

# **The government should take action to minimize the negative influence of irresponsible media on the physical and mental development of children**

## **Introduction**

In recent years, the media in Hong Kong has embarked on using information on pornography and violence as their selling point, and the situation is increasingly getting worse. The ways in which reports are written are constantly changing and all are aimed at pleasing the public with claptrap. This definitely casts a very bad influence on the physical and mental health of young people in Hong Kong.

Article 17 of The United Nations Convention on the Rights of the Child (UNCRC) points out that children have the right to obtain appropriate information, and that governments should ensure that children get various kinds of information, and encourage the media to disseminate information that benefits children and in the meantime protect them from harmful information. Therefore, we strongly urge the Government to confront this problem. (For Article 17 of the UNCRC, see Appendix 1.)

From September to mid-October, we conducted a questionnaire survey with more than 500 secondary school students. We found that 90% of them believe the problem of the media

embellishing harmful information to be very serious. As child councillors, apart from expressing what children may think of the Government, we also hope that the Government can consider the feasibility of this motion and work out more related policies so as to improve on solving the problem caused by media-embellished information that is harmful to the physical and mental development of children.

**Current Situation:**

Hong Kong now faces a very serious problem – the media embellishing harmful information. This problem directly affects the development of children in Hong Kong. From 2001 till now, there has been a constant increase in complaints about the media embellishing harmful information.

In October, we interviewed representatives from the Hong Kong Professional Teachers' Union (HKPTU), the Hong Kong Press Photographers Association (HKPPA), the Hong Kong Young Women's Christian Association (HKYWCA), the KELY Support Group (KELY), the Hong Kong Federation of Women's Centres (HKFWC), and the Democratic Party (HKDP). They all pointed out:

Nowadays, society is flooded with harmful information, and there are many ways for children to access it. For example, there are often pornographic and violent scenes on television or in movies; Category I magazines contain a lot of bloody and pornographic pictures; and newspapers publish photographs of bloody scenes without mosaicking treatment.

At present, the Government does not monitor the media sufficiently. Thus, many of the media are able to escape punishments. Quite a few newspapers and magazines repeatedly breach the Control of Obscene and Indecent Article Ordinance. When pronouncing sentences, the Court has not considered increasing punishment for repeated offences. In most cases, offenders are only sentenced to imprisonment for 6 days to 6 months or to a fine of \$800 to \$25,000. As the profit gained from publishing extraordinary news is far greater than the fine, some newspapers and magazines even regard the fine as part of their operation cost. Since 2001, the number of cases complaining the media for disseminating harmful information has been on the rise. In the first half of this year, 161 Category I items were submitted for censorship, in which only 66 and 41 were categorized as falling into Category II or Category III respectively. Only 93 cases were convicted of offence. Only about 60% of Category II and Category III items were successfully convicted. It clearly shows that the Ordinance and its execution indeed do not have much an intimidating effect. (For evidence of this, see Appendix

2 and 5.)

In early October, we conducted another questionnaire survey with secondary school students from different forms. 428 questionnaires were sent and 393, i.e. 91.8%, were returned. Among the returned questionnaires, about 86.5 % of the interviewees think that the Ordinance established by the Government cannot stop the problem; about 93.1 % of them are dissatisfied with the behaviour of the media; about 86.5% believe that the increasing number of juvenile delinquency is closely related to the harmful news reports in Hong Kong; and about 83.4% express that there is a need to monitor media publications.

The Government has long neglected media education. Though the Television and Entertainment Licensing Authority is now promoting media education in schools, this is far from enough. Public cognition of the Ordinance remains low even though there is now online publicity of the Control of Obscene and Indecent Article Ordinance. Besides, there are insufficient media-related topics in civil education subjects in schools.

### **Causes and Effects of the Problem**

In fact, it has been a long-standing problem with far-reaching influences that harmful

information embellished by the media affects the physical and mental development of children. There are 4 major aspects to the problem, namely the public, the media, the government and children.

Let's start with the public. With a deterioration in social trends and a large amount of media reports of harmful information on pornography and violence, the public has become insensitive towards this kind of information so much so that people even start to think that such information does not have much impact on society. Hence there is the lowering of social moral standards and distortion of social values. Because of greater market competition, society tends to be more and more commercialized, and value money more than moral. To cater to popular taste, the media makes use of people's sense of curiosity and attract people to read this harmful kind of information. Consequently, there is less correct and positive news. Under vicious competition amid the media itself, society is filled with harmful information on pornography and violence.

The Government is not properly facing the problem of the media embellishing harmful information. Its measures are not stringent enough. Despite the fact that the Control of Obscene and Indecent Articles Ordinance is reinforced to monitor and regulate the delivery of media information and that an Obscene Articles Tribunal (OAT) has been set up, OAT has not

been able to deal with all the cases as there is far too much harmful information in society. Besides, there are many grey zones in law. It makes law reinforcement very difficult. Moreover, not much concern has been shown by the Government towards the problem and it usually does not deal with matters until a problem has occurred. Insufficient punishment remains to be something that indeed encourages the media to commit repeated offences. (See Appendix 3)

Lastly, children. In the era of information explosion, we can have reach of harmful information in various ways. According to the survey result, children can have easy access to this kind of information via television, magazines, newspapers, the Internet and so on. As children are inadequate in making judgements, they can be easily influenced by family and peer pressure. Because children are curious by nature, they will try to access this kind of information. Because children are strong in imitating, they will often do what they see. As a result, they become anti-social and behave violently. With their moral value distorted, they think that violence and obscenity are not wrong. (For overseas cases, see Appendix 4.)

## **Suggestions**

These above facts reveal that the problem of the media embellishing harmful

information is very serious in Hong Kong, and that this can cast a very severe effect on the physical and mental well-being of children. We therefore have the following suggestions to give to the Government in order for it to improve on the situation.

## **I. Publicity and Education**

### **1. Increasing Government Funding**

We hope that the Government can cooperate with media organizations by means of using short films, pamphlets and teaching materials so as to carry out a comprehensive media education all over Honk Kong. We also suggest that information centres and hotlines about media education be set up in the hope of letting children select information in a proper way when they are left alone.

### **2. Reinforcing the Reporting System**

More publicity should be given to the report system so that the public can have a thorough understanding of its operation. The Government should also encourage the public to report to the Broadcasting Authority (HKBA) and the Television and Entertainment Licensing Authority (TELA) when they encounter any harmful information.

### **3. Taking Compulsory Measures to Introduce Media Education to Primary and Secondary Education Syllabuses**

We can start from schools. Media education should be included in the syllabuses of primary and secondary schools. It can enhance children's understanding of the media, and enable them to be critical towards it. Children will learn how to deal with harmful information. So they can apply what they have learnt and dare to say "No!" to it.

### **4. Holding Territory-wide Parent-child Media Education Days**

We suggest that the Committee of Promotion on Civic Education set up workshops in places with a high pedestrian flow in each of the 18 districts, and, through the use of games, instil the correct notions in the minds of children and parents and teach them the correct way to monitor it. (See Appendix 6.)

## **II. Legislation**

### **1. Changing the Present Censorship Model of the "Obscene Articles Tribunal"**

According to Mr. Chan, censor from OAT, the office hours of OAT are the same as the working hours of most of the censors. Therefore, even if they are selected by computers

to become censors, they do not have the free time to be present at censorship meetings.

On the other hand, a small number of censors have more flexible working hours, so they will have a lot of opportunities to substitute for those who are absent at meetings. What then happens is that the same group of censors do all the censorship of publications.

Therefore, to avoid publications being censored by the same group of people, we suggest changing the present censorship model to a censorship performed by a judge and seven censors.

## **2. Revising the Definition of “Pornography”**

In Hong Kong, the definition of pornography is ambiguous. Hence, we suggest that pornography be re-defined as description of a person participating or seemingly participating in obviously sexual behaviour, manner or situations, or description of sensitive topics of sex such as human sex organs or the area of the anus, or female breasts, etc.

## **3. Increasing Penalties and Setting up a Points Deduction Scheme**

### **3.1 Increasing Penalties**

We suggest that the Government increase penalties and strengthen the enforcement of the law, enhance public sensitivity, and announce censoring standards, so as to regain public confidence in the present regulation system. Meanwhile, with regard to newspapers and magazines which repeatedly breach the law, we suggest that the Government revise the regulations, and add to them progressive penalties so as to punish those repetitive offenders. In order to make magazines more prudent, we suggest that a minimum amount of penalty be set up.

### **3.2 Setting up a Points Deduction Scheme**

Firstly, the Government set base points.

The Government should regularly announce the points of media organizations; and the points of their products are to be listed at their selling places. The Government set up a points deduction scheme. Different points mean the sealing of a different number of issues for sale, marked by different colours of their containing plastic bags. A Government warning should be added on the bags.

For example, suppose the base points are 16, then:

9-6, contained in a transparent plastic bag, to be sealed for two issues.

5-4, contained in a red plastic bag, to be sealed for five issues.

3-1, contained in a black plastic bag, to be sealed for five issues.

0, ordered by Government to cease publishing.

- For illustration only

#### **4 Review and amend the “Control of Obscene and Indecent Articles Ordinance”**

##### **4.1 The Government should review and amend the “Control of Obscene and Indecent Articles Ordinance”**

They should make comprehensive analyses of public opinion, and find ways with focused efforts on how to exercise effective control over “irresponsible media behaviour”.

##### **4.2 Legislation on establishing a statutory body**

It is important to legislate on a statutory body composed of representatives from various organizations that are concerned about the media. Such a body will take up the responsibility of supervising the work of “irresponsible media organizations”.

## **5 Enhance the power of the Hong Kong Press Council**

It is our opinion that the existing Hong Kong Press Council be subsumed as a statutory body and be given appropriate power. We also hope that all media organizations in Hong Kong will accede to the HKPC and consent to be supervised so that the HKPC will gain enhanced influence and recognition.

## **Conclusion**

From the above examples, it can be easily seen how serious and long lasting influence of harmful information from the media is on the physical and mental development of children in Hong Kong. Therefore, we hope that this motion can help to improve on the problem of such negative influence from the media so that the children in Hong Kong will grow under a healthy environment and become good builders of our future society.

The fourteen Child Councillors of us hope that, for the future of children, people from all walks of life pay attention to this issue. We urge the Government to face the problem, formulate policies accordingly and take our suggestions into consideration and make improvements. Of course, the problem cannot be solved overnight, and it is not the

responsibility of the Government alone to solve it. We therefore call for joint efforts from the public, children and the Government, and hope that the public and children will share the responsibilities and co-operate with the Government in solving the problem.

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Commission on Youth

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Speech of the representative of the Hong Kong Press Council at the LEGCO Information

Technology and Broadcasting Panel session

## **Acknowledgements**

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All respondents in our survey