

Statement to Legco Panel on Home Affairs
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Madame Chairperson, Honorable Members of the Home Affairs Panel, Ladies and Gentlemen:

In behalf of the Hong Kong News Executives' Association, I would like to thank the Panel for this opportunity to present the Association's views on the recent behavior by certain sectors of the SAR's mass media. In doing so, however, I would be remiss in my duties if I were not to disclose at the same time the Association's reluctance in attending this or any other Government-related forum that deals with press freedom and all its ancillary issues.

The reason for the reluctance involves a very basic matter of principle. In any truly free and democratic society, the Government—regardless of whatever branch thereof—should not have any role, directly by fiat or indirectly by coercion, in determining how the news media should operate.

Begging the indulgence of Madame Chairperson and Honorable Members, I would like to read Article 27 of the Basic Law: "Hong Kong residents shall have freedom of speech, of the press and of publication, etc." Similarly, the First Amendment to the U.S. Constitution sets out the same principle in even more explicit terms: "Congress shall make no law ... abridging the freedom of speech, or of the press, etc." Scores of other countries and territories have similar statues enshrined in their constitutions.

The guarantee of a free press is all-inclusive. Honorable Members would have noted that the two clauses I just quoted, from the Basic Law and the U.S. Constitution, respectively, did not say there should be press freedom only when whatever was published or broadcast met certain pre-conceived community standards.

Therefore, unpleasant as the task is, the Hong Kong News Executives' Association has no choice but to defend even these less-than-sterling examples of newspapers and programs their right to be published and broadcast. For to do otherwise would certainly be an invitation to the authorities and other self-appointed arbiters of moral standards to determine what we should read, hear or see.

Today, Government leaders as well as ordinary folks are clamoring for ways to rein in the excesses of some of the media. These excesses—sensationalism, exaggeration, “if it bleeds, it leads” coverage and presentation criteria, slanted reportage, assumptions in place of facts—unfortunately, happen so often that they need not be enumerated here.

I hasten to add that the Hong Kong News Executives' Association, as with the community-at-large, does not condone these unconscionable behaviors on the part of some of the local print and broadcast media.

But to even imply that laws and/or codes of practices should be enacted to define what can and what cannot be published or broadcast is, as sure as night follows day, the first crack that eventually would crumble the very foundation of press freedom.

For if we were to outlaw sensationalism and other media “sins” today, what is to stop the authorities or any special-interest groups to want to outlaw political commentary, investigative reportage or any article or program that may not be to their liking?

Naturally, the Hong Kong News Executives' Association is not saying that the media should be a law unto themselves, spreading whatever poisons their editors and producers might, only for the sake of raising circulation figures and audience ratings numbers, which in turn would result in increased advertising revenues.

Far from such egotistic self-delusion, the Hong Kong News Executives' Association has always held fast to the belief that any mass medium is by its very existence in a free society a public trust. To be deserving of such a trust, media workers—and proprietors—must exercise their social responsibility by behaving accordingly.

In a perfect world, what I've just said would be considered simply as a "given." But, sadly, this is not a perfect world. In a free market economy that is Hong Kong, almost all mass media are commercial enterprises. As such, profit making often replaces public service as the sole *raison d'etre* of launching or continuing a publication or a broadcast outlet.

Hence, in recent years, so-called "market-driven journalism" has not only taken root but also continued to bloom in the SAR. The disciples of this strange mutation of marketing and journalism argue that the purpose of a newspaper, magazine or broadcast is to provide the readers, listeners or viewers with what they "want," instead of giving them what they "need."

What the audience needs are factual reporting as well as fair and balanced editorial treatment of news events that are presented in context. In other words, let's go back to the basic definition of news, which says, "news is a report of what a news organization has recently learned about matters of some significance or interest to the specific community that news organization serves."

Within that simple statement, there are two operative words: Significance and serve. In other words, to fulfill their role as a public trust, the media should focus on events of significance, the dissemination of information about which would serve their audiences.

To ignore this simple definition of news and replace it by merely trying to satisfy an audience's curiosity about things of little or no significance inevitably would turn the publications and broadcasts into nothing more than just purveyors and exhibitors of voyeurism and gossip.

There is also the truism that says a society deserves the media it gets. Communication by its very nature is a two-way endeavor. The media cannot communicate without someone to communicate to; that someone is the consumer. In other words, the reader, listener or viewer.

In a free society, the information consumer always has the last word—if you'd pardon the pun. Remember, that five-dollar coin is in your pocket and that television remote control is in your hand. You decide on which newspaper to spend that five dollars and on which channel to watch—or if no newspaper is suitable for you to read or no program suitable for you to listen to or watch, keep that five-dollar coin in your pocket or switch off the radio or television.

When enough information consumers take the initiative to reclaim their God-given right to choose their own reading, listening and viewing material, the circulation figures of trashy publications and audience ratings of trashy programs would be drastically cut, resulting in substantial drop in advertising revenues. Only then would their producers mend their ways.

By urging the consumers to reclaim their rights, is the Hong Kong News Executives' Association suggesting that the journalists themselves have no obligations? No, far from it. Every single journalist, from a front-line reporter to the chief editor, must unwaveringly adhere to and practice a strict set of ethical conduct—whether codified or not.

And what happens if the media practitioners fail to abide by the craft's own ethics? Their fellow practitioners, whether individually, or collectively as professional organizations, must call attention to such deviations, either at public forums or in published media criticism columns.

Again, the information consumers must also take an active part in ensuring the media do not become a force for evil. The readers, listeners and viewers can do that by exposing the media's shortcomings in letters to the editors, calls to phone-in shows and demands for answers from the offending media and from such media organizations as the Hong Kong News Executives' Association, the Hong Kong Journalists' Association, the Federation of Hong Kong Journalists and the Hong Kong Photojournalists' Association.

This leads to some concluding thoughts on the recent calls for a media council. The Hong Kong News Executives' Association in principle has nothing against such a council provided it is established on the media industry's own initiative, without any government involvement whatsoever. The council's membership would include representatives from the media, news consumers' ombudsmen and academics.

The function of the council is NOT to set pre-determined standards and codes of practices—as the individual media organization would be more appropriate to do this themselves.

Instead, the council would accept complaints from those who feel they have been unfairly treated in print or on the air, vet the validity of the complaints and deliberate about the degree of wrongdoing, if any.

The council should not have legal authority to impose any form of penalty on the wrongdoer. Results of the council's deliberations, however, should be circulated to all media for publication and broadcasting, so as to achieve the widest possible exposure.

The proposed media council is but just one possible short-term means to redress media excesses. The long-term solution lies with our schools and ourselves, spending the necessary time and effort to educate our young people to become media literate. They then can on their own differentiate between responsible and irresponsible media and make intelligent decisions accordingly.