

Complaints dealt with by the Communications Authority (“CA”) (released on 9 November 2023)

The CA has considered the following complaint case –

[Radio Programme “Brunch with Noreen” broadcast by Radio Television Hong Kong \(“RTHK”\)](#)

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. an **advice** should be given to RTHK on the complaint against the radio programme “Brunch with Noreen”; and
2. the decision of the DG Com on the complaint case should be upheld. Details of the case are set out in the [Appendix](#).

9 November 2023

Case – Radio Programme “Brunch with Noreen” broadcast from 10:00am to 12:00noon, 21 April 2023 on the Radio 3 Channel of Radio Television Hong Kong (RTHK)

A member of the public complained that the captioned programme contained a vulgar expression (the Expression).

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 under complaint was a light-hearted talk show broadcast live between 10:00am and 12:00noon on the concerned date. During the discussions on health benefits of sex, the guest speaker uttered the Expression which was immediately reproved by the programme host that the Expression was not allowed on radio; and
- (b) RTHK admitted the lapse and submitted, among others, that its programme hosts were reminded again of the relevant programme standards requirements, particularly on the use of language, and that their programme guests would be reminded of the same.

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

The CA, having regard to the relevant facts of the case including the information submitted by RTHK, considered that the Expression which was used in a sexual context by the guest speaker, was clearly audible in the programme. It was blatantly offensive and unacceptable for broadcast at all times, thereby constituted a clear breach of paragraph 15 of the Radio Programme Code.

Decision

In view of the above, the CA considered the complaint justified. Having taken into account the specific facts, circumstances of the case and other relevant factors (including that the programme was a live broadcast, the programme host had immediately reproved the use of the Expression on radio, and the lapse of time since last breach of the same provision by RTHK), the CA decided that RTHK should be **advised** to observe more closely the relevant provision of the Radio Programme Code.

Appendix

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

Title	Broadcast Channel	Broadcast Date	Substance of Complaint	Decision Upheld
Radio Programme "The Playtoy Mansion" (公子會)	CR 2	3.12.2022	Inappropriate Content & Undue Prominence	Unsubstantiated