



True North in
Canadian public policy

Straight Talk

November 2018

Straight Talk with Jill Golick

The federal government has pledged to review Canada's outdated broadcasting and telecommunications policy, and an overhaul is certainly required. For this edition of the Macdonald-Laurier Institute's *Straight Talk*, we spoke with Jill Golick, one of Canada's leading thinkers on broadcasting and cultural policy, to discuss her vision for taking Canadian media to new levels of commercial success and creative achievement. This publication is based on a transcript of a recent episode of MLI's *Pod Bless Canada* Podcast.



As a television writer-producer, Jill Golick has worked in children's (*Androids*), prime (*Blue Murder*), soap (*metropia*) and digital (*Weirdwood Manor*). As a multiplatform creator, Jill has created, written, financed and produced four original, cutting-edge series, including the internationally-acclaimed digital detective series *Ruby Skye P.I.* Her creative work has been rewarded with two Writers Guild of Canada Screenwriting Awards, a Canadian Screen Award, a Youth Media Award of Excellence, a Banff Rockie, and the grand prize from the LA-Marseilles WebFest among others. Golick teaches about TV series creation in the era of Netflix and mentors screenwriters at every career stage. She is currently developing characters for conversational user interfaces, writing a musical and creating new TV series for both adult and children's audiences.

The author of this document has worked independently and is solely responsible for the views presented here. The opinions are not necessarily those of the Macdonald-Laurier Institute, its Directors or Supporters.

MLI: Could you start by telling us a bit about your career evolution and what has brought you to these issues and made you such a passionate champion for the industries and the intersection between Canadian culture and public policy.

Jill Golick: First of all, I've been a television writer for the last 30 odd years. I started my career working in children's television, and I worked on *Canadian Sesame Street* for many years, among other kid shows, and I've had the opportunity to write widely for television. I've done soap operas, kids and tween shows, and cop shows. And I've also been very involved with the union, the Writers Guild of Canada, and remain interested in creator's rights and how we conceive of television. I taught an advanced television writing course at York University, so I had the opportunity to work with a lot of young creators. I work with Women in View, which advocates on behalf of for women within the film and television industry, and I think this is a very interesting time to make change in that area. How I came to be interested policy and advocating, I don't know; I just am.

MLI: Before we get into your vision for reform, do you mind going over the kind of nuts and bolts of how the system currently works and why you think it's the right time for fairly fundamental change?

Jill Golick: Well, let's talk about the beginnings of television and the history of how the system works. Television was originally not streamed on the Internet, but instead carried on the airwaves. These airwaves are considered public property. The government made a deal with the broadcasters who wanted to use those public airwaves. Effectively, they said you can use the public airwaves in return for doing certain things. Among them was promoting and creating Canadian culture.

The *Broadcasting Act* lays out some of the broadcaster's role, including what services they have to provide to the Canadian people. It recognizes that broadcasting is important for Canadian national identity and cultural sovereignty, and that it should serve Canadian men, women and children. The *Broadcasting Act* talks very deeply about linguistic duality, equal rights, the special place of the Indigenous people in society, as well as multiculturalism and diversity. In effect, the broadcasters were offered the public airwaves in return for promoting all these issues and serving the Canadian people.

“You want to create programs that will bring big audiences so you can sell these big audiences to the advertiser.”

MLI: The *Broadcasting Act* was enacted, as you say, in a particular technological context. Secondly, as you also note, the Act governs private operators in a private market; it infused the market with some non-commercial objectives or priorities that these commercial players needed to accept in exchange for drawing on the public goods as it relates to the transmission of basic broadcasting. That's really the framework that was created at this critical juncture in the history of Canadian broadcasting.

Jill Golick: Exactly. Let's look at what the broadcasters got in return for that. Television for most of its existence was driven by advertising revenue. So, in the early days, television was free. We just turned on the television and the programming was free, and it was entirely supported by advertising revenue. In that kind of equation, the audience is actually the commodity the broadcaster is selling to the advertiser. You want to create programs that will bring big audiences so you can sell these big audiences to the advertiser.

In Canada, we had something called the simulcast; broadcasters could buy US programming that had big draws and they would just take the signal that was coming in from the US and replace the American advertising with Canadian advertising. When Canada gave you a licence to use an airwave, you got all that simulcast money, and it was an extremely profitable business. But the downside for the US broadcaster was you couldn't get that simulcasting 24 hours a day. You had to make Canadian programming as well, because that was your payment for using these free airwaves.

MLI: You're referring to the Canadian content expectations or quotas that were conditions for the broadcasting licence. Is that right?

Jill Golick: Yes, that's correct.

MLI: In today's world marked by the proliferation of options, whether it's in traditional broadcasting or now as you alluded to using different formats, the size of the audiences has changed pretty dramatically over time. Is that right?

Jill Golick: Yes. Viewers were originally heavily concentrated on a very few channels. In Canada we had probably two or three commercial channels, then CBC, and originally in the US there were only three channels as well: NBC, ABC and CBS. It's only when we added cable television to the mix that things began to change. There was the ability for us to have many more channels, but we were also beginning to pay for television now, because you had to pay for your cable signal. That was the beginning of a new form of television. The audience began to pay to get cable, but there was still ad support to the industry. So, again, we were still trying to bring in as large an audience as we could to every program, because of the ad revenue.

“It was the first time anyone had to pay for a channel, and HBO had this dilemma – how do we convince people to pay for something that's always been free?”

When cable was introduced, the US started to have channels like HBO, which was a subscription service. In addition to your regular cable bill, you had to pay extra money to get HBO. It was the first time anyone had to pay for a channel, and HBO had this dilemma – how do we convince people to pay for something that's always been free? And what they did was to have television series that were created by creators, who were given complete artistic licence to make their shows. This was a kind of special programming; you were getting something very special when you went to HBO. It was maybe more artistic. Shows were like *Larry Sanders* by the comedian Garry Shandling, and eventually evolved into the *Sopranos* and *Mad Men* (on AMC). All the shows we think as part of the Golden Age of Television started to come out at this time, because instead of creating shows that were intended to sell eyeballs to advertisers, these were series that were supposed to bring audiences who were paying for it themselves. It was a whole new kind of television.

MLI: In a lot of ways, the public policy framework hasn't evolved with this process of fragmentation and the transformation of the industry and the role of the consumer.

You alluded earlier to the Canadian content quotas and how the Canadian broadcasters were responsible for producing a minimum amount of Canadian content. Can you spend a bit of time elaborating on the ways in which that content was financed or subsidized?

Jill Golick: Well, I'm not sure exactly how the policy came to be. But, because Canadian broadcasters are required to create a certain amount of Canadian content, a fund was created to help them pay for it in part.

That fund is now called the Canada Media Fund (CMF). Its money comes partly from broadcaster revenues and partly from the Government of Canada, so the taxpayer. This fund therefore consists of both private and public money.

The broadcaster has to buy most of his or her content from independent Canadian producers. They can't make it all in house. That's one of the rules – they can't make all their production; they must buy it from private independent production companies. So, an independent production company goes to them, they pitch a series, and the broadcaster green lights it. The broadcaster puts in approximately 25 percent, which is called a licence fee. Then they have an envelope – a certain amount of money at the Canada Media Fund – that they can draw on to pay for part of this content. This means that the broadcaster does not have to pay for the entire production themselves.

MLI: This also means that a portion of the Canadian content that the broadcasters are mandated to deliver is subsidized through the CMF.

Jill Golick: A portion of which comes from the taxpayer. So, as taxpayers, we are paying for a portion of the content that we allow the broadcasters to make in return for using our airwaves.

MLI: The resources that reside in the Media Fund are really directed and driven by the broadcasters. They're the ones in conjunction with producers who tap the fund. In other words, someone in your position as a screenwriter or other members of the Writers Guild are ultimately at the behest of the broadcasters in terms of accessing these public resources. Do you mind just elaborating on that?

Jill Golick: The broadcasters really have total control of what kind of Canadian content is made right across the board. Although we have this very robust funding system in Canada, you cannot access it without a broadcaster's green light. The broadcasters not only choose what shows they put on the air, but they also choose what shows can get access to that funding.

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MLI: In other jurisdictions, such as Israel and Australia where the government has recognized that support of domestic cultural content or cultural output is a public good, do you happen to know whether public money flows directly to the broadcaster as opposed to the creator?

Jill Golick: It's a very, very good question about how it works in other jurisdictions. I don't really know. But, just to be clear, in Canada, the money doesn't flow directly to the broadcaster, even though the broadcaster controls it. It flows to the independent producer who is creating content for the broadcaster.

MLI: But they can only tap the resources because the broadcaster has essentially said it's a product they intend to buy. And it's that decision that triggers the CMF to make the contribution to the production house. Is that correct?

Jill Golick: That is absolutely correct.

MLI: The Writers Guild represents, I think, more than 2000 Canadian writers. I assume there would not be universal support for reshaping or changing the model that we currently have.

Jill Golick: Yes.

MLI: So, to be fair to the other side, what would be the reasons or the arguments for preserving, by and large, the status quo?

Jill Golick: I think one of the things is that we need proof of marketability before we give money to a show. Who is to determine which shows, which creators, and which producers would get the money? You need something to trigger that funding, some gatekeeper to say, yes, this is the right show, these are the right people, this is a good team, this is a great concept. Who's going to make that decision? We don't want juries of bureaucrats doing it. The broadcasters saying, "I'm going to air that and put money into it," has been the natural trigger that we've used all these years.

MLI: In the absence of a better mechanism, the fact that the resources are conditional on the broadcaster planning to ultimately air the content is, for better or for worse, the mechanism that we've relied upon to say these public resources ought to go to this project, because of viability.

Jill Golick: Right. Now that we kind of understand how television is financed in Canada, let's look at what the marketplace looks like today. The broadcasting model has really changed, as we're now into the world of streaming services and the Internet. And the way you and I watch television is also changing tremendously. The audience doesn't gather the way they used to, e.g., the whole family in the living room to watch a show that everybody loves at 9 pm. That kind of appointment viewing is a minor part of how we watch television and how we'll watch in the future.

Now, we watch television on our laptops, on our tablets, and on our phones. It's a much more personal, intimate kind of television viewing. You watch as much with other people as you watch all by yourself, almost the way you would read a book. And you keep watching chapter after chapter, episode after episode until the time runs out. The way we consume television through Netflix or any of these other streaming services, YouTube and so on, or the online catch up services, is very different than the way we used to watch it when the policy was first created.

We've talked about how that policy hasn't kept up with cable. Well, we're way past cable now. We're into streaming, and a lot of these services are coming to us from outside the country and therefore don't fall under our regulatory system. If you watch Canadian shows on Netflix, it's not because they're regulated to be there.

"We've talked about how that policy hasn't kept up with cable. Well, we're way past cable now."

MLI: They are not subjected to the content quotas, because they fall outside of the *Broadcasting Act*, and they're also not part of the Canada Media Fund, either as contributors or in terms of being able to draw on those resources. Reasonable people can agree or disagree on whether that's justified.

But, to come back to our earlier conversation about how the CMF resources are accessed, it means that if you, the writer, are working on a project that is financed by the fund, you are basically limited to your output being aired on the broadcaster involved in that project and that's it. Is that a correct way to describe it?

Jill Golick: To access Canada Media Fund or public funding for television, you must have a Canadian broadcaster. You can have several broadcasters, but one of them must be Canadian; Netflix/CBC, for example. Right now, Netflix is partnering with Canadian broadcasters on quite a few properties, and in those cases, they can trigger public funding. But, you can't go to Netflix with your great series idea and get a green light from them and then come back and access that CMF funding.

MLI: The model really places limits on the ability of our cultural industries to look outward to opportunities to engage the global marketplace, to leverage some of these new and emergent platforms. At the end of the day, the funding is associated with the broadcaster and in turn the production house as opposed to the creator. In that sense, you really are kind of pushed into a particular set of options that limit the opportunity to compete in the global marketplace.

Jill Golick: The global marketplace and the demand for content are exploding. We can now access the entire world; that market is open to us and the demand for content is huge. And Canada's incredibly well placed to take advantage of that. We write in English. We use a model of creating television – the show runner model – that is very similar to the way the Americans create content, and they're the world leader. We understand their comedy and their way of writing, but in some cases, the Canadian sensibility plays better in other countries around the world.

So, we're extremely well placed to take advantage of that global market that's now opened up. It's also a profitable marketplace. It used to be that in television you had to make 65 episodes and then get into syndication in order to make a profit. Now, a series of 10 episodes can be in profit after the first season. We're talking about a very robust and growing industry. But our broadcasters, who we must serve to access the Canadian funding model, are still mired in the advertiser business. So, when they're looking for product, they're looking for a kind of product that will bring in a big audience and will attract advertising dollars. That's not the kind of product that plays in this new global market that is serving people who watch television alone in their bedroom 10 episodes at a time. It's a different kind of television.

Broadcasters need shows about doctors and lawyers – a more traditional kind of television. In contrast, streamers in the global market want to go to new places where we haven't been before – a different kind of series, which can be more like a book, where every episode takes you someplace different rather than being exactly the same format. The Canadian industry has incredible potential. We have talented crews, experienced creators, all this experience that the Canadian funding system has helped us create. We have this great funding system, but we have a trigger mechanism to access that funding that leads us to make the wrong kind of content for the global market.

“What's needed to meet this new marketplace is creator-driven shows.”

MLI: I think that's a great summation of your principal insight about a policy framework that remains stuck in a different era – one that pushes our cultural creators into a particular model that precludes them from leveraging and taking advantage of all of these key ingredients. What would you do if you could fix this issue?

Jill Golick: What's needed to meet this new marketplace is creator-driven shows. Going back to that HBO model, what drove us into the Golden Age of Television was that HBO said to creators – you have *carte blanche*, make the show that you really want to make. And these shows were authentic. They gave us a new kind of emotional and dramatic and funny television that audiences have really responded to. And we

continue to see that Netflix Originals and the kinds of shows that Amazon is making. These shows are driven by the creators and create this new relationship for television, which is between the story teller and the audience. It used to be that the audience was the commodity, but now when you let a creator really drive the show, it re-establishes the natural relationship between creator and audience.

In that sense, what we need to do is give creators the time and the resources to create original programming. One way to do this would be to model it on the accelerator programs that are used in the technology sector. In a very intense eight-week or ten-week program, a number of creators could come together and have resources and time and money in order to develop their properties until they're market ready. They can get market intelligence brought into them and different kinds of resources. And, at the end, there's a showcase in which you bring in the buyer so that you can finance the programs right away.

“The thing to remember is that every television series is in fact a little business, a start-up.”

MLI: If I understand you correctly, you are proposing to shift the Canada Media Fund in particular and the way we think about supporting Canadian cultural content from being broadcaster driven to be creator driven. It would then enable the producer or the creator to leverage the content that's been publicly supported for any type of platform, whether it's Bell, Rogers, Netflix, Hulu or whatever.

Jill Golick: Yes, exactly. The thing to remember is that every television series is in fact a little business, a start-up. We create a lot of value for Canada; not only is there the entertainment value, but we produce it in the country and therefore create a lot of jobs. Lots of businesses are supported through it, and then this product gets distributed and brings revenues back to the company. Each television series can be seen as a little start-up, but it has to come from a creator place. At this time, that's what the international market is looking for.

MLI: At the risk of sounding idealistic, I have some optimism about the idea that you've just put forward. It seems to me all the major players involved in the question, the broadcasters, the creators, even political actors across the political spectrum, will see in this idea something that appeals to either their self-interest or to their basic ideas or set of values. I don't know if you agree with that.

Jill Golick: The film and television industry has traditionally failed to speak in one voice. I think the broadcasters would not be happy to see control of the Canada Media Fund slip out of their grasps, certainly. Also, developing a series is a very important part of the equation and one that hardly gets any financing in the current system. The producers would still need money for financing and support getting to international market places to distribute the product.

MLI: If the reform resulted in the CMF now being driven by creators and not by broadcasters, one way you might try to mitigate criticism from the broadcasters is ending the requirement that they pay levies. That way, the Canada Media Fund could become fully funded by public resources.

Jill Golick: Yes. I don't know how historically it came to be that the broadcasters were required to put money into the Canada Media Fund. It seems to me that it's some kind of a tax intended in some way to repay the Canadian people for the services or the airwaves or whatever. The broadcasters have had a protected market, right? There has been a ban on foreign ownership. I think the money that they've contributed to the CMF has been in return for something, but I'm not quite sure what it is.

MLI: I agree that there probably was some logic to it. But as part of a major reconceptualization of the role of public policy, you might consider revisiting the levies. You might consider even increasing the size of the CMF in the short-term to address any concerns that creators or producers might have about accessed resources in this new model. It just seems to be that there are some basic adjustments that can be made to try to improve feasibility.

Jill Golick: Recently, two famous producers in the United States, Ron Howard and Brian Glazer, announced a new initiative called Impact Imagine, in which they do exactly this. They are creating an eight-week accelerator program. They're accepting creators from anywhere in the world and believe it is time to be innovative about how we create. The applications closed on July 22, so we'll see how that works out for them. But I think it goes to show that people who are not in a protected system like Canada's are thinking exactly this way, and that content can be profitable. If we begin to work in this way, we can move ourselves out of the kind of protected government financed system into a profitable one – an industry that stands on its own.

MLI: It seems to me a big part of the current model either implicitly or explicitly at different points in history, not necessarily now, had a pessimistic view about the potential for Canadian content and for Canadian writers to compete – so we needed protection and public subsidies. It was a very much defensive poise.

What I find so compelling about your vision is its swagger and confidence. That there's a whole host of reasons why we're well placed, not just to compete but to succeed. You're willing to put a real bet on Canadian content and Canadian creators.

Jill Golick: Well, one of the saddest parts of my job when I was the president of the Writers Guild of Canada was signing letters for Canadian creators to get their green cards so they could move down to the US. Canadian creators are very frustrated by the system here. They want to make great shows. Most of them are incredibly patriotic. They're interested in telling the stories of their own country. They go down to the US. and thrive, but most of them would rather live at home in Canada.

“I'm really optimistic about Canadian creators and the Canadian production industry. We're completely world-class.”

I'm really optimistic about Canadian creators and the Canadian production industry. We're completely world-class. We're always vying to being Netflix's number two provider of content. We're just sort of neck and neck with the UK, behind the US. Our stuff plays all over the world. Our children's television is a massive worldwide success. People come from all over the world to have Canadians write and create their shows. So I am incredibly optimistic. And, yes, I do have a bit of a swagger about Canadian creators and the kinds of programming that Canadians can make.

MLI: It's our intention in the coming months to expand on some of the ideas that Jill has articulated today in the form of a policy paper that will start to get at some of the basic policy questions essential to build the public and political support for this type of optimistic reform.

Is there anything that I've missed, or anything that you want to elaborate on before we go?

Jill Golick: I want to add that the accelerator program model offers us the opportunity also to deal with some of the inequities that have been in the system – to help us bring the unheard voices into the foreground much more quickly than we would have otherwise. In Canada, there are not enough women working in the

creative leadership roles. There's a lack of diversity. We are not hearing a lot of Indigenous voices. But if we move into this accelerator program, we can begin to get those stories and those creators up to speed fast. We can get their product market ready so that we can fix this problem.

We have a lot of advanced and mid-career Canadian female screenwriters and creators who are ready to run shows. We can put them through the accelerator program and really get their shows market ready. And when more women are leading the shows, they hire more women – and that has a positive impact on the workplace. It becomes safer. Girls have a different kind of role model in shows created by women. This extends into all areas of diversity. So, I think it's got the potential to deal with that issue as well.

“We have a lot of advanced and mid-career Canadian female screenwriters and creators who are ready to run shows.”

MLI: You could even conceive of a scenario where the government set targets or earmarked certain amounts of the fund to target these new and minority voices. And that's something that would be much more possible in the model that you are describing.

Jill Golick: Exactly. Targets and designated funding work. But we won't solve those problems by having just a few new Indigenous writers added to the mix or a few new women getting a director internship. We will solve these problems by having shows created by these new voices, because you can solve the problem from the top instead of the bottom.

MLI: Lastly, congratulations for your new professional involvement with Women in View. Do you want to just take a moment to comment on that? I'd be remiss if I didn't give you a chance to talk about Women in View and maybe where people, if interested, can find some more information.

Jill Golick: Well, womeninview.ca is our website. We advocate on behalf of women in the film and television industry. We'll be releasing our latest online report this fall, which documents the number of women working in creative positions across the country on publicly funded television series and films. And, over the next year, we will be launching a new action plan to bring women to 50 percent in the industry.

MLI: That's great to hear. As Canadians become more familiar and accustomed to accessing content across all these different platforms, they will want to see more and more Canadian content, as will people around the world. We're very grateful for insights today. Thank you for your time Jill.



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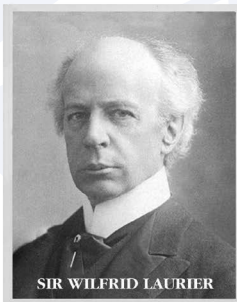
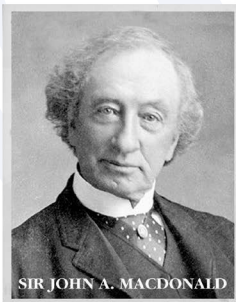
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THE RIGHT HONOURABLE STEPHEN HARPER

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