

LCQ17: Operation of RTHK

Following is a question by the Hon Chan Han-pan and a written reply by the Secretary for Commerce and Economic Development, Mr Edward Yau, in the Legislative Council today (February 3):

Question:

Regarding the programme quality, governance and development of Radio Television Hong Kong (RTHK), will the Government inform this Council:

(1) given that the Communications Authority (CA) received in the past two years quite a number of complaints about RTHK's programmes, and the CA determined that some of the programmes had contents that had failed to meet the requirements on objectivity, impartiality and accuracy in information, whether the Government has put in place new measures to prevent the occurrence of similar incidents; if so, of the details; if not, the reasons for that;

(2) of the progress of the work to review the governance and management of RTHK carried out by the dedicated team since it commenced work in July last year, and the expected dates for the dedicated team to submit and publish its review report; whether, before the recommendations put forward in the review report are implemented, the Government has short-term measures in place to step up its monitoring of RTHK's governance and management; if so, of the details; if not, the reasons for that;

(3) as there are views that as the dual roles of RTHK as a public service broadcaster and a government department conflict with each other from time to time, RTHK should be privatised, whether the Government will consider afresh the disestablishment of RTHK from the government structure and transforming RTHK into a private organisation; if so, of the details and timetable; if not, the reasons for that; and

(4) as some members of the public have relayed to me that the television documentary "All About the Chinese Style – Kenya", produced by RTHK itself and broadcast in the year before last, had biased contents, and may be in breach of the programming objective to "give emphasis to the provision of accurate, impartial and objective public affairs programming" as set out in the Charter of Radio Television Hong Kong, whether it knows if the CA has received any related complaints; if the CA has, whether the CA has conducted an investigation; if the CA has investigated, of the outcome; if the CA has not investigated, the reasons for that?

Reply:

President,

Radio Television Hong Kong (RTHK), as a public service broadcaster, must fully abide by the Charter of RTHK (Charter). The Charter specifies that

while RTHK is editorially independent, it should adhere to the following editorial principles:

- (1) be accurate and authoritative in the information that it disseminates;
- (2) be impartial in the views it reflects, and even-handed with all those who seek to express their views via the public service broadcasting platform;
- (3) be immune from commercial, political and/or other influences; and
- (4) uphold the highest professional standards of journalism.

The Director of Broadcasting as the Editor-in-chief is responsible for ensuring that a system of editorial control in accordance with RTHK's Producers' Guidelines is in place to provide accurate, impartial and objective news, public affairs and general programming that inform, educate and entertain the public. As the Editor-in-chief, the Director of Broadcasting is responsible for making the final editorial decisions in RTHK and is accountable for editorial decisions taken by RTHK programme producers.

Similar to other broadcasters, RTHK should also ensure that all its television programmes comply with the relevant code of practices issued by the Communications Authority (CA) for regulating the standards of programmes broadcast by broadcasting licensees. In accordance with the established mechanism, upon receipt of public complaints about programmes of broadcasters (including RTHK), the CA, as a statutory body, adopts consistent standards and procedures in handling complaints about programmes of commercial and public service broadcasters.

In accordance with the Charter and the prevailing mechanism, an independent and fair mechanism is already in place to handle complaints about programmes of broadcasters. The Commerce and Economic Development Bureau (CEDB) considers that all complaints in relation to the content of programmes should be handled with this mechanism which has been working effectively.

Our reply to the various parts of the question raised by the Member is as follows:

- (1) and (2) In the two years of 2019-20 and 2020-21 (as at January 2021), the CA found a total of seven complaint cases concerning the RTHK's programmes substantiated, for which one serious warning, three warnings, two strong advices were issued respectively and one case with no sanction imposed.

The CEDB is of the view that RTHK, as a public service broadcaster, being ruled to have repeatedly breached the various provisions in the codes of practice is a matter of serious nature. It has made a serious request to RTHK that the latter should respond in a positive and responsible manner, including a full review of its editorial oversight of the programme production so as to avoid the recurrence of similar mistakes. The CEDB has stressed that RTHK must fully abide by the Charter, duly meet their obligations as a public service broadcaster, strictly comply with the relevant codes of practice issued by the CA, and ensure attaining professional standards as required of it.

Following the CA's decisions that various complaints against RTHK

programmes were substantiated and in response to the public concern over RTHK, the dedicated team established by the CEDB started its work on July 15, 2020 to review the governance and management of RTHK and provide recommendations on its overall management systems, processes and practices, with a view to ensuring full compliance with the Charter, the codes of practice on programming standards issued by the CA, and all applicable Government rules and regulations. The review is expected to be completed in about six months, and the dedicated team will submit a report to the CEDB.

(3) The existing positioning and public functions of RTHK are determined after extensive discussion and consultation. In August 2010, the Government announced the promulgation of the Charter, which was signed by the then Chief Secretary for Administration, the Chairman of the Broadcasting Authority and the Director of Broadcasting. The Charter clearly specifies the public purposes and mission of RTHK as a public service broadcaster, as well as the responsibilities of RTHK as a government department.

At present, the Government has no plan to privatise RTHK. Nevertheless, it will continue to improve RTHK's governance and management with a view to meeting the requirements specified in the Charter fully and completely.

(4) According to its records, the CA has not received any complaints against RTHK's television programme "All About the Chinese Style – Kenya". Upon receipt of complaints about the programme concerned, if any, the CA will handle them in accordance with the established procedures.