

Panel on Information Technology and Broadcasting

Synopsis of major views and concerns on "Public service broadcasting" raised at the special meeting held on 29 June 2007 and expressed in submissions received

Issues	Views / concerns
Public service mandate	<p>There is general agreement that public service broadcasting (PSB) should serve the community, be accountable to the public and be free from Government pressure, as well as political and commercial interests. The programming of a public service broadcaster should cater for a broad spectrum of audience, including the needs of minority interest groups such as the ethnic minorities, senior citizens, children and students.</p> <p>In addition to the four public missions recommended by the Review Committee (RC), the RTHK Programme Staff Union, Hong Kong Human Rights Monitor, Hong Kong Journalists Association and Save RTHK Campaign maintain that the protection of press freedom and editorial independence as well as the monitoring of the Government should be made the public missions of PSB.</p> <p>The Consumer Council states that despite disagreements over the scale and sources of "citizen enhancing" factors, PSB could serve a useful purpose by providing programmes with "citizen enhancing" factors to sustain citizenship and civil society and foster social harmony, and that the Government should ensure that PSB is provided on a universal and free access basis.</p>
RC's recommendation against RTHK's transformation into a public broadcaster	<p>Some members and deputations doubt the independence and impartiality of the RC and query its logic and rationale in coming up with its conclusion against RTHK's becoming a public broadcaster. They disagree that the transformation of RTHK would lead to insurmountable difficulties as envisaged by the RC as most of RTHK staff are contract staff, and regard the RC's conclusion against RTHK's transformation into a public broadcaster groundless, unconvincing, unjustified, and unfair to RTHK staff, putting at stake the job security and interests of RTHK.</p> <p>There is general agreement that given a review of the role and future of RTHK was outside the RC's terms of reference, RC should not conclude against RTHK's transformation without exploring the feasibility of RTHK's transformation or making a thorough analysis of the pros and cons of transformation.</p>

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	<p>A number of deputations consider that RC's observations on RTHK are not comprehensive and that RC has focused on the negative side of RTHK, belittling its contribution in the production of PSB programmes and misquoting the March 2006 survey findings of the RTHK Programme Staff Union.</p> <p>Some deputations object to the setting up of a brand new public broadcaster and consider that RC has not justified as to why setting up a brand new broadcaster from scratch would be easier and more effective than the transformation of RTHK. There is doubt whether a brand new set up that has yet to build up its credibility, brand name and audience-ship would be genuinely responsive to the needs and interests of the community at large and those of the minorities in particular. The RTHK Programme Staff Union points out that most overseas public service broadcasters evolved from government departments or quasi-government agencies.</p>
Role and future of RTHK	<p>Members and deputations share the view that RTHK should be freed from its government department status and be transformed into a bona fide public broadcaster, leveraging on its credibility and strong brand name in upholding social justice, editorial autonomy and programming independence as well as its public service broadcasting expertise and experience. They consider that RTHK has all along discharged competently the functions of a public broadcaster, producing quality award winning programmes that reflect social reality and cater to the specific needs and interests of minority groups. RTHK has consistently been ranked high in terms of programme quality and media credibility among all local media and the transformation of RTHK to become a public broadcaster is most in line with economic efficiency and public expectation. The Government should give due recognition to RTHK's contribution in the past 80 years as a key public broadcaster and actively explore how RTHK, which satisfies the requisites of a public broadcaster and is already performing such a role, can be reconstituted into a genuinely independent statutory public broadcaster and facilitate RTHK's transformation, enabling it to perpetuate its quality culture.</p> <p>The Government should not fold up RTHK because of its past incidents involving fraud, mis-handling of public funds, and controversy over the impartiality of RTHK programmes. Hong Kong Journalists Association advocates an immediate transformation of RTHK into a public broadcaster and a smooth transition of RTHK staff to the future independent broadcaster.</p>

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Institutional arrangement	<p>There is general agreement that the public service broadcaster should be constituted by law as a statutory body, be free from commercial and government interference, be sufficiently funded and resourced to produce and broadcast quality, creative and diverse programmes on the principles of universality, diversity, independence and distinctiveness as well as upholding editorial autonomy.</p>
Governance structure	<p>Some members and a number of deputations object to the appointment mechanism of the new public service broadcaster Board (PSB Board) as recommended by RC whereby members are appointed by the Chief Executive (CE) from a nomination list recommended by the Nomination Committee (NC). They are concerned that only those from government-friendly political parties will be appointed to the Board, turning the public broadcaster into a government mouthpiece and propaganda machine and that a pro-government CE-appointed Board will perpetuate the pro-government culture.</p> <p>The Civic Party is concerned that the future PSB, with its Chairman and members of the Board appointed in personal capacity by the CE, and with a CEO who functions effectively as its Chief Editor accountable to the Board, will easily succumb to the will of the Government.</p> <p>Save RTHK Campaign doubts whether a new public broadcaster under the proposed governance structure can be genuinely independent, capable of monitoring the government and reflecting the diverse views of the community.</p> <p>While the Professional Commons and SynergyNet propose that the PSB Board should comprise LegCo members (being representatives of public opinions), the Hong Kong Human Rights Monitor maintains that serving members of LegCo, even returned by universal election, should not be eligible for appointment to the Board. The Citizens Radio is against any political figure to be appointed a member of the Board and the Hong Kong Journalists Association holds that no government officials or persons with any political affiliation should become a member of the Board.</p> <p>To ensure accountability and to provide a balanced governance structure conducive to the development of a credible and independent public broadcaster, the Hong Kong Human Rights Monitor advocates that the PSB Board and the management should be appointed through a fair and open election system with representatives drawn from various community sectors such as broadcasting-related industries, relevant stakeholders, professional and journalistic groups, academics from</p>

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	<p>relevant faculties, and non-governmental groups including the disadvantaged. RTHK Programme Staff Union and Hong Kong Journalists Association also support that the future public broadcaster should be held accountable to the public, with Board members elected through an open and transparent election mechanism.</p> <p>The Internet Society Hong Kong proposes an interim governance structure for the first ten years of operation that apart from the two ex-officio members and half of the Board members being appointed by the CE via nominations by the NC, the remaining half of the members should be industry/professional members elected from various sectors to reflect the views and interests of various groups including the disadvantaged and the minorities. It also recommends the setting up of a technology committee in the future public broadcaster to make the best use of the latest technological advances in broadcasting. IT Voices shares that the Board should be made up of industry/professional members elected from various sectors of the community to provide a balanced governance structure conducive to the development of a credible and independent public broadcaster.</p>
Funding arrangements	<p>There is general agreement that the public broadcaster should mainly be publicly funded and be allowed to actively explore sources of revenue other than government appropriation so as to maintain its independence from the Government. There is suggestion that the proposed funding arrangements be reviewed after first five years of operation and the public broadcaster be provided with a defined percentage of funding by way of legislation to ensure a stable source of revenue.</p> <p>The SynergyNet considers the funding arrangements proposed by RC whereby the amount of funding from government appropriation will be reduced from 100% to 80% over a 10-year time frame is too conservative.</p> <p>While the Professional Commons supports the combined funding model proposed by the RC, the Consumer Council holds that allowing commercial "institutional/brand" sponsorships may affect the PSB's independence and undermine its mission to fulfil diverse needs of the society and its role of "citizen enhancing".</p>

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Scope and time-frame for public consultation	<p>There is general agreement that the public consultation to be conducted by the Government in the second half of 2007 should not base solely on RC's recommendations and should include the option of RTHK's transformation into the public broadcaster. There is suggestion that the consultation should also examine the feasibility of the publisher-broadcaster approach adopted by Channel Four Television Corporation of the United Kingdom, the opening up of air waves for the development of public access channels, and cover a wide range of issues on the role and functions of PSB, the core social values and journalistic principles of a civil society such as editorial autonomy, and freedom of press and speech to be upheld by PSB, its governance structure as well as the funding arrangements.</p> <p>A number of deputations urge the Administration to complete the consultation as soon as practicable to avoid further psychological pressure on RTHK staff, and to commit to a time-table as well as indicating how and when the Administration will take forward the matter after the collection of views.</p>
Community/public access channels	<p>Some members and a number of deputations lend support to Citizens' Radio which strongly advocates for the liberalization of the licensing regime and the early development of community/public access channels to provide more platforms to cater for diversity of views and programming content.</p>
Respective roles of public service and commercial broadcasters	<p>Metro Broadcast Corporation Limited states that fair competition should be maintained between the PSB and the commercial broadcasters and that PSB publicly funded to serve the public purposes of PSB should not compete with commercial broadcasters for advertising revenue, commercial sponsorship and ratings.</p> <p>The Consumer Council supports that the regulatory regime as well as the requirements and guidelines that apply to commercial broadcasters should be equally applicable to the public service broadcaster insofar as they are relevant.</p>