

**Complaints dealt with by the Communications Authority (“CA”) (released on 19 August 2021)**

The CA has considered the following complaint cases –

1. [Radio Programme “News Report” \(新聞報道\) broadcast by Radio Television Hong Kong \(“RTHK”\)](#)
2. [Radio Programme “World Discovery” \(旅遊樂園\) broadcast by RTHK](#)

The CA also reviewed the decision of the Director-General of Communications (“DG Com”) on a complaint case.

Having considered the recommendations of the Broadcast Complaints Committee, the CA decided that –

1. a **strong advice** should be given to RTHK on the complaint against the radio programme “News Report” (新聞報道);
2. a **warning** should be given to RTHK on the complaints against the radio programme “World Discovery” (旅遊樂園); and
3. the decision of the DG Com on a complaint case should be upheld. Details of the case are available in the [Appendix](#).

19 August 2021

**Case 1 – Radio Programme “News Report” (新聞報道) broadcast at 10:00am on 15 August 2020 on the Radio 1 Channel of Radio Television Hong Kong (RTHK)**

A member of the public complained about the captioned programme. The main allegation was that in a news item on a by-election (the By-election) held in Kaohsiung in 2020, the remark “民眾可以在全國一千八百多個票站投票” (“people can cast their votes at over 1 800 polling stations nationwide”) was inaccurate as the By-election was held in Kaohsiung only and that Taiwan is not a country.

**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 news bulletin broadcast every half an hour. There was a news item on the By-election containing the remark “喺台灣高雄今日展開…補選投票…民眾可以喺全國一千八百幾個票站投票…” (the “Remark”) (“the By-election is held in Kaohsiung, Taiwan today ... people can cast their votes at over 1 800 polling stations nationwide ...”);
- (b) according to various media reports, the By-election was only held in Kaohsiung; and
- (c) as admitted by RTHK in its representations, the erroneous term “全國” (“nationwide”) in the Remark was a direct quote from a news agency in Taiwan. RTHK had amended the related news archive on its website.

*Relevant Provision in the Radio Code of Practice on Programme Standards (Radio Programme Code)*

- (a) paragraph 20A – licensees should make reasonable efforts to ensure that the factual contents of news are accurate.

**The CA’s Considerations**

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

- (a) it is a fact that Taiwan is not a country and hence the use of the term “全國” (“nationwide”) in the Remark is inaccurate;
- (b) RTHK did not perform rigorous checking on the accuracy of news contents and had failed to make reasonable efforts to ensure that the factual contents of news are correct; and

- (c) as there were repeated references to the details of the By-election in the concerned news item, it was unlikely that the lapse would affect significantly listeners' comprehension of the report as a whole.

## **Decision**

In view of the above, the CA considered that the complaint was justified. Having taken into account the specific facts, the circumstances of the case, the gravity of the error, the remedial actions taken by RTHK, and other relevant factors (including that it was the second instance of similar lapse of RTHK), the CA decided that RTHK should be **strongly advised** to observe more closely paragraph 20A of the Radio Programme Code.

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### **Case 2 – Radio Programme “World Discovery” (旅遊樂園) broadcast from 4:00pm to 6:00pm on 3 April 2021 on Radio 1 Channel of RTHK**

Two members of the public complained about the captioned programme. The substance of the complaints was that at around 4:58pm, the lyrics of a song broadcast in the programme contained a foul expression, which was inappropriate for broadcast in a programme on travelling suitable for listeners of all ages.

## **The 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 under complaint was a programme on travelling broadcast between 4:00pm and 6:00pm on 3 April 2021 on Radio 1 channel;
- (b) around the alleged time, a host said that after a day of hiking, his favourite pastime was to have a cup of tea, and thus he broadcast the song titled “喝啖茶”. A Cantonese foul word was found once in the lyrics; and
- (c) the programme host made an apology at the beginning of the next edition of the programme broadcast on 10 April 2021.

### *Relevant Provision in the Radio Programme Code*

- (a) paragraph 15 – expressions considered vulgar or unacceptable by an average person are to be avoided. Expressions that are definitely offensive are prohibited from use on radio.

## **The CA's Considerations**

The CA, having regard to the relevant facts of the case including the information submitted by RTHK, considered that the foul word in question, which was used as an expletive in the song, was clearly audible in the programme. It was blatantly offensive and unacceptable for broadcast at all times. The broadcast of such a word constituted a clear breach of paragraph 15 of the Radio Programme Code.

## **Decision**

In view of the above, the CA considered that the complaints were justified. Having taken into account the specific facts, the circumstances of the present complaints and other relevant factors, including that it is RTHK's fourth contravention of the provision governing language in its radio programme services in three years, the CA decided that RTHK should be **warned** to observe more closely the relevant provision of the Radio Programme Code.

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## Appendix

### Review of the Director-General of Communications' Decision on Complaint Case by the Communications Authority

<b>Title</b>	<b>Broadcast Channel</b>	<b>Broadcast Date</b>	<b>Substance of Complaint</b>	<b>Decision Upheld</b>
TV Programme "News Report" (新聞報道)	TVB News	4.4.2020	Inaccuracy	Unsubstantiated