

THE OFFICE OF ROBERT T.Y. CHUNG 鍾庭耀辦公室

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25 May 2006

Hon. Alan Loeng Kah-kit
Chairman
Subcommittee on West Kowloon Cultural District Development
Legislative Council
Hong Kong Special Administrative Region of the People's Republic of China
(by email to cshiu@legco.gov.hk)

Dear Mr Loeng,

West Kowloon Cultural District (WKCD) Development

Thank you for your Subcommittee's invitation, dated 3 May 2006, to me for submitting views on the captioned development project. I apologize for not being able to respond quickly because I have just returned from the 59th Annual Conference of the World Association for Public Opinion Research (WAPOR) held in Montréal, Canada. For your information, I am serving as the elected Secretary-Treasurer of WAPOR for a term of two years starting from January 2006.

In response to your invitation and in the interest of promoting proper public opinion research in Hong Kong and around the world, I would like to submit the following views to you. Kindly note that my views are fairly limited to the conduct and usage of public opinion research related to the captioned project, because I take it to be my duty to alert your Subcommittee, the Administration and the general public to the misuse of opinion surveys by all parties, stakeholders and non-stakeholders alike.

- I quote the following passages from the documents you have sent me:
 - From the "Statement by Chief Secretary at LegCo's Subcommittee on WKCD" dated 21 February 2006 (your Appendix I): "... I wish to reiterate that public views have all along been the most important basis for all Government's decisions... The additional development parameters and conditions proposed by the Government in October last year are based on public views... In formulating the way forward for the WKCD, we will adhere to the following five basic concepts – First, our objective of developing a world-class integrated arts, culture and entertainment district to meet public aspirations remains unchanged... Second, we should make the best use of past efforts for the WKCD. We shall take fully into account the public views and information collected... Fifth, we will continue to uphold the cultural policy put forward by the Culture and Heritage Commission (CHC), in particular the principles of 'partnership', 'community driven' and 'people-oriented' in developing the WKCD..."
 - From the government press release of 6 April 2006 "Appointment of committee and advisers on facilities for West Kowloon Cultural District" (your Appendix II): "... The

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Chief Secretary for Administration, Mr Rafael Hui, said the main task of the committee was to re-examine and re-confirm if appropriate, the need for the core arts and cultural facilities for the WKCD as defined in the Invitation for Proposals (IFP) issued in September 2003 to meet the aspirations and needs of the local arts and cultural community and attract visitors...” and Mr Hui’s reiteration of the five basic concepts mentioned in the last paragraph.

- From “The Administration’s Response to [your Subcommittee] Members’ Requests Relating to the West Kowloon Cultural District Development” dated 31 March 2006 (your Appendix III) Paragraph 23: “... We shall endeavor to ensure the transparency of the Consultative Committee. One option being considered is to organize public hearings to collect public views and contributions.”
- From “Summary of points discussed and clarified at the Subcommittee’s meeting on 6 April 2006” (your Appendix IV) Paragraph 10: “... As the Administration would have to introduce the enabling legislation into the Legislative Council (LegCo) for the statutory body, LegCo Members and the public would have ample opportunities to discuss details about the statutory body.” and Paragraph 14: “The Administration confirmed that CC [the Consultative Committee] and AGs [its Advisory Groups] would solicit views from the public in the course of their work...”
- I have quoted at length from the documents you have sent me, to order to demonstrate the recognized importance of public opinion in formulating future policies relating to the WKCD development. As a researcher in public opinion, I fully support these assertions, and I also welcome the Administration’s decision not to pursue the WKCD under the Invitation for Proposals process due to “a significant gap between public demands and market reality”.
- Prior to the Administration’s decision announced on 21 February 2006, I think the Administration has made some significant mistakes in its process of collecting public opinion, which rendered some of its effort useless. Most notably -
 - The Administration did not give full autonomy to the researcher it has employed to conduct opinion surveys. As a result, the questionnaires were set in such a way that public opinion could not be collected and analyzed in a useful manner. Now that WKCD is to be re-designed, most if not all of the opinion collected using those instruments have become useless.
 - The Administration and the researchers involved refused to disclose who was responsible for the design of the research instrument even when questioned by LegCo members, and have thus acted against the requirement of international standards in the field of public opinion research. The fact that it was the Administration, not the researcher, who was responsible for the research designs was only made known to the public by indirect channels reported by the press subsequently.
 - The effort to consolidate expert versus public opinion collected during the consultation

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process was in insufficient and unproductive.

- In view of these problems, I would like to suggest the Administration as well as your Subcommittee to take note of the following in conducting future consultations -
 - Follow international standards when conducting and publishing opinion surveys. I quote for your reference an abstract from the WAPOR guidelines for opinion surveys, which can be downloaded from its website at <http://www.unl.edu/wapor> - “Whatever information may be given in the published report of the survey, the publisher and/or the research organisation involved must be prepared on request to supply the other information about the survey methods described in the Notes on the application of Rule 25 of the International Code... [Rule 25 is about methodological and operational details, it stipulates that ‘The researcher must provide the client with all appropriate technical details of any research project carried out for that client.’]”
 - While expert and public opinion may well differ on different aspects of the WKCD development, they should not be seen as insurmountable conflicts. Quite on the contrary, the experts, the Administration and even LegCo members should take it to be their duty to deliberate on the proper development of WKCD and to convince the public that their general direction is correct. Shall significant disparities arise between the experts and the general public, or among the experts themselves, the Administration should be bold enough to take the issue to the general public, and resolve it by democratic means. Among all possible mechanisms, civil referendums should be considered as an option, in addition to public hearings, but never biased surveys initiated and directed by the Administration or parties with vested interests.
 - Shall the Administration or any stakeholder see the need to conduct public opinion surveys, it should employ independent consultants who have the freedom to conduct such surveys independently and professionally. As such, the consultant should be fully accountable for the study it would design and conduct, and for any flaw and fault in he report it would produce.

I hope my suggestions would be of some help to your Subcommittee in its future deliberation of the WKCD development.

Yours sincerely,

Robert Ting-Yiu Chung
Director of Public Opinion Programme at the University of Hong Kong