

**Minutes of the 57th Meeting of
RTHK Board of Advisors
held at 9:15 am, 30 November 2020
by Video Conference**

Present

Dr LAM Tai-fai, SBS, JP (Chairman)
Ms Dilys CHAU Suet-fung
Professor Ronald CHIU Ying-chun
Ms Linda CHOY Siu-min
Professor Anthony FUNG Ying-him, JP
Ms Helen KWAN Po-jen
Ms Shirley LOO Marie Therese, BBS, MH, JP
Dr Thomas SO Shiu-tsung, JP
Ms Eva WONG Ching-hung
Mr Augustine WONG Ho-ming, JP
Professor WONG Kam-fai, MH
Ms Elaine WU Siu-ling
Mr LEUNG Ka-wing, Director of Broadcasting

In Attendance from RTHK

Mr Eugene FUNG, Deputy Director of Broadcasting
Ms Jace AU, Assistant Director (TV & Corporate Businesses)
Mr Brian CHOW, Assistant Director (Radio & Corporate Programming)
Ms Natalie CHAN, Controller (TV)
Ms Dawn TSANG, Acting Controller (Radio)/Head/Radio Administration,
Development and Programming
Mr David HO, Acting Controller (Radio)/Head/Chinese Programme Service
Ms Echo WAI, Head/Corporate Communications & Standards
Ms Mayella CHEUNG (Board Secretariat)

Absent with Apologies

Dr TIK Chi-yuen, SBS, JP

Secretary

Mr Enoc IP (Board Secretariat)

Agenda Item 1: Confirmation of the Minutes of the Last Meeting

1. Due to the outbreak of the pandemic, this meeting was conducted as a video conference. Dr TIK Chi-yuen sent his apologies for not being able to join this meeting.
2. The Chairman said that the Secretariat had circulated the draft minutes of the 56th meeting held on 28 September 2020 to Members for perusal. Amendments raised by Members had been incorporated into the draft minutes which had been re-circulated, and no further comments were received. The minutes concerned were therefore confirmed.

Agenda Item 2: Matters Arising

3. The Chairman followed up on paragraph 30 of the minutes of the last meeting. According to paragraph 13(f) of the Charter of RTHK (“the Charter”), the Board should initiate studies and research on issues pertaining to the achievement of the public purposes and mission of RTHK. Regarding this, Ms Echo WAI, Head of Corporate Communications & Standards, briefed Members on the relevant research work, including the purpose of the research, the research methods previously used and the working timeframes.
4. The Chairman said that the Board had the responsibility of conducting opinion surveys. He agreed that it was necessary to conduct researches, and enquired about how RTHK had comprehended and evaluated the scores of the previous researches. Mr LEUNG Ka-wing responded that in general, a score of over 7 out of 10 would be considered satisfactory. The RTHK management attached great importance to the research results, and would work hard to ensure that the achievement of its public purposes and mission had met the expectations of the public, and the pulse of the community was reflected in an impartial manner. And regarding the areas with relatively low score, RTHK would conduct reviews on them and would not take them lightly.
5. The Chairman was concerned about how RTHK would make use of the research results to improve its service, for example, how RTHK would handle it in case the score in a particular area was relatively unsatisfactory

or had declined. Mr LEUNG Ka-wing responded that when setting out the annual plan, the RTHK management would refer to the research results and improve those areas that need to be improved through programme scheduling. And regarding those missions that had relatively low score previously, such as “to serve a broad spectrum of audiences and cater to the needs of minority interest groups” and “to deliver programming which contributes to the openness and cultural diversity of Hong Kong”, RTHK had enhanced the production of programmes on ethnic minorities and arts and culture in recent years. Mr Brian CHOW added that the research concerned was conducted every two years, and RTHK would compare the score changes, so as to evaluate whether what RTHK had done had effectively improved its service.

6. The Chairman enquired whether the same organisation had been commissioned to conduct the opinion surveys, and was concerned about how to ensure that good and neutral organisations could be selected. He considered that the principle of “the lowest bid wins” might not be an ideal selection criterion. Ms Echo WAI responded that the Board had conducted a total of 4 opinion surveys, in which two different organisations were commissioned. Ms Jace AU added that RTHK commissioned a university to conduct the research in 2012, and commissioned a commercial organisation to conduct the research in 2014, 2016 and 2018, and they were selected by tenders and assessments in accordance with the established procurement procedures. To ensure “segregation of duties” between the staff concerned and the programme staff, the supplier list of eligible tenderers was provided by the Finance and Resources Unit, and the suppliers invited to the tenders were randomly selected by the computer system. As the government had introduced the pro-innovation procurement policy, at present, procurement would no longer treat “the lowest bid wins” as the prime consideration, but adopt a marking scheme for an overall consideration.
7. A Member said that the outsourcing system of the government should be accountable to the public, and price should not be the decisive factor. It was more important that the tendering procedure had to be transparent, and the overall plan of the tenders should be considered. He suggested that RTHK should provide basic information of the tender to the Board in order to strengthen its supervisory function. In addition, he considered that the

method of the opinion survey had to keep pace with time to broaden the audience reach as much as possible, in order that the results could reflect the views of the society in an accurate manner. He gave an example that apart from telephone interviews, conducting online opinion survey could also be a feasible method.

8. A Member said that as different organisations might have different understandings on the same score, he would focus more on the score changes. He considered that RTHK should enhance the strategy on the areas that had shown a downward trend in the score, and take follow-up actions and make improvements.
9. A Member enquired whether RTHK had set a scoring benchmark for the opinion survey. He also gave opinions on how to interpret the research results, and he considered that if different organisations were commissioned to conduct the survey in different years, it might lead to a significant change in the data, which would make it difficult to compare the survey results in different years. In addition, he opined that the organisations concerned should be careful during the process of data collection. He took the questions concerning ethnic minorities as an example and pointed out that those questions were designed in a way that the survey results might only reflect the general impression of the public, but not the actual working performance of RTHK. Therefore, one should be careful when interpreting the survey results.
10. A Member said that what she was concerned about was whether this survey would bring substantial meanings and impacts to RTHK. She considered the questions in the opinion survey could be changed according to the development focus of RTHK, and the survey could also be conducted in the forms of “focus group” or online “crowd-sourcing”, in order to collect opinions and take follow up actions. She added that it was also worth considering whether it was necessary to conduct the survey every two years, or whether it could be conducted every three years to save resources.
11. A Member said that she hoped RTHK could provide to the Board more information on this survey research, including the full reports of the previous opinion surveys and a summary of this meeting. She also suggested that RTHK could consider conducting the survey annually and

use more precisely designed questions to improve the reference value of the survey results. In terms of catering to ethnic minorities, she suggested that information should be obtained through in-depth analysis of focus groups rather than only from respondents who were mostly Chinese. In addition, she enquired whether RTHK had conducted independent review on the Community Involvement Broadcasting Service (“CIBS”). *[Post-meeting note: The Secretariat provided the reports of the opinion surveys conducted in 2014, 2016 and 2018 and the related powerpoint presented at this meeting to Members on 30 November 2020.]*

12. A Member said that she considered the survey had two purposes, namely to reflect the views of the public on RTHK, and to reflect the value of RTHK in Hong Kong as a public service broadcaster, and both were equally important. She said that the public had different views on RTHK programmes on the recent social incidents, and opinion surveys could reflect the expectations of the public on RTHK.
13. A Member said that depending on the budget, RTHK could choose quality survey organisations and set a clear marking scheme in the tender procedure. RTHK should also ask to meet with the tenderers during the assessment period, so as to deeply understand their opinion survey plan. When designing the questions, both quality and quantity should be emphasised. In case of great discrepancies, the Board could follow up on a regular basis during the meetings.
14. A Member said she concurred that depending on the budget, RTHK should consider updating the research mode. For instance, small-scale surveys could be conducted once every two years and large-scale researches could be conducted once every five years. In terms of methodology, she suggested that a joint negotiation mode could be adopted to bring together the ideas of RTHK and the contractors, and explore different survey methods. For example, street interviews or crowd-sourcing were methods that could be used to avoid being superficial, and tenders should be written in a more detailed manner. As for the selection issue, she thought that RTHK could ask the tenderers to make presentations and she asked whether RTHK could allow Members to join the Selection Committee.
15. Mr LEUNG Ka-wing thanked Members for their valuable advice, and he

said that RTHK would carefully study and consider them. Regarding the issue of scoring benchmark, Ms Jace AU quoted the British Broadcasting Corporation (“BBC”) 2019/20 Annual Report published by the UK Office of Communications (Ofcom) as an example. She pointed out that the design of the questions in that report was similar to that of the previous opinion surveys conducted for RTHK by the Board, and the score obtained by BBC was about 60-odd to 70-odd percent of the full mark.

16. A Member asked whether the BBC’s approach could be used for an opinion survey conducted by the Communications Authority (“CA”). Ms Jace AU responded that because the Charter required the Board to initiate studies and research on issues pertaining to the achievement of the public purposes and mission of RTHK, the two situations were different.
17. Regarding the participation of Members in the selection, Ms Echo WAI responded that, as in previous years, RTHK and the Board would set up a working group to discuss the content of the opinion survey. As for whether Members could join the Selection Committee, she needed to go through the relevant government regulations and revert to the Board. Regarding the enquiry concerning CIBS, Mr Brian CHOW confirmed that RTHK would conduct focus group study and review on CIBS every two years.
18. The Chairman concluded that the Board would conduct an opinion survey in 2021, and the survey would continue to be conducted once every two years for now. The details would be further discussed and followed up.

Agenda Item 3: Ways to Ensure the Editorial Process and Monitoring Mechanism of Programme Production Comply with the Charter of RTHK

19. Mr LEUNG Ka-wing elaborated on how to ensure RTHK programme production comply with the Charter. He said that the Charter had been established for 10 years by now. It specified RTHK’s public purposes and mission, editorial independence, programme areas and the relationship between RTHK and the other relevant parties. In recent years, there was a lot of public concern about the Charter, especially the discussions arising from the public purposes and mission stipulated in Part B. RTHK also

carried out internal reviews from time to time. He emphasised that RTHK programme production should comply with the Charter as a whole, as it would be difficult for some individual programmes to cover all public purposes and mission. Regarding the production of news and current affairs programmes, the executive producer was responsible to keep abreast of the programme content throughout the whole process and strictly ensure the accuracy and impartiality of the content. When encountering sensitive situations, the executive producer would report to the next level such that the issue could be dealt with at a higher level. Regarding the monitoring mechanism, one of the challenges RTHK faced was that the content of live programmes could not be assessed in advance. Nevertheless, colleagues would ensure that the overall programme content could comply with the Charter. RTHK had reinforced explaining the Charter in regular meetings and conducted reviews according to public responses. In the long run, as the Charter could basically fit in and had covered the Producers' Guidelines ("the Guidelines") and regulations of the Generic Codes of Practice for Television, RTHK would enhance trainings for new recruits and impart the spirit of abiding by the Charter to colleagues in their daily work.

20. The Chairman pointed out that in recent years, some RTHK programmes triggered disputes in the community and received warnings from CA. He questioned if RTHK had insufficient monitoring which led to discrepancies when fulfilling the public purposes and mission stipulated in the Charter. In addition, he enquired about the accountability mechanism and the handling process if problems existed in a programme.
21. Mr LEUNG Ka-wing responded that most disputes RTHK faced in recent years were due to the difference in understanding of the Charter by different parties. RTHK was still assessing how the coverage of the Charter should be applied to programmes of different categories. RTHK also conducted serious reviews in hope of strengthening the colleagues' understanding. Regarding the programmes with problems occurred, before decisions were made by the relevant organisation, RTHK had immediately revised the programme content and carried out relevant procedures to cooperate with the supervisory authorities. In response to the decisions made by CA, RTHK had suspended the production of 2 programmes. As RTHK's Editor-in-Chief, the Director of Broadcasting ("DB") would bear the ultimate responsibility, and carry out follow-up actions from a level to the

next lower level. Mr Eugene FUNG added that RTHK was a government department and a staff member who committed wrongdoings would be handled in accordance with the existing penalty mechanism for civil servants. The department would first conduct investigation for the case and take appropriate disciplinary action against his or her misconduct, including verbal or written advice or warnings. Besides, the supervisor of the staff concerned could reflect inadequacies in his or her work performance through the appraisal mechanism.

22. A Member said that he knew that some RTHK production staff might have different views on the scope of the Charter, thus he was worried if some staff might have distorted understanding of the Charter. He said that he had always understood that as the power of editorial independence must not exceed the Charter, exercising of the power must be bounded within the Charter. He considered that if the content of a programme might be in breach of the Charter while the production staff disagreed, the RTHK management was responsible for risk management, and it should seek the Board's advice according to paragraph 16 of Part E of the Charter for mutual understanding of the interpretation of the Charter. The management should then pass the information to the staff to avoid problems.
23. Mr LEUNG Ka-wing responded that RTHK would never allow colleagues to breach the Charter. RTHK staff also clearly understood that they must abide by the Charter and they should never test RTHK's tolerance. He explained that the discussion about coverage referred to coverage by programmes of different categories, for example, arts and culture programmes might not be able to fulfill all the requirements stipulated in the Charter.
24. A Member said that she agreed that the coverage of the Charter was the key of the discussion. She opined that criteria such as impartiality and diversity might not be applicable to entertainment and arts programmes, but it seemed that no conclusion had been made on the coverage applicable to programmes of different categories. She suggested RTHK should formulate clear guidelines internally to specify the comprehensive or concrete coverage of the Charter. She considered that RTHK should attach importance to internal monitoring and quality control, explain more to stakeholders in the society on how RTHK would execute its editorial

principles under the Charter to avoid unnecessary arguments, and follow up seriously on CA's decisions.

25. The Chairman said that the original intention of the agenda item should be a focused discussion on how to ensure RTHK programmes comply with the Charter, but not a discussion on whether the content of the Charter should be updated. He believed that RTHK staff were familiar with the Charter, but a mature monitoring mechanism was needed as supplement. He hoped that Members could focus on the discussion about how to ensure the programme production would comply with the Charter.
26. Mr LEUNG Ka-wing responded that in recent years, in response to the concern of the society, RTHK had enriched its monitoring and accountability mechanisms, while colleagues had increased their awareness. In general, executive producers were the gatekeepers for programme content, and assessments of executive producers were based on their performance in their daily work, which were reflected via the assessment mechanism. If an executive producer made a mistake, RTHK would handle the case in accordance with the proceedings for civil servants. For issues which could not afford the slightest oversight, such as the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region and the recent Policy Address, RTHK would intensify its efforts and adopt a top-down approach to closely monitor the development of those issues in practical operation, in order to ensure that the production arrangement and content of the programmes were accurate and appropriate.
27. A Member said that she noticed that a lot of controversial incidents happened to RTHK in the past. She considered that leaving the responsibility of gatekeeping solely to executive producers was not ideal. She took the approval procedures before publication of newspaper as an example, and enquired if RTHK had a mechanism to refer an issue in advance to the appropriate management level, or even to DB for handling.
28. A Member said that she noticed that regarding the several RTHK programmes with problems, the persons involved were either contract staff or guests, but not RTHK staff. She enquired how RTHK could ensure the quality of external staff and about the handling mechanism. Besides, she

opined that even though a single programme could not cover all public purposes and mission stipulated in the Charter, it should not breach the Charter. She pointed out that the Board had provided plenty of advice to RTHK in the past, but she had the impression that RTHK had never sought advice from the Board in accordance with paragraph 16 of the Charter. She considered that after the Board had provided advice, the follow-up actions of RTHK were very important to the quality control of its programmes.

29. Mr LEUNG Ka-wing responded that RTHK had always communicated closely with the Board. After every meeting, RTHK would actively follow up and handle advice provided by the Board and when necessary, seek the Board's advice in accordance with paragraph 16 of the Charter. Regarding the performance of external guests, RTHK would only invite a guest after prudent consideration to ensure the quality of the guest's remarks as much as possible. He also said that regarding issues that were known to be more complicated in advance, the executive producer would report to higher management levels from one level to the next level. In the weekly programme meetings, the management would also actively look over the more sensitive topics. In the end, starting from DB, RTHK staff from a level to the next lower level would hold accountability and should take follow-up actions.
30. A Member said that there were some younger frontline workers in the media industry with strong views towards social issues. He considered that RTHK should ask its staff to put aside their political views, stay alert and mind their identities. Regarding news interviews and handling, if a staff member had shown his / her stance with his / her attitude or performance at work and undermined his / her professionalism, RTHK should remind him / her and follow up.
31. Mr LEUNG Ka-wing responded that experienced RTHK staff would act as supervisors and reflect problems to colleagues immediately during their daily communication, and that was the most important mechanism to ensure professionalism.
32. A Member opined that RTHK should have a systematic monitoring mechanism, with policies and procedures involved explained in written

form and updated in timely manner. Under the mechanism, RTHK should first handle matters in accordance with the framework of the system, and adopt human approaches to handle individual cases. Regarding risk management, she suggested that RTHK should examine its major risks and determine relevant critical control points to resolve the problems, instead of only handling complaints and resolving issues in small scale. RTHK should take the initiative to control risks and review the mechanisms, so as to achieve more effective monitoring and accountability.

33. Mr LEUNG Ka-wing responded that all RTHK staff were bounded by the Guidelines in which monitoring mechanism of programme production was explained in detail, such as the upward referral system in the editorial process. RTHK would also manage personnel according to the rigorous proceedings for civil servants. He said that the Commerce and Economic Development Bureau had established a dedicated team, which was reviewing the governance and management of RTHK. He expected that the review report would bring positive effect to the future development of RTHK.
34. The Chairman concluded that the Board provided advice to nip problems in the bud and avoid problems from recurring. He hoped that everyone would look forward and that in the future, RTHK could accurately implement the established mechanisms and the Guidelines, and ensure that the programme production would comply with the Charter.

Agenda Item 4: RTHK's Complaint Handling Mechanism and Follow-Up Procedures

35. Ms Echo WAI elaborated on the current complaint handling mechanism of RTHK. She said that if the content of the public feedback was negative, RTHK would need to respond and follow up, and if the feedback was specified as a complaint, it would be classified as a complaint. Under normal circumstances, RTHK would acknowledge receipt or issue an interim reply within 10 days upon receipt of a complaint, and provide a detailed reply within 30 days. Under the complaint mechanism, any complaint received would first be handled by a team led by a staff member of the rank of Principal Programme Officer. If the complainant was

dissatisfied with the process, he / she could file an appeal, and the appeal would be handled by a team led by a staff member of the rank of Chief Programme Officer. If the complainant was still dissatisfied with the result of the appeal, he / she could appeal again. At that time, the case would be handed over to a review team led by a directorate officer for the final decision.

36. The Chairman asked how RTHK would handle a large number of identical complaints or complaints lodged by political groups, and how RTHK would judge if a complaint was valid. Ms Echo WEI responded that RTHK handled complaints of different types or backgrounds in the same way. If a large number of similar complaints was received, RTHK would handle and respond comprehensively. Mr LEUNG Ka-wing responded that after receiving a complaint, RTHK would in general send it to a Principal Programme Officer of the section related to the complaint for investigation, so as to confirm whether the content of the complaint was true and whether there was any rule violation. The more complicated complaints might be passed to another section or a higher-ranking colleague to handle.
37. A Member asked how RTHK handled complaints involving guest hosts or guests. Ms Echo WEI responded that RTHK would process complaints against different parties in the same manner. Mr LEUNG Ka-wing added that if a complaint was substantiated, RTHK would issue a warning to the relevant parties according to the actual situation, and would invite them less often or even stop inviting them in the future.
38. A Member stated that he hoped that RTHK would provide the Board with more detailed updates on complaints, such as providing figures on different complaint subjects and complaints at different stages of processing. Mr LEUNG Ka-wing responded that RTHK would consider providing key breakdown of figures by category in the form of remark in the appendix of the updates on complaints to the Board in the future.

39. A Member said that RTHK was both a government department and a broadcaster. However, he understood that the threshold for handling complaints between media organisations and the government seemed to be different. He asked RTHK how this issue would be handled. Mr LEUNG Ka-wing responded that RTHK must not only comply with the standards of civil servants when handling news, public and current affairs programmes, but also meet the basic standards of the news and media industry. And in practice, RTHK could handle the complaints.

Agenda Item 5: RTHK Annual Report for 2019/20

40. Mr Eugene FUNG, Ms Jace AU and Mr Brian CHOW introduced the RTHK Annual Report for 2019/20 to Members. Members had no comments on the report.

Agenda Item 6: Annual Report of the RTHK Board of Advisors 2019 - 2020

41. The Chairman said that the Secretariat had drafted the Annual Report of the RTHK Board of Advisors 2019-2020 and circulated the draft annual report on 9 November 2020 for Members' perusal. The Annual Report provided highlights of meetings held in the past year, and Members had no comments on the report. The report was therefore confirmed and would be uploaded to the RTHK website in due course.

Agenda Item 7(a): Updates on Feedback and Complaints (BOA Paper 11/2020)

42. Ms Echo WAI introduced the paper to Members.
43. A Member said that RTHK had taken down 4 episodes of "Pentaprism" from its website in response to CA's decision, and he enquired whether RTHK had looked into the problem and how RTHK would ensure that there would be improvements when producing similar programmes in the future. The Chairman enquired whether the problem about those 4 episodes lied on the production staff of the programme. Mr LEUNG Ka-wing responded that RTHK had conducted an internal review concerning "Pentaprism", and had handled the issues concerning the production staff in November last year. As the CA's decision gave inspiration to the programme format of personal

view programmes, RTHK was still following up the issue and conducting reviews on the production of the kind of programme, and at the moment the production of that programme had been suspended.

Agenda Item 7(b): Updates on Programmes (BOA Paper 12/2020)

44. Mr David HO and Ms Natalie CHAN briefed Members on the updates on programmes of the Radio and TV Divisions respectively. Members had no comments on the paper.

Agenda Item 8: Any Other Business

45. The Chairman said that due to the outbreak of the pandemic, the originally arranged guided tour of RTHK after the meeting would be postponed.
46. Members did not bring up any other matter for discussion.

Agenda Item 9: Date of Next Meeting

47. The next meeting was scheduled for 25 January 2021.
48. There being no other business, the meeting was adjourned at 12:45 p.m.

The Secretariat
RTHK Board of Advisors