

## Appendix

### **Case 1 – Radio Programme “Circles” (1 圈圈) broadcast on the CR 1 Channel of Hong Kong Commercial Broadcasting Company Limited (“CRHK”) at 10:30 am to 12:00 noon on 10 March 2017**

Three members of the public complained that a female guest uttered a Cantonese foul expression in the programme.

#### **The Communications Authority (“CA”)’s Findings**

In line with the established practice, the CA considered the complaint case and the representations of CRHK in detail. The CA took into account the relevant aspects of the case, including the following –

##### *Details of the Case*

- (a) the programme under complaint was an entertainment news programme;
- (b) three actresses were invited as guests of the programme to talk about a movie in a series. The alleged female guest mentioned that she had a breakthrough in the second installment of the series by uttering profanities in the movie. When a male host invited her to give a demonstration jokingly, she asked whether it was acceptable for such expressions to be broadcast on radio and suggested that the male host conceal the problematic words with sound effect. The male host replied that she had to be responsible for what she was going to say.

The concerned guest then recited a line from the movie which contained the alleged foul expression. A scream was heard and the male host immediately reminded the listeners that foul expression was not allowed. He and another guest further mentioned that it was a negative example and reminded the listeners not to follow suit;

- (c) when the programme resumed after a news report, the male host and the concerned guest apologised again for the utterance of the foul expression; and
- (d) CRHK's representations that the hosts were taken by surprise when the foul expression was used and that it had made clear to the listeners that the use of such an expression was unacceptable.

***Relevant Provision in the Radio Code of Practice on Programme Standards ("Radio Programme Code")***

- (a) paragraph 15 – expressions considered vulgar or unacceptable by an average person are to be avoided. Expressions that are definitely offensive are prohibited from use on radio.

**The CA's Considerations**

The CA, having regard to the relevant facts of the case, considered that –

- (a) the concerned Cantonese foul expression that was clearly audible was a downright offensive expression which was unacceptable for broadcast on

radio at all times;

- (b) although the foul expression was the direct quote of a movie line by a programme guest and there seemed to be no malice intended, it was uttered in the context of a demonstration of the use of profanities as suggested by the male host; and
- (c) the programme host, though having taken remedial actions after the concerned utterance, should have displayed greater sensitivity to the possible utterance of prohibited expressions in the first stance. It was the responsibility of CRHK to take necessary actions, including the provision of proper briefings to its hosts and guests before live broadcast, to ensure that all its radio programmes should comply with the relevant provisions of the Radio Programme Code.

## **Decision**

In view of the above, the CA considered that the complaints were justified. Taking into consideration the specific facts and circumstances of the case including the severity of the breach, the CA decided that CRHK should be **strongly advised** to observe more closely paragraph 15 of the Radio Programme Code.

**Case 2 – Radio Programme “The Fun Box” (大玩派) broadcast on the CR 1 Channel of CRHK at 3:00 pm to 5:00 pm on 8 March 2017**

Three members of the public complained that a host uttered a Cantonese foul expression in the programme.

**The CA’s Findings**

In line with the established practice, the CA considered the complaint case and the representations of CRHK in detail. The CA took into account the relevant aspects of the case, including the following –

*Details of the Case*

- (a) the concerned programme was a light-hearted talk show;
- (b) in the discussion about the food truck initiative, a host criticised the initiative and uttered a Cantonese foul expression swiftly in his remark;  
and
- (c) CRHK admitted that the host had mistakenly uttered the foul expression, and submitted that it was a slip of the tongue and was not intentional.

*Relevant Provision in the Radio Programme Code*

- (a) paragraph 15 – expressions considered vulgar or unacceptable by an average person are to be avoided. Expressions that are definitely offensive are prohibited from use on radio.

## **The CA's Considerations**

The CA, having regard to the relevant facts of the case, considered that –

- (a) the concerned Cantonese foul expression, though uttered swiftly, was audible. It was a downright offensive expression which was unacceptable for broadcast on radio at all times; and
- (b) although the utterance seemed to be unintentional on the spur of the moment, CRHK should take necessary actions to ensure good discipline of and training for its staff, including the provision of proper briefings to its hosts before live broadcast, to ensure that all its radio programmes should comply with the relevant provisions of the Radio Programme Code.

## **Decision**

In view of the above, the CA considered that the complaints were justified. Taking into consideration the specific facts and circumstances of the case including the severity of the breach, the CA decided that CRHK should be **advised** to observe more closely paragraph 15 of the Radio Programme Code.