

Case 4 – Radio Programme “C Hing Temple” (C Hing 祠堂) broadcast from 12:05am to 2:00am on 22 June 2019 on the Radio 2 Channel of Radio Television Hong Kong (“RTHK”)

36 complaints were received against the captioned programme. The main allegations were that the remarks made by the host –

- (a) ridiculed police officers inside the Hong Kong Police Headquarters (“HKPHQ”), which was surrounded by protesters during the broadcast of the programme, that they were unable to get off work on time on a Friday evening;
- (b) insulted police officers, incited hatred against the Police and implied that the Police had done something wrong that caused the protesters’ besieging of the HKPHQ;
- (c) instigated people on the scene to storm the HKPHQ, caused more to go there to participate in the siege and stirred people to participate in the riot and engage in illegal activities; and
- (d) provoked social conflicts; failed to reflect the real situation at HKPHQ impartially; and misled listeners by confounding right and wrong.

Some complainants were dissatisfied that listeners could not rebut those remarks since the programme was not a current affairs programme, and that the hosts lacked professionalism and had a sub-standard hosting manner.

The CA’s Findings

In line with 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 –

Details of the Case

- (a) the programme concerned was a light-hearted talk show broadcast in late night, which covered hot topics and trendy issues;
- (b) at the beginning of the programme, the host briefly mentioned the Police’s relationship with the community and said that “成日都會講話警民關係、警民關係，警民，警民，警察都係市民啫，但係問下自己，點解要做呢一件事先？入面嘅人想出嚟，隔住塊玻璃，講到「un」好打都有用啦。明明一般人六點鐘禮拜五晚Happy Friday收得工㗎喇，隔咗六個鐘都未走得，點解

呢？無論點都好，香港人，小心，小心，小心” and “頭盔嘅裡面，盾牌嘅背後，有冇諗過點解呢？值唔值得呢？”。 Later, the host discussed how some people could get off work on time on a Friday to enjoy their evening while some had to stay behind to work overtime owing to their own shortcomings such as inefficiency;

- (c) during the rest of the programme, the hosts mainly chitchatted about how to get off work on time, travelling to their native towns and overseas countries, as well as other topics, without making any reference to the Police or protests in Hong Kong; and
- (d) RTHK submitted, among others, that the remarks concerned would neither mislead listeners nor make insults to any person or group and that the host had no intention to encourage hatred or instigate people to participate in riot or illegal activities.

Relevant Provisions in the Radio Code of Practice on Programme Standards (“Radio Programme Code”)

- (a) paragraph 6 – licensees should ensure that their programmes are handled in a responsible manner and should avoid needlessly offending audiences by what they broadcast; and
- (b) paragraph 7 – a licensee should not include in its programmes 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, among others, social status; or anything which is in contravention of the law.

The CA’s Considerations

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

- (a) except for some brief references about the Police at the beginning of the programme, other remarks did not contain clear references to any specific group of people and/or specific incident, albeit listeners might associate the remarks with contemporaneous incidents. Overall speaking, the sarcastic remarks were expressed in a jokey manner, which were unlikely considered irresponsible, insulting to or inciting hatred / violence against any person(s) or group(s) or unacceptable for broadcast in a light-hearted talk show;

- (b) regarding the allegation that the remarks concerned instigated people to storm the HKPHQ or stirred them to participate in riot or engage in illegal activities, the CA considered that the jokey remarks did not amount to incitement of the alleged behaviours and that there was no evidence suggesting that these remarks would encourage any unlawful behaviour; and
- (c) the provisions in the Radio Programme Code governing impartiality and accuracy were not applicable to talk shows. Other allegations such as the lack of professionalism and the sub-standard hosting manner of the host(s) were outside the jurisdiction of the CA.

Decision

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