

## **Case 1 – News reports on recent social events broadcast on 12 June 2019 on the Jade, TVB News, Pearl and Finance & Information Channels of Television Broadcasts Limited (“TVB”)**

Over 7 400 members of the public complained against the captioned news reports. The main allegations were summarised below –

- (a) the news reports were misleading, distorted, biased towards the Government and the Police as they did not cover / show certain alleged actions by the Police, e.g. using unreasonable force against reporters and peaceful protesters / students; delaying medical aid to or conveyance of victims to hospital; interrupting journalists from reporting on police actions; hurling verbal abuse and foul expressions at protesters and reporters; inflicting sexual violence on a female protester and shooting a person dead without prior warning;
- (b) some complainants alleged that the news reports were misleading and partial. For example, they did not cover the responses of foreign governments and people from around the world on the protests; exaggerated the injuries to police officers and merely focused on those protesters using violence and breaking through police cordon lines; or only included the interviews with members from the pro-establishment parties;
- (c) some complainants alleged that the news reports were misleading to refer the protests as “暴動” (“riots”) and the protesters as “暴徒” (“rioters”); and
- (d) on the other hand, a few complainants alleged that the reports in the main news were biased towards the protesters as the content on protesters’ attack on the Police by throwing iron poles and stones was edited out.

### **The CA’s Findings**

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

#### ***Details of the Case***

- (a) the news reports broadcast on the channels concerned reported the series of events on 12 June 2019 in a similar manner. In the main newscasts broadcast in the evening and late night on Jade, TVB News and Pearl channels, there was extensive coverage of the protests which took place in Admiralty throughout the day, as well as various aspects and details of the confrontations between the protesters and the Police;

- (b) the livecasts of the situation in Admiralty on TVB News from around 3:00pm to 6:30pm on that day revealed that there were top and closer shots of the confrontations between the protesters and the Police in and around Admiralty as they were taking place and captured by TVB's video cameras; and
- (c) TVB submitted, among others, that it had been deploying all feasible means to cover the social movement as broadly as possible. The reasons for not covering some of the alleged incidents were either that they had not been verified or that its news crew had not personally witnessed them. The information covered in its news reports concerned was factual, the majority of which was broadcast live.

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

- (a) paragraph 1 of Chapter 9 – news programmes should offer viewers an intelligent and informed account of issues that enables them to form their own views. The licensees should ensure that news is presented with accuracy and due impartiality;
- (b) paragraph 1A of Chapter 9 – the licensees shall make reasonable efforts to ensure that the factual contents of news are accurate;
- (c) paragraphs 2, 3, 4 & 6 of Chapter 9 – due impartiality rules applicable to news programmes; and
- (d) 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.

**The CA's Considerations**

The CA, having regard to the relevant facts of the case including the information submitted by TVB, considered that –

- (a) the news programmes broadcast on the channels concerned as a whole reported the series of events relating to the protests that took place throughout the day of 12 June 2019. Specifically, the main newscasts in the evening and late night on Jade and TVB News channels covered a wide range of events and related issues including, among others –
  - (i) the occupation of roads in Admiralty by protesters at around 8:00am and the confrontations between the protesters and the Police in the morning;

- (ii) the escalated confrontations between the protesters and the Police in the afternoon (including footage of protesters breaking through the Police's line of defence to enter the demonstration area next to the Legislative Council ("LegCo") Building and throwing objects at the Police; the Police raising flags to warn the protesters and using batons, pepper spray, tear gas, rubber bullets and bean bag bullets to disperse them; and a protester being shot, etc.). It was also reported that a man in a yellow press vest and a police officer were injured during the protests;
  - (iii) the continuing standoff and confrontations in the evening;
  - (iv) the Police's briefing for the press and the Chief Executive ("CE")'s pre-recorded statement in response to the protests in which the protests were first referred to as "騷亂" ("disturbances") and later as "暴動" ("riots"), as well as responses from the Education Bureau, foreign governments and different groups;
  - (v) the postponement of the LegCo meeting for the second reading of the then proposed amendments to the Fugitive Offenders Ordinance (the "Bill"), and the plan to organise class boycott in secondary schools and comments from two teachers' trade unions; and
  - (vi) the exclusive interview of the CE on the Bill and the protests; and the number of casualties due to confrontations;
- (b) the livecasts on TVB News Channel from around 3:00pm onwards showed the continuous confrontations between the Police and the protesters which took place in and around Admiralty and outside the LegCo Building. The live reports as a whole delivered a factual account of the developments of the protests and the confrontations between protesters and the Police;
- (c) regarding the allegation that the reports were misleading to refer the protests as "暴動" ("riots") and the protesters as "暴徒" ("rioters"), the expressions were quoted direct from the statements of the Government / Police announced in the late afternoon of 12 June 2019;
- (d) regarding the allegation that there was no report about sexual violence against a female protester, the complainants did not specify details about this allegation and investigation revealed that there was also no such report in other major broadcast media on that day. As for the allegation that TVB did not report on a person being shot dead, investigation revealed that there was also no such report in other media on 12 June 2019; and

- (e) there was insufficient evidence to support the allegations that TVB had not presented the news on the protests and the events / incidents relating thereto in accordance with the relevant provisions in the TV Programme Code governing accuracy, due impartiality and fairness.

### **Decision**

In view of the above, the CA considered the complaints **unsubstantiated** and decided that **no further action** should be taken against TVB.