

**Public Opinion Programme (POP)
The University of Hong Kong**

**The Television and Entertainment
Licensing Authority (TELA)**

Jointly conduct

***Public Opinion Survey for the Review of Control
of Obscene and Indecent Articles Ordinance***

Survey Questionnaire (Final draft)

13 January 2009

Part I Introduction

Good evening, sir/madam, this is Mr/Ms X, an interviewer from the Public Opinion Programme of the University of Hong Kong. We are now conducting a survey jointly with the Television and Entertainment Licensing Authority (TELA) and would like to ask for your opinion on the Control of Obscene and Indecent Articles Ordinance (COIAO) which would only take you a couple of minutes. Please rest assured that your phone number is randomly selected by our computer and your information provided will be kept strictly confidential. Please note that two questions in this survey questionnaire will contain sex and violence related description, please tell me if you feel uneasy or embarrassed, you don't have to answer such questions. To ensure the accuracy of the data collected, the following interview will be recorded, but only for internal reference and the recording will be destroyed in a short period of time. Is it okay?

Yes

No (Terminate interview)

Part 2 Selection of respondents

[S1] Is there any Hong Kong citizen in your household of age 15 or above? Since we need to conduct random sampling, if there is more than one available, I would like to speak to the one who will have his / her birthday next. [If there is no target respondents in the household, terminate the interview, thank respondent's cooperation.]

Yes – 15-17 years old, obtain parental/guardian consent

Yes – 18 years old or above (Skip [S2], start the interview)

No (Terminate the interview, thank the respondent's cooperation, bye-bye)

Refuse to answer (Terminate the interview, thank the respondent's cooperation, bye-bye)

[S2] Then may I speak to your parent or guardian?

[Ask parent/guardian] Would you let your son/daughter to participate in this opinion survey for the review of the COIAO, as part of the public consultation underway? Please rest assured that your phone number is randomly selected by our computer and your information provided will be analyzed collectively and the findings will be released to the public in future. Is it okay?

Yes —▶ Start the interview

No (Terminate the interview)

Part 3 Main questions

[Interviewer to read out: The government is currently reviewing the operation of the Control of Obscene and Indecent Articles Ordinance (COIAO), and a public consultation on the review is underway. The following questions are related to this review. “Articles” under the COIAO refer to general articles, such as newspapers, magazine etc., but not including works of art nor articles with scientific and academic value.]

[Q1] As far as you know, those articles classified as “obscene” can be published or sold to which of the following groups of persons to view? [Interviewer read out options 1-3]

Can be published or sold to persons of age 18 or above only

Are prohibited from publication to all ages

Can be published or sold to all ages

Don't know/hard to say

Refuse to answer

[Q2] As far as you know, those articles classified as “indecent” can be published or sold to which of the following groups of persons to view? [Interviewer read out options 1-3]

Can be published or sold to persons of age 18 or above only

Cannot be published or sold to any person

Can be published or sold to all ages

Don't know/hard to say

Refuse to answer

[Q3] As far as you know, which of the following is/are subject to regulation by the COIAO: films for public exhibition, television and radio broadcast? [Interviewer read out options 1-3, multiple answers allowed]

Films for public exhibition

Television broadcast

Radio broadcast

None of the above

Don't know/hard to say

Refuse to answer

[Q4] Do you think there is a need to regulate all published articles by law in Hong Kong?

Yes

No

Don't know/hard to say

Refuse to answer

[Interviewer to read out: the following two questions involved some sex- and violence-related descriptions, which may make you feel uneasy or embarrassed, please tell me if you do not want to answer such questions and you do not have to answer them.]

[Q5] Which of the following photographs or pictures related to sex do you think is/are not suitable for persons below 18 years old to view? [Interviewer read out options 1-4, order to be randomized by the computer, multiple answers allowed]

With female revealing her breast(s)

With male(s) and female(s) revealing their genitals

With description of sexual intercourse, revealing the contact of male and female genitals

With description of other types of sex, such as bestiality, necrophilia, etc.

All of the above are suitable for persons below 18 years old to view

Don't know/hard to say/no comments

Refuse to answer

[Q6] Which of the following photographs or pictures related to violence do you think is/are not suitable for persons below 18 years old to view? [Interviewer read out options 1-4, order to be randomized by the computer, multiple answers allowed]

Photographs/pictures displaying many bruises on a human body

Photographs/pictures with large space in displaying blood coming out from human body

Photographs/pictures displaying a human's head separated from body

Photographs/pictures displaying a human's internal organs being exposed

All of the above are suitable for persons below 18 years old to view

Don't know/hard to say/no comments

Refuse to answer

[Q7] Which of the above mentioned photographs or pictures do you think should be prohibited from publication to all ages? [If needed, interviewer can read out options 1-4 in the above two questions, multiple answers allowed]

With female revealing her breast(s)

With male(s) and female(s) revealing their genitals

With description of sexual intercourse, revealing the contact of male and female genitals

With description of other types of sex, such as bestiality, necrophilia, etc.

Photographs/pictures displaying many bruises on a human body

Photographs/pictures with large space in displaying blood coming out from human body

Photographs/pictures displaying a human's head separated from body

Photographs/pictures displaying a human's internal organs being exposed

All of the above should not be prohibited from publication to all ages

Others (Please specify:_____)

Don't know/hard to say/no comments

Refuse to answer

[Q8] Have you ever heard of the Obscene Articles Tribunal (OAT)?

Yes

No (skip to Q10)

Don't know/hard to say

Refuse to answer

[Q9] (Only ask respondents who had heard of OAT) How good or bad do you think the OAT has done its work? [Interviewer to probe intensity of opinion]

Very good

Quite good

Half-half/average

Quite poor

Very poor

Don't know/hard to say

Refuse to answer

[Interviewer to read out: Under the existing adjudication system, OAT is a judicial body, which comprises a presiding magistrate and two members of the public appointed by the Chief Justice to serve as adjudicators. Currently there is a pool of 300 adjudicators serving the OAT.]

[Q10] Now, I am now going to read out a number of improvement proposals related to the adjudication system. Please tell me, how much do you support or object to these proposals? [Interviewer to probe intensity of opinion]

(i) Expanding the existing panel of adjudicators from 300 to 500 individuals

Very much support

Somewhat support

Half-half/neutral/a little support and a little object

Somewhat object

Very much object

Don't know/hard to say

Refuse to answer

[Q11] (ii) Drawing adjudicators from the list of jurors (a pool of 570,000 jurors) instead of the list of adjudicators (a pool of 300 adjudicators) for each tribunal hearing

Very much support

Somewhat support

Half-half/neutral/a little support and a little object

Somewhat object

Very much object

Don't know/hard to say

Refuse to answer

[Q12] (iii) Prescribing in the legislation that each tribunal hearing should consist of adjudicators from specified sectors, e.g. education, social welfare, etc.

Very much support

Somewhat support

Half-half/neutral/a little support and a little object

Somewhat object

Very much object

Don't know/hard to say

Refuse to answer

[Q13] (iv) Increasing the number of adjudicators in each hearing, i.e. from 2 to 4 persons for interim hearings and from 4 to 6 persons for full hearings

Very much support
Somewhat support
Half-half/neutral/a little support and a little object
Somewhat object
Very much object
Don't know/hard to say
Refuse to answer

[Q14] (v) Establishing an independent classification board for making interim classifications on articles, while the existing OAT will remain as a judicial body to consider appeals against the classification decisions of the board

Very much support
Somewhat support
Half-half/neutral/a little support and a little object
Somewhat object
Very much object
Don't know/hard to say
Refuse to answer

[Q15] (vi) Abolishing the OAT and having the articles classified by a magistrate

Very much support
Somewhat support
Half-half/neutral/a little support and a little object
Somewhat object
Very much object
Don't know/hard to say
Refuse to answer

[Interviewer to read out: Under the existing arrangement, TELA will refer cases of obscene Internet content to the Police, while for indecent articles on the Internet, TELA will ask the webmaster to add the required statutory warning, or to remove or block access to the indecent articles. Websites using oversea servers are not subject to the laws of Hong Kong.]

[Q16] Do you wish the government regulation of the obscene and indecent articles on the Internet to be stricter or more lenient than it is now? [Interviewer to probe intensity of opinion]

Much stricter than now

Somewhat stricter than now

The current regulation is appropriate (skip to Q18)

Somewhat more lenient than now (skip to Q18)

Much more lenient than now (skip to Q18)

Don't know/hard to say

Refuse to answer

[Q17] (Only ask respondents who opted for "stricter than now") Then how do you think the regulation could be enhanced? [Do not read out answers, multiple answers allowed, interviewer to probe by asking "anything else?"]

Improving the existing regulation system

Raising the penalty

Promoting the usage of computer filtering service

Verifying the age of Internet users

Others (Please specify: _____)

Don't know/hard to say

Refuse to answer

[Q18] How many hours on average do you spend on using the Internet a week? Please consider all forms of usage (e.g. e-mailing, browsing websites)

_____ hours per week

Do not use Internet (skip to Q21)

Don't know/hard to say

Refuse to answer

[Q19] (Only ask Internet users) How much are you concerned about the online publication of articles deemed unsuitable for persons below 18 years old to view by the law?
[Interviewer to probe intensity of opinion]

Very much concerned

Somewhat concerned

Half-half

Not quite concerned

Not concerned at all

Don't know/hard to say

Refuse to answer

[Q20] (Only ask Internet users) Do you have the habit of using computer filtering software, e.g. CyberPatrol, Family Safety (OneCare), etc.? [If the respondent says "no", interview to ask "Why not?". Do not read out answers, multiple answers allowed]

Yes

No, as no knowledge of these software

No, as too expensive

No, as the results not ideal

No, as the software affect the computer performance

No, as lack of technical skills to operate

No, as to avoid the fuss

No, as there is no such need

No, with other reasons (Please specify: _____)

Don't know/hard to say

Refuse to answer

[Q21] Do you think the current classification standard used by the OAT, i.e. articles that are neither obscene nor indecent and suitable for all persons as Class I; articles that are indecent and unsuitable for persons of age below 18 as Class II; articles that are obscene and unsuitable for persons of all ages as Class III, is appropriate or not? [Interviewer to probe intensity of opinion]

Very appropriate

Somewhat appropriate

Half-half

Somewhat inappropriate/not quite appropriate

Very inappropriate/not appropriate at all

Don't know/hard to say

Refuse to answer

[Q22] TELA has practical need to focus its resources to handle certain articles first. Please use a scale of 1 – 5 to indicate how you think the articles should be prioritized, 1 means first priority. [Interviewer to read out items 1-5, order to be randomized by computer]

Local newspapers

Local magazines

Comic books

DVDs/VCDs

Electronic game products, including computer games

Don't know/hard to say/no comments

Refuse to answer

[Q23] Overall speaking, do you wish that the penalties for breaching the COIAO should be more severe or more lenient than now?

Much more severe than now

Somewhat more severe than now

The current penalties are appropriate

Somewhat more lenient than now

Much more lenient than now

Don't know/hard to say

Refuse to answer

[Q24] Through what channels would you like that government to publicize and educate the public about the COIAO in future? [Do not read out answers, multiple answers allowed]

Television advertisements/programmes

Radio advertisements/programmes

Posters/pamphlets

Community activities

School talks

Newspapers/magazines

Internet

Others (Please specify: _____)

Don't know/hard to say/no comments

Refuse to answer

Part 4 Demographics

We would like to ask you some personal information for further analyses. Please rest assured that your information provided will be kept strictly confidential.

[DM1] Gender

Male

Female

[DM2a] Age
_____ (Exact age)

Refuse to answer

[DM2b] [For those who do not want to tell their exact age] Age interval (Interviewer can read out the intervals)

15-20

21-30

31-40

41-50

51-60

61 years old or above

Refuse to answer

[DM3] Education Attainment

Primary or below

Secondary

Matriculated

Tertiary, non-degree course

Tertiary, degree course or above

Refuse to answer

[DM4] Occupation

Managers and executives

Professionals

Associate professionals

Clerks

Service workers and shop sales workers

Skilled agricultural and fishery workers

Craft and related workers

Plant and machine operators and assemblers

Non-skilled workers

Students

Housewives

Cannot be classified

Others (including unemployed, retired and other non-working respondents)

Others (Please specify: _____)

Refuse to answer

Thank you for your time. If you have any questions regarding this interview, you can call XXXX-XXXX to talk to our supervisor Ms XX, or the Human Research Ethics Committee for Non-Clinical Faculties of the University of Hong Kong at XXXX-XXX during office hours to verify this interview's authenticity and confirm my identity. Good-bye!