

**Case 14 – Television Programme “Hong Kong Connection” (鏗鏘集) broadcast on the RTHK TV31 and RTHK TV31A Channels of Radio Television Hong Kong (“RTHK”) from 8:00pm to 8:30pm on 23 December 2019**

283 members of the public complained about the captioned programme. The main allegations were that –

- (a) the programme was partial against, unfair to and incited hatred against the Police. Specific allegations included –
  - (i) two-thirds of the programme contents were criticisms against the Police. The programme did not devote enough time to the opposing points of view;
  - (ii) the programme included an interview with the wife of a police officer who was dissatisfied with the Police’s enforcement actions in recent social events, but did not interview relatives of police officer(s) who supported the Police;
  - (iii) in the interview with a social worker who claimed to be beaten up by police officers in a protest, the programme did not mention that the social worker might have participated in a riot;
  - (iv) the programme focused on allegations against the Police but turned a blind eye to the fact that some police officers were injured and put their lives on the line to perform their duties; and
  - (v) the programme interviewed frontline police officers only for the purpose of further smearing the Police;
- (b) the remark made by a police officer in response to the question as to why some police officers had allegedly used a negative expression to refer to the protesters (the “Remark”) had downplayed the matter, was offensive, and was inappropriate for broadcast during the family viewing hours (“FVH”) (viz. 4:00pm to 8:30pm) as it might mislead children and teenagers that this was an acceptable behaviour;
- (c) the title of the programme i.e. “警民相惡” (“Police & Civilians: Mutual Hatred”) was inaccurate; and
- (d) the programme harmed the relationship between the Police and the public and provoked social conflicts, and was in breach of the Charter of RTHK.

**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 –

### *Details of the Case*

- (a) the programme concerned was a 30-minute current affairs programme broadcast in the FVH. It featured interviews with five people who expressed their views on the relationship between the Police and citizens during recent social events, as follows –
- (i) the wife of an anti-riot police officer, who had participated in recent demonstrations, expressed her disagreement with her husband on how to explain to their daughter the role of a police officer in society and the use of force by the Police. She was unhappy to hear protesters chanting slogans to curse the Police and their family members;
  - (ii) an anonymous police officer questioned the use of force by the Police, and mentioned the views of some of his colleagues on showing police identification numbers while on duty. He believed that the regular Police press conference had caused the public to become hostile to the Police;
  - (iii) another anonymous police officer, allegedly cut in the neck while performing duty, was puzzled as to the motives of the assailant. He mentioned that although some media reports criticised the Police, many citizens actually supported the work of the Police;
  - (iv) a police community relations officer, whose family members had been doxxed by netizens, said it was frightening and worrying that some people should vent their resentment towards the Police on the family members of individual police officers, and accused some people of rationalising such actions. The Remark was found when he responded to the reporter's question; and
  - (v) a social worker, who claimed that he was hit on the head by police officers with no identification numbers on their uniforms, considered that if the identity of police officers was persistently indiscernible, there would be no way to monitor the Police's law enforcement efforts. He also considered that if the Police could handle the complaints against them seriously, the hostile mood against the Police would subside.

The programme mentioned that it had contacted frontline police officers for interviews through various channels and subsequently the second interviewee agreed to be interviewed, while the interviews with the third and fourth ones were arranged by the Police; and

- (b) relevant footages featuring recent social events and other relevant information were intercut with the interviews featured in the programme.

### *Relevant Provision in Generic Code of Practice on Television Programme Standards ("TV Programme Code")*

- (a) paragraph 2 of Chapter 2 – the FVH are determined as the period between the hours of 4:00pm and 8:30pm on any day, during which time nothing which is unsuitable for children should be shown;

- (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) paragraph 2(b) of Chapter 3 – a licensee should not include in its programmes any material which is likely to encourage hatred against or fear of, and / or considered denigrating or insulting to any person(s) or group(s) on the basis of, among others, social status;
- (d) paragraph 1 of Chapter 4 – licensees must take care to avoid the gratuitous use of language that is likely to be offensive;
- (e) paragraph 5 of Chapter 4 – expressions not so widely accepted, which may still be considered offensive by the average viewers, should not be used within the FVH;
- (f) paragraphs 2, 3 and 4 of Chapter 9 – due impartiality rules applicable to current affairs programmes;
- (g) 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;
- (h) 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. Licensees should take all reasonable care to satisfy themselves that all materials facts are so far as possible fairly and accurately presented; and
- (i) paragraph 16 of Chapter 9 – where a factual programme reveals evidence of iniquity of 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 Considerations**

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

- (a) the programme concerned was a current affairs programme focusing on the relationship between the Police and citizens under recent social events. The programme dealt with matters / issues of public importance in Hong Kong and was broadcast between 8:00pm to 8:30pm, hence the relevant provisions including those governing impartiality, fairness and the FVH are applicable to the present case;

### ***Impartiality, Fairness and Right of Reply***

- (b) the main allegations against the programme were that it was partial against and unfair to the Police, and some complainants alleged that the programme mainly criticised the Police but did not devote enough time for the views in support of the Police. In this regard, the relevant provisions in the TV Programme Code require a licensee to deal even-handedly when opposing points of view are presented in a programme / programme segment, but it also provides that impartiality does not mean that “balance” is required in the sense of equal time or an equal number of lines in the script being devoted to each view, nor does it require absolute neutrality on every controversial issue, and judgment will always be called for by the broadcaster;
- (c) in the present case, apart from interviewing those arranged by RTHK (one of them was a police officer), the programme interviewed two police officers arranged by the Police, who could be considered as representatives of the Police. The respective interviewees of different background expressed a broad range of views. The programme also featured relevant figures and information including the broadcast of footages concerning recent social events, which provided the audience with a wide range of materials relating to the topic under discussion;
- (d) as for the allegation that the programme did not mention that the interviewee concerned might have participated in a riot, the programme did not suggest that the alleged participation in a protest by the interviewee was justified. In any event, the impartiality of the programme was unrelated to the interviewee’s alleged participation in a protest. As for the allegation that the programme ignored the fact that some police officers were injured and put their lives on the line to perform duties, the programme did contain the views of an interviewee (who was a police officer) on the injury he sustained while on duty and another interviewee (also a police officer) on the threats faced by police officers while on duty;
- (e) given the above, there was insufficient ground to take the view that the programme was in breach of the relevant provisions governing impartiality, fairness and right of reply;

### ***Incitement of Hatred***

- (f) the programme mainly presented its views on the relationship between the Police and citizens under recent social events. The programme contained criticisms of the Police on subjects including the use of force, and also the remarks made by a police officer on the injury he sustained while on duty and that many members of the public supported the Police. Overall speaking, the CA considered it unlikely that the relevant criticisms and materials in the programme could be considered as inciting hatred against the Police. As for the allegation that the programme interviewed frontline police officers only for further smearing the Police, the factual account of the views expressed by the police officers in the programme would unlikely be considered as having the effect of smearing the Police;

*Offensive Materials, Language, Bad Influence on Children and the FVH*

- (g) the Remark was a factual account of the response of police officers in general on the expression some police officers had allegedly used to refer to the protesters. The programme also contained the views of another interviewee opposing the use of the offending expression. Taking into account the context of the programme, it was unlikely that the Remark would be considered downright offensive, exerting bad influence on children or unacceptable for broadcast during the FVH; and
- (h) as for other allegations, they 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.