic broadcasting may make it easier for the mainstream media to forget their commitments to foster inclusiveness" (Fleras & Elliott, 2002 p.187). Public broadcasters are not mandated to represent third languages in the Canadian Broadcasting Act. And as migration continues, there is increasing demand for third language media content for new migrants and multilingual audiences. "Nearly 80 percent of the immigrants who arrived in Canada between 1991 and 1996 spoke a mother tongue that wasn't French or English" (ibid., p.187), and to supplement this, it seems that the existing policies have left a gap for third language communities, such that the public system does not have any mandate to serve this audience.

Fleras states that, "the ethnically-owned media perform several important functions. They create safe havens in which ethnic cultures can flourish... they help newcomers adapt to their new environment by serving as agents of socialization." (ibid., p.187). As discussed in Chapter 1, the three dimensions of identity presented by Matsaganis et al. underscore how critical the ethnic media component is for the ethnic immigrant experience. This point is critical in reinforcing the need for ethnic media in

culturally diverse nation, such as Canada; however, while the language friendly content is important for socialization and community development, the ethnic media broadcasting model seems unsustainable without subsidies<sup>29</sup> as a purely private broadcasting business. The companies that see the most success cater to specific niche markets, aggregate them for advertising and produce content for one or two large communities as their main target audience.

Discussions thus far have not questioned how third language audiences fit into traditional regulatory systems. To a great extent, the community itself is built up of numerous sub communities, with varying levels of interest in watching programming from a Canadian outlet. Cultural maintenance prior to the rise of technological advancements was primarily done through broadcasting (radio and television) as well as community newspapers. Yet, this was during a time when access was restricted to those media, and content from diasporic homelands was limited to local communities.

## **Public Broadcasting and Ethnic Media**

The public broadcasting system can be a solution to funding challenges, diversity and Canadian content protections. The critical demographic changes tied to a growing minority audience reflect an opportunity for the CBC to include ethnic media into its programming model. But does this diversity translate into meeting the needs of multilingual programming. Boardman and Vining (2009) argue that,

"if the CBC continues to increase its overall Canadian cultural content then it may not appeal to a sufficiently large or well-defined minority audience, and it risks spiraling into irrelevance...If the CBC spreads its resources so thinly that quality falls below some threshold level. On the other hand, if the CBC deemphasizes Canadian culture it must compete with mass-audience U.S. and Canadian networks and many specialty channels, thus inviting questioning of its continued subsidization and indeed its *raison d'etre*." (Boardman & Vining, 2009, p. 59-60)

The CBC already experiences strains on its resources in its existing programming model. Viewership for CBC's "The National" are "down about 10 per cent from last season" (Lum, 2018) shows weakness of public interest. On average, the show garnered an audience of 525,000 for the 2016-2017 season, but since the network overhauled the

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<sup>29</sup> Subsidies can include contributions from the Canadian Media Fund for Canadian produced programming. Additional subsidies can also include a "must carry" Category A license that receives funding from the basic cable package.

program, viewership has shifted. According to Numeris (a private data tracking company focused on broadcast measurement and consumer behaviour data intelligence) the public broadcaster's only program that falls within "Canada's Top 20 Most-Watched Programs, 2016/2017" is "Hockey Night in Canada Primetime East" (BellMedia, 2017). Both "The National" and "Hockey Night in Canada" are considered core components of the CBC's primetime programming schedule.

If the CBC is experiencing a decline in viewership for its core programs, what does this mean for the ethnic media programming? A decline in CBC viewership reflects the changing trends of Canadian audience demographics and allude to challenges from other media, such as Internet-based digital streaming platforms. This is further supported by decreased cable package purchases as demonstrated by data presented by the CRTC in their 2018 study "Harnessing Change: The Future of Programming Distribution in Canada". Data presented show that cord-cutting has been increased by more than 2% every year from 2010 to 2017 (CRTC, 2018). This data is inclusive of ethnic media markets and lends to the question: if audiences are moving away from traditional cable, is there room for the diversity discussion to take place under the umbrella of the public broadcaster?

At this stage, would moving towards a public ethnic broadcaster repeat the mistakes of Global National's Mandarin programming<sup>30</sup>? Rather than replicating the model of public broadcasting with ethnic programming, the CRTC has been consistent when looking for a private channel to serve the needs of the ethnic community. As announced by the CRTC 2018 call for applications for a new multilingual Category A channel. This discussion is the basis of my OMNI case study.

It is important to keep in mind that other countries have seen success in launching publicly produced ethnic programming. David Hendy at the University of Sussex discussed Media at the BBC and its dedication to reach immigrant communities (Hendy, 2019). Starting in 1965, the BBC began offering programming for immigrant audiences, and Hendy argued that by 1970, "the BBC's Immigrants Programme Unit was reaching "perhaps 85% or 90%" of its target audience, and its programs

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<sup>30</sup> The Global National Mandarin channel was a private news company's attempt to appeal to one of the largest ethnic groups in Canada. The newscasts began in 2012 and ended in 2016. Further sources on this program are no longer accessible on the Global News website.

had...”contributed in a worthwhile measure to the dismantling of the party wall between “us” and “them”” (Hendy, 2019). The CBC has been able to incorporate ideas of multiculturalism in its programming, via shows like *Kim’s Convenience*, which portrays a Korean-Canadian family and their family business in Toronto, Ontario. This show is a step in the right direction to begin including ethnic populations in public broadcasting—despite the program being in English.

The CRTC’s presentation of the Canadian audience in the Broadcasting Act lacks methods of improvement and checks and balances to see how well these audiences’ needs are being served. The CBC is the public broadcaster with the goal of meeting the needs of Canadians as a whole audience, but in the context of failed mainstream attempts at third language programming, there does not seem to be room for mainstream ethnic media. The contradictory idea of combining ethnic media with mainstream media means that there must be another policy solution to ensuring that the ethnic media audience is being served. Moreover, has the CRTC taken steps to evaluate the ethnic media audience’s needs in a modern age?

The OMNI application for a Category A “must carry” status is an attempt at achieving a guaranteed revenue stream from the basic cable subscription fees, while supporting the ethnic media agenda. The services available today target a narrow scope of linguistic communities. Are there alternative avenues to support ethnic media programming and does it become the responsibility of the public broadcasting system, if multilingual broadcast production cannot survive within the private system?

## **CHAPTER 3: DEBATES IN ETHNIC MEDIA POLICY REGULATION**

In the previous Chapter, I discussed key elements to the service and nature of the market in serving third language audiences. I also outlined the challenges of operating a multilingual third language channel from a financial standpoint in the private sector. In this Chapter, I will discuss public broadcasting and its relationship with ethnic media programming. Should we assume that third language audiences must be served? Is this service written into the CRTC mandate? And how comprehensive should the private and public sectors be in serving this audience? Is there space in the public broadcasting sector for ethnic programming?

### **Public Broadcasting and Third Language**

A prominent issue defining the Canadian broadcasting landscape is the decision to shape the system after Britain's public broadcasting model rather than the American private broadcasting model. In its rawest form, "broadcasting implies a classical relationship between a sender (the broadcaster), a message (the broadcast content) and a receiver (the audience member). But in fact, the broadcasting has long been a tool of "political economic and social imperatives" (Raboy, 1990, p.8). The semi-public broadcasting Canadians have today is critical to ideas of Canada's ethnic media, as traditionally, the public system has been held responsible for providing content to service the underserved communities in Canada.

The conversation of public versus private radio systems is critical in what came to be the definition of Canada and Canadians. Raboy argues that "all broadcasting in Canada, regardless of ownership, vocation or relationship to the market-place, is deemed to constitute a single system responsible to a principle of public service, and can be challenged through various mechanisms to meet that obligation" (Raboy, 1990, p.9). Public broadcasters have a responsibility to the Canadian public interest, but with those interests defined by Canadian representatives, as appointed by the political Canadian Cabinet. Thus, far, on the policy level, the Canadian third language group has been viewed as entirely separate, as an interest group, but this audience is certainly part

of the greater Canadian audience. Therefore, are there avenues for which the third language audience can be incorporated into the public sector of broadcasting?

Marian Bredin outlines that “the ‘public’ element of media policy in Canada has been founded on the assumption that broadcasting frequencies –the media of radio and television—are public property, protected from unrestrained private or commercial exploitation” (Bredin, 2013, p.33). And as ideas of the Canadian public are changing, through immigration, intermarriage and assimilation, does this view of what constitutes as *Canadian* shift with that image?

Policymakers have traditionally utilized public broadcasting “as a vehicle for promoting national unity” (Raboy 1990, p.338)—in particular unifying Quebec with the rest of Canada. In the context of third language media, this same idea of national unity can be applied to drawing cultural ties between third language Canadians and the mainstream media. However, Raboy notes that the agenda for policy makers had changed starkly from the 1980s onward. As Mulroney’s Conservative government took office, the past “Liberal governments in defence of the public broadcaster” (ibid.) was no longer the case. Raboy states that from the 1988 federal election, the CRTC took on a “supervisory” role which led to the “concentration of ownership among a shrinking handful of giant corporations” (ibid, p.339). This concentration led to a decrease in diversity as the corporations continued to air the same programming across their channels, with subtitles or licensed foreign content. The logic of commercialization seeks to reach a wider range of voices, the corporations were quickly becoming less diverse. Third language programming was largely left to smaller private companies (the original OMNI channel was launched through Toronto’s CFMT in 1979). Furthermore, to challenge competition in the private sector (both within Canada and from abroad), “specialty” licenses were established to cater to a wider range of markets in the private realm.

The design for public broadcasting was implemented to resist American cultural influence (McNulty). “The Canadian model provides a general perspective on the idea that broadcasting policy-making and regulation is a sphere in which public participation is legitimate and should be encouraged” (Raboy, 1990, p.16). Yet, he argues that the CBC at its core has not met its mandate because of its hierarchical, non-democratic nature. To a great extent, “reframing the fundamental issues in Canadian broadcasting

in terms of democratization rather than national purpose would make it possible to deal with them from a public media perspective...Democratization is the necessary pathway from the present media system to a system that would be “public” in the classical sense.” (Raboy 1990, p.341). For Raboy, how this would take shape would mean a “less centralized and less commercial CBC” with a stronger emphasis on community media growth.

Scholars have critiqued this broadcasting structure (Boardman & Vining, 2009). Given that the relationship between the public broadcaster and its audience is limited by its funding channels, the CBC itself is ultimately subject to political influence. When new governments are elected, the Canadian public broadcaster has to make the case for its work in front of a new government. This is because their financial support model is dependent on “publicly imposed license fee[s]” (Bredin, 2013, p.124) and tax income.

The CBC receives an annual financial appropriation from the government to sustain the corporation’s operations. Bredin notes in her overview of public broadcasting, that “while the CBC does earn advertising and subscriber revenues from some of its broadcast services, the government appropriation<sup>31</sup> represents its largest single source of income” (Bredin, 2013, p. 139). Her data assessment depicts a steady drop in parliamentary appropriation values. In 1995/96, the CBC had received \$1,171 million, yet “it dropped by 31% to \$806 million in 1997/98” (ibid., p.139). This trend remains consistent as “parliamentary appropriations for operating expenditures increased by \$74.0 million (8.0%) in 2016-2017” (CBC, 2017) following the parliamentary transition from former Prime Minister Stephen Harper’s Conservative government to Prime Minister Justin Trudeau’s Liberal party win in the 2015 election. For the 2017-2018 year, “parliamentary appropriations for operating expenditures increased by \$108.0 million (up 10.8%)” (CBC, 2018). However, this rate is inconsistent as values fluctuate based on the agenda of Canada’s elected party majority (or minority) government.

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<sup>31</sup> Appropriation refers to ‘parliamentary appropriation’ which is an annual sum from the federal government

In terms of content, the role of the CBC is to meet the needs of Canadian audiences by providing access to Canadian content. Boardman and Vining (2009) argue

*"the main difference between the CBC and other Canadian broadcasters is that the CBC has higher levels of Canadian content in terms of both availability and viewing audience (and the ratio of viewing to availability). Private broadcasters have resisted Canadian content more strongly than the CBC because it is not profit maximizing." (Boardman & Vining, 2009, p.56)*

Yet, despite private broadcasters resisting Canadian content, the purpose of the CBC is to increase and widen the Canadian content audiences. However, scholars note that the audience for these Canadian programs has declined. Already, by 1993, the CBC's English television audience had declined "about 22% in the early 1980s to 15% in 1990-1991 and to 13.5% in 1992-1993" (Boardman & Vining, 2009, p.48). This steady decline in audience retention mirrors issues in Canadian broadcasting, as broadcasters lose audience viewership to American and global programs. In the 2017-2018 CBC Report, "audience levels for the TV local 6PM news ended the regular season below target and prior year due to softening across markets" (CBC, 2018). The impact of these trends has resulted in a revenue report that was also below target "due to the ongoing cord-shaving trend" (CBC, 2018) and a softening market. Thus, as a public broadcasting system, it does not have the revenue power or stability to feasibly sustain the demands of an ethnic media broadcasting license.

Beyond the financial structure of the CBC, it is important to illuminate the type of programming available from the public broadcasting sector. To date, the CBC operates its national English and French news services, as well as Canadian content (*Murdoch Mysteries* and *Kim's Convenience*) which is designed to serve Canadian audiences and promote culture and identity. Canada has developed a public broadcasting system within an environment that also supports private broadcasting. As a result, the mixed public and private systems provide Canadians with a range in programming choice. However, this choice is coupled with the fact that the viewing environment is increasingly competitive with wider consumer choice among foreign programs through Internet viewing platforms.

Boardman and Vining (2009) argue that “the implications for Canada are that [broadcasting] distribution is likely to become a competitive industry with reduced or zero excess profits and with greater programming diversity” (p.47). It is ironic that despite the apparent abundance of choice, Canadian viewers face the same issues of representation that the public broadcaster was designed to combat; yet now, these issues also apply to a broader Canadian population with a wider net of audience language and content preferences.

In a 2007 submission to the Standing Committee on Canadian Heritage, Robert Rabinovitch stated:

“Programming content from the world is available to Canadians on countless platforms: a new world of choice is in their hands. At the time, Canadians have become increasingly diverse, with diverse interests and values. The cultural challenge facing Canada is immense.” (Rabinovitch, 2007)

This statement embodies the exact challenge that public broadcasting advocates face today in Canada, as the CBC faces competition from diverse *local* private broadcasting, *global* broadcasters and other platforms.

To an extent, because the CBC is required to meet Canadian content needs, its inability to retain viewership is an indication its audience’s needs are not being met. However, is this a question of content? "Surveys reveal that the percentage of Canadians who think the CBC "does a great deal" in "maintaining distinctive Canadian culture" has declined from 39% in 1985 to 31% in 1991 (Standing Committee on Communications and Culture, 1992)" (Boardman & Vining, 2009, p.48). These issues remain today as the CBC struggles to retain audience viewership as it competes with an increasingly global programming market. This is coupled with aggressive attempts by the CRTC to control content in Canadian television. Despite these controls, "for the English and French networks combined, about 30% of the programs are imported, the main sources of foreign programs being the US, France, England and Belgium" (Boardman & Vining, 2009, p.55). Thus, it seems this struggle between foreign programmers and Canadian broadcaster challenges: the intended purpose of Canadian public broadcasting, the diversity offered by Canadian private broadcasters and meeting the needs of Canadian audiences.

## The Rise of Streaming and the Problem with Cable Television

*"Technological innovations provide significant potential for broader content diversity and consumer access...Technological innovation has also led to fragmented audiences and the growth of specialized content" (Bredin 2013, p.22)*

The technological innovations of the past twenty years have fundamentally reshaped consumer viewing habits. The advent of technology has solved many former dilemmas of access to cable channels, content diversity and representation. Marian Bredin's reference to audience fragmentation points to the shift away from mass public broadcasts, in favour of subgroup selective "narrowcasting" (Bredin, 2013). This idea is reinforced by the increase in online groups and websites seeking to service niche markets, a trend that is both 'destabilizing' and 'invigorating' the existing traditional mass public broadcaster model.

The idea of narrowcasting is further emphasized by Canada's newer policies, seeking to introduce high quality broadcasts that serve niche markets. To the CRTC, the third language community is one such niche market that has been a key player in the narrowcasting sector. Moreover, the market encompasses such a diversity of languages that it references more than one niche market. The introduction of streaming services has allowed Canadian channels to license material from global production networks to service niche markets that are underserved in the Canadian broadcasting landscape. However, despite introducing a new range of choice for audiences, what challenges does this newer media environment present to ethnic media programming regulation?

Undertakings by the CRTC to introduce new media developments into policy have challenged their commitment to servicing third language communities.

In the 1991 Canadian Broadcasting Act, 3(1)(t) distribution undertakings state:

- "i. should give priority to the carriage of Canadian programming services and, in particular to the carriage of local Canadian stations,
- ii. should provide efficient delivery of programming at affordable rates using the most effective technologies available at reasonable cost,
- iii. Should, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, provide reasonable terms for the carriage, packaging and retailing of those programming services, and

- iv. May, where the commission considers it appropriate, originate programming, including local programming, on such terms as are conducive to the achievement of the objectives of the broadcasting policy set out in this subsection, and in particular provide access for underserved linguistic and cultural minority communities.” (Canadian Broadcasting Act 3(1)(t))

These policy mandates sufficiently outline the CRTC’s prioritization of Canadian content, but also illuminate the important question of “delivery”. Policy states in point (ii) that the Act focus on delivery using the “most effective technologies”. While the policy leaves the definition of effective technologies ambiguous, the established policy framework does not officially regulate the framework for online streaming broadcasts.

The CRTC has approached the study of Internet broadcasting through two media: copyright law and its newest intervention studying Canadian consumer habits.

The history of Canadian third language channels, through intervention by the CRTC, has set a strong precedent in favour of protecting Canadian content:

“The Commission has a fairly relaxed approach to authorizing third-language non-Canadian services, but these services must be packaged with Canadian third-language services. The idea is to expand the choices available to third-language ethnic communities in Canada, while at the same time ensuring maximum exposure for Canadian services.” (CRTC, 2015)

Despite the CRTC enabling multiethnic services availability, it is reluctant to sacrifice its stance to prioritize Canadian content. Yet, in doing so, the CRTC creates a false market for Canadian content, whereby, the third language content produced in Canada and aired locally, is not supported by market demand.

Following the CRTC television cable package intervention, “Lets Talk TV: The way forward- Creating Compelling and diverse Canadian programming”, in Broadcasting Order 2015-88, policy changes to broadcasting consumption and television package structure made critical changes to the landscape of Canadian Ethnic content consumption, and subsequently, the ethnic media programming environment. The order challenged a few existing policies on the basis that the hearing ordered a new focus on *availability* of consumer choice.

In 2015, the CRTC changed its policy for all basic cable packages, which included more choice for consumers when it came to specialty channels (including

Category B). This policy acted as a mode of increasing availability and choice for consumers, but removed critical license holds on channels owned by foreign media companies. For example, with this new system, Canadian viewers would be able to access in Canada the original airings of Mainland Chinese national news and drama programs aired in the original Mandarin broadcast through China's national CCTV channel. Previously, for viewers looking to tune into Mandarin language broadcasts, Canadian owned broadcasting companies would hold the license to broadcast the foreign programs on their channel.

This system is the traditional structure that ethnic media companies have established here in Canada for third language diasporic communities. Essentially, by purchasing and licensing foreign content and airing it on Canadian soil, the company met third language regulations set out by the CRTC, as long as a portion of content was produced in Canada and also aired on their channels. According to the 2015 ruling, third language channels were mandated to “[devote] not less than 15% of the broadcast year and of the evening broadcast period to the broadcast of Canadian programs” (CRTC Order 2015-88). With minimal requirements for Canadian produced content, content for these ethnic media channels could rely on licensed foreign programs for its primetime hours and reduce overhead as they did not have to produce as much of their own unique content. This ruling marked a critical time for ethnic broadcasters, as it identified the end to their protected ethnic broadcasting system that licensed foreign content for profit.

Some scholars note that this issue of choice versus protected ethnic media also faced bandwidth saturation. As more content is produced and demand for foreign programs increases, access is necessary and with cable, the infrastructure needs expansion to service the changes.

In 1993, the rise in Video-On-Demand (VOD) programming and High Definition (HD) channels in the United States, spurred interest in digital service frameworks in Canada. The CRTC began seeing a shift in viewership habits that “allow[ed consumers] to bypass cable” (Boardman & Vining, 2009, p.58). With newer viewing technologies that increased the volume of content to audiences, this led to a combination of positive and negative repercussions on the Canadian broadcasting landscape. Firstly, for channels that saw licensing as a main source of revenue, purchasing and distributing American and foreign programs ceased to be a significant source funding. The implications of this on wider public audiences can also be further applied to ethnic audiences as well. Channels largely relied on foreign programming popularity within Canada to generate

viewership revenue. To supplement this, the viewership would also be marketed to advertisers for further profits. However, by introducing an increased variety of channels through cable, satellite and VOD, channel owners saw the first signs of migration away from these Canadian owned channels airing foreign content—instead, opting for the foreign channels with full licenses to operate in Canada.

"Currently in Canada, the most successful "specialty" channels focus on generic (i.e., not Canadian) cultural and non-mass entertainment, sports and music programs. Even competing distribution systems and a very large number of channels will probably not generate Canadian "culture," as defined by governments or cultural elites" (Boardman & Vining, 2009, p.59).

From a regulation perspective, the content produced by foreign channels cannot be limited or controlled by Canadian bodies or the CRTC. Furthermore, the limitations for channels, to have a minimum percentage of Canadian produced content were no longer in place for foreign owned channels airing in Canada. Therefore, as the channel provided diversity for audiences, it also led to a decline in Canadian produced content in third languages.

## CHAPTER 4: DISCUSSION & THE OMNI CASE STUDY

As Canada opens-up to a more globalized community of resources and knowledge, that “sharing community” will also be influenced by the languages spoken on Canadian soil. The impact has led to a demand for more diversity for niche markets and multicultural interest groups. Statistics Canada has documented 140 languages spoken and reported, yet, the public broadcaster focuses only on English and French. Canada has hosted a large number of specialty channels to meet the needs of groups not served by the public broadcasting system.

In this Chapter, I discuss the existing ethnic broadcasting model through a case study of the specialty ethnic media channel “Channel M” CHNM-TV which owned and operated a multicultural channel operating in Vancouver, BC. In 2007, the license was sold to Rogers and the channel was rebranded to become part of the OMNI Television group of ethnic media that existed in Toronto as CMFT since 1979. This chapter will deconstruct the influence and value of this case study during its initial license discussions with the CRTC in 2002 and 2007. The precedent set out by these license discussions will be compared to the 2017 CRTC hearings for the entire OMNI Channel to become a part of the Category A “must carry” status of channels. The implications of these three deliberations has mapped the history of Canadian ethnic media consumption and become an important component in understanding the future of third language media policy in Canada.

At the time, television broadcasting was limited to cable channels, and precluded the increased availability of streamed video content<sup>32</sup>. In 1997, when the CRTC released its official review of VOD, the programming technology was in its infancy.

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<sup>32</sup> The rise of VOD models rose to prominence as cable companies offered it as a premium service starting in the early 2000s. In Canada, the first VOD service was analyzed by the CRTC in 1997. “VOD services require three basic elements: a library or source facility such as a video server or servers, an interactive navigation system, and a distribution system that has been upgraded to allow for digital signal transmissions. Beyond that, there are numerous possibilities with respect to the placement of servers within the distribution system, the speed of delivery of programs, and the individual roles of distributors and VOD undertakings in server ownership and in the design of the navigation systems.” (CRTC Public Notice 1997-83 (10), 1997)

Thus far, we have dealt with concepts of language, identity, nationalism, public and private broadcasting in Canada. However, the technological shifts made in broadcasting alter how audiences have received and sought access to their content. This case study demonstrates the critical shift in accessibility and its subsequent influences on the broadcast revenue model.

## **Case Study Part A: Channel M and Multivan Broadcast Corporation**

In 2002, CFMT-TV was approved by the CRTC<sup>33</sup> as a new multicultural television station in Vancouver, British Columbia. Multivan Broadcast Corporation and Rogers Broadcasting had both submitted applications seeking to establish an ethnic broadcasting channel in the region. But the CRTC chose Multivan's application: regulators noted that "the approval of Multivan as a locally owned and managed ethnic broadcaster will contribute to a diversity of voices in over-the-air ethnic television broadcasting in Canada" (CRTC Broadcasting Decision, 2002-39) and saw the channel as "enhancing" Ethnic Broadcasting Policy objectives.

The original application pitched the following broadcasting schedule:

- *At least 60% ethnic programming during each month*
- *Entirely ethnic programs between 8:00 p.m. and 10:00p.m. daily*
- *A level of at least 60% Canadian programming overall, and 50% during the evening hours (6:00 p.m. to 12 midnight)*
- *At least 55.5 hours per week of local programming*
- *Programming directed to at least 22 ethnic groups, using a minimum of 22 distinct languages*
- *28 hours of original news programming each week, half of which will be locally oriented*
- *A two-hour business report in the Cantonese language each week*
- *Programs featuring lifestyles, current affairs, entertainment, children's programs, drama, health, cooking, comedy and music*
- *A minimum of 10 hours each week of programs acquired from independent producers in British Columbia*
- *Foreign ethnic movies, drama, comedy and sports programming*
- *English-language programming that will reflect multicultural diversity, in line with the Commission's position on such programming, set out in the television policy (Public Notice CRTC 1999-97; CRTC Broadcasting Decision, 2002-39)*

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<sup>33</sup> In Broadcasting Decision CRTC 2002-39 the Multivan Broadcast Corporation's application for CMFT-TV was approved (CRTC Broadcasting Decision 2002-39).

The above points included in the CRTC call for applications are in response to Order in Council P.C. 2000-1551, requesting an OTA<sup>34</sup> service aimed at “the multicultural, multilingual and multiracial population of the Greater Vancouver Area” (CRTC Broadcasting Decision 2002-39). Particular to the request, was the aim of promoting and airing locally produced programming.

At the time of the application, the Vancouver market (and by extension the Victoria area) was served by 5 ethnic radio programming stations and 5 television specialty channels<sup>35</sup> (CRTC Broadcasting Decision 2002-39(7)). By establishing a programming model based on more than one language group, Multivan hoped that Channel M would attract advertising dollars from more than one ethnic language group. “Multivan expected that Chinese and South Asian advertisers would account for \$2 million and \$1.8 million, respectively, in advertising revenues” (CRTC Broadcasting Decision 2002-39(16)) as described in their business plan which competed with an application from Rogers Broadcasting. Furthermore, both groups were committed to Canada’s minimum level of Canadian content (60% overall and 50% during evenings).

The impact and value that differentiated Multivan’s application from Rogers’ is apparent; moreover, it better fit the CRTC’s version of multicultural representation in broadcasting. During the 2002-39 decision, the ‘Synergies’ section cites local connections to ethnic radio station CHMB, bringing “efficiencies in the sale of local advertising and the sharing of local news gathering resources” (CRTC Broadcasting Decision 2002-39(20)). This emphasis on Vancouver-based ownership aligned with the CRTC’s initial aim of establishing a *locally based* multicultural channel. These ideas contrasted with Rogers’ proposal, that cited “access to ethnic programming produced for CMFT-TV Toronto and made available in Vancouver at no cost, as well as the shared acquisition of program rights to non-ethnic programming from third parties” (CRTC Broadcasting Decision 2002-39(21)). Though the channel would be cost effective in its use of Toronto CMFT resources, the economic benefits did not outweigh the CRTC’s prioritized need to develop Vancouver-based programming.

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<sup>34</sup> Over the Air

<sup>35</sup> ExpressVu, Talentvision (Mandarin focus), Fairchild TV (Cantonese focus), SATV (South Asian focus), Telelatino (Italian and Spanish focus), Odyssey TV (Greek focus) (CRTC, Broadcasting Decision, 2002-39)

Multivan argued that granting them the multicultural license would diversify broadcasting spectrum ownership and target issues of “consolidation and convergence”<sup>36</sup>. They stated that the station would be a “better choice” than a non-local station. Moreover, the expertise of its owners argued that a locally owned channel would better demonstrate an “understanding of the needs of the local market” (i.e. the Vancouver ethnic media audience), promote local production and offer a “more complete understanding” of the Vancouver audience (CRTC Broadcasting Decision 2002-39(33-34)).

To a great extent, the arguments presented by Multivan tie to communications theories presented by Matsaganis et al. They argue that ethnic “media [is] produced *by* and *for* a.) immigrant, b.) ethnic, racial and linguistic minorities” (Matsaganis, Katz and Ball-Rokeach, 2011 pg. 10). By establishing a channel that produces content on a smaller local scale, it would fulfill the definition’s for ethnic programming as both *by* a community and *for* the same group.

During the 2002 decision, Paul Pahal stated “[Channel M] would be the only station owned by the very people it serves. They will no longer have access to the airwaves, they’ll own the airwaves, have a voice and be able to make a big change. It will reflect the idea that you don’t merely have to work and fit in, but eventually that you may have an opportunity to run and contribute greatly, positively to society” (CRTC Broadcasting Decision 2002-39(39)). In the comments outlining reasons why the license was awarded to Multivan over Rogers, the CRTC stated that the strong community presence of the owners, local decision-making and expertise in the local ethnic market were of vital importance.

### **Case Study: OMNI-Vancouver, OMNI Regional and Rogers Media**

OMNI Television began as CMFT in 1979 and operated out of Toronto as Canada’s first multilingual channel airing content purely catered towards the third language demographic. Rogers Media purchased the channel in 1986 and rebranded it officially as OMNI Television. The OMNI group had applied for another multicultural license via the CRTC for many years, with hopes of expanding its presence in Canada to

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<sup>36</sup> Canadian broadcasting ownership and infrastructure is concentrated by four major oligopolies: Rogers Communications, Bell Canada, Telus Communications and Shaw Communications.

the West Coast multicultural market in Vancouver. For years, the multicultural media landscape had been dominated by language-group specific channels, such as Fairchild Television which targeted one or two ethnic groups in the region. Despite multiple applications for a multicultural channel in the west—including the application that competed with Multivan for third language broadcasting spectrum—the media landscape in the west coast would not change until 2007, when Rogers was granted the CRTC licenses to operate multicultural channels in Calgary and Edmonton.

In this section, I would like to examine the status of OMNI channel as a service for a multitude of linguistic communities. In addition, I will discuss OMNI's focus on news, culture and language from a multicultural lens, which sets the channel apart as a niche for *all* third language groups. I will discuss critical theories on ethnic media policy, and how the channel has addressed the 'other' definition in its programming. I will discuss these ethnic theories in conjunction with critical discourse on ethnic broadcasting and its current developments in 2017 and 2018, ten years after the purchase of Channel M from Multivan and OMNI's expansion nationwide, and ultimate reclassification into a Category A 'must carry' channel under OMNI Regional.

2007 was an eventful year for the Rogers Media group. Up until this point, the company had made numerous unsuccessful applications, attempting to broaden its multicultural media reach. Instead, the company only saw licensed spectrum in the west coast go to its competitors, as other companies sought to expand their presence in the Lower Mainland and Vancouver area. It was not until 2007, when Rogers Media was granted the multicultural licenses for Calgary and Edmonton.

In January of 2006, the CRTC had put out a "call for applications for broadcasting licenses to carry on a television programming undertaking to serve Edmonton and/or Calgary, Alberta" (CRTC Broadcasting Notice, 2006-3). All proposals were to include expected audiences, the contribution to local and regional programming, analysis of market and advertising revenue, as well as promotion of Canadian or local talent. The application criteria specifically regard the Calgary and Edmonton markets, yet both Multivan and OMNI submitted applications for the license. Multivan emphasized in their application their influence in the local Vancouver market and their edge in gaining advertising revenue over the Toronto based OMNI channel. At this point, the ownership of ethnic channels was spread across multiple ownership groups, and drew from a broad

range of sources, and diverse voices that catered to specific regions. With media more localized, content was tailored and produced for the local niche audiences. This was critical for Rogers Media, as Channel M had control over the western multicultural audience.

The commission announced their decision on September 15, 2008 CJCO-TV and soon began broadcasting as part of the Rogers OMNI group of multicultural ethnic programming (CRTC Broadcasting Notice, 2008-72). The implications of this decision set in motion the concentration of multilingual channels in Canada under the OMNI umbrella. By centralizing multicultural programming in Alberta and Ontario, the company was able to concentrate the third language audience niche to one central company. In doing so, this was a turning point for both the OMNI brand and for the third language market, as it initiated the centralization of ethnic audience programming in Canada.

At the same time, Channel M in Vancouver faced difficulties in the face of market competition from niche channels such as Fairchild, and saturation in advertising revenue. Furthermore, a 2006 CRTC decision to approve nine non-Canadian, Chinese-language satellite services illuminated one of the largest challenges to the ethnic market. “Fairchild was concerned that the addition of these services to the digital lists could affect or jeopardize [their] program supply agreements. According to Fairchild, CCTV had not yet initiated renewal negotiations.” (CRTC Broadcasting Public Notice 2006-166(8)) During this time, Multivan also faced critical competition from OMNI Channel’s increased concentration after acquiring the license to broadcast in Alberta and, now faced the challenge of CCTV and other Chinese language satellite offerings would compete with Multivan’s multilingual foreign programming.

The added element of foreign satellite station imports, ultimately, illuminates the key issue repeated in today’s broadcasting market: with OTT and Internet streaming, technological changes are challenging policy regulations that were set in place to protect Canadian content, the ethnic audience and, subsequently, broadcaster advertising revenue. Companies such as Multivan, already facing domestic competition with niche broadcasters that focus on one or two language audiences. In its attempts to challenge the introduction of foreign channels to Canadian satellite, “Multivan Broadcast LP (Multivan) had concerns similar to those expressed by Fairchild with respect to the ratio of non-Canadian to Canadian Chinese-language services, and the possible impact of the

addition of the nine services on programming supply. Multivan also alleged that the services are not general interest in the Canadian context, but rather are closer to niche services” (CRTC Broadcasting Public Notice 2006-166(9)).

It seems convincing that Channel M was facing the financial pressure of both domestic and foreign competition. In 2007, Channel M (CHNM-DT) was sold by Multivan to Rogers Media. Rogers proposed the following breakdown of assets in their CRTC Condition of Approval:

“Channel M Independent Producers Initiative - \$4 million;  
Channel M News Bureau in Victoria - \$1 million;  
University of British Columbia Multicultural Film Production Program - \$1 million”  
(CRTC Broadcasting Decision, 2008-72)

From an economic standpoint, the sale of Channel M was rooted in the diminishing ability for the company to grow in the face of concentration by its multilingual audience competitor—OMNI. By acquiring the Alberta license, Rogers had fundamentally sealed its ability to consolidate resources for multilingual audiences across Canada. The sale and subsequent rebranding to OMNI Vancouver was solidified in March of 2008 and illuminated vast changes to the multicultural media landscape as a result of the new management:

“We know from our community partners and viewers that there is an increasing appetite for multilingual news and information programming, and we’re excited to offer this vital service to more Canadians through OMNI Regional,” said Manuel Fonseca, Director, OMNI, Lifestyle & Entertainment Production, Rogers Media. “Our commitment through OMNI Regional is to deliver much-needed language newscasts to as many Canadian households as possible, and our mission is to grant every citizen access to quality multicultural and multilingual programming – no matter where they live.” (OMNI Television, 2017)

In reference to Fonseca’s comments, I present a series of questions framing Rogers Media’s application for OMNI Regional. Firstly, if this appetite for increased multilingual news and programming is increasing, and how is this best measured? Does the localized production of OMNI Regional allow for the company to focus more closely on third language audience needs? Are third languages audiences utilizing other modes of access for third language media content? These questions pertain to critical ideas of how language and culture are consumed and how OMNI Regional has dealt with them.

With editions produced locally in Calgary, Montreal, Toronto, and Vancouver will present engaging discussion on topics that are truly reflective of their respective regional and language communities, such as provincial and municipal news, healthcare, and business. The application indicated uniquely tailored news broadcasting in four languages: Cantonese, Mandarin, Punjabi and Italian. Each program would aim to serve key demographics in the four regions.

The existence and presence of ethnic media in the Canadian broadcasting options is important to have, but companies such as Multivan and Rogers Media are subject to cultural implications, expectations of profitability and audience demand. As private broadcasting companies, ethnic media are subject to the same market challenges as other non-niche broadcasting companies and channels. Moreover, with the advent of newer technologies such as VOD and OTT streaming options, a broader range of channel selection challenges existing demand for purely ethnic media channel demand.

To a great extent, it seems that stabilizing profitability, with increasing competition puts policy makers in a challenging position. How does the CRTC aid third language media in broadcasting without establishing a new subsidy? Category A revenue for OMNI Regional is currently \$0.12 per monthly fee of mandatory carriage (CRTC Broadcasting Decision, 2017-152). By collecting a portion of each mandatory fee, the subsidy aimed to go towards the multilingual news and programming. And without the status of a national broadcaster like the CBC how does this ethnic channel maintain its status in the Canadian media landscape?

To begin to answer these questions, the framework of understanding Canadian policy must be analyzed through two lenses, as framed by Raboy. Extensive research on Canada's policy history has always emphasized two issues: Canadian content and the semi-public broadcasting system. Embedded within this case is the Broadcasting Act's outline of third language policy. While the content is mandated, it is clear that demand for third language policy is seeing a shift on multiple fronts: audience demand, programming source and method of access. With these shifts in mind, there is a discrepancy between a channel seeking to appease and meet the demand of audiences, but also needing to meet the third language Canadian content laws.

The idea that ethnic media is *by and for* an ethnic community is shifting in a globalized society (Matsaganis et al., 2011 pg. 10), where the ethnicity is not tied to a specific brand of nationalism. It makes room for the cultural hybridity of members of a diasporic in-group to belong to more than one group. Moreover, it goes beyond a passport-holding understanding of identity. Serra Tinic in "Walking a tightrope: The global cultural economy of Canadian television" discusses how trade culture has commoditized programming as another commodity available for trade. But in this context then, Canada has always consumed more foreign content than it produces (Tinic, 2010 p.6). For ethnic media broadcasters, licensing programs instead of producing unique content is a primary source of keeping costs low, while also providing Canadian audiences to foreign programming. This illuminates a larger issue, however, as foreign programming is now easier to access over the Internet, this is one less incentive for audiences to purchase domestic broadcaster packages.

Increasing literature on Canadian co-production suggests that the Canadian market has prioritized Canadian content requirements in order to fit the protectionist Canadian model<sup>37</sup>.

OMNI's content in Canada is seeing limited demand, and limited programming distribution outside of Canadian borders. In the November 2018 CRTC hearing transcript regarding the 2018 Call for applicants for a Canadian multilingual channel, Aldo Di Felice, President of Telelatino Networking (TLN) stated that:

"there are deficiencies in rating measurement systems [Numeris data from TLN's June 18<sup>th</sup> report show] that the audiences for the Rogers reinstated newscasts in Chinese, Punjabi and Italian have, to the extent of the high 80 percent to 98 percent, not returned for the equivalent periods of nine months prior to their being cancelled and the nine months since they were reinstated...they would indicate that the numbers of people who are actually satisfied are low and are fewer than were attracted before these newscasts were cancelled" (CRTC Transcript, 2018, pp.3584)

The argument against OMNI identified a weakness in the OMNI Regional argument—despite the channel's multilingual news experience, viewership was still in decline. Not only were OMNI's licensed programs underperforming, but the content that makes the

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<sup>37</sup> Also known as Hollywood North, Vancouver and Toronto are well known film locations for many American projects, with the majority of crew, production and editing going to Canadian talent in the mainstream system.

channel uniquely Canadian was performing unsatisfactorily. The channel, therefore, functions as a Regional channel that markets to distinct ethnic groups on a smaller scale than their niche language ethnic media counterparts (i.e. Fairchild operating with a focus on the Chinese demographic) and not satisfying audiences in any demographic.

## **OMNI Regional: Analysis and Discussion**

Canada is distinct as one of the nations with the highest population of immigrants amongst G8 countries. The programming on OMNI caters to the needs of nearly 66% of the Canadian immigrant population (Statistics Canada, 2016). The data suggests that the highest profits generating audiences for multilingual channels would be the larger Cantonese and Mandarin groups. But these statistics do not translate to revenue earned. Competition from other Category B channels in the Canadian media system mean that multilingual channels are competing against each other for licensing deals for popular foreign shows.

In terms of advertising revenue for OMNI, a representative expressed the financial stress Rogers was experiencing as a result of declining viewership:

“It’s important to understand, Pelley added, that conventional over the air television is under stress with advertising revenue “declining at a torrid pace. This is not just a couple of years. This is not cyclical. This is a structural change.” The drop from \$80 million in advertising revenue in 2011 to \$22 million [in 2016] tells a big part of the story, he noted. This has wreaked havoc on OMNI’s traditional business of using U.S. strip programming,” (Unifor Local79m, 2016)

Thus, it seems that the financial state of OMNI had not been profitable for quite some time, as viewers and advertisers are reluctant to commit to OMNI’s multiethnic channel as a household preference.

In June of 2016 OMNI filed for a new multiregional, multicultural and multilingual channel called OMNI Regional. In an online webpage <https://supportomnitv.ca/> the company had begun a campaign, angling to generate public interest and support in relaunching the OMNI brand as a channel with news broadcasts in Italian, Mandarin, Cantonese and Punjabi at the heart of their production. A critical component to their application was positioning OMNI Regional as a niche component for basic TV packages, allowing the company to receive recurrent revenue from their elevated status.

Multivan was not the only company that noticed a mismatch in multicultural representation in Canadian broadcasting. In 2002, The Globe and Mail published an interview with Daniel Iannuzzi, the president of Multimedia WTM Corporation in Toronto, owner of a private multicultural channel. The corporation was designated a Category B digital TV license for his "World Television Network". Iannuzzi stated that his Category B license was limiting and that rather than compete for the limited audiences, he argued that there was a cultural mismatch between programs on TV and the interests of Canadian audiences:

"Multimedia WTM, along with a handful of new, ethnic and multilingual services, argue that Canada's TV dial has failed to keep pace with the country's changing demographics. They claim non-English- and non-French-speaking Canadians are missing out as the handful of communications companies that control the nation's TV screens make it difficult for new voices to reach an audience.

"Its like Lotto 6/49: You have to play to win," says Shan Chandrasekar, president of the Asian Television Network, a Newmarket, Ont., broadcaster that operates four multilingual digital channels. "But that playing opportunity is not on an even playing field at the present time because of the fact that carriage is so difficult." (Globe and Mail, 2002)

To a great extent, the digital television technology has allowed regulators increased ability to provide diversity in content for audiences through its licenses. Yet, a limited number of channels are awarded Category A "must carry" licenses. Based on the discussion in Chapter 3, the social impact of third language channels is proven by its ability to reinforce a sense of community amongst diasporic populations, but does this impact warrant OMNI Channel the benefit of "must carry" subscriber revenue? When coupled with the increased number of viewers who have access to the third language content as a Category A license, it seems convincing that the social impact of third language content would increase with its new "must carry" subscribership. Moreover, when one considers questions of policy, the Category A channel would be meeting the needs of third language audiences without the additional costs associated with Category B channels.

Nevertheless, OMNI Regional has been controversial and in 2017 was accused of contracting its Chinese language programming to Fairchild TV. Unifor President Jerry Dias criticized "Rogers' failure to reveal its hands off news gathering to Fairchild TV only after the CRTC license hearing, without the Chinese Canadian community having the

chance to debate a monopoly on Chinese language local and national TV news...[denying OMNI] viewers a different perspective and a fresh voice” (Laidlaw, 2017). Rogers argued that the programs were exclusively contracted packages and were not a violation of their license. The CRTC addressed this issue in Broadcasting Decision 2018-118, arguing that the resolution would be based on the definition of “produce” as outlined in OMNI Regional’s conditional license. The commission decided that “when reading the wording of condition of license 11 in conjunction with the other conditions of license imposed on OMNI Regional, it is reasonable to interpret “produce” as including either in-house production or programming produced with the assistance of third parties” (CRTC Broadcasting Decision, 2018-118).

The high social impact and financial value of a Category A license seems to strongly influence the nature of how private Canadian broadcasting companies have framed their channel programming and marketing. In terms of profit margins, by attaining a must carry status, the company earns revenue from each cable package sold, rather than the “pick and pay” options.

In Chapter 2 I discuss the implications of ethnic assimilation and identity on the Canadian cultural mosaic. If one takes into account the OMNI Regional focus of four specific news casts, it illuminates a key issue that Fleras and Elliot present in *Engaging Diversity: Multiculturalism in Canada*. They argue that the cultural mosaic is misleading, “the tiles in Canada’s cultural mosaic are not equal: some are raised while others are lowered” (Fleras & Elliot, 2002 p. 41). The air schedule of Cantonese, Mandarin, Punjabi and Italian broadcasts focus on four large demographics in Canada but push the other languages aside to hours with lower viewership. As a multicultural channel it does represent more than one community but lacks equity among them.

Based on the CRTC Consultation 2018-127, “Applications for a national, multilingual multi-ethnic television service offering news and information programming, which, if licensed, would receive mandatory distribution on the basic service pursuant to section 9(1)(h) of the Broadcasting Act”, the eight applications received all seek to meet the needs of the same multicultural audience, with proposals with varying levels of Canadian content, ethnic content and third language content. All of the applications follow CRTC Policy’s 2010-629’s Broadcasting requirements, yet, the CRTC decided in

Broadcasting Decision 2017-154 call for applications for a Category A multilingual television service offering news and informational programming.

Therefore, with a new channel in selection for the national multicultural “must-carry” license, the question of meeting the third language and ethnic audience’s needs is uncertain. And whose responsibility it is to meet those needs remains unclear.

## CHAPTER 5: SIGNIFICANCE OF THE OMNI CASE & THE FUTURE OF ETHNIC MEDIA

Discussions of the CRTC's approach to navigating third language media in Canada has become subject to the same problems experienced since the inception of Canada's Broadcasting framework: issues of foreign broadcasting competition and digital platforms and the danger they pose to Canadian content. The Aird Commission and the CRTC both strove to work against the heavy influence of external broadcasting entities, which sought to dominate the Canadian entertainment programming market. I have discussed the CRTC's framework around third language media, its decisions on multilingual ethnic Channel M, OMNI Channel and OMNI Regional. Chapter 4 addresses this thoroughly and documents some of the CRTC's most influential decisions when navigating OMNI and subsequently the application for OMNI Regional. Yu and Matsaganis' *Ethnic Media in the Digital Age* argue that ethnic media continues to "fill the void left by mainstream media" (Shaikh; Yu & Matasaganis 2019, p. 184).

Reflecting on decisions regarding third language media, with reference to the CRTC's 2017 decisions on OMNI Regional's 3-year license, it seems convincing that the CRTC has questioned the ability of OMNI to meet the needs of Canadian ethnic audiences effectively. While I noted in Chapter 2, the deep sociologically entrenched needs are of the ethnic consumer level, it seems that larger systematic influences are at play in this system (Fleras & Elliott 2002; Yu, 2018). For this I would like to reference a 2018 study by the CRTC which analyzes Canadian viewership habits on a national level. These insights are critical to determining the future of the third language audience viewership in Canada.

In 2017 the CRTC announced a call for applications, in its Broadcasting Notice of Consultation 2017-154, for a national multilingual multi-ethnic television service. This decision follows Broadcasting Decision 2017-152 which stated:

[The Commission] was concerned that the service proposed by Rogers Media did not fully meet the Commission's expectations for such a service, particularly with respect to long-term viability, the small portion of the program schedule allocated to newscasts and the lack of specific amounts of regionally reflective programming in the proposal. The Commission weighed its concerns in regard to

the application against the extraordinary need for this type of service and approved the application by Rogers Media for an interim three-year period. OMNI Regional will fill the gap in multilingual, multi-ethnic programming from a Canadian perspective while the Commission conducts a proceeding to consider proposals for a service that will meet the needs of third-language Canadians (CRTC Broadcasting Decision, 2017-152).

This statement is critical as it reviews the status of OMNI Regional's currently limited license and concerns the CRTC has with OMNI's ability to meet the needs of multilingual audiences. However, the call for applications is uniquely challenging as it illuminates the difficulty in providing adequate service for such a large population of diverse Canadians, while also calling for broadcasting programming that offers news and information programming in a similar vein to OMNI Regional's original proposal.

In its criteria for assessing applications the CRTC outlined requirements that favoured contributions to Canadian identity and culture, while also fulfilling requirements of basic digital services and Canadian content requirements outlined in the Canadian Broadcasting Act. The third clause for criteria is most interesting as it states that the proposed service would need to:

- operate under a diverse governance structure that involves a committed group of broadcasters, producers and members of the community;
- Serve a broadly representative set of minority linguistic and cultural Canadian populations including newcomers to Canada;
- be relevant to Canadians across all provinces and territories in the country;
- present news and information programming in multiple languages from a Canadian perspective, including local, regional and national news and information
- offer significant levels of Canadian content, both in terms of expenditures and exhibition; and
- be able to adapt with the ever-changing makeup of Canada's ethnocultural demographics (CRTC, 2017-152(3))

The clause illuminating the need for "broadly representative" services is interesting because it is inclusive of newcomers.

## **Deconstructing "The Future of Programming Distribution in Canada"**

In the 2016 Census, it was reported that "7.5 million foreign-born people came to Canada through the immigration process" (Statistics Canada, 2017). In October of 2017, an Order in Council (OIC) noted that "an increasing amount of programming is made

available through online and mobile platforms and that Canadians are increasingly accessing programming through these platforms” (CRTC, Consultation 2017-359). This recognition of the shift in audience consumption illuminates two overarching themes in Canada’s greater broadcasting policy; firstly, Canada’s policy of protectionism in favour of Canadian content. Secondly, the shifting demand to meet audience needs “as technology evolves” (CRTC, Consultation 2017-359). The report was requested for June 2018 and outlines possible distribution models for Canadian programming, accessibility and methods of managing a vibrant domestic market “in both official languages, including original entertainment and information programming” (CRTC, Consultation 2017-359).

In the study done by the CRTC, there is no distinct research that caters specifically to the Canadian third language audience. Instead the research focuses entirely on the shift to digital streaming services for the French and English markets. The CRTC titled the analysis “Harnessing Change: The Future of Programming Distribution in Canada”.

Part 1 analyzes Internet use trends. The CRTC does note that the shift itself is not distributed evenly. For French and English groups, there are distinct differences between “rural or remote communities [which] may not have access to the broadband speeds available to those in urban markets” (CRTC, Market Insight 1.2, 2018). According to research by the CRTC, “the true driving force behind the rise of broadband Internet in this country is demand for real-time entertainment, and particularly video, which accounts for two-thirds of the capacity of fixed networks and one-third of the capacity of mobile networks” (CRTC, Market Insight 1.3, 2018). Without access to higher speeds in rural areas, there is a clear digital divide for those outside medium-to-large city centres. This is important for reference to third language communities, which tend to concentrate in city centres. According to Statistics Canada, the majority of visible minorities lived in urban areas—“95.2% of visible minorities lived in Ontario, British Columbia, Quebec and Alberta” (Statistics Canada, 2011). Though this data only accounts for visible minorities, if we reference the data for linguistic diversity in immigration, “72.8% of the immigrant population reported a mother tongue other than English or French” (Statistics Canada, 2011).

Part 2 notes the differences between audience viewership in the past and comparing those trends with current habits with the advent of digital programming.

Claims that technology has changed the nature of viewership are accurate; in particular, there is a large shift from scheduled to on-demand viewership. Moreover, this is coupled with increased diversity in programs available (in both cable and OTT). The CRTC assessments claim that “the evidence is not clear as to whether online viewing represents a shift or is part of an overall increase in viewing across all platforms, but it is clear that traditional TV viewing is in decline” (“Market Insights”, 2018). The CRTC is careful to avoid direct correlations between the decline of traditional television viewing and increased online streaming.

It is significant to note that in Market Insight 5 the CRTC discusses domestic and foreign program viewing. In reference to my research, the fact that “Canadians...prefer to watch domestically produced news and sports programming, but when it comes to entertainment, foreign programming offers some stiff competition” (“Market Insights”, 2018). By contrast, for francophone programs, the demand is significantly higher for domestically produced content. This is juxtaposed by anglophone data which is significantly lower than the global trend for domestically produced content. To a great extent, this data refers directly back to one of my original research questions: can we maintain our supply of third language programming with the increasing competition from available foreign programs? In the English market, the prevalence of English content from other nations (United Kingdom, United States or Australia) has saturated content for Canadian channels.

According to the study, the Canadian broadcasting market and audience favour foreign produced content, and online streaming amplifies this trend. The indirect correlation that the CRTC hesitates to claim is further exacerbated by this replication in the Canadian third language market. Therefore, how do we approach changes to this trend from a policy standpoint?

The third portion of the assessment emphasizes the importance of public funding as a valuable component of Canadian media environment; particularly, as a promoter of diversity in programming. Canada’s deep investment in protecting its Canadian content creators and media industry are a direct intervention in the television programming dynamic. With the onset of digital streaming, however, this is not as simple as licenses are not directly controlled by the CRTC as they are in cable television. According to the assessment, losses to Canadian produced content in third languages would “limit the

capacity of the broadcasting system to enrich, strengthen and reflect Canadian culture, identity and society” (“Opportunities and Risks”, 2018).

The CRTC study emphasizes how this has the potential to trickle down to cord cutting for traditional television consumption habits. This shrinks the amount of advertising data available to media companies and as a result reduces the operating budgets available for Canadian produced content. The CRTC argues how this trend can significantly diminish the amount of creative content that can be produced and financed by Canadians and accelerate the loss that can and has been consumed by the United States and other foreign content. For ethnic media, this issue has an added element of diasporic homeland ties. Anglophone-Canadians are consuming foreign content, but the CRTC claims that news and sports broadcasting are key ties to the television system that largely remain Canadian. Yet, when it comes to news for immigrant or first-generation Canadian populations, the information directly from foreign broadcasting companies in their mother tongue may depict different content, and more specific content to the foreign country of interest that Canadian news outlets may not cover. This is critical, as Canadian third language counterparts tend to report on Canadian news broadcasts of Canadian news headlines but in third languages or from the perspective of the ethnic group broadcasting the content.

### **Discussion and Analysis:**

The case study that I have analyzed suggest that there are significant changes that need to be made on the policy level to support and reinforce the existence of third language media in Canada. Firstly, from a cultural standpoint it is clear that emphasis, representation and diversity are mandated components of the Broadcasting Act, and also key reasons as to why there still exists and should continue to be a framework for ethnic broadcasting in Canada.

However, there needs to be a shift in how these cultural products are consumed, and with this, an evaluation of how to regulate this new format of consumption. New media has changed the landscape of Canada’s mainstream entertainment sector, and ethnic media is not immune to these changes. Secondly, there are changes to how the CRTC deals with technological developments pertaining to content consumption. This second policy recommendation targets the CRTC policy on internet streaming and content viewed online.

Regarding cultural policy recommendations, this thesis has reiterated the impact, value and function that quality ethnic media makes on local diasporic communities in multicultural countries, such as Canada. Yet, the existing broadcasting framework does not put any onus for ethnic communities on the public broadcasting system. Instead, the current approach relies heavily on private broadcasting companies to service this demographic. However, with the declining revenue as a Category B Channel, the largest multilingual channel representing the ethnic media community is moving closer towards the public system.

With reference to my case study on OMNI Regional and its current status as a must-carry Category A channel, the attempt to unify the ethnic community under one umbrella has regressed to dubbed hockey games in key demographic languages for content. Original news and programming are still created by OMNI in key demographic languages, but the channel's poor performance (as referenced in the 2018 CRTC hearing on multilingual channel applications) is an indicator of the audience's shifting interests.

Despite seeing diversity from foreign language channels that are available in Canada, the CRTC is in a difficult situation where it wants to offer Canadians both diversity while also protecting Canadian content. On a policy level, if the CRTC hopes to preserve Canadian produced ethnic media content, there needs to be a component of audience demand that helps sustain the channels beyond mandated language requirements.

Proposals to the CRTC have fairly identified where ethnic media has fallen short thus far, in its ability to retain and provide meaningful content for ethnic media audiences in Canada. In terms of *effectiveness*, as stated in my research question:

The CRTC has outlined the importance of ethnic media to the Canadian public, but as technology evolves, so does content consumption patterns. Has the CRTC created a policy environment for the most effective mode of content consumption for ethnic media communities?

The CRTC has failed to create the media environment that supports an effective mode of content consumption; specifically, it does not address OTT and other Internet-based platforms where viewership is rapidly increasing. Additionally, ethnic audience retention is low and is an indication that audiences are either not connecting to the programming or are seeking other media for their entertainment. As the CRTC continues to promote solutions like promoting funding channels. Taxes on streaming sites that contribute to

the Canadian Media Fund is an example of how the CRTC can integrate funding towards a system that supports ethnic communities and meeting their needs.

In an analysis of digital technology in ethnic community building, Ahmed and Veronis discuss creating digital opportunities on three levels: ethnic, local and transnational. In Chapter 8 of Yu and Matsaganis' text, 'Digital Technology for Community Building: An Examination of Ethnic Media consumption across four ethnocultural and immigrant groups in Ottawa, Canada', the authors suggest that while digital technology use varied between different groups, it contributed to a sense of "belonging" and "community building" (Ahmed and Veronis, 2018 p. 103).

These three components of understanding technology may be useful for understanding the future of technology in media. As new media shifts, perhaps the paradigm needs to move from network-based programming and return the programming back to the local dynamic. While this does not address news content production in a third language, it does make room for the return of a *by* and *for* ethnic media production system (Matsaganis et al., 2011 pg. 10).

In conjunction with the type of content available, is the question of access. The CRTC's current approach on meeting the needs of ethnic populations relies on private cable broadcasting companies. To a great extent, privately produced content still relies on old models of ethnic programming distribution: licensing foreign programming and airing them on Canadian channels. This model works well for ethnic radio companies (which rely heavily on foreign language music) and also creates their own radio personalities that hold influence among the various cultural diasporas.

As discussed in Chapter 4, there is heavy emphasis on the use of downloaded and streamed foreign content in Canada. These cultural imports cater particularly to diasporic communities with interests in highly successful foreign language content. This illuminates my second policy focus on technology. There are two components to the technological system that need attention from policymakers: meeting the diverse demands for foreign content and integrating technological advancements into CRTC policy to include OTT Internet streaming systems as part of broadcasting regulation.

Navigating this issue of foreign content diversity is both an issue of access and an issue of domestic Canadian programming. The CRTC's minimum Canadian content requirements for cable channels promotes Canadian content but these channel requirements are not mandatory for satellite channels or online channel alternatives. For populations that watch ethnic media and subscribe to foreign content that ties them back

to their domestic homeland, the presence of Canadian ethnic content is secondary to the foreign programming produced internationally and licensed by ethnic channels domestically. Furthermore, even this model is slowly being phased out as access via OTT streaming options, audiences can bypass the channel costs and directly watch their favourite programs over the Internet.

Therefore, the case for ethnic media faces two critical impasses: How does a channel retain the ethnic audience? And where does this channel invest its resources if the audience is starting to shift how it accesses its content?

In “Emerging Ethnic Media Forms and Their Roles in the Digital Age”, Yu and Matsaganis note that there is a new generation of ethnic media arising: one with a desire to stay connected to family and community through a “complex and multi-layered media use” (Yu & Matsaganis, 2019 p. 191). The mixed model includes the original modes of ethnic media engagement through newspapers and OTT streaming. However, as OTT streaming options become more prevalent and web-based news articles becomes mainstream—the CRTC’s assessment of the future of broadcasting must include an ethnic or third language component.

In 1999 the CRTC released Public Notice 1999-118 “Call for comments on a proposed exemption order for new media broadcasting undertakings”, which at the time sought to address new media undertakings over the Internet. In Public Notice 1999-197 “Exemption order for new media broadcasting undertakings” the CRTC formally issued an exemption from regulation for all new media broadcasting over the Internet “[meaning] that new media broadcasting and undertakings are not subject to licensing by the Commission” (CRTC Public Notice, 1999-197). Currently the CRTC 1999 exemption order is being maintained. But this stance conflicts with how the CRTC has designed the third language media environment for Canadians. In the new media context of 2019, choosing not to regulate the OTT platforms challenges the future of Canadian content protectionism.

### **“Harnessing Change” in the Ethnic Media context:**

Beyond the policy options I produced independently of the “Harnessing Change: The Future of Programming Distribution in Canada” study, I further analyzed the policy recommendations presented by the study in context of my research. In terms of policy recommendations, the CRTC study produced four potential policy options:

1. Replace prescriptive licensing with comprehensive and binding service agreements that include traditional and new players
2. Restructured funding strategy
3. National strategies
4. Short to medium term steps

The first looks to create a more 'nimble' approach to regulation that is focused on key incentives for particular companies:

Regulation and policy could focus, for example, on more broadly-based agreements tailored to and established with a few dozen specific companies or affiliated groups of companies, individually or collectively offering a variety of services (service groups) to Canadians. Such agreements should be adapted to their technological and business reality, should be subject to public scrutiny and should set out specific binding commitments applicable to the service group. Commitments could include performance-based measurements tailored to achieve policy outcomes. Service groups operating under such agreements would gain access to a number of incentives. ("Conclusions and Potential Options", 2018)

This process is currently taking shape with the largest streaming service in Canada: Netflix. In 2017 the company announced a commitment of \$500 million over five years towards media production in Canada. The announcement is part of an attempt by the streaming conglomerate to continue to film, produce and stream content in Canada. As of 2019, the CRTC has not released a formal agreement with Netflix but has stated that it is looking to regulate foreign streaming sites in the same manner as Canadian broadcasting (Cullen, 2017)<sup>38</sup>. Since the announcement in 2017, the CBC has integrated many of its original content with the Netflix streaming platform, including programs like "Kim's Convenience" and "Working Moms". This strategy, however, must navigate issues of American ownership of the streaming servers<sup>39</sup>.

The second recommendation looks to reconstruct the existing funding strategy for the broadcasting market. This recommendation looks to redesign the system with

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<sup>38</sup> Additional arguments in favour of regulation for foreign streaming sites include the argument that services like Netflix reap the rewards of subscription revenue but do not pay into Canadian programming services like the Canadian Media Fund (CMF). The commitment of \$500 million over five years does not fully address this concern for Canadian media investment but it is a step in the right direction.

<sup>39</sup> Canadian alternatives, such as CraveTV is a Canadian alternative streaming platform service that competes directly with American over the top services, like Netflix and Hulu.

deregulation in mind to improve competition and increase profitability. To a great extent, this recommendation illuminates a significant challenge for Canadian interest groups which rely on regulation for support. “Arguably, without [laws, regulations, codes and other standards] there would be no distinct English-language, Indigenous or other language Canadian music or television industries, as well as diminished French-language industries” (“Conclusions and Potential Options”, 2018). The aim is to increase competition and establish a more market driven media landscape.

Furthermore, the funding strategy looks to implement sustainable long-term solutions that support “online-online or online-first content as well as potential future innovations...with equitable contributions from all industry sectors” (“Conclusions and Potential Options”, 2018). The CRTC suggests that funding could be redirected from a percentage of BDU and radio services to channel revenue into new and innovative services. This policy can be extremely supportive towards the future of Canadian ethnic programming if Canadian produced third language programming were also to draw from this type of online-first funding.

The third recommendation claims to apply the existing legislative rulebook to new services. Yet, the CRTC recognizes the challenge that the different business model poses towards this recommendation. They argue that “applying the existing rules could hamper innovation, limit choice for Canadians, create inequitable regulatory burdens and present practical challenges to implement” (“Conclusions and Potential Options”, 2018). When comparing this approach to the first policy option, the aggressive approach to managing new services seems less cooperative.

The last policy recommendation seeks to develop new and adaptable innovative approaches to engage new players. In doing so, the CRTC recommends:

- i. Focus on the production and promotion of reflective, information and/or entertaining high-quality content by Canadians that is discoverable by Canadians and the rest of the world. (“Conclusions and Potential Options”, 2018)

This first clause outlines the key to supporting Canadian content with new media in mind: focusing on presenting media to Canadian audiences in the most effective method possible. This same policy recommendation is critical to addressing the declining audience viewership trend seen in Canadian third language audiences. The CRTC argues that “shifting focus from production alone to include the promotion and

discoverability of content will be essential” (“Conclusions and Potential Options”, 2018). This increase in modes of access, however, may not be solely a Canadian owned system. Rogers Communications and Shaw Communications owned Shomi TV was an OTT service that mimicked Netflix’s service for the Canadian market. The company dissolved in 2016 due to lack of subscription to support the service. This case study of Shomi TV is a good example of future research investigations, in order to analyze the difficulties of putting “Harnessing Change: The Future of Programming Distribution in Canada” into practice.

The stance I have presented thus far is controversial as it challenges broader Canadian policies of net neutrality. The CRTC strongly supports net neutrality and has reiterated its stance in 2018 with the declaration to “Strengthen net neutrality in Canada” (CRTC, 2018). In particular, the report looks to implement CRTC regulation on Internet providers, monitor prices and support internet innovation and freedom. However, in a digital market that has no protection for Canadian content, does the CRTC have a solution to balance net neutrality and protectionism? While this paper does not discuss this debate in detail, it identifies this as a direction for further Canadian content policy research.

In summary, the CRTC’s “Harnessing Change: The Future of Programming Distribution in Canada” identifies key insights in OTT video services that threaten the current Canadian broadcasting landscape. As a result of these insights, its influence on the smaller Canadian third language ethnic audience is in line with its influence on Anglophone and Francophone audiences. CRTC Chairman Ian Scott, has emphasized the importance of equitable treatment for the online system (Jackson, 2018). However, Canadian Research Chair on Internet and E-commerce Law Professor Michael Geist has noted that online content regulation may manifest by way of Internet levies, which he argues is a form of violating Net Neutrality online. This research does not focus on the net neutrality debate, but in Canada, policy makers have emphasized how Canada wishes to remain an open place for Internet users—free from regulation and intervention.

## **CONCLUSION: POLICY RECOMMENDATIONS**

The implications of this research extend beyond the applications of ethnic Broadcasting in the OMNI context. Content licensing from foreign channels by domestic broadcasters is becoming a media model that is being phased out, as we approach a more globalized system. To parallel this shift on the production side, the audience, as well, has moved away from the limitations of cable television and moved into a more globalized viewership--online. The implications of these two factors culminates in a system that has been mandated by the Broadcasting Act but lacks a foothold in a globalized world.

To broker an effective use of the Third Language status in Canadian Broadcasting, OMNI Regional in its current state needs to uphold the expectations of the past, while paving a way for its content to make a difference in the future, with unique and original Canadian content. Scholars have noted the immense importance that third language media has in the lives of immigrants and following generations. And as language becomes fluid and passes through borders, the need to serve the third language community by the Canadian Broadcasting Act is being met by foreign entities. Instead, the community sees a need for a more diverse broadcasting system that disseminates Canadian content.

The distinction between third language media, changes when the idea of Canadian content is added into the picture. When news broadcasts and programs reference uniquely Canadian components, stories and experiences, the content ties back to the cultural value, as emphasized by Fleras. The need to inform ethnic communities on civic changes, elections, socioeconomic and environmental ideas that influence the broader community grounds the programming audience to a locally Canadian understanding. Being informed on a local level roots ethnic news media to Canadian journalism and provides multilingual channels a unique competitive edge over foreign programming.

The values formed by community building through a shared language are familiar and critical to the immigrant experience but will broadcasters (such as OMNI Regional) take that direction for their content schedules? In its current state, OMNI Regional's

limited 3-year license, has not yielded any significant changes beyond its localized news reporting in its key demographic languages. And by adding digital streaming options to access OMNI programming, the channel has increased their accessibility immensely. From here, the question becomes: Are the audience needs being met, and do these strategic decisions qualify OMNI Regional for a permanent must-carry status?

### **Research in Review:**

The research is strongly rooted in the influential literature written by Raboy, Matsaganis, Yu and Fleras. These scholars shape the schools of thought that frame my understanding of Canadian Broadcasting media and the relationship between ethnicity and broadcast programming. I have identified key texts for reference in my paper, but there are numerous supplementary ideas and schools of thought that stem from key points discussed in this paper.

Specifically, discussions on ethnic media from a generational perspective would be an interesting investigation of ethnicity in Canada. Additionally, a study on the effects of multigenerational approaches to ethnic media in the digital age have been suggested by Matsaganis and Yu (2019). Ethnic studies scholars discussing the generational gap between diasporas have drawn connections between languages and cultures that have shared migration and assimilation experiences. In the Canadian context, there is still much to be explored, as most of my comparisons still come from American based studies. The content that sets this research apart is its deep focus on Canadian programming for the ethnic audience.

Additionally, the added element of technology, as alluded to by Yu and Matsaganis (2019) has drawn forward a new demand to study OTT streaming platforms to study third language and ethnic audiences in Canada. Moving forward, Yu and Matsaganis have expressed that there is a need for a stronger critical discourse on broadcasting policy. This discourse is unique in that it looks at ethnic media through the case study of the existing multilingual Category A channel, OMNI Regional, but also takes into account the shifting technological access to media from general and ethnic viewership.

To a great extent, this paper has emphasized the need for both the CRTC and broadcasters seeking to service the third language audience, needs to better understand

where these audiences are going to view their third language content. For the CRTC it is also a matter of regulating for the future and shifting the CRTC's focus from reactionary to pre-emptive in their policymaking for television and broadcasting in Canada.

There is clear value in Canadian ethnic content for the third language viewers, but localized content needs the support of either strong original content, strong co-productions or foreign content or the support of the public broadcaster.

### **Policy Recommendations:**

Looking forward, the CRTC has determined key areas for improvement for the Broadcasting Act, as media moves into the digital age. The review of programming in Canada "Harnessing Change: The Future of Programming Distribution in Canada" is critical to the future of Canadian broadcasting methodology in terms of accessibility. The current policy does not address the needs of ethnic groups, as it trails behind technologically, to meet the needs of audiences. The policy, currently, lacks a distinctive strategy that meets the standards of the third language broadcasting license. As indicated in Broadcasting Notice 2017-154 "Call for Applications for a National, Multilingual Multi-ethnic Television Service Offering News and Information Programming", the current OMNI Regional license has been renewed, however, up on revision of its impact on the community as a channel there is room to integrate the following three key changes to Canadian Broadcasting policy.

The first component is changes to the third language element of the Broadcasting Act. By extension this ties to issues of Canadian content and the lack of original Canadian content. As of Consultation 2017-154, the call for a proposed multiethnic "television service offering news and information programming" (CRTC, 2017-154, p.2) affirms the need for third language informative programming, with eight submissions under review as of CRTC Consultation 2018-127.

Secondly, policymakers require a stance on the approach to over the top streaming in Canada. The components involved in this stem from issues with Canadian content regulation and globalization. Any changes to streaming will affect the CRTC's stance on managing Internet policy in Canada. The "Future of Programming" review is critical in this aspect, as it lays the groundwork for a digital media focus, with evidence suggesting that consumption of media is shifting towards the Internet. The CRTC has

traditionally upheld Canadian content as its priority, and this is directly challenged by globalized access to foreign content from diasporic homelands over the Internet. With direct reference to CRTC Consultation 2018-127, the submissions for a national multilingual network does not identify any modes of intersectionality with multimedia or OTT programming beyond traditional television licensing. This needs to be addressed in a report on the relationship of Internet streaming and a stance on how the CRTC hopes to approach OTT streaming regulation in the future.

OMNI has made efforts with its streaming enabled website: <https://www.omnitv.ca/bc/en/videos/>. The website hosts its original content, multilingual news articles with embedded videos and multilingual hockey highlights. Their website, however, only produces news content in Cantonese, Mandarin, Punjabi and Italian, and posts are not updated daily. An investment in research to expand the language offerings and increase news posts on the website's streaming portal would make the channel more competitive as it would offer audiences the opportunity to have easy access to updated local newscasts. The existing limited programming and languages indicate the need for further analysis of the current OMNI multimedia model.

Lastly, beyond changes to the Broadcasting Act, policy on regulation of third language broadcasters extends beyond the OMNI Case study presented. Clearly, the government seeks to meet the needs of the audience from a Canadian standpoint. However, the first and second portions of the Broadcasting Act need a full-scale review before approaching third language programming licensing as a specific issue. This policy would include critical lessons from the Channel M case, and the current status of the OMNI Regional case.

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