



HONG KONG JOURNALISTS ASSOCIATION

香港記者協會

## **The HKJA's submission on the review of public service broadcasting**

The Hong Kong Journalists Association (HKJA) notes with concern that the government has set up a review committee to examine the future of public service broadcasting in Hong Kong. In particular it has raised anxiety among staff of the current public broadcaster, Radio Television Hong Kong (RTHK) – some of whom are members of the HKJA.

### **PSB is a Necessity**

Before going into specific issues of the review, we should like to stress unambiguously the importance of public service broadcasting (PSB) and its value to a civil society. It is particularly important when the government puts the review on a wrong footing, albeit through an unrepresentative body.

The government background paper (pars 3 & 5) queries the value of public service broadcasting (PSB) in the digital era and argues that it is a form of market intervention. The HKJA disagrees and worries that such a distorted view may hamper an open and fair review of PSB. First of all, we maintain the necessity of public service broadcasting in view of its contribution, among other things, to a diversification of the media environment. According to the recently published report by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in 2005<sup>1</sup>, despite the co-existence of different models and technological advances, “*nowhere had they made public service broadcasting obsolete, and the dual systems often provide the best media ecology.*”<sup>2</sup>

The provision of PSB not only benefits the media but society as a whole. As Abdul Waheed Khan, Assistant Director-General for Communication and Information of the UNESCO, has stated: “*PSB is an essential instrument to ensure plurality, social inclusion, and to strengthen the civil society.*” This in turn will empower people to take informed decisions vital to their own development.

---

<sup>1</sup> Toby Mendel, “Public Service Broadcasting: A Best Practices Sourcebook” 2005, UNESCO

<sup>2</sup> Ibid, p.11

The function of PSB makes it worth public contributions, both financially and strategically. As UNESCO defines it, PSB is broadcasting made, financed and controlled by the public, for the public. It is neither commercial nor state-owned. It should be free from political interference and pressure from commercial forces.

We further maintain that when combined with pluralism, programming diversity, editorial independence, appropriate funding, accountability and transparency, public service broadcasting can serve as a cornerstone of democracy. These are the bases of our submission.

### **Review Circumscribed**

The base of this submission is vitally important, particularly in view of the fact that the Committee of Review of Public Service Broadcasting lacks representatives who have wide experience of PSB. Moreover, five out of the seven committee members are representatives and former representatives of private-sector media organisations. It could be argued that there is a conflict of interest here - insofar as public broadcasters compete with the private sector in the media industry.

The scope of the review set by the government is worrying, too. The responsibility of the Review Committee is restricted to those technicalities, which includes the role and justifications for PSB, governance, funding, and ways to monitor the public broadcaster. The core value of public service broadcasting, i.e., freedom of expression and editorial independence, is excluded from the remit of the review. While the HKJA recognises the importance of the enforcement mechanism, the exclusion of core values from the review of PSB may lead the service to develop in a direction that deviates from the public interest. Without these core values, an open platform for diversified views will not be established and the public will not be fully informed.

### **A PSB for the Public**

PSB is for the public. It is neither for the government nor the national interest, although such interests may be reflected among all other views. Serving the national interest, which is mentioned in the government paper, in the Chinese context may well be equivalent to acting as a mouthpiece of the government, given the undemocratic nature of the system.

Furthermore, PSB is not only for minorities or elites, but for the whole population, as well as special groups. Therefore, asking the present public broadcaster to provide programmes that are not provided by commercial

broadcasters is ill-founded. On the contrary, competition between public and private broadcasters will drive improvement.

We urge the government and the review committee to strengthen the editorial independence of the public broadcaster. We regard the current arrangement, i.e., the renewal of the Frame of Reference every two years between the policy branch and the RTHK, as undesirable. The HKJA firmly believes that legislation upholding the autonomy and editorial independence of the public broadcaster are vitally important.

Once independence and other core values are guaranteed by legislation, the public broadcaster has to submit reports to the legislature, which is the most representative power of Hong Kong, given that half of its seats are returned by popular vote. This holds the public broadcaster accountable to the public and prevents it from becoming a so-called 'independent empire'.

Equally important is the guarantee of the universality, diversity, distinctiveness and transparency of the PSB in the legislation. Universality ensures that PSB can reach the whole population and distinctiveness sustains the value of the existence of PSB.

By advocating the statutory route, the HKJA has no intention of excluding the possibility of the corporatisation of the RTHK. It was suggested by a government-funded review 20 years ago but was ruled out by the Central government before 1997. We think that it is a viable solution to diminish the conflicting role of RTHK as a government department as well as a public broadcaster, which should maintain an arm's-length distance from the government. Public service broadcasters in the UK, Canada, Australia and India are statutory corporations.

No matter which way forward is chosen, any attempt to erode the editorial independence of the public broadcaster will push it closer to becoming the mouthpiece of the government and thus will not be accepted. Such a retrogressive step would swing Hong Kong into an undemocratic position which would be in no one's interest.

### **A PSB by the Public**

A public broadcaster should be controlled and financed by and for the public. To make the public broadcaster accountable to the public, legislation may be introduced that creates a board of governors, which will be elected with democratic elements.

Given the flaws of the appointment system criticised recently, we believe a handpicked board of governors may not secure public confidence which is the pre-condition for a successful public broadcaster. Representatives of public interest and the professions should be incorporated. And, most important of all, citizens and citizen's group could play an active role in guiding and assisting the PSB to fulfil its mission.

It is also important to keep the public broadcaster financially independent. With control over the budget of the RTHK, government influence can weaken the autonomy and editorial independence of the public broadcaster. To avoid this potential danger, the public broadcaster should operate mainly on public funds rather than government expenditures.

Apart from public funding, private donations with no strings attached should be encouraged. Other sources of income, for example, selling of programming and memorabilia, should be supported, too. It decreases pressure for more public funding while maintaining high quality programming.

### **Public Access Channels**

The Hong Kong Journalists Association holds the position that diversity is the basis for freedom. We have urged the government to allocate television channels or radio frequencies for the public to air their views, a position we expressed before 1995 when the government promised to set up a public access channel. Regrettably, the promise was never realised. We urge the government to take this opportunity to honour its promise.

With the digitalisation of broadcasting, we firmly believe that it is technically viable to establish public access channels. What we need is the political will of the administration. Although it may be more economical to have the public broadcaster operate such channels, the HKJA welcomes other viable proposals in this regard. The principle must be that the managing body has to be widely representative so that no bias in programming can emerge.

March 6, 2006

Hong Kong Journalists Association