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BOA Paper 8/2016
(For information on
13.5.2016)

Updates on Complaints (Position as at 1.5.2016)

A. Complaints considered by the Communications Authority¹ which have been deliberated by Broadcast Complaints Committee from March to April 2016

Title	No. of Complaints	Substance of Complaint	Decision
Pentaprism (左右紅藍綠) RTHK (TVB Jade) 3.8.2015	2	Two members of the public complained against the programme about a woman being convicted of assaulting a police officer with her breasts during a protest against parallel traders. The substance of the complaints was that the remarks of the guest hostess were groundless, biased towards women and unfair to the magistrate concerned, and would affect the enforcement of law by the police.	The Communications Authority considered that the complaints were justified and decided that RTHK should be <u>strongly advised</u> to observe more closely paragraphs 17(c) and (d) of Chapter 9 of the TV Programme Code.

¹ The content of Section A about complaints considered by the Communications Authority is extracted from the homepage of the Communications Authority:
http://www.coms-auth.hk/en/complaints/handle/broadcasting_services/complaints_ca/index.html

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B. Complaints dealt with by the Director-General of Communications² falling under Section 11(1) of the Broadcasting (Miscellaneous Provisions) Ordinance³ in January 2016

Title	No. of Complaints	Substance of Complaint	Decision
<i>Accuracy</i>			
News Report (新聞報道) RTHK Radio 1 20.9.2015	1	<ul style="list-style-type: none"> - In a news item about Choy Chi-keung (“Choy”) broadcast between 4:00 pm and 5:00 pm, a male anchor erroneously referred to the former Chinese leader “李瑞環” as “李端環” and no correction was made before the news programme broadcast at 6:00 pm. 	<ul style="list-style-type: none"> - RTHK admitted that the anchor mispronounced the word “瑞” as “端” once at 4:30 pm and submitted that the correct name of the concerned former Chinese leader was reported in the same news item broadcast at 5:30 pm. - Taking into consideration that RTHK had rectified the error in the subsequent (the item was not included in the news report at 5:00 pm), complaint classified as a <u>minor breach</u>.
<i>Misleading Material</i>			
This Week (視點31) RTHK TV31 7.7.2015	2	<ul style="list-style-type: none"> - Complaints lodged on 28 and 29 July 2015. - It was alleged that the remarks of the guest, Stephen Chan Chit-Kwai (“Chan”)(陳捷貴), that he was a member of the Council of the University of Hong Kong (“HKU”) were misleading. According to an article of a newspaper published on 27 July 2015, Mr Chan “只曾出任校委會轄下負責人事問題的委員，以及校委 	<ul style="list-style-type: none"> - There were factual errors in the concerned remarks delivered by Chan in the pre-recorded programme and RTHK was not aware of the errors before the programme was broadcast on 7 July 2015. There was insufficient evidence that RTHK had made reasonable efforts to ensure that the relevant contents of the programme were accurate. - Taking into consideration that the concerned remarks were made in passing and were not the focus of the discussions, that Chan was clearly

² The content of complaints dealt with by the Director-General of Communications is no longer disclosed on the web with effect from April 2012. The content and decisions on complaints listed in Section B are issued by the Communications Authority for internal reference of broadcasters concerned and should not be disclosed to other parties.

³ Section 11(1) of the Broadcasting (Miscellaneous Provisions) Ordinance (Cap 391) provides that Communications Authority (which is established by section 3 of the Communications Authority Ordinance (Cap 616)) shall refer to the Broadcast Complaints Committee complaints about contravention of the said Ordinance, the Broadcasting Ordinance (Cap 562), Part IIIA of the Telecommunications Ordinance (Cap 106), the terms or conditions of a licence or a Code of Practice.

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		會成立的遴選校長委員會，並非正式校委”。	introduced as “港大職員會協會會長” in the programme, and that RTHK had provided clarifications over the concerned remarks in the programme archived on its website after being aware of the slip, complaints classified as <u>minor breaches</u> .
<i>Accuracy</i>			
<p>Hong Kong Connection (鏗鏘集)</p> <p>RTHK TV--- 29.11.2015</p>	1	<p>- The programme content about the works done by Yiu Chung Yim (姚松炎)(“Yiu”), a candidate of the DC Election, in Chi Fu Fa Yuen (置富花園)(the “Estate”) was inaccurate and misleading. The complainant alleged that the programme which introduced the works of environmental protection in the Estate did not approach Chi Fu Fa Yuen Limited (置富花園有限公司) but Yiu. According to the Deed of Mutual Covenant of Chi Fu Fa Yuen (置富花園大廈公契), Chi Fu Fa Yuen Limited was the only authorised body to handle matters relating to the management of the Estate. Even if Yiu had taken part in some residents’ organisations to serve the Estate, those services could not be regarded as his personal works contributing to the matters relating to the management of the Estate. The complainant alleged that the production team did not seek clarification with Chi Fu Fa Yuen Limited regarding the works done by Yiu in the Estate as mentioned in the programme.</p>	<p>- Unsubstantiated.</p>

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Title	No. of Complaints	Substance of Complaint	Decision
<i>Bad Influence on Youths</i>			
Free As The Wind (講東講西) RTHK Radio 2 22.11.2015	1	- 投訴人指一位男主持在節目開始時說主持當中有「爛仔讀書人」，認為有關用語粗鄙，會對青少年有不良影響，並建議將節目列為「家長指引」類別。	- Unsubstantiated.
<i>Bad Theme, Indecency, Violence & Unsuitable Broadcast Time</i>			
Below The Lion Rock 2015 (獅子山下2015) RTHK (TVB Jade) & RTHK TV 31 28.11.2015	5	- The programme which contained contents about young models and pornography, and portrayals of inappropriate behaviours such as throwing petrol bombs, committing arson, assaulting people and referring to policemen as “警犬”, was of a bad theme, promoted violence and thoughts of destructing society, exerted a bad influence on children and the youth, encouraged them to imitate and commit illegal acts, had no educational purpose and was unsuitable for broadcast during dinner time.	- Unsubstantiated.
<i>Illegal Act</i>			
Morning Suite (晨光第一線) RTHK Radio 2 13.11.2015	1	- 在上午8時30分至8時45分，一名男主持指不喜歡當日得到最高票數的歌曲，希望有方法可以把該歌曲所得到的票數轉移至另一首歌曲。稍後，另一名男主持指上述男主持教人賄選。投訴人認為有關言論教導聽眾賄選，屬不當行為。	- Unsubstantiated.

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Title	No. of Complaints	Substance of Complaint	Decision
<i>Impartiality</i>			
City Forum (城市論壇) RTHK (TVB Jade) 6.12.2015	1	<ul style="list-style-type: none"> - 主持不停搶着發言，沒有持平地讓嘉賓自由討論，而且只有一節時間讓台下觀眾發言，令節目變成該主持的個人政治立場節目，主持未有盡其責任。 	- Unsubstantiated.
<i>Impartiality & Accuracy</i>			
Pentaprism (左右紅藍綠) RTHK (TVB Jade) 28.10.2015	1	<ul style="list-style-type: none"> - 主持向觀眾灌輸美國軍隊進入南海島礁是維持正義，屬正義之師的想法，他亦作出對中國的負面評價，意見十分偏頗及不客觀。投訴人認為南海島礁的主權具爭議性，主持應該客觀評論，不應有政治動機的考慮或偏幫任何國家(包括中國)。 - 主持沒有就其言論提供真實資料，沒有尊重事實及以虛假證據為依據— <ul style="list-style-type: none"> (a) 主持提及美國戰機/戰艦進入中國領域是保持通道自由時，並非引述媒體報道，是直接向市民灌輸有關做法是正義行為。主持在沒有提供有關南中國海域的主權(「南海主權」)屬於中國的相關資料給觀眾情況下，傳播誤導訊息；以及 (b) 主持指「從美方角度，南海屬於國際水域，不應由任何國家獨自享有，因此美國有責任捍衛當地的航行自由」，但又提到「有傳媒報道指美艦駛入南海敏感區域的行動獲得部分與中國有爭議的國家的默許」，是自相矛 	- Unsubstantiated.

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		<p>盾，偏幫美國政府，因為南海主權絕對不會是美國的。有關矛盾明顯有虛假成份。</p> <p>- 投訴人又指香港電台以公帑營運，不能以「節目主持人不代表本台意見」的說法推卸責任，向市民灌輸歪理。</p>	
<i>Impartiality & Discrimination</i>			
<p>Hong Kong Connection (鏗鏘集)</p> <p>RTHK (TVB Jade) & RTHK TV 31 1.11.2015</p>	2	<p>- 一名投訴人認為三名以投資者身份接受訪問的店舖東主發表荒謬言論。當中有關「同埋你去第二區之嘛，葵涌囉，葵涌仲有，葵涌咪平囉好遠咩，搭幾個站係先」的言論誤導市民，因為葵涌工廠大廈的租金非廉宜；另外，由九龍東乘坐港鐵到葵涌最少要十多個站，而不只是「搭幾個站」。投訴人亦指有關言論歧視沒有能力負擔昂貴租金的租戶，構成社會地位上的歧視。</p> <p>- 另一名投訴人指女記者在鏡頭外作出很多無謂評論及向嘉賓發問引導性的問題，其對答膚淺，與話題無關或屬無聊笑話，跟節目的一貫風格不同。</p>	- Unsubstantiated.
<i>Indecency & Discrimination</i>			
<p>Morning Suite (晨光第一線)</p> <p>RTHK Radio 2 14.12.2015</p>	1	<p>- 在上午9時30分至10時期間，一名男主持說出一連串有關女性胸部大小的形容詞，包括：洗衫板、iPad胸、湯碗胸、警鐘胸等，並曾提及「有D女人胸部沒有發育」。投訴人指有關內容侮辱、歧視及不尊重女性，該主持人用詞亦極之低俗，低級及下流。</p>	- Unsubstantiated.

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Title	No. of Complaints	Substance of Complaint	Decision
<i>Indirect Advertising</i>			
Travel Round the World (旅遊樂園) RTHK Radio 1 4.7.2015	1	- 節目主持人及嘉賓講述他們在台灣旅遊曾光顧一間餐廳時，不斷提及其姓顧的老闆的名字，又聲稱該餐廳是為「慈善」，並提供電話號碼及呼籲聽眾光顧和訂位，為有關餐廳作商業宣傳。	- Unsubstantiated.
Happy Daily (開心日報) RTHK Radio 1 27.8.2015	1	- 節目主持人在上午 10 時 40 分左右說關景鴻是「移民專家」，為該名人士作商業宣傳。	- Unsubstantiated.
Reunion of 2000 Beautiful Songs (2000靚歌再重聚) RTHK Radio 2 20.9.2015	1	- The programme repeatedly mentioned the guests, date and ticketing information of an upcoming concert of the programme guests to be held on 28 September 2015, which amounted to advertising for the concert concerned.	- Unsubstantiated.
<i>Language</i>			
LegCo Meeting (立法會會議) TVBNV, TVBN 2, Cable Live News Channel, now Direct & RTHK DAB 35 9.12.2015	4	- A LegCo Member seemed to have uttered the expression “冚家 X” when he was interrupted by another LegCo Member who demanded a quorum count, which was offensive and should not be broadcast.	- Unsubstantiated.

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Title	No. of Complaints	Substance of Complaint	Decision
<i>Language & Impartiality</i>			
Happy Daily (開心日報) RTHK Radio 1 18.11.2015	2	<ul style="list-style-type: none">- 一名投訴人指主持在上午10時46分說了粗口諧音。- 另一名投訴人指主持在講述有關女性爭取選舉權的話題時說「如果受壓迫的話，政府會搵七警打佢」。投訴人指七警事件正在審訊中，不應經常在電台廣播引用有關事件，並認為香港電台作為公營機構，立場偏頗，有關節目的主持人亦經常有意無意提及七警，做法不當。	- Unsubstantiated.

Radio Television Hong Kong
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