

Case 2 – News reports on recent social events in various news programmes broadcast on 15 June 2019 on the Jade, TVB News and Finance & Information Channels of Television Broadcasts Limited (“TVB”)

Over 4 700 members of the public complained against the captioned reports. The main allegations were summarised below –

- (a) the news reports were partial and unfair as such reports did not cover / seldom covered or broadcast footage of police officers’ violence towards the crowd; portrayed protesters as rioters and focused on their resistance against police officers and only reported on injured police officers; and were inclined towards the Government and/or the Police by covering news favourable to them and withholding those which were not;
- (b) the news programmes broadcast on TVB’s Chinese channels failed to cover or delayed the report about a protester falling to his death from a scaffolding in Admiralty, which happened at around 9:00 p.m. on 15 June 2019 (the “Incident”); and the rally scheduled for 16 June 2019 was not mentioned in the news reports broadcast on 15 June 2019; and
- (c) some complainants alleged that the relevant news reports on 15 June 2019 were inaccurate and misleading, including concealing protesters’ violence by not repeating the footage of protesters who threw metal poles at police officers during the confrontations on 12 June 2019 (the “612 Confrontations”) since 15 June 2019.

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 Chief Executive announced at around 3:00 p.m. on 15 June 2019 that the legislative process of the then proposed amendments to the Fugitive Offenders Ordinance (the “Bill”) would be suspended (the “Decision”). Before the announcement of the Decision, opposing views on the Bill and/or the Police’s enforcement actions regarding the protests on 12 June 2019 were presented in the news reports broadcast by TVB on that day. The news reports broadcast after the Decision mainly covered the responses from several parties on the Decision. Apart from the above, the response of the United States government to the

protests arising from the Bill and the corresponding criticisms from the Central People's Government and a Mainland media were also broadcast;

- (b) when the news made reference to the 612 Confrontations, fragmented footage was broadcast in which various aspects and details of the confrontations between the protesters and the Police were shown;
- (c) the Incident was not covered in TVB's news programmes in the evening of 15 June 2019 up to midnight. Relevant reports covering the Incident were found in various news programmes on the Jade, News, Finance & Information and Pearl Channels of TVB shortly after midnight on 15 June 2019 or on 16 June 2019; and
- (d) TVB submitted, among others, that it had been fully deploying its resources available to cover the social movement as broadly as possible and that 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, and 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 relevant news reports included various actions of both the protesters and the Police during the 612 Confrontations (including footage of protesters pushing metal barricades towards police cordon lines, hurling various objects at police

officers and barricading roads; and police officers' responses including throwing a metal pole at the protesters, firing bean bag rounds, rubber bullets and tear gas at the crowd, dispersing the crowd with batons and pepper spray, etc.). The relevant news reports mentioned that the Police had labelled the 612 Confrontations as a riot because some protesters started throwing objects at police officers and stated that some protesters were charging at police cordon lines in an organised fashion despite repeated warnings. There was also footage showing that police officers and journalists were among those who were injured;

- (b) the relevant news reports covered various issues relating to the Bill, such as different views of various parties, both locally and internationally, on the Bill, the Police's enforcement actions during protests arising from it and the Decision. The news reports broadcast after the announcement of the Decision mainly gave a factual account of the responses from different parties, in which some official institutions, Members of the Executive Council and Legislative Council and an official of a foreign government welcomed the Decision or voiced their support for the Chief Executive and the Government. The news reports also covered the criticisms of and/or dissatisfaction with the Decision from the pan-democratic camp, members of the public as well as a representative of Civil Human Rights Front, and reported that the rally scheduled for 16 June 2019 would continue as planned;
- (c) overall speaking, the news reports broadcast on 15 June 2019 on the channels concerned had encompassed a wide range of views on the relevant issues. There was insufficient evidence that TVB had not presented the news on the events/incidents arising from the Bill in accordance with the relevant provisions in the TV Programme Code governing due impartiality and fairness;
- (d) as the allegations about inaccuracy of the reports were of a general nature without provision of specific references to any broadcast materials, it was not possible to establish that there was a breach of the relevant provisions in the TV Programme Code. This notwithstanding, the CA noted the news reports concerned as a whole gave a factual account of various issues arising from the Bill, including the 612 Confrontations and the responses from different parties on the Bill and the Decision;
- (e) as for the allegations about the report coverage relating to the Incident and the rally scheduled for 16 June 2019, the CA considered that the choice of a specific news item was the editorial decision of a licensee, which was outside the jurisdiction of the CA; and
- (f) there was no provision in the TV Programme Code governing the repeated broadcast of news content.

Decision

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