

## An open letter to Wayne Clarkson

RE: POV article “The \$4,149,561 Envelope—Please!” (issue #70, Summer 2008) and my personal letter to Telefilm, and Wayne Clarkson’s response (for full texts see: [http://docorg.ca/pov\\_magazine.html](http://docorg.ca/pov_magazine.html))

DEAR WAYNE,

Having formally asked Telefilm to reconsider its aberrant two-year limit on the inaugural documentary performance envelope awarded to Big Picture Media Corporation and rethink imposing a \$1m cap on envelopes earned by documentaries, I was surprised by your dismissive response. I’m replying publicly because this is not a private matter between my company and Telefilm; it severely affects documentary filmmaking across the country.

Lisa Fitzgibbons, interim Executive Director of DOC (membership 850) framed it precisely in her letter of support: “What is of deep concern to DOC and indeed, all Canadian documentary filmmakers, is the apparent undervaluing of theatrical documentaries despite their success at the box office and the application of more favourable conditions to fiction films. In the case of *The Corporation*’s ‘performance envelope,’ Telefilm has the opportunity to enhance feature documentary filmmaking in Canada and yet has chosen to limit that support.”

On October 16, 2008, Telefilm announced its new and improved “Customer Service Charter,” promising “fairness and timeliness” and affirming a “continued commitment to providing excellent standards of service and to building mutually beneficial relationships with our private sector partners.”

Sounds great. But what does this rebranding effort actually mean? Telefilm’s words appear to contradict its actions.

Take “Fairness.” Qualifying films in the drama sector receive a three-year



*The Corporation*, dir. Mark Achbar and Jennifer Abbott (2003)

performance envelope, and so, from now on, will eligible documentary producers. Telefilm awarded a two-year envelope only once—to my production company. Is that “fair”? As UBC law professor Joel Bakan, pointed out to you in his letter: “once Telefilm had decided to award the envelope, it was obviously unfair for it to say, ‘we’re only going to give you part of what the policy-in-development would now entitle you to.’ ”

Or take “Timeliness.” Telefilm wavered over policy long enough for *The Corporation*’s first year of eligibility to elapse, allegedly. Timeliness would have awarded a three-year envelope when the film earned it, instead of two years later. Once Telefilm announced its decision, fairness would have awarded three years starting then. Telefilm gave in to the drama lobby’s pressure (see the CFTPA and APFTQ’s letter to Wayne Clarkson demanding no envelopes for documentaries. [http://docorg.ca/pov\\_magazine.html](http://docorg.ca/pov_magazine.html)).

Just as Telefilm can change policy, it can and does make exceptions to existing policy. Ten years ago, when documentaries were excluded from the Canadian Feature Film Fund, Telefilm directed marketing finances from it to Nettie Wild’s *A Place Called Chiapas*. Same for *The Corporation* more recently.

In asking Telefilm to exercise this power to compensate for a year’s worth of envelope investment lost, my intent is not to gain an unusual advantage over others, but to be treated equally.

Your letter states that “*The*

*Corporation* was not only treated fairly, but also generously.” An admirable aspiration, perhaps. However, Telefilm invests, takes equity in projects, and puts itself in first position to recoup. Telefilm seeks profit, and even gets some occasionally. It’s in profit not only from *The Corporation*, but also from *Manufacturing Consent*, which has shared revenue with Telefilm for 15 years (with no envelope to show for it). These two theatrical feature documentaries are rewarding Telefilm’s investments more substantially than most Canadian dramas.

There is nothing “generous” about denying \$1.76m to a film that qualified for it or diminishing the amount promised. The denial of these funds—which in any other circumstances would have been awarded to drama—is also bad business.

In light of your new Customer Service Charter, and on behalf of Canadian documentary filmmakers, I am asking you to award the third year of the envelope *The Corporation* deserves, and kill the \$1m documentary cap.

Thank you once again for your consideration.

MARK ACHBAR

MARK ACHBAR is now an Executive Producer on eleven feature documentaries including Velcrow Ripper’s *Fierce Light* and Sam Bozzo’s *Blue Gold*. Both films recently premiered and won top audience awards in their respective categories at the Vancouver International Film Festival.