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## INTRODUCTION

Radio Television Hong Kong (RTHK) provides public service broadcasting in the Hong Kong Special Administrative Region (HKSAR). It began its operations in 1928 as a radio station and has the longest history of any broadcaster in the territory. It has developed over the years into a broadcasting service offering a full range of radio and television programmes to the people of Hong Kong, adding on new media programme streams as new technology becomes available.

RTHK occupies a unique position in Hong Kong. It is Government-funded but enjoys complete editorial independence in the making of programmes.

The foundation of RTHK's editorial operations is enshrined in two sets of conventions. First signed in August 2010 by the Chief Secretary for Administration, the Chairman of the Broadcasting Authority (which has become the Communications Authority since 1 April 2012) and the Director of Broadcasting, the **RTHK Charter** replaced the Framework Agreement which had recognized RTHK's editorial independence since 1993. Based on programme makers' well tried and tested experience and good judgment, RTHK first began to codify its practices in 1998. This resulted in the publication of the first RTHK **Producers' Guidelines** and enhanced the transparency and accountability of its operations.

The Producers' Guidelines is a living document reflecting not only RTHK's updated working principles but also changes in social norms and standards and the introduction of new technology. Hence it will evolve from time to time.

It is our belief that there can never be editorial autonomy without responsibility, freedom without restraint. The Producers' Guidelines is a public statement of our values and standards and how we expect our programme makers to achieve them. The document will help RTHK colleagues fulfill their editorial responsibilities and strengthen RTHK's role as the public service broadcaster of the HKSAR, serving the Hong Kong community. At the same time, it provides a yardstick for the public to evaluate the performance of the station.

## 1 RTHK AS A PUBLIC SERVICE BROADCASTER

As a public service broadcaster, RTHK pledges to uphold the core values of editorial independence and impartiality. We take public interest as the basis of our work. We share the values and missions of public broadcasters around the world, namely universality, diversity, independence and distinctiveness of programming.

Editorial autonomy involves responsibility. The organization implements the well tried and tested editorial process of different levels of programme staff making judgment according to their professional knowledge. This Producers' Guidelines is a vital element in this process.

The station's primary obligation is to serve all audiences – including minority interest groups – by providing diversified radio, television and new media services. Unquestionably the role of a public service broadcaster is to offer quality and distinctiveness so as to inform, educate and entertain.

## 2 REFERRAL SYSTEM IN THE EDITORIAL PROCESS

RTHK's programme policies are intended to provide a firm base for creative and responsible programme-making. Editorial independence also enables our journalists and producers to make programmes without fear or favour. The responsibility therefore rests on every one of us to ensure that the programmes we make are factually accurate, impartial, of a high quality and in good taste.

We operate with a well tried and tested editorial process. Staff of different levels should make judgements according to their professional knowledge. Programme colleagues are encouraged to seek advice at an early stage from their supervisors, section or division heads when required. Editorial responsibility in RTHK rests with the editorial chain of management from programme producer, whether in-house or independent, through to executive producer, editor, section head, division head, and to the Director of Broadcasting, who is the editor-in-chief.

### 2.1 Referral System

A proper consultation and referral system helps programme makers arrive at decisions about difficult editorial issues. These include, for example, scenes of extreme violence and explicit sex, bad language, surreptitious recordings, the commissioning of opinion polls, etc. In order to allow Management to carefully consider matters and their possible implications, programme makers should refer potentially contentious issues upwards as early as possible.

### 2.2 Where to Refer

Programme units/sections carry the main responsibility in the referral system, so programme makers should refer straight to their executive producer or editor. Units/sections should be able to deal with, and take responsibility for, most queries in the first instance. The more important and contentious the issue, the higher up it should be referred. This leads to Divisional Head, who should, if necessary, consult with the Deputy Director and/or the Director of Broadcasting.

### 2.3 Mandatory Referrals

The following matters must be referred to Principal Programme Officer (e.g. Chief Assignment Editor) or above or discussed in advance at editorial or senior staff meetings:

- Broadcasting any interviews with criminals and people sought by police.

- Any proposal to grant anonymity to anyone trying to evade the law.
- Payment to criminals or former criminals.
- Broadcasting any surreptitious recording originally made for note-taking purposes.
- Disclosing details of kidnapping or serious crime which have been obtained surreptitiously or unofficially.
- Requests from outside parties to see or obtain untransmitted recorded material.
- Commissioning of opinion polls on any political issue.

## **2.4 Further Advice**

There are many other issues that can cause public controversy or are likely to have an out of the ordinary impact in the community even though our handling may conform to our editorial guidelines. Programme makers should refer them upwards through their respective editorial chain of command.

### 3 MATTERS OF PRINCIPLE

These matters of editorial principle are basic to content production, and therefore apply to any material produced, whether it is for television, radio or new media.

CREDIBILITY is the most essential attribute of a good media organization. Credibility is dependent not only on qualities such as accuracy and fairness in reporting and presentation, but also upon avoidance by both the organization and its journalists of association or contacts which could reasonably give rise to perceptions of partiality. Credibility is built up over time and we have to be constantly on guard to retain the trust that the community has placed in us.

#### 3.1 Accuracy

RTHK programmes must be accurate and strive to establish the truth.

Programmes should avoid relying on only one source. Factual matters need to be checked and checked again. Programme makers should be honest and open about what they do not know after all possible efforts have been made.

Accuracy is often more than a question of getting the facts right. All the relevant facts should be weighed to get at the truth of what is reported or described. If an issue is controversial, relevant opinions as well as facts may need to be considered. An item may be legally contentious and its accuracy must be capable of withstanding scrutiny in a court of law.

It is not sufficient that we get our facts right. We must use language fairly. That means avoiding exaggeration.

The reliability of news agency reports varies according to the agency, the bureau and the reporter. It is good practice to run stories from agencies that have established their journalistic reputation and credibility over the years.

**CORRECTING MISTAKES** : When a factual error does occur it is important to admit it clearly and frankly. Putting it right promptly can be an important element in making an effective correction.

Where we may have broadcast a defamatory inaccuracy, legal advice should be sought about the wording of a correction. An appropriate correction may help in our

defence of a court action: an inappropriate one could exacerbate the defamation.

**USE OF LIBRARY MATERIAL** : It is important not to use library material of one event to illustrate another in such a way as to suggest the audience is witnessing something it is not. Identify the library material clearly when used. Audiences must never be misled about what they are seeing or hearing. The copyright of any library material should be checked again.

**CHECKING RECORDED OR REPEAT PROGRAMMES** : Programmes recorded some time before transmission or being repeated must be checked to make sure they have not been overtaken by events. In some cases, a preceding announcement may be appropriate. In others, the alteration or excision of some material may be required.

**QUOTING FROM PRINT OR OTHER MEDIA** : It is important to distinguish between first and second-hand sources. An error in one report can easily be recycled in another. Material already broadcast and newspaper cuttings can get out-of-date quickly or simply be wrong.

### **3.2 Impartiality**

The guiding principles for RTHK programme makers will always be that the programmes we broadcast are accurate and impartial according to recognized standards of objective journalism. DUE IMPARTIALITY remains our core value. It requires programme makers to show open-mindedness, fairness and a respect for the truth. We must not allow our professional judgement to be influenced by pressures from political, commercial or other sectional interests or by our personal bias.

RTHK is not unique in laying stress on DUE IMPARTIALITY. All established broadcasters throughout the world place similar emphasis on it. In Hong Kong, the Communications Authority's codes of practice, which are applicable to RTHK and other broadcasters, stipulate that every current affairs or documentary programme dealing with controversial issues of public importance must attempt to be impartial.

In achieving DUE IMPARTIALITY, the term "due" is to be interpreted as meaning adequate or appropriate to the nature of the subject and the type of programme.

There are generally more than two sides to any issue and impartiality in factual programmes cannot be achieved simply by a mathematical balance, i.e. a crude form of balance in the sense of equal time or an equal number of lines in the script being devoted to each view.

**DUE IMPARTIALITY** also does not require absolute neutrality on every issue of public concern or detachment from such fundamental principles as freedom, human rights, democracy, and the rule of law - principles which are essential to a just and open society. We will be failing in our duty if in the attempt to upset no-one, to disturb no institution, we limit the comprehensiveness and open examination of issues and events.

- In trying to achieve DUE IMPARTIALITY, the following standards apply:
- Programme makers will avoid any conflict of interest in the performance of their duties.
- Fairness will be sought through the presentation as far as possible of principal relevant viewpoints on matters of importance. This requirement may not always be reached within a single programme or news bulletin, but will be achieved within a reasonable period.
- Impartiality does not require programme makers to be unquestioning, or for RTHK to give all sides of an issue the same amount of time. Editorial values and judgements will be the guiding criteria in reaching decisions.
- In serving the public's right to know, editorial staff will be enterprising in perceiving, pursuing and presenting issues which affect the community and the individual.

It cannot be emphasised strongly enough that the over-riding principle in all programming areas must always be that we report or reflect equitably relevant facts and significant points of view; that we deal fairly and ethically with persons and institutions, issues and events.

**NEWS** : News is to be presented with due accuracy and impartiality and in context. Reporting should be dispassionate, wide-ranging and well-informed. News programmes should offer viewers and listeners an intelligent and informed account of issues.

**CURRENT AFFAIRS PROGRAMMES WITH AUDIENCE PARTICIPATION :**

Care must be taken to maintain the principles of fairness and integrity by securing a broad range of views. Presenters of programmes involving discussion may take part in debate on-air and must always treat participants in a fair manner. A programme may choose to explore any subject, at any point on the spectrum of the debate, so long as there are good editorial reasons for doing so. It may choose to test or report one side of a particular argument. However, it must do so with fairness and integrity. It should ensure that contentious views are signalled as such and opposing views are not misrepresented.

Here it is worth mentioning **CURRENT AFFAIRS PROGRAMMES WITH AUDIENCE PARTICIPATION** (e.g. phone-in programmes) and the role the hosts of these programmes play or ought to play. When the programmes were first introduced by us, the idea that listeners might be given the chance to air their views and to criticize was considered not only undesirable but even dangerous. Attitudes changed as the community became more open and overcame their inhibition to question authority or to voice complaints. Today, the popularity of current affairs programmes with audience participation is proof that they are part of everyday life in Hong Kong. The role of the hosts of these programmes is also evolving as public attitudes change. Instead of being passive and merely acting as on-air telephone operators, they have to be demonstrably inter-active. On-air personalities are expected to contribute to the discussion in current affairs programmes with audience participation. Using their journalistic knowledge and judgement, they may question, comment, challenge or criticize to stimulate the debate, bring out new insights, and generally encourage the widest possible airing of views. There is no place, however, for personal bias or prejudice. Programme hosts must always treat the subject matter and their callers fairly.

**PERSONAL VIEW PROGRAMMES (PVP) :** Personal View Programmes are programmes in which programme hosts and individual contributors put forward their own views. They allow the public direct access to air their views and to question public figures. They include phone-in programmes in which callers express their own views. Presenters should treat participants in a fair manner by providing suitable opportunity for response. Facts must be respected and opinions expressed, however partial, should not be based on false evidence. The nature of a personal view programme or segment on matters of public policy or controversial issues of public importance must be identified clearly at the start of the programme to comply with the code issued by the Communications Authority.

**PERSONAL PLATFORM PROGRAMMES (PPP)** : RTHK regularly invites individuals to present their personal point of view on topical issues. In the case where one guest is accommodated at one time on a personal platform programme, diversity is achieved over time by coverage of a wide range of topics with speakers from various backgrounds. In making the selection we should go for commentators, analysts and individuals whose background qualifies them to give expert or relevant opinion. Their credentials should be stated to help viewers and listeners appraise the views being expressed.

RTHK staff should normally not present personal platform programmes.

**PROGRAMME SERIES** : There are two types of series:

- A number of programmes where each programme is clearly linked to the other/s and which deal with the same or related issues. In this case, the programmes may achieve impartiality over an entire series, or over a number of programmes within a series.
- Where a number of programmes are broadcast under the same title, but where widely disparate issues are tackled from one edition to the next. In this type of series, due impartiality should normally be exercised within each individual programme.

**RIGHT OF REPLY** : When a programme reveals evidence of inequity or incompetence, or where a strong critique of an individual or institution is laid out, those criticized should be, or should have been (as is normally the case in documentary productions), given an opportunity to respond. However, there may be occasions when this is not possible (for example for legal reasons) in which case the section head concerned should be consulted. It may also be appropriate to consider whether an alternative opportunity should be offered for a reply at a subsequent date.

### **3.3 Taste and Decency**

RTHK programmes should be in good taste, that is to say, they should respect and reflect the generally accepted values in society regarding such matters as vulgarity, profanity or sexual behaviour. Where matters of taste are concerned, care must be taken not to cause offence to the audience.

However, there will be occasions when in reflecting reality it would be inappropriate to excise certain uses of language or depictions of violence or sexuality which normally would be avoided. To do so would be to deny our audiences access to

certain events which may contribute materially to an understanding of the world in which they live.

In exceptional cases, when participants use offensive language in a live programme, the presenter should stop them immediately. Some undesirable expressions, which have been absorbed into daily language, may be employed with discretion, if the use is defensible in terms of programme context. If in doubt, producers should check with the Corporate Communications and Standards Unit.

Explicit scenes of nudity or eroticism must not normally be used. They are acceptable only if it is clear that they are essential to the information being conveyed in the programme and that such information is itself important enough to warrant broadcast. Such scenes must never be emphasized or used primarily to shock or for sensation.

Scenes of suffering are to be used only when necessary to an understanding of information important to the public. Discretion is necessary in showing harrowing sights and, if used, they should not be prolonged unnecessarily. Private grief may sometimes have a legitimate programme purpose but must not be exploited for sensational effect and personal privacy must be respected.

Should a programme contain material which may be disturbing to some segments of the audience, and particularly children, because of scenes of violence, sexual behaviour, or language, cautionary announcements before or during the programme should be used. However in the case of television productions, care must be taken to comply with the Communications Authority's policy on family viewing hours which applies to programmes broadcast between 4:00 p.m. and 8:30 p.m.

The portrayal of, and reference to, smoking, drunkenness and addiction to drugs and narcotics should be limited to the plot and characterization. They should be avoided altogether in children's programmes.

### **3.4 Violence**

Violence must not be exploited on radio or television. It is our policy not to portray violence, except where its depiction is an essential fact of the reality being portrayed.

Screen violence upsets many people and, in excess, it can be accused of desensitising viewers. Most audiences expect any violence to serve a moral or a

social point. In news programmes, use of pictures or sound of violence should be based on normal judgement of newsworthiness and reporting value, together with proper regard for the reasonable susceptibilities of audiences to the detail of what is broadcast. Some basic principles are:

- The dead should be treated with respect and not shown unless there are compelling reasons for doing so.
- Close-ups should generally be avoided.
- Do not concentrate unduly on the bloody consequences of accidents, disasters or acts of violence.

In dramas, special care is required in the depiction of violence, particularly in an abusive (sexual or otherwise) context. In programmes for children, violent acts of easy imitation by children or violence in the home between characters resembling parents, or towards characters or pets with which the child can sympathise, should be avoided.

### **3.5 Conflicts of Interest**

Our audience must be able to trust the integrity of our programmes. Our viewers and listeners should be confident that editorial decisions are made only for good editorial reasons. The outside activities of programme makers must not improperly influence, or be thought to influence RTHK programmes.

Frontline people like presenters and reporters can be in the most obviously sensitive positions. But conflicts of interest can arise with anyone who has responsibility for the content and/or style of a programme: editors, producers, scriptwriters, directors and researchers.

Whenever conflict of interest occurs, anyone in question should report to their supervisors. The supervisors should exercise their editorial judgement and decide whether the reporting person should continue to perform his or her duties after declaring such conflict, or refrain from taking part in the programme.

RTHK should be satisfied that all programme makers are free from inappropriate outside commitments. These rules apply equally to freelance or contract personnel as well as to staff.

In particular, staff should seek approval from the Departmental Administration Unit for any outside work. Permission may be denied if it is felt that the outside work will conflict with programme responsibilities or affect RTHK's credibility.

### **3.6 Fairness to Interviewees**

Programmes should be based on fairness, openness and straight dealing. From the start, programme makers should be as clear as they can be about the nature of the programme and its purpose. Unless there are special and legitimate considerations of confidentiality they should be open about their plans, and honest with anyone taking part in a programme. Under normal circumstances interviewees have a right to know

- what the programme is about.
- what kind of contribution they are expected to make.
- whether their contribution is to be live or recorded. They should not be given a guarantee that their contribution will be broadcast, but nor should we normally record a substantial contribution unless we expect to use it.

When a prospective interviewee declines to give any interview at all on a matter of public interest and the audience's reasonable expectation might be to hear counter arguments put or allegations answered, the producer should be prepared to say something to the effect that "Mr (or Mrs) X was invited to appear on the programme, but declined". A reason for the refusal should also be given whenever it is available. Techniques like 'the empty chair' to indicate a refusal to participate should generally be avoided.

Sometimes pictures and/or voice may need to be disguised. However, when anonymity is necessary producers must make it effective.

As a general rule, the consent of the interviewee should be sought when broadcasting a telephone conversation. For surreptitious recording, producers should follow established referral procedures.

### **3.7 Respect for Privacy**

The rights of individuals to privacy should be respected in all programmes. However, in order to provide information which relates to a person's performance of public duties or about other matters of public interest, disclosure of personal data may be justified when there is reasonable grounds to believe that the broadcasting of the

data concerned is in the public interest. Nonetheless, for any collection and handling of any information and programme materials, it must be ensured that the provisions of the Personal Data (Privacy) Ordinance, Chapter 486, are always observed. On the rare occasions that secret cameras or hidden microphones are to be used (e.g. making of a consumer programme or the recording of a crime or anti-social behaviour), referral procedures should be followed. In covering accidents, disasters and disturbances, balance needs to be struck between full accurate reporting against the obligation to avoid causing unnecessary distress or anxiety. People in a state of shock must not be pressurized to give interviews against their wishes. We must also show compassion when depicting trauma so as not to add needlessly to the distress of people who already know of their loss. Surreptitious recording of identifiable people in grief or under extreme stress, for instance in hospitals, requires special consideration. Normally funerals may only be covered with the permission of the family.

**RECORDING TELEPHONE CALLS** : We should make it a practice to seek permission to record telephone conversations relating to journalistic work whether they are for note-taking or broadcast purposes, or both. Such permission should be sought in advance rather than in the middle or end of a conversation. On occasions, there will be justifiable grounds why the practice cannot be followed:

- There is prima facie evidence of crime or serious wrong doing.
- The programme maker can show why an open approach would be unlikely to succeed.
- It is in the public interest.
- If surreptitious telephone recording is necessary, reporters and producers should seek permission from the immediate supervisor for note-taking purpose while they should seek further permission from the section head for broadcasting such a recording.

**DOOR-STEPPING** : In journalistic work, there are occasions on which a reporter confronts and records a potential interviewee without prior arrangement either in public or sometimes on private property. This is known as door-stepping.

People who are in the news must expect to be questioned and recorded by the media. Questions asked by reporters as public figures come and go from buildings are usually part of legitimate news gathering, even if the questions are sometimes unwelcome.

Door-stepping should generally be a last resort. It could be justified under the following circumstances :

- The investigation involves crime or serious anti-social behaviour, or is of great public interest.
- The subject has failed to respond to a repeated request to be interviewed, has refused an interview on unreasonable grounds, or has a history of such failure or refusal.

**MEDIA SCRUMS** : When a person suddenly features in a news event it may be proper for reporters and news crews to go to his private home to try to secure pictures and interviews.

In such cases, it is important that the combined effect of legitimate newsgathering does not become intimidating or unreasonably intrusive. We must not force our way into premises or harass people with repeated telephone calls or repeated knocks at their doors.

**RE-VISITING PAST EVENTS** : Programmes intending to examine past events involving trauma to individuals must think through ways of minimizing the distress that might be caused to surviving victims or to surviving relatives in re-telling the story. So far as is reasonably practicable, surviving victims or the immediate families of the dead people who are to feature in the programme should be informed of the plans. Failure to do this may be deemed a breach of privacy, even if the events or material to be used were once in the public domain. The programme should proceed against the objections of those concerned only if there is a clear public interest.

## 4 ISSUES ON PROGRAMME PRODUCTION

There is an established chain of command to deal with normal programme planning, processing of contents and reviewing of finished products, as well as dealing with sensitive, contentious or legal issues, i.e. team leaders, duty editors, unit / channel / section / division heads. Programme makers themselves are responsible both for making the programmes and for exercising editorial judgement. Any doubt about an editorial question or an issue of programme content or legal implications must be referred immediately to the next senior person in the editorial chain of responsibility. This process, known as "upward referral", extends to the Director of Broadcasting in his/her capacity as editor-in-chief. Additionally, even when specific editorial guidance is not being sought, programmes which are controversial or likely to have an out of the ordinary impact in the community must be brought to the immediate attention of line managers, who in turn are required to report to more senior staff.

### 4.1 News, Current Affairs and Information Programmes

News, current affairs and information programming are highly competitive areas in contemporary broadcasting. Public demand for these services is high and the speed and complexity of their dissemination has increased. Utmost care is needed at all stages while gathering as well as presenting such programmes.

**JOURNALISTIC PRINCIPLES** : We operate on the premise that the public has a right to know all relevant facts and significant points of view. In pursuing these aims, editorial staff will be enterprising in perceiving, pursuing and presenting issues which affect society and the individual. Following principles apply.

- Every reasonable effort must be made to ensure that the content of programmes is accurate, impartial and balanced to meet recognized standards of objective journalism. This requires editorial staff not to allow their professional judgement to be influenced by pressures from political, commercial or other interests or their own bias.
- Demonstrable errors will be corrected in a form most suited to the circumstances.
- Impartiality does not require editorial staff to be unquestioning; nor should all sides of an issue be devoted the same amount of time.
- Fairness will be sought through the presentation, as far as possible, of principal relevant viewpoints on matters of importance. The requirement

may not always be reached within a single programme or news bulletin, but will be achieved within a reasonable period.

- Editorial staff will respect legitimate rights to privacy of people featuring in the programmes.
- Editorial staff will not be obliged to disclose confidential sources which they are entitled to protect at all times. However, this is not a legal right and a court may order editorial staff to reveal identities (see following paragraph on confidentiality).
- While recording telephone conversations, either for note-taking or broadcast purposes, consent is normally required of the person or persons who are being recorded. This means informing them at the outset.
- Doorstepping is only permissible if it is for bonafide news gathering purposes, otherwise it may be construed as harassment or invasion of privacy.
- Interviewees must be dealt with in a fair way. Unless there are special and legitimate considerations of confidentiality programme makers should be open about their plans and honest with anyone taking part in a programme.

**CONFIDENTIALITY** : RTHK considers the protection of its news sources to be important. Important information is sometimes only available through a confidential source or through off the record discussions. If the confidentiality of sources were not respected as a matter of principle, it would inhibit the free flow of information.

Protection of sources, however, is NOT a legal right. The law gives some recognition to the importance of journalistic confidence, but it gives precedence to the interests of justice. In the event of a conflict between the two, the courts may order journalists to divulge the sources and may hold in contempt anyone who refuses to do so. Management will try its best to secure proper legal advice; but in the end, to reveal a confidence or defy a court and take the consequences is a personal decision for a journalist. The consequences can be extremely serious and may include a prison term. It is essential for journalists not to enter into undertakings of confidentiality lightly or without considering the possible consequences.

The rule of confidentiality also applies to callers to phone-in programmes. We need to obtain the consent of the caller before revealing his/her name and telephone number to anyone inquiring. Alternatively, we may pass on the inquiry to the caller and leave it to him/her to respond directly. Producers should refer upwards if they encounter difficulties in dealing with requests to divulge information about callers.

## 4.2 Interviewing

Interviews are a vital tool of radio and television journalism. Sometimes brief news interviews aimed at producing sound bites are largely a matter of asking the interviewee a question that prompts the telling of a story or the voicing of an opinion. In some programmes away from the news agenda, interviews may take a conversational or unstructured form. However, where interviews are on matters of controversy, it is important for editors, researchers and interviewers to approach them thoughtfully and in an even-handed way. They may be aggressive, but always well-mannered and never rude whatever the provocation.

**PURPOSE OF INTERVIEWS:** An interview should have a clear purpose. It should be particular to a given interviewee and to a point in time. Beware of inviting people to appear simply because they are major players in a running news story, without a clear and cogent idea of what we want to find out from them.

Interviews can describe or explain; they can convey complaint or test argument, often moving from one to the other. Interviewers need to respond appropriately - to prompt, challenge, or sometimes say nothing.

Our interviewing should be well informed. That may require knowledge of the interviewee's previously expressed views. An interview is more likely to break new ground if the present position is summarised, and the interviewee discouraged from repeating well known positions. We should usually be looking for new information.

**DEALING WITH INTERVIEWEES :** It is important that interviewees understand why they are being invited for interview, what subjects they are going to be asked about, the context of the programme, and the sort of part they will play in it. It will not usually be proper to submit details of actual questions in advance, nor to give any undertaking about the precise form of questions. In the event that an interviewee refuses to give an interview unless questions are rigidly agreed in advance, programme makers must consider carefully whether it is appropriate to proceed at all.

**CONDUCTING INTERVIEWS :** Interviewees should be given a fair chance to set out their full response to the questions. However, interviewers have to contend increasingly with interviewees who are skilled at filibustering, using an interview as a platform and avoiding its proper purpose. Interruption may be justified but it needs to be well-timed and not too frequent. It is less likely to discomfort the audience if it

comes naturally and after the interviewee has made his or her main point - or has manifestly failed to make it. A brisk pace by the interviewer encourages economic and pointed answers.

Evasion should be exposed. This should be done coolly and politely - if necessary by repeating the question and explaining to the interviewee why the previous answer did not address it. Long-winded questions that contain obvious assumptions are more easily evaded or challenged than pointed questions that require a response.

**CHEQUE BOOK JOURNALISM** : As a matter of policy, RTHK will not enter into financial competition for access to sources of news. Our task is to gather information freely given.

**INTERVIEWS THAT INFORM AND EXPLAIN** : Not all interviews will be challenging. Some are designed to inform, explain or entertain. The techniques appropriate to this purpose are different. People interviewed as eye-witnesses or as experts may need to be encouraged rather than challenged.

**INTERVIEWING OUR OWN JOURNALISTS** : It is entirely right to call upon our own journalists to express their judgement based on their knowledge of a subject, but entirely inappropriate to ask them about things of which they cannot be sure, or on which they can only speculate.

#### 4.3 Editing

The editing process must result in the true reflection of what was originally seen and heard. Editing, the abbreviation of recorded visual, audio or written material, is an essential technique and one of the most demanding in journalism because of the time limitations imposed by radio and television production and the need to be concise and clear. It would be impractical to expect the whole of reality in an edited programme. What in fact results from selection and editing is a compression of reality, a slice of reality - which must nonetheless reflect the essential truth without distortion.

The following are important guidelines for editing interviews:

- Questions and answers must not be edited so as to change the original meaning, or distort the sense of the original meaning, or distort the sense of the original interview as a whole.

- Answers to a question given in one context must not be edited into another.
- In cases where the editing process requires re-asks, reactions or cut-aways, the nature and intent of the original response must be preserved.
- A programme must not appear to be a discussion between people when it was not recorded as such.

#### **4.4 Reporting Crime**

When we handle crime stories, we need to think carefully about why we are reporting them, how we are reporting them, and the context in which we are reporting them.

- Be alert to the overall proportion of time spent on covering crime, in particular violent crime, and to the possible cumulative effect of that coverage.
- Think carefully about the accuracy and suitability of language when reporting crimes. Crime is dramatic enough when it is described factually. There is no excuse for hyping it with colourful language. Avoid cliches and unnecessary adjectives.
- Be particularly scrupulous when dealing with criminals, both active and convicted. Follow referral procedures when interviewing a criminal.
- Interviewing witnesses or potential witnesses also needs to be handled carefully. Witnesses must not be paid for interviews. Care is required when interviewing witnesses in a forthcoming trial to ensure that our conduct in no way interferes with the course of justice. There is also the possibility that such witnesses might commit contempt.
- In real life, crime is not glamorous. We must not make it so.

#### **4.5 Demonstrations and Public Disturbances**

Many public events are planned and conducted largely with media coverage in mind. Protests and demonstrations are no different. Demonstrators have increasingly sought media coverage by prominently positioning themselves at large or important public events. These actions quite often have an impact on the media's plans for coverage. Following guidelines should be observed.

- Reporting teams should be wary of persons or groups who are clearly performing for the cameras or microphones.
- Reporting teams must not make any suggestions or requests to demonstrators which could lead to the staging of events.

- Reporting teams should inquire into and report on the identity of the organizers, the purpose of the demonstration and the number of participants.
- When a planned public event is disturbed by a demonstration, the event itself should still receive the coverage it deserves.
- The decision to broadcast a report must be based on the importance of the event, protest or demonstration rather than on the sounds and images it provides.

#### **4.6 Hi-Jacking, Kidnapping, Hostage-taking and Sieges**

Reporting on kidnapping, hostage-taking and acts of terrorism raises complex problems and places heavy responsibility on broadcasters.

When human lives are at stake as a result of hostage-taking, kidnapping or any other terrorist act, we must ensure that our actions do not further endanger the lives of the hostages or interfere with efforts of the authorities to secure their release. We must guard against being manipulated by the hostage-takers.

The following guidelines also apply:

- Any direct communication from terrorists/hostage takers which contains information about current or contemplated acts of terrorism should be reported immediately to the duty editor who must inform the police.
- No live or recorded statement by or interview with a terrorist/hostage taker may be broadcast without authorization from the section head or Assistant Director.
- Statements or demands by terrorists/hostage takers should only be broadcast in a way to avoid the danger of manipulation.
- Telephone or other direct contact with hostages or terrorists/hostage takers or both of them should only be undertaken if, in the judgement of the duty editor, such activity does not clearly interfere with the authorities' communications or further jeopardize the safety of hostages.

#### **4.7 Bomb Warnings**

News organizations sometimes receive telephone warnings from people claiming to have planted bombs. It is essential that areas where such calls are most likely to be received (newsroom, switchboards, studios) understand that the absolute priority is to pass information received to the emergency services. The procedure to follow is therefore for anyone receiving such calls to pass on the information immediately to

the duty editor who must promptly inform the police.

Some bomb warnings will prove to be hoaxes. We do not normally report incidents which turned out to be hoaxes unless they had a serious and evident effect, such as causing major traffic jams.

#### **4.8 Major Accidents or Disasters**

We need to cover these events fully, accurately and speedily. At the same time, we have an obligation to avoid causing unnecessary distress or anxiety. Emphasis should be placed on providing basic factual material, such as times, location, route or flight number and the source of the information. Casualty figures may vary, change or subsequently prove inaccurate. We should either report the range or stick to official estimates and update the information promptly without trying to conceal earlier inaccuracies. Tact and compassion is also required when interviewing those injured or grieving. In covering accidents and disasters we must not interfere with rescue efforts, nor overlook the role played by rescue teams who often risk their own lives to save others.

#### **4.9 Official Secrets**

It is an offence to publish information protected by the Official Secrets Ordinance. This includes: security and intelligence, defence, crime and special investigation, interception of mail and telephone calls and confidential official exchanges between governments and with international agencies. The information must have originated from government employees or contractors and have been disclosed without authority. Journalists risk prosecution if they publish official information in these areas without authorisation.

To succeed against a journalist, the prosecution must usually prove that harm was caused or was likely to be caused and that the journalist knew this or had reasonable cause to believe it. The tests of harm are not especially stringent. The Ordinance does not admit a public interest defence. Journalists can also be prosecuted for aiding and abetting a breach of the Official Secrets Ordinance.

#### **4.10 New Media**

The same editorial standards that currently apply to RTHK conventional media should also apply to those produced for new media. With increasing interactivity and on-demand features of such media, producers should pay particular attention to the following:

- Web content administration – producers should make sure that the material they post on the web is accurate, suitable and relevant.
- Links – all links on the RTHK website must be editorially justifiable. We should ensure that the establishment of any link does not damage RTHK's reputation, editorial integrity, taste and decency issues must be carefully considered.
- User-generated content and moderation – RTHK's website has different kinds of user-generated content. Visitors may post material to the site, including messages, photos and multimedia content. This public place material must be regularly monitored and moderated, which may involve pre-moderation or post-moderation. House rules should be stated clearly.

If a member of staff wishes to use social media tools and create a social media page for a programme or project, he / she should seek prior approval from the Section Head, and notify the New Media Unit so that the RTHK website's social media listing page can be updated.

Social media are third-party websites with their own etiquette, culture and norms, and are mostly irrevocable in nature. Programme colleagues should consider carefully the objective and relevance in choosing a social media platform to promote their programmes or projects. They must manage the social media page regularly and properly.

#### **4.11 Consumer Programmes**

Consumer programming is subject to the same policies and journalistic principles as other information programmes. The objective is to assist the consumer to make an informed choice about goods and services and about how to seek the best remedy to a given problem. It is in the same tradition as ensuring that members of the public have an opportunity to hear or see the information pertinent to their decision in public affairs.

Care must be taken to avoid conflict of interest, and under no circumstances should the programme or staff involved receive consideration for making references to products or services in consumer information programmes.

Conclusions expressed by programme personnel in this type of programming must be based on thorough research and not on personal opinion. Research for these programmes must be meticulous and, as far as possible, should be carried out in consultation with responsible organizations. The disclosure of brand names must be relevant and appropriate to the objective of the programme and the products and services selected objectively without regard to the manufacturer or supplier of the product or service. Also, as wide a range of firms or products or services as practicable should be included in order not to give unfair advantage or disadvantage to a particular brand or firm.

#### **4.12 Finance and Investment Information Programmes**

The main purpose of finance and investment information programmes is to provide accurate and updated market information to our audience. Investor education is promoted by delivering credible information and analysis by authoritative sources such as public institutions, academics and experienced analysts. It is not the purpose of these programmes to influence the performance of the market or the investment decisions of the audience in any fashion.

Care must be taken to avoid any conflict of interest. Producers and presenters are forbidden to accept benefits of any kind for making references to investment or financial products on these programmes. They should also not take advantage of their position to obtain information for their own activities. Any guests making commentaries should disclose details of their investments relating to the comments offered in the programme. Programme staff should also keep themselves abreast of the latest relevant Securities and Futures Commission code.

#### **4.13 Drama, Arts, Music & Entertainment**

The broadcast media are a primary source of information and culture. They shape community standards and values through the use of language and visual and aural images. Artists, writers and entertainers should be allowed generous scope for creativity and expression when making drama, satire, arts, music and entertainment programmes, but they should bear in mind prevailing mood and views on taste and decency.

**DOCU-DRAMAS AND DRAMAS PORTRAYING CONTEMPORARY SITUATIONS** : When drama realistically portrays living people or contemporary situations in a controversial fashion, it has an obligation to be accurate - to do justice to the main facts. If the drama strives for a fair, impartial and rounded view of events,

no problem arises. If it is an accurate but, nonetheless, partisan and partial portrayal of a controversial issue, then the executive producer should proceed only if convinced that the insight and excellence of the work justify the platform offered; and that it will be judged honest, thoughtful and stimulating.

A clear distinction should be drawn between plays based broadly on fact or real characters and dramatised documentaries which seek to reconstruct actual events. Audiences should be clear as to whether they are watching fact or fiction.

**HISTORY IN DRAMA** : Drama should normally aim to give a fair account of historical events. But there are differing views about history and producers should be aware of the likely critical reaction when they diverge from received opinion. Portrayals of recent history may be particularly sensitive and controversy often arises when drama questions the role of a particular country or countries in an historical event. If a drama of artistic merit is written from an obviously partial standpoint, the producer must consider how to label and publicize it in order to make its nature clear.

**SATIRE** : Satire programmes are generally very popular with the audiences but special skills are required in their production and presentation. Quality is an important consideration. Satirical items should be so treated in presentation that their nature is easily recognized by the audience. Satire should not be used in newscasts and should only be used judiciously in other information programmes whose main purpose is the serious examination of important questions.

#### 4.14 Public Opinion Surveys

Prior to broadcasting the results of any survey, programme makers are expected to obtain all necessary information on the methods used, as well as the main results of the survey. Surveys that are not conducted according to recognized standards do not provide valid results nor reliable information.

In broadcasting the results of surveys, we should give prominence to the actual data over interpretations of that data. Whenever practicable we should include the following information : the name of the person or organization conducting the survey and, where relevant, the political party affiliation, the name of the sponsor, the population surveyed, the size of the sample, the period during which the survey was conducted, the response rate and the margin of error.

**STATEMENTS OF OPINION** : Special care must be exercised in the

presentation, whether live or pre-recorded, of statements gathered through interviews with randomly selected persons, such as convention delegates or the audience of a phone-in programme. Comments gathered this way must be presented for the sole purpose of illustrating the range and texture of popular opinion. Care must be taken not to suggest that such presentations reflect the distribution or weight of opinion in the community on one or another side of a question. Similarly, while the contents of the comments may be summarized, care must be exercised in giving any numerical tally of comments received on either side of a topic.

**OPINION POLLS COMMISSIONED BY RTHK:** Opinion polls commissioned by RTHK, acting alone or jointly with other organizations, must not compromise due impartiality on the matters researched nor imply an RTHK stance on the subject matter. Any proposal to commission an opinion poll on matters of public policy or on controversial subjects in any other area should be referred to Principal Programme Officer or above.

**ONLINE & TELEPHONE VOTES:** Online and telephone voting are sometimes used to interact with our audience and provide an effective method for registering their support for specific choices. However, it should be borne in mind that these votes are not scientific polls and should clearly be reported as such. Great care must be exercised in reporting such votes.

#### **4.15 Working Outside of HKSAR**

While on assignments outside the HKSAR programme makers should be fully aware of and observe the local laws in those territories. They should maintain close contact with their duty editor or executive producer so that a prudent and professional judgement could be made as to the best possible way to proceed with the assignments.

#### **4.16 Release of Programme Material**

**GENERAL:** From time to time, requests are received for recorded material which may or may not have been transmitted. All such requests need to be handled with care as they may have implications on the interests and editorial integrity of RTHK as a media organisation. RTHK must always be seen to be editorially independent. When requests are connected with litigation, Management must be informed promptly.

**ACCESS TO UNTRANSMITTED MATERIAL :** Management will not

normally entertain requests to view or have copies of material which has not been broadcast, unless there is a court order. Depending on the RTHK interest and the legal advice received, sometimes it might be appropriate to accede to a legal order. At other times, it would be necessary to contest such an order and to appeal to higher courts.

**REQUESTS FOR TRANSMITTED MATERIAL** : All our television programmes which have been broadcast are kept in our video archives. In the Radio Division, we operate a logging system which retains programmes transmitted on our radio channels for a period of three months.

When requests are made for copies of transmitted material in connection with litigation, staff should promptly inform Management, who will where appropriate seek legal advice

Sometimes listeners, viewers, contributors and others ask for copies of transmitted programmes for their own private use. If the scope of the request is too extensive, they should ask for it to be reduced, and make clear that, if it is not, the request might be refused. "Fishing" for evidence will not be entertained. Programme makers should consider each request on its merit, bearing in mind practical difficulties and copyright restrictions. The accounts office has a set formula for calculating the fee to be charged. They should charge a fee which realistically reflects the cost of providing the material.

#### **4.17 Community Involvement Broadcasting Service (CIBS)**

Community groups and individuals selected to be CIBS producers will be required to enter into an agreement with RTHK on the programme purpose, content outline, production format and compliance with the Communications Authority codes of practice. RTHK will provide advice to CIBS producers on the basis of these Producers' Guidelines regarding applications for CIBS funding and programme production.

## 5 LEGAL AND REGULATORY ISSUES

### 5.1 Copyright Laws

The laws of copyright protect and reward creators and authors of original work. For copyright details, please refer to the Copyright Ordinance (Chapter 528). Copyright exists in a wide range of creative works, for example:

- Literary works : including scripts, novels, poems, essays, letters, song lyrics or newspaper articles.
- Dramatic works : including plays, operas, screenplays, pantomimes, dance and mime.
- Musical works : including classical and pop music.
- Artistic works : including paintings, photographs, sculpture and any graphic work, irrespective of artistic quality.
- Sound recordings : including gramophone records, CDs, audio cassettes, digital files and any other sort of recording of sounds.
- Any recording that can produce a moving image : film, video tapes, video discs, digital files and any other sort of recording of images.
- Broadcasts : including radio, television and satellite television.
- Cable programmes : including cable television and internet protocol television (IPTV).
- Published editions : publishers of literary, dramatic and musical works have a separate copyright in the typographical arrangement of their published editions.

Each element of a complex work will be protected as a separate work in its own right. A film production may be made up of the following separate copyright works:

- The novel on which it is based.
- The screenplay.
- The incidental music.
- The film itself as a whole.

Therefore film producers must acquire sufficient rights in the other works which will form part of their film production so that they may exploit their films for the purposes for which they are intended.

In addition, there are often related rights. For example performers have the right

to prevent unauthorized recordings of their performances except where the recordings are made for private and domestic uses. Another example is moral rights which include the right to be identified as author or director of a work, where the right has been established.

**DURATION OF COPYRIGHT** : The general rule is that copyright lasts until 50 years after the creator of the work dies. However, there are variations to this depending on the type of work.

For literary, dramatic and musical works, copyright expires at the end of the period of 50 years after which the author dies.

For sound recording, copyright expires at the end of the period of 50 years from the year in which the sound recording was made or was released, published or played in public or broadcast.

For film, copyright expires at the end of 50 years after the key creatives (director, author of screenplay, or dialogue and composer of music) whoever is last to die.

For typographical arrangement of published editions, copyright expires after 25 years when the edition was first published.

**COPYRIGHT INFRINGEMENT** : By broadcasting a work without the permission of the holder of the copyright, a broadcaster is liable for copyright infringement. The ideas expressed in the work are not protected by copyright; it is the mode of expression that cannot be "substantially" copied without written permission.

Some extracts of copyright works can be used without consent if they are deemed to be "insubstantial" part of the whole work. "Substantial" in this context relates much more to the quality of what has been taken than to the quantity. Even a few bars of music may be a substantial part of a musical work if they constitute a recognizable reproduction of an essential part of the melody. On the other hand, a mere summary of the plot of a novel, or of the general development of a work, will not be considered an infringement.

**EXCEPTIONS** : Under the "fair dealings" rule, it is also possible to broadcast excerpts from an original work for the purposes of criticism or review or reporting current events. In the case of fair dealing for the purpose of criticism or review, the

broadcast must acknowledge the copyright ownership of the original work.

Furthermore, the reading and broadcast of a reasonable extract from a published literary or dramatic work is permitted. However, it must be accompanied by a sufficient acknowledgement.

There is no copyright in unwritten news but copyright attaches to the news in the manner in which it is presented. If a broadcaster wishes to carry a report that appears in a newspaper, consent of the newspaper, or the independent journalist is required if more than a reasonable extract (see above) of that report is read in any programme or on air. If, however, a news item is rewritten and then broadcast, the broadcaster is not legally bound to obtain any consent, even if the newspaper story carries a copyright mark. In such circumstances, there is no legal requirement to refer to the newspaper, or to a "copy-righted story".

A news service report can be read verbatim on air without specific prior written consent if the broadcaster is a subscriber to the news service.

**MUSIC** : RTHK has agreements with the Composers and Authors Society of Hong Kong (CASH), the Hong Kong Recording Industry Alliance Limited (HKRIA), the Phonographic Performance (South East Asia) Limited (PPSEAL) of the International Federation of Phonographic Industry (IFPI) (Hong Kong Group) and the Music Publishers' Association (MPA) to use music and sound recordings in our output. Under these agreements, we are required to retain a record of all the musical items used in our programmes and/or played on air.

The above can only serve as a general guideline as the copyright law is far more complicated than what is referred to above. When in doubt, you should seek advice from the Corporate Development Unit.

## 5.2 Defamation

If we broadcast something which is defamatory we may commit libel. It is possible to libel individuals, groups or organizations. The risk is there whether the defamatory statement is scripted or spoken off-the-cuff and RTHK is liable no matter who speaks the words in its programmes or who has made the programmes.

The tests normally applied by the courts to determine if a statement is defamatory include:

- Does it reduce a person in the eyes of right-thinking people?
- Does it cause a person to be shunned or avoided?
- Does it expose the person to hatred, ridicule or contempt?
- Does it injure the person in his/her office, profession or trade?

The principal defences to libel are:

- **JUSTIFICATION** : Proving that the statement is true.
- **FAIR COMMENT ON A MATTER OF PUBLIC INTEREST**: Showing that the statement was an honest opinion based on provable fact, was not prompted by malice, and was on a matter of public interest.
- **PRIVILEGE** : Statements made during broadcasts of fair and accurate reports of judicial and legislative council proceedings and public meetings will have privilege in libel proceedings. This means that for normal purposes, we are safe to report comments made as part of legislative council proceedings or of court proceedings.

**PICTORIAL DEFAMATION** : It is possible to defame people by juxtaposition of words and pictures. This may happen by the careless use of general background shots . For example:

- A general view of a football crowd, in which individuals are clearly identifiable, with a commentary about hooligans.
- A general view of a children's playground, in which children are recognizable, with a commentary about child abuse.
- A graphic of holiday brochures, with a commentary about holiday companies going bust.

Another way of pictorially defaming people is in the use of imprecise shots: the picture of a plain clothes policeman handcuffed to an arrested man, in which it is not clear which man is the criminal; or the picture of a suburban house which is an alleged bomb factory, in which the numbers of two houses are both shown, and it is not clear which house is being referred to.

### 5.3 Contempt of Court

Contempt of court arises if an action or statement gives rise to a substantial risk that the course of justice will be seriously impeded or prejudiced. All courts exercising judicial power are covered by contempt, from magistracies to the Court of Final

## Appeal.

Generally, contempt risks arise only when proceedings are 'active'. In most criminal cases the 'active' period starts with the arrest of a suspect or the issue of a summons; in most civil cases, it starts when arrangements are made for a hearing. The 'active' period ends once sentence is passed in criminal cases and when judgement is given in civil cases.

**DANGERS OF COMMITTING CONTEMPT** : The main hazards during the active period are:

- Broadcasting pictures or comment which could influence those involved (witnesses, judges, jurors, lawyers and parties in the action). For example, a detailed account of evidence likely to be given in a case would run the risk of contempt if broadcast during the active period.
- Broadcasting material which could affect the way in which one of the parties conducts the case.
- Broadcasting an interview with a witness before the case is over.
- Having dealings with witnesses (e.g. interviews, or negotiations over possible interviews) which might influence or be thought likely to influence their evidence.
- Speaking to a juror in a case, about the case. This applies at any time before, or during the hearing - and applies whether or not the report is actually transmitted. After the case is over it is permissible to interview jurors but it is a serious offence, for them and for the broadcaster, if they discuss the deliberations (i.e. statements made, opinions or arguments expressed or votes cast by jurors) in the jury room. This applies whether or not such comments are broadcast.
- Reporting what a judge has forbidden to be reported.
- Speculating about the outcome of a case.
- Commenting on a case due for retrial.
- Publishing material of a general nature about the courts capable of undermining confidence in the conduct of a particular case.
- Repeating what is said in court in the absence of the jury.

Journalists should be aware that no recording or filming is allowed in court rooms. Although journalists run the most obvious risks, contempt may be committed in other kinds of programmes, for example the dramatization of contemporary court

proceedings.

**DEFENCE AGAINST CONTEMPT** : The defence of public interest is of very limited value in cases of contempt. Judges may overlook minor or unintentional acts. They may also resist attempts by third parties to use contempt as a means of preventing the broadcasting of material of proper interest to the public.

There is a statutory right to provide a fair, accurate and contemporaneous account of court proceedings heard in public, but this right is qualified. Judges have the freedom to postpone the reporting of an entire case or certain details of it. Reporting is also constrained by statutory restrictions on coverage of committal hearings in magistrates courts, and by restrictions relating to courts dealing with juvenile and matrimonial matters.

#### **5.4 Election Guidelines**

As a public broadcaster, RTHK regards it its obligation to give comprehensive coverage to election campaigns. We organize fora and other special programmes to elicit the positions and policies of candidates and political parties on major issues so that voters can make informed decisions on polling day. In all of these programmes, the principle of fairness and impartiality should be observed.

During the period of Chief Executive, Legislative Council, District Councils, Election Committee Subsector Elections and Village Representative Elections - that is the period when nominations begin to polling day, the appearance/participation of candidates in radio and television programmes is governed by guidelines issued by the Electoral Affairs Commission.

Failure to abide by the rules may lead to public reprimand or censure as well as other action.

#### **5.5 Communications Authority's Codes of Practice**

RTHK has given an undertaking in the RTHK Charter that unless otherwise approved by the Communications Authority, we shall comply with the relevant codes of practice issued by the Communications Authority. In short, we are answerable for any breaches of the codes. RTHK's own internal producers' guidelines have to be read in conjunction with the Communications Authority's codes of practice.

Communications Authority – Codes of Practices and Guidelines:

[http://www.coms-auth.hk/en/policies\\_regulations/cop\\_guidelines/index.html](http://www.coms-auth.hk/en/policies_regulations/cop_guidelines/index.html)

## **5.6 Sponsorship Guidelines**

RTHK staff shall comply with the Policy Guidelines on Radio Television Hong Kong's Acceptance of Sponsorship for Programme Production issued by the Commerce and Economic Development Bureau and our internal guidelines on crediting sponsors.

## 6 EVENTS OF IMPORTANCE TO HKSAR

As Hong Kong's public service broadcaster, RTHK considers that there are certain events of special importance to the Hong Kong Special Administrative Region which warrant full or extended coverage. These events include :

- The Chief Executive's Policy Address.
- Budget Speech.
- The Chief Executive's radio/television messages.
- Major debates and sessions of the Legislative Council.
- Elections of the Chief Executive, Legislative Council and District Councils.
- Major celebratory events of the HKSAR.
- Ceremonial functions of major projects or activities.

## 7 DEALING WITH FEEDBACK

RTHK programmes cover a wide range. Television productions include current affairs, arts and culture, social drama and general education. There are programmes designed for youth and children and educational programmes produced for classroom use. On the radio side, our radio channels provide a comprehensive range of programmes in both Chinese and English which seek to inform, educate and entertain. The RTHK website, rthk.hk, provides a wide range of multimedia web content meeting the diverse needs of different sectors of society and facilitating interaction with the public. With so many services being provided each day, errors may from time to time occur which prompt complaints. RTHK aims to ensure that errors happen as rarely as possible. However, should they occur, we accept responsibility and will respond promptly and appropriately to any complaints received.

Section, channel / unit heads handle the great majority of programme complaints and comments received. At the same time, we have always made it a practice to involve producers and/or presenters associated with the programme in drafting replies. This ensures that they are aware of audience reactions. When in doubt, please seek advice from the Corporate Communications and Standards Unit.

In general, an acknowledgment or an interim reply should be given within 10 calendar days and a substantive reply within 30 calendar days of receipt of the complaint. For complicated cases requiring longer processing time, the complainant should be kept informed of the progress and, if possible, the estimated time frame.

### **7.1 Procedures for Telephone Complaints**

Every effort should be made to address telephone complainants during their initial calls, or arrangements made for an appropriate person to call back with additional information. A verbal reply will generally suffice for telephone complaints.

If the complainant requires a written reply, the complaint should generally be dealt with as if it is a written complaint, whereby the receiving officers should ensure that it is properly recorded.

### **7.2 Procedures for Written Complaints**

Written complaints of a minor nature shall receive a written reply. The subject officer should adopt a fair and objective approach, and should ensure that the handling of all complaints is fair and seen to be fair.

Serious complaints about editorial standards should be answered either by the Divisional or Section head with input from the actual programme makers through their line managers.

Preparing a response may involve a simple review of the programme, or further research and checking of the original information, depending on the nature of the complaint. Where serious allegations are made which require investigation, an adequate record of the investigation must be kept.

Where approaches from the public raise any suggestion of legal action, these are to be referred upward immediately. All tapes, notes, transcripts, film footage, etc. related to the item must be retained, since the supporting material may be an important source of information in a legal defence.

### **7.3 Reviews and Appeals**

A request for a review about the way the original complaint was handled or an appeal against the outcome of the investigation made by a complainant shall be dealt with according to the RTHK internal guidelines.

Notwithstanding the above, the subject officer may exercise discretion in escalating a request for review / appeal to a higher level than normal, having regard to the nature, gravity and urgency of the case.

### **7.4 Reporting System**

RTHK has instituted a system to centralize statistics and information about complaints. A summary report will be presented to the Board of Advisors and be included in RTHK's annual report.