

Brief in respect of CRTC licensing applications
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**Opportunities and obligations –
public broadcasting and
classical music in Canada**

**A Brief from
“Stand on Guard for CBC”
to the Canadian Radio and Telecommunications Commission**

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Summary

This brief tackles two seemingly unrelated subjects: 1) classical/instrumental music and arts programming (primarily on English radio), and 2) corporate governance. We show the two are related. Our brief compares CBC with three other major English-language public broadcasters, BBC (UK), ABC (Australia) and CPB (USA) and finds CBC wanting. Of these four public broadcasters, CBC stands alone, having a) no dedicated classical/instrumental music service, and b) no formal public accountability mechanism for its programming changes.

We conclude that renewal of the CBC licences should be contingent upon:

- restoration of a primarily classical music and arts format to Radio 2;
- denial of the request to carry commercial messages on Radio 2; and
- CBC commitment to reliable and generally binding mechanisms for public input.

With respect to public input, we demonstrate the need for the CRTC to make recommendations regarding establishment of:

- an independent supervisory entity including experienced broadcast professionals;
- a binding public value test for programming changes; and
- mandatory and meaningful ongoing consultative relations between CBC and the arts and culture community in Canada.

Introduction

This brief is the work of ‘Stand on Guard for CBC’ (SOG4CBC), a Canada-wide coalition for quality public broadcasting. Although we emphasize the public broadcast of classical and instrumental music, our interests also touch on finance, licensing, and governance of Canada's public broadcaster.

SOG4CBC arose in early 2008 after announcements that the CBC Radio Orchestra was to be disbanded. Public indignation over the erosion of classical music programming on CBC Radio 2 had been building, and it exploded when CBC announced the elimination of classical music programming during the peak morning and evening hours. In the absence of a formal mechanism to challenge these decisions, SOG4CBC aimed to redirect public opposition at these two radical policy changes. The goal was to reach decision makers in Ottawa and Toronto. Yet despite thousands of protests, the orchestra died and Radio 2 continued its decline.

(Note: in discussion of programming in this brief, “CBC” refers to the English services; in discussions of governance, it refers to CBC/Radio-Canada.)

Since 2007, Canada's public broadcaster has taken decisions calling into question the basis for its licences to broadcast on radio, television, and other media. We ask the CRTC whether this applicant for licenses has delivered on promises it made in previous licensing applications, and whether CBC's mandate has been respected.

Apart from its mandate, *governance* of the CBC has become a hindrance to the Corporation's work. Publication of heavily redacted minutes of CBC Board of Directors meetings has done little to dissuade critics of CBC governance. By contrast, public broadcasters in the United States, the United Kingdom, and Australia offer alternative and more transparent forms of governance.

Although a private applicant must show technical and financial capacity to meet licensing conditions, a public broadcaster must govern itself so as to produce national support. The oxygen of public broadcasting is partly political and cultural, not just financial. We say that CBC licences should be renewed, but only on condition that it restore certain programming standards lost during the past decade and that it adopt reliable and generally binding mechanisms for public input.

The CRTC's legislated authority means that it may evaluate a licence application in at least two ways: first, it may (and almost certainly will) ask if the promises made by the applicant in past applications have been kept; and second, the CRTC will judge whether the means and methods proposed that the applicant plans to use, are likely to help the applicant to carry out its promises for the future. Matters of content are at stake in this hearing, but so are matters of means and method, resources and governance. We say this recognizing the paramount authority of the Parliament of Canada and of the Broadcasting Act in deciding the CBC's form of governance.

Although we lament the CBC's recent treatment of classical music and creative art, we also lament its unwillingness and/or its inability to hear and to act responsibly on the informed public's views of these things. In the past decade, the CBC has become tone-deaf to public input. We think this is a matter for CRTC involvement and judgement, as part of its licensing procedure.

This brief compares CBC with three major public broadcasters as to their presentation of instrumental music and performing arts. It considers how these four public broadcasters are governed, administered, and financed. We show that these two parameters are closely related, and that CBC compares poorly on both accounts.

Public broadcasters selected for comparison with the CBC were the British Broadcasting Corporation (BBC), the Australian Broadcasting Corporation (ABC) and the Corporation for Public Broadcasting (CPB) in the United States.

In each case we asked about musical and artistic content, then considered how the public broadcaster dealt with reasoned and well-evidenced input from listeners and viewers.

Interviews were obtained with representatives of national organisations representing composers and performers, and this input was supplemented with information from published/public sources.¹

A public broadcaster is generally required to meet legislative obligations specified in a charter, approved by its national government. Typically these obligations include delivering distinctive and quality content, providing content for all constituents, taking account of cultural diversity and minorities, reflecting and supporting national identity, and providing value for money. Barbuia² writes that public broadcasters face

- a. intense competition from commercial broadcasters and other creators of content for audiences, talent and specialist resources;
- b. rapidly changing ways of distributing content to audiences;
- c. quick technological change unpredictable effects of digital technology on production and distribution of content; and
- d. constraints on government funding.

Barbuia suggests that assessment of a public broadcaster's performance might be benchmarked against other public broadcaster data, but concludes that market-oriented measures are extraordinarily difficult to produce and extraordinarily superficial.

¹The organisations contacted included the European Broadcasting Union, UNESCO, the Canadian Media Research Consortium and the Commonwealth Broadcasting Association

²Barbuia, F. (undated), Performance Measurement: A Practical Guide to KPIs and Benchmarking in Public Broadcasters. Commonwealth Broadcasting Association, p. 5.

It is similarly hard to assess the governance of public broadcasters. One way to assess governance is to determine if a broadcaster has a *single* or a *dual* board. In the latter case, management and ensuring compliance are divided between a supervisory board and an executive board. A dual board system may support a broadcaster's independence (since politicians are less involved in appointments and day-to-day operations), enhance accountability (especially if the supervisory board is connected directly to the broadcaster's audience and communities relations division); and improve relations with its "owner."

Overview of Public Broadcasters

The Canadian Broadcasting Corporation

The purpose and mandate of CBC is described in the Broadcasting Act of 1991. CBC, the Act declares, 'should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains,³ with programming that '(is) predominantly and distinctively Canadian', and that 'actively contribute(s) to the flow and exchange of cultural expression.' The Act also includes regional and cultural diversity as aims of programme content.

CBC recently released its strategic plan titled '2015: Everyone. Every way.' CBC speaks of aspiring to be recognized by Canadians as a leader in expressing culture and enriching democratic life, by 'creating and delivering original and innovative, high-quality Canadian content' and by actively engaging with audiences and by being accountable.⁴ The Plan echoes the 1991 Broadcasting Act when it describes its future programming – 'high-quality, informative, enlightening and entertaining'—and commits itself to 'continue to build a music service dedicated to promoting Canadian talent and to developing and exposing Canadians to more of their own high-quality music, on traditional platforms and online'; through the development of an 'integrated music website in support of Canadian performers and creators within Radio-Canada'; and through its digital programming strategy, where it promises to 'focus on differentiated arts and entertainment content.'⁵

The Plan includes commitments on monitoring progress. It promises to measure how well conventional television, speciality television, radio networks and digital services inform, enlighten and entertain, and to assess its television genres against four metrics, including quality and differentiation.⁶

³Broadcasting Act 1991, c.11 s.3. (1) (l)

⁴'2015 Everyone. Every way,' p. 2. http://cbc.radio-canada.ca/strategy2015/document2015_e.pdf.

⁵*Ibid.*, 4.

Although the Plan lacks detail on the monitoring framework and how results will be reported, the Plan includes a commitment to post quarterly financial and 'Management Discussion and Analysis information', and refers to its online Annual Public Meeting.

Another of CBC's corporate documents, its Corporate Plan 2010-2011 to 2014-2015, includes specific reference to CBC Radio 2's future direction –a 'newly developed English Service's Music Strategy for all platforms.'⁷

Although information on music commissions for CBC Radio was available on its website, detail of works commissioned, competitions and broadcast time dedicated to instrumental music and the performing arts by Canadian artists was unavailable.-

Engagement with audiences and artist-creators

Notwithstanding the direction outlined in its Strategic Plan, CBC has mechanisms through which people can communicate. Its Communications Policy says that CBC will

- **listen to and take account of Canadians' interests and concerns....and
- **establish plans and mechanisms to ensure that communications contribute to the strengthening of relationships with stakeholders, and support partnership and business development.

The Annual Report of 2007-2008 included a reference to 60 communications received about the disbanding of the CBC Radio Orchestra (from a total of 785 communications received that year, or 7.6%). Yet CBC management took no documented account of them.⁸ These figures may refer only to data from Audience Relations. In fact CBC executives received more than 2,000 hand-written and separately posted messages from members of the public in the Vancouver area alone (we have photocopies). Hundreds of these deplored the abandonment of the orchestra, and even more protested the abandonment of classical music programming during morning and evening time slots accessible to working people, students and school age children.

The President of the CBC made a single reference to the input described in the previous paragraph at a single meeting of the Board of Directors.

⁶See its most recent Annual Report 2009-2010 <http://www.cbc.radio-canada.ca/annualreports/2009-2010/pdf/key-e.pdf>.

⁷Corporate Plan Summary 2010-2011 to 2014-2015, p 17 <http://www.cbc.radio-canada.ca/submissions/plan/2010/pdf/plan-e.pdf>.

⁸<http://www.cbc.ca/ombudsman/pdf/2007-2008-e.pdf>

The CBC Board of Directors does not require representation from civil society sectors such as culture and the arts, or minorities. The result is a board consisting largely of persons with backgrounds in law and finance. The presence of a person with qualifications in broadcasting or cultural affairs is a rare and random occurrence. Even if qualified people happen to be appointed, the public has no access to any deliberations or decisions of the Board. The CBC Board of Directors is a black box.

Section 38 of the 1991 Broadcasting Act mentions eligibility criteria for Directors of CBC. Ineligible is any person ‘engaged in the operation of a broadcasting undertaking; has any pecuniary or proprietary interest in a broadcasting undertaking; or is principally engaged in the production or distribution of program material that is primarily intended for use by a broadcasting undertaking.’ Thus, people with expertise in broadcasting, and in cultural expression through the medium of broadcasting may be precluded from appointment as Directors. Other public broadcasters do not include this stipulation and have developed ways of addressing potential conflicts of interest.

Information from CBC indicates that no forums or mechanisms assure dialogue or engagement with Canada’s cultural and artistic communities, or indeed other communities (whether of interest or geographic location). On the other hand, programme producers engage with cultural organisations and with individuals.

A closer look at the 1991 Broadcasting Act

The Act refers to the ‘public service’ nature of the Canadian broadcasting system, ‘essential to the maintenance and enhancement of national identity and cultural sovereignty.’⁹

The Act continues with clear directions for the Canadian broadcasting system - a predominance of Canadian content;¹⁰ high quality (‘should be of a high standard’); and ‘be varied and comprehensive [programming], providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes.’¹¹

Later the Act mentions ‘alternative television programming’ that should ‘cater to tastes and interests not adequately provided for by the programming provided for mass audiences, and include programming devoted to culture and the arts’¹² (though the Act is silent about who should provide these alternative television services).

⁹Broadcasting Act 1991, c.11 s.3. (1) (b)

¹⁰Broadcasting Act 1991, c.11 s.3. (1) (f)

¹¹Broadcasting Act 1991, c.11 s.3. (1) (i)

¹²Broadcasting Act 1991, c.11 s.3. (1) (r) (ii)

Apart from descriptions of 'products' to be emitted by the Canadian broadcasting system, the Act views the system as a cohesive whole – ‘a single system.’¹³ If other aspects of the broadcast system only partly meet the policy aims of the system as stated in the Act, then the role of CBC may deserve greater scrutiny.

SOG4CBC thinks legitimate questions may be asked about the extent to which the Canadian broadcasting system fulfils the aims of Canadian broadcasting policy.

Funding and resources

CBC has emphasized the impact of cuts on its funding in recent years¹⁴ and the short-term outlook that follows from its funding agreements with the Canadian government. Although CBC acknowledges that cuts have had a negative impact on its infrastructure and capacity to broadcast, they also affect its ability to implement its strategic plan.

British Broadcasting Corporation (BBC)

BBC operates under a Royal Charter which explicitly recognizes BBC’s editorial independence and its public purposes. An Agreement, a constitutional document, gives details on the Charter, the funding of BBC and its regulatory duties. The Agreement states that each of the public purposes will have a separate purpose remit.

The BBC Trust (see next section) must seek to ensure that BBC

- a. enriches the cultural life of the UK through creative excellence in distinctive and original content;
- b. fosters creativity and nurtures talent; and
- c. promotes interest, engagement and participation in cultural activity among new audiences.

The 2010 BBC Strategy Review ‘Putting Quality First’ establishes five content priorities, including the best journalism in the world; inspiring knowledge, culture and music; ambitious UK drama and comedy; outstanding children’s content; and events that bring communities and the nation together. The Statements of Programme Policy 2010-2011 give editorial guidelines for each BBC service.¹⁵ Under ‘stimulating creativity and cultural excellence’ are the following specific commitments:

¹³Broadcasting Act 1991, c.11 s.3. (2)

¹⁴See details of most recent ‘hidden’ cuts - <http://www.friends.ca/news-item/10102>.

¹⁵http://downloads.bbc.co.uk/aboutthebbc/statements2010/pdf/BBC_SoPPs_20102011.pdf.

BBC One, 45 hours of arts and music;
BBC Four, 100 hours of new arts and music programmes;
BBC Radio 1, 60 hours of specialist music per week;¹⁶
BBC Radio 3, 50% live or specially recorded music, 500 live or specially recorded performances, 30 new musical works commissioned (excluding repeats and acquisitions) and 35 new drama productions (excluding repeats and acquisitions) annually.

In effect, the Statements document gives a clear and transparent mechanism to track performance of BBC services.

Any comparison with CBC must take account of the difference in financial resources, but although CBC does not publish detailed commitments, it is safe to say that Canadians can only dream of anything remotely approaching such a wealth of cultural content.

Engagement with artist-creators and audiences

BBC is governed by the BBC Trust, which sets the direction for BBC and has an explicit duty to represent the interest of licence fee payers. The Trust consists of twelve Trustees, four of whom take special responsibility for England, Scotland, Wales and Northern Ireland. Desirable qualities of Trustees, details of the selection process, and remuneration data are all available on the BBC Trust website.¹⁷ Prior involvement in broadcasting does not preclude eligibility. A policy on potential conflicts of interest is available on the website, as is a register of Trustees' interests. The work of the Trust is guided by a Code of Practice, and minutes of its meetings are publicly available.

'Accountability' is covered in a protocol titled 'Audience Engagement; Our Promise to You.'¹⁸ The Trust promises to explain reasons behind its decisions; on the latter, it commits itself to publication of any information it has considered as part of any consultation. Any report to the public must be clearly and accessibly written.¹⁹

¹⁶Specialist music is music that appeals to specific groups of listeners, focusing on a specific genre of music or on cutting-edge music from a range of genres.

¹⁷http://www.bbc.co.uk/bbctrust/about/who_we_are/trustees/appointment.shtml.

¹⁸http://www.bbc.co.uk/bbctrust/assets/files/pdf/regulatory_framework/protocols/2010/d1_audience_engagement.pdf.

¹⁹Ibid: 8-9.

The Public Value Test

The Trust uses a mechanism called the Public Value Test (PVT)²⁰ to assess any proposed new service or significant change to an existing service. If BBC wishes to launch a new service or make a significant change to an existing one, it must ask the Trust for permission. The Trust then uses the PVT to work out the public value of this change. If the Trust believes that the public value may outweigh any damaging impact on the market, the Trust allows the proposal to go to consultation. After consultation, the Trust makes its decision on the proposed change.

Reports are issued from proceedings. The Trust then publicly consults on these provisional conclusions before publishing its decision. The Trust can either

- approve a proposed change; or
- reject a proposed change; or
- approve a proposed change with conditions.

The PVT has a targeted time frame of six months for completion.

Clearly, had CBC had some mechanism such as the PVT in 2008, it would have been required to put the Radio 2 format change through that process, and it would have failed. The CRTC should ensure that something like this can never happen again, and to the extent possible should retroactively redress this development. Thus restoration of Radio 2 to its former role as the national provider of a primarily classical music and arts service would seem to be an obvious condition for renewal of the CBC licences.

BBC's Strategy – Putting Quality First

The BBC Trust and the BBC Executive recently undertook a review and analysis of BBC's strategy, which included a public consultation. In 2010, the licence fee for BBC was frozen at its current level until 2016/2017.²¹ The Trust then issued a 'Putting Quality First'²² report outlining its strategic direction for BBC. The strategy has four objectives:

- first, increase distinctiveness and quality of its output (including increased output of knowledge, music and culture);
- second, improve the value for money it provides to licence fee payers;

²⁰http://www.bbc.co.uk/bbctrust/assets/files/pdf/about/how_we_govern/pvt/pvt_guidance.pdf.

²¹This was calculated as a 16% budget reduction over the space of four years; BBC Trust (2010), Putting Value First, p. 13.

²²http://www.bbc.co.uk/bbctrust/our_work/strategy/putting_quality_first/html.

third, set up new standards of openness and transparency (which aim to deliver a wider range of performance information in the public domain, audience assessments of quality, and day-to-day figures for reach and share)

fourth, do more to serve all audiences (one aim is to increase audiences for smaller services in ways that do not sacrifice distinctiveness).

The Trust approach is detailed and transparent, thus facilitating assessment of subsequent responses by BBC and the Trust.

Australian Broadcasting Corporation

The Australian Broadcasting Corporation (ABC) has four national radio networks, as well as 60 local radio stations around Australia, three internet music-based service, and three television services. The ABC website (ca. five million pages) offers content via streaming, podcasting, vodcasting and video-on-demand, and for broadband delivery. An international radio service is available by shortwave, satellite and terrestrial rebroadcast arrangements in Asia and the Pacific.

Mandate and approach to broadcasting culture

Functions and duties of ABC stated in its Charter include the provision of innovative and comprehensive broadcasting services of a high standard, as part of the Australian broadcasting system; broadcasting programs that contribute to a sense of national identity, inform, entertain, and reflect the cultural diversity of the Australian community; and broadcasting programs of an educational nature that encourage and promote the musical, dramatic and other performing arts in Australia.

The duty of the Board is to ensure that ABC performs efficiently with maximum benefit to the people of Australia, and maintains the independence and integrity of the Corporation. The Board also ensures that news and information is accurate and impartial, according to recognised journalistic standards.

ABC's Corporate Plan addresses good corporate governance, content delivery and ABC's relationship with audiences; value for money and ABC's commitment to learning and growth - each related to aspects of the ABC Act and the Charter. Performance measures are applied to each of these areas, with sub-level strategic priorities described by specified actions and targets (100 targets are selected).

Under ‘content delivery – to be recognised as the leading Australian public media space where people engage with issues and ideas’, results include tracking the percentage of Australian music in each radio network, and the percentage of people who consider the quality of ABC programming on television, radio and online to be good.²³

The Plan commits ABC to:

give priority to Australian music by achieving annual targets for all radio services;

record 600 major concerts performed in Australia per year;

launch at least five initiatives per calendar year to support new Australian artists.

The 2008-2009 Annual Report indicates that all three are ‘on track.’²⁴ Its ‘Measures of Community Satisfaction’ report also shows annual ABC Appreciation Survey results.

Engagement with artist-creators and audiences

Engagement with artist-creators occurs in the organisation through representation on the ABC Board of Directors, and through partnerships.

Up to seven Directors are appointed upon recommendation of the Government. The Managing Director is appointed by the Board. Interestingly, the ABC Act *requires* that Directors be experienced in broadcasting, communications or management, or have financial or technical expertise, or have cultural or other interests relevant to broadcasting. This mandated cultural ‘presence’ ensures ABC’s role in broadcasting culture is reflected at the highest level of the organisation. Canadian practice contrasts starkly with the Australian.

ABC also uses structured mechanisms to engage with artist-creators. The Australia Council for the Arts maintains a strategic partnership which sees free, nationally available arts content on ABC Television and other digital platforms.

One of ABC’s various methods of engaging with its audiences is an ‘Advisory Council’ whose members are appointed by the Board. Advice of the Advisory Council to the Board is recorded in ABC’s Annual Report. The ABC Act requires the Board to have regard to this advice. The Board can request the Council to provide input on programming, and it can also request the Council to seek community opinion on

²³*Ibid.*, 8.

²⁴http://www.abc.net.au/corp/annual_reports/ar09/pdf/ar2008_09_complete_report.pdf. See p. 129.

specific issues.

Nota bene: CBC once had advisory councils for the fields of Science, Religion and Agriculture. Perhaps it's time to re-establish such councils and include one for Arts & Culture.

Audiences use online, radio talkback and interactive TV forums to express their opinions on ABC, or make complaints. ABC has a separate Audience and Consumer Affairs (ACA) section which publishes an overview of complaints upheld²⁵ and quarterly statistical overviews of complaints received.²⁶ A detailed guide to ABC's complaints handling process is available online.²⁷

ABC's 'Arts Gateway'²⁸

The ABC website connects artists and audiences across all 21 arts genres in Australia, presenting arts content from across ABC platforms. It includes blogs and links to arts publications, events, organisations and prizes.

Corporation for Public Broadcasting (USA)

The Corporation for Public Broadcasting (CPB) is a private, non-profit entity created by Congress through the 1967 Public Broadcasting Act. It supports some 1,300 radio and television stations, funding an average 15% of their budgets. CPB funds the Independent Television Service (ITVS) and five minority program consortia, which represent African American, Latino, Asian American, Native American, and Pacific Islander television producers.

Mandate and approach to the broadcasting of culture

Funded programmes and services take into account American values and cultural diversity, unserved and underserved audiences. The 1988 Public Telecommunications Act requires CPB to report annually on the provision of services to minority and diverse audiences. The Act also requires CPB to compile a triennial assessment of the needs of these audiences.

²⁵<http://www.abc.net.au/contact/upheld.htm> .

²⁶http://www.abc.net.au/contact/public_reports.htm .

²⁷<http://www.abc.net.au/corp/pubs/documents/20110408/ComplaintsHandlingPRC.pdf> .

²⁸<http://www.abc.net.au/arts/> .

CPB's nine Directors are appointed by the President. The 1967 Act outlines eligibility attributes of citizens 'who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television.'²⁹

Engagement with artist-creators, audiences and the wider public

CPB consults within and outside the public broadcasting system. It runs an "Open to the Public" (OTTP) initiative through which viewers and listeners may voice their opinions about public broadcasting services directly to CPB's Board and management via toll-free telephone, online contact or regular mail. All comments on programming are compiled in an annual report, with monthly updates on comments posted on the OTTP web page, provided to the Board, and shared with CPB's Ombudsman. Reports are also communicated to Congress.

To receive funding, a public broadcast station must have a community advisory board³⁰ whose role "shall be solely advisory in nature..." The Act also stipulates that since the board advises the station, it must be distinct from and independent of its governing body. Congress believed the establishment of

Community advisory boards would assist stations to develop programs and policies answering specific community needs.-

Each licensee must also permit the community advisory board to:

- establish and follow its own schedule and agenda,
- review programming goals established by the station,
- review community service provided by the station,
- review impact on the community of significant policy decisions of the station,
- advise the station's governing body whether programming and its other significant policies meet the specialized educational and cultural needs of communities it serves, and make recommendations to meet those needs.

²⁹Subpart D (c) (2) of the Act <http://www.cpb.org/aboutpb/act/>.

³⁰This is specified in Section 396(k)(8) of the Communications Act.

Conclusions and Recommendations

In a comparison of four public broadcasters, CBC is the only one which: (a) has no dedicated classical music service, and (b) has no formal public accountability mechanism for its programming changes.

Public broadcasters have taken a wide variety of approaches to the broadcast of culture, to engagement with the needs and issues of artist-creators, and to audiences and the general public. But much depends on the approach the broadcaster takes to governance.

Governance, transparency, communications

During the difficult days of 2008 when CBC was dismantling the distinctive programming of Radio 2 despite widespread public opposition, SOG4CBC saw that the absence of any effective mechanism for public input to our public broadcaster was an insurmountable challenge, and this obvious deficit would be the ultimate reason for our defeat. If governance had been participatory and transparent, the decline in programming quality might not have occurred, but if it had, we would have had Canadian society to blame, not an arbitrary decision by an autocratic and now discredited CBC executive. This brief has shown that there is another way, and that way is the norm for the three public broadcasters we have presented.

Had participatory and transparent governance been in place, the public would have had reliable ways to encourage the Corporation to behave better than it did--and to make it prohibitively costly, in political terms, to behave badly, as many Canadians indeed believe it did. It was at least partly weakness of management, and partly weakness of the Board, that allowed CBC's precipitous decline. Concerned Canadians lacked means or mechanisms to ensure that CBC kept its commitment to Canadian culture, or that CBC had a believable excuse for destroying its orchestra (they had only ill-justified "financial" excuses), or that CBC retain a fundamental commitment to classical music, intelligently chosen and presented, often from Canadian concert halls. CBC's present governance arrangements are far too weak to guarantee that a further decline of Radio 2 could be prevented.

Just such a decline can be expected from the proposal to put ads on Radio 2. No amount of public protest could possibly prevent the present management of CBC from inflicting yet another wound on the formerly highly respected cultural icon of Canadian broadcasting. Only the CRTC can kill this bizarre proposal; if extra revenue is needed (we are well aware of CBC's chronic underfunding), then advertisements on Radio 1, which has a considerably larger audience, would be more productive.

Recently released CBC documents (the Strategic Plan and the Corporate Plan) make specific commitments on its broadcasting content, on how it will engage with its audiences, and on the creation and broadcasting of cultural content and music in

particular. The CRTC should compel CBC to show exactly how it will implement these commitments. On each we have found a range of good practices that could be considered by CBC.

On the central question of corporate governance and transparency, CBC's corporate documents on future commitments are weak. Although eligibility criteria for the Board of Directors are described in the legislation, they do not preclude representatives of CBC audiences or the general public from being appointed as Directors. The current appointments practice and the level of transparency in CBC decision-making is out of step with good practice.

Although the BBC Trust is a good example of transparency in its appointments and decision-making processes, other public broadcasters also publish meeting records and directly engage with the public, either through a variety of consultation mechanisms, or through mechanisms specifically designed for this purpose.

Licensing

In the short term, CBC requires an administration that sees and accepts the crucial role of classical music and creative/re-creative art--in order to live up to its mandate. The licensing procedure offers an opportunity to convince CBC of this urgent need. To a lesser extent, the same could be said of Radio-Canada.

SOG4CBC believes renewal of the CBC licences should be contingent on the following conditions:

- a. Restoration of a primarily classical music and arts format to Radio 2;
- b. Denial of the request to carry commercial messages on Radio 2;
- c. CBC commitment to reliable and generally binding mechanisms for public input.

Furthermore, with regard to public input, we urge the CRTC to make the following recommendations to CBC and/or the Government of Canada:

- d. Creation of a supervisory board like the BBC Trust -- separate from the executive board -- which should include experienced broadcast professionals;
- e. Implementation of a binding public value test, administered by the new board or by the CRTC itself; and
- f. Mandatory and meaningful ongoing consultative relations between CBC and the arts and culture community in Canada.

Siobhan Airey, a consultant, conducted interviews and prepared a draft summary of research in support of this study.