

Case 18 – Television Programme “感動中國 情滿香江” broadcast from 10:30pm to 11:30pm on 5 July 2020 on RTHK TV 33 Channel of Radio Television Hong Kong (RTHK)

One complaint was received about the captioned television programme. The main allegations were that the programme failed to present different viewpoints in a balanced way; was misleading and unfair by failing to present the full picture of events or making groundless accusations; spread hatred and amounted to denigration; broadcast scenes of protests without prior warning and was offensive and of bad taste.

The Communications Authority (CA)’s Findings

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

Details of the Case

- (a) the programme was a documentary produced by China Central Television (“CCTV”) broadcast on the RTHK TV 33 Channel of RTHK, a channel that relayed the live feed of China Central Television Channel 1 (“CCTV-1”); and
- (b) the programme recounted the social events in 2019 with some footages shown, and aspired to the restoration of law and order in Hong Kong after the enactment of the Law of People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region. There were criticisms on the use of violence, doxing and bullying, and the disruption of social order during the social events in 2019. At the end of the programme, a flip card with the caption “中央廣播電視總台” was shown.

Relevant Provisions in the Generic Code of Practice on Television Programme Standards (TV Programme Code)

- (a) Paragraph 9(g) of Chapter 1 - the licensee should ensure that appropriate information such as clear and specific warnings or labelling is available to assist viewers in their choice of television programmes. Such information should be employed where there is a likelihood that some viewers may find a programme disturbing;
- (b) Paragraph 1 of Chapter 3 - licensees should ensure that their programmes are handled in a responsible manner and should avoid needlessly offending audiences by what they broadcast;
- (c) Paragraphs 2 of Chapter 3 - a licensee should not include in its programmes (a) any material of bad taste which is not ordinarily acceptable to the viewers taking into consideration the circumstances in which the programme is shown; (b) any material which is likely to encourage hatred against or fear of, and/or considered to be denigrating or insulting to any person(s) or group(s) on the basis of ethnicity, nationality, race, gender, sexual preference, religion, age, social status, or physical or mental disability; or (c) anything which is in contravention of the law;

- (d) Paragraph 1A of Chapter 9 - the licensees shall make reasonable efforts to ensure that the factual contents of, among others, current affairs programmes and documentaries are accurate;
- (e) Paragraph 2 of Chapter 9 - the licensees must ensure that due impartiality is preserved as respects of any factual programmes or segments thereof dealing with matters of public policy or controversial issues of public importance in Hong Kong;
- (f) Paragraph 3 of Chapter 9 - due impartiality requires the licensees to deal even-handedly when opposing points of view are presented in a programme or programme segment. Balance should be sought through the presentation, as far as possible, of principal relevant viewpoints on matters of public importance. Programmes or programme segments under concern should not be slanted by the concealment of facts or by misleading emphasis;
- (g) Paragraph 4 of Chapter 9 - in achieving due impartiality, the term “due” is to be interpreted as meaning adequate or appropriate to the nature of the subject and the type of programme or programme segment;
- (h) Paragraph 9 of Chapter 9 - the licensees have a responsibility to avoid unfairness to individuals or organisations featured in factual programmes, in particular through the use of inaccurate information or distortion. They should also avoid misleading the audience in a way which would be unfair to those featured in the programme;
- (i) Paragraph 15 of Chapter 9 - licensees should take special care when their programmes are capable of adversely affecting the reputation of individuals, companies or other organisations, and take all reasonable care to satisfy themselves that all material facts are so far as possible fairly and accurately presented; and
- (j) Paragraph 16 of Chapter 9 - where a factual programme reveals evidence of iniquity or incompetence, or contains a damaging critique of an individual or organisation, those criticised should be given an appropriate and timely opportunity to respond.

The CA’s Consideration

The programme was a documentary on controversial issues of public importance in Hong Kong. Nevertheless, having regard to the relevant facts of the case including the information submitted by RTHK, the CA noted that the programme was not a local production and was broadcast on CCTV-1 Channel, which was transmitted by the RTHK TV 33 Channel in fulfillment of its obligation as a public service broadcaster to provide for relay of national broadcasting pursuant to the Charter of RTHK. RTHK had no editorial control over CCTV-1’s contents. Furthermore, there was value of the programme for local viewers to be aware of the prevalent views on the Mainland on important public issues and major events in Hong Kong.

Decision

In view of the above, the CA considered that the complaint was **unjustified** and decided that **no further action** should be taken against RTHK.