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立法會選舉票站調查最新發展

立法會換屆選舉經已展開，選舉管理委員會亦已修改《立法會選舉活動指引》，在今年六月二十二日頒佈。由於選管會低調頒佈最新指引，而政府的新聞公報又只以「立法會選舉七月十八日起接受提名」為題，因此指引內關於票站調查的部份未受關注。

筆者一向關注票站調查在香港的發展，尤其是票站調查的操守問題，因此希望藉著本文向讀者簡述票站調查爭議的由來和最新發展。

票站調查的爭議

2004年立法會選舉過後，筆者撰文指出，當年在立法會選舉時進行票站調查的機構，除了香港大學民意研究計劃外，還包括幾個有明顯背景的機構，合共派出接近二千人在超過三百個票站進行調查。而在選舉過後，亦有參選政黨公開承認曾經進行票站調查，並在投票結束前透過有關調查得悉選舉形勢。

筆者當時寫道：「筆者從不反對政黨或其他機構進行票站調查。相反，能夠把政策平台和選舉工程建立在科學數據之上，是社會的進步。筆者反對的，是調查機構以不誠實的手法套取選民的意見，秘秘密密地用作選舉工程……選舉委員會與傳媒機構多年來的共識，是投票結束前不會預測結果……如果個別參選人仕能夠透過某些渠道，取得這些寶貴的資訊……選管會定下來禁止發放票站預測的指引，是不是變得毫無意義？」

筆者當時承諾：「為了絕對保持中立，筆者從來不會在投票結束前，把結果通傳給參選

人士」，這個承諾至今沒有改變。

2004年之後，筆者出席過立法會會議、發表過《香港家書》、以及向歷任選舉管理委員會多次陳述意見。可惜，票站調查的爭議只是愈演愈烈，四年前更加出現參選人士杯葛甚至破壞票站調查的行為，是民主配套制度的倒退。追究原因，都是因為既得利益凌駕於專業發展之上。獲益者當然不願改變，但監察者亦保駕護航，以至受害者投訴無門，實行以暴易暴，爭議於是愈演愈烈。

多年來，筆者不斷強調，票站調查以至一般民意調查的規管，應該根據三項原則制訂：

（1）政府愈少監管愈好；（2）資訊流通愈暢順愈好；（3）專業守則愈早制訂愈好。按照這些原則，筆者曾經多次向歷任選舉管理委員會提出建議，修改選舉指引，但都不得要領。

在去年《區議會選舉活動指引》和今年《立法會選舉活動指引》的諮詢期間，筆者都以書面向選管會提出以下疑問：若果個別機構基於社會公義和資訊自由的考慮，在投票期間向所有候選人私底下免費提供票站調查資料，是否違規？筆者其實並非鼓勵有關活動，而是希望透過以上虛構例子要求選管會明確指出，倘若票站調查機構沒有在投票結束前透過傳媒公布票站調查結果，但就容許候選人私底下使用票站調查資料制定當日的選舉工程，是否屬於違規？

選管會去年沒有回答，今年則在七月十七日正式以書函回覆筆者，相關內容如下：

「你於五月八日致本會的來函中提出若『他朝有日，如果某某機構基於社會公義和資訊自由的考慮，明確聲明會進行票站調查，並且會在投票期間全程向所有候選人私底下免費提供票站調查資料，選管會是否視作違規處理？』

本會十分重視並致力確保所有公共選舉在公開、公平和誠實的情況下進行。本會會密切監察投票當日的選舉情況。指引第15.4段說明『在投票時間內公布的任何票站調查結果或意



向預測，尤其是關於個別候選人／候選人名單，均可能影響選民的投票意向及選舉結果。因此，選管會提醒傳媒及有關機構，在投票結束前，不可公布票站調查結果或就個別候選人／候選人名單的表現發表具體評論或預測。」指引亦訂明進行票站調查人士或機構需要簽署承諾書，同意遵守承諾書上的守則，包括投票保密及不會在選舉結束前以任何形式公布票站調查結果。

本會認為由於上文第二段所述的情況涉及眾多的候選人，在投票結束前向他們提供票站調查結果會極有機會引致上述資料公開，其效果等同公布票站調查結果，有可能直接或間接地影響選民的投票意向及選舉結果。嚴格來說，如果候選人利用有關資料作選舉之用，進行票站調查的開支亦可能成為選舉開支，須符合所有相關的選舉法例。

根據指引第15.7段，如有機構／人士沒有遵守承諾書的條款或選舉活動指引的規定，選管會可撤銷其進行票站調查的批准，亦可發表公開聲明，作出嚴厲譴責或譴責，並公布其名稱。本會呼籲所有獲准進行票站調查的機構的人士必須嚴格遵守指引的規定。」

筆者感謝選管會的答覆，強調（一）免費向所有候選人提供票站調查資料，有可能引致資料公開而構成公布結果；（二）如果候選人使用票站調查資料作選舉之用，即使免費（筆者理解），亦會把票站調查經費列作選舉經費。

選管會的指引與灰色地帶

選管會的答案，無疑澄清了一些盲點，但就仍然留有灰色地帶。例如，倘若調查機構只向部份候選人免費提供票站調查資料，又或秘密地提供資料，而不構成公開發放，情況又會如何？根據筆者的解讀，有關候選人應該申報有關行為，兼且把票站調查機構的有關開支列作選舉經費。選管會若果能夠清楚說明這點，或許可以澄清更多疑問。

筆者注意到，相對於去年《區議會選舉活動指引》和去屆《立法會選舉活動指引》，今年

的《立法會選舉活動指引》有以下改動：

以前關於「進行票站調查」部份：「任何人士或機構均可進行票站調查。基於保安理由，專用投票站不可進行票站調查…」

今屆相同部份的諮詢條文：「任何人士或機構均可就任何地方選區／功能界別進行票站調查。然而，為免公眾誤會有不公平，已公開表明支持任何候選人的人士或機構，或者已有成員在有關地方選區／功能界別參選的機構的票站調查申請通常不會獲批准。基於保安理由，專用投票站不可進行票站調查…」

今屆相同部份的最後條文：「任何人士或機構均可就任何地方選區／功能界別進行票站調查。然而，為免公眾誤會有不公平，已公開表明支持任何在有關地方選區／功能界別參選的候選人的人士或機構，或者已有成員在有關地方選區／功能界別參選的機構的票站調查申請通常不會獲批准。基於保安理由，專用投票站不可進行票站調查…」

選管會加入上述條文，似乎是要防止候選人或其關係戶在自己參選的地區或組別進行票站調查，至於候選人能否在自己參選的地區或組別以外進行票站調查，最後版本似乎又有灰色地帶。

無論如何，對於選管會的努力，筆者表示欣賞。對於選管會應否禁止關係機構進行票站調查，筆者沒有意見。筆者只是不斷強調，所有進行票站調查的機構都應該遵從國際指引，在調查時明確說明調查的目的和用途。由於票站調查和選舉工程之間的關係已經成為討論焦點，筆者於是在去年和今年的諮詢期間，建議選管會在選舉活動指引之中，引入下列文字：「票站調查人員須要告知接受調查的選民，調查所得資料會否用作選舉工程」。筆者認為，這是在愈少政府監管愈好的情況下，最能尊重調查業界專業發展的方法。

以今年為例，筆者曾經建議選管會修改《立法會選舉活動建議指引》第15.3段，及「票站調查承諾書」中的相關條文：

現時條文：投票是保密的……進行票站調查的人員必須尊重選民不願受到打擾的權利和意欲，又應在進行票站調查前，告知接受調查的選民參與票站調查，純屬自願。

建議修改：投票是保密的……進行票站調查的人員必須尊重選民不願受到打擾的權利和意欲，又應在進行票站調查前，明確告知接受調查的選民，票站調查所得資料會否用作選舉工程，及告知接受調查的選民參與票站調查，純屬自願。〔間線文字為筆者建議新增部份〕

雖然選管會沒有接受有關建議，亦在新版的指引中留有頗多灰色地帶，但觀乎選管會發出的書函和選舉指引的修訂版本，似乎顯示選管會正在注視有關問題。

提升票站調查公信力

香港大學民意研究計劃的團隊，經過詳細考慮之後，決定在今年的立法會選舉中繼續進行票站調查，但就會調整方法，提升票站調查的公信力。初步構思如下：

（一）強調與選舉工程無關：雖然選管會沒有接受筆者的建議，但所有民研計劃派出的訪員，都會在所有訪問開始之前，明確告知所有接受調查的選民，所得資料會不會用作選舉工程。

（二）加強獨立操作：民研計劃派出的訪員，除了穿著鮮明的制服之外，亦會與其他調查機構的訪員保持距離，防止資料泄漏。這個做法，無疑增加了操作難度，以至樣本減少，但為了爭取市民信任，代價似乎無可避免。

（三）對贊助機構提高要求：四年前開始，民研計劃已經要求票站調查的贊助機構，正式簽署承諾書，確保不會在投票結束前泄露票站調查資料。今年也不例外，民研計劃會進一步要求贊助機構說明甚麼時間需要取得統計資料作甚麼用途，以決定交收資料的時間和模式。

（四）容許市民更多選擇：為了釋除所有市民的疑慮，民研計劃會向受訪市民提供更多選擇，例如在票站範圍以外進行訪問，或在選



舉過後才處理數據等等措施，建立市民的信心。

（五）保守處理統計資料：鑒於上述多項措施都會增加調查的操作成本，無可避免地降低調查的樣本數目，而杯葛調查以至提供虛假資料的被訪者可能繼續存在。因此，民研計劃在投票剛剛結束時的選舉預測，可能須要更加謹慎和保守，希望市民見諒。民研計劃會思考如何在投票結束後，陸續增加有關預測的準確程度。

長遠而言，票站調查能否在香港健康發展，仍要視乎各界人士，包括學者專家、政界人士、政府官員、以至曾經進行票站調查的團體和機構，能否以廣闊的國際視野和胸襟，審視票站調查在本地的發展，成為華人地社會的未來典範。

兩個月前，世界民意研究學會破天荒在香港舉行年會，是學會六十五年來第一次在歐美以外舉行年會。期間，來自美國民意研究學會的學者專家主持了一個專題討論，包括票站調查的目的意義和歷史發展，亦論及票站調查面對的挑戰和機遇。有關討論已經節錄於本刊，值得讀者細閱。

筆者希望，今年選舉過後，各界人士能夠總結香港的經驗，同心協力解決以往面對的問題，為未來的發展提供國際級數的出路。

鍾庭耀

香港大學民意研究計劃總監

Exit Polling in the 21st Century:

On 15 June 2012, during the 65th Annual Conference of WAPOR (World Association of Public Opinion Research) held in Hong Kong, a special panel was hosted by WAPOR's sister organization AAPOR (American Association of Public Opinion Research) on "Exit Polling in the 21st Century: A Perspective from the USA". Four presentations were made, three of them are summarized in this article, the fourth will be published next time.

"Why Accurate Exit Polls are Important to Democracies"

■ Michael W. Traugott, University of Michigan, USA

This presentation discusses exit polls from a normative perspective. Election is a way to legitimate the transfer of power and control to the government. By casting their votes on one candidate or party, voters also transmit their views to the leaders. Therefore, exit polls not only describe or explain the patterns of voting, but also people's expectation for the newly elected government, thereby affecting its policies.

In the United States, all exit polls are conducted by the media, who consider elections attractive because 1) they involve conflict and visible figures, 2) they occur on a schedule, and 3) they have a clear resolution on election day. Because of these, news organizations can allocate their resources efficiently to cover elections.

The American system is characterized by the competition between televisions and newspapers, but the nature of competition has changed over time. They compete primarily for segmented audiences, for revenues generated by advertisement, and also for peer recognition for outstanding election coverage. Over the last decade, economic pressures are growing in the news business.

In USA, there are series of simultaneous local elections, but not national ones. Each election is governed by a local jurisdiction, be it a state, a county or a city, and there are local rules and regulations governing voter eligibility and voting procedures. A debate is currently taking place in USA on how voting can be simplified. The Democratic Party wants to simplify the rules but the Republican Party opposes. The Americans do not elect their president by summation of all the votes cast across the nation, they use a system of Electoral College whereby electors appointed by each state formally elect the President and Vice President. The closing time of polls differs across time zones, and one concern about exit

polls is their relatively early declaration of a winner before all votes are casted.

The timeline of American exit polling is as follows:

1967: Start of exit polling in selected states, each run by a network

1990: Establishment of the Voter Research Service (VRS)

1994: Establishment of the Voter News Service (VNS)

2003: Establishment of the National Election Pool (NEP)

2008: Demise of the Los Angeles Times exit poll

The primary function of exit polls in America is to project the outcomes in individual states, and then to explain the patterns of voter support demographically and attitudinally. They are not used to validate the vote as in some other places. The news organization will archive the data and make it publicly available after some time, thereby becoming an important source of continual analysis.

Research shows that the Americans are generally interested in polls both as a form of communication and entertainment, but are poorly informed about their methods. They care about exit polls and projections from the perspective of freedom and privacy. Because the US Constitution guarantees the freedom of the press, exit polls cannot be regulated. Instead, the news organizations adopt a gentleman agreement, and do not release any exit poll result until election closes at a particular state.

[+ + + + + + + + + +]

"Exit Polling 101: An Overview to Current Methodological Approaches"

■ Paul J. Lavrakas, AAPOR, USA (presented in absentia by Trevor Thompson)

This presentation summarizes how exit polls are planned and conducted in recent elections in USA. Pre-election telephone polling starts about 10 days before the elections. Both landline and mobile RDD (random digit dialing) frames are used, and some researchers are exploring the use of registration-based frames. The data would be used in some computer modeling.

Prior to the election information is gathered from all sources, including pre-election polling results, past election outcomes within relevant geo-political areas, and expert knowledge. These information is used to set the "priors", that means priming the election day computer models.

A Perspective from the USA

Probability sampling is used to select precincts and voters. This involves multistage sampling of voting precincts within each geo-political area being surveyed, and a random systematic sample of voters within each sampled precinct, say, selecting every fifth voters coming out of an exit. There are two types of data collection, one from initially designated sample that cooperates (the successful interviews), and one about initially designated sample that refuses to cooperate (the interviewer records on the refusal sheet the approximate age and gender of the target).

Interviewers are carefully selected and trained prior to the election day. The draft questionnaire is usually long, but will be shortened after pilot testing. Data confidentiality is ensured, and the whole process is to capture enough data to predict the election outcomes, and to understand the “mandate” of the election.

Another information that goes into the formula of prediction along with the exit poll data is the returning of “real” votes at the precinct level. Researchers actually hire many thousand people to get the vote results across the entire geo-political area being measured.

Reliable and secure systems are used to process the data. Analyses are conducted throughout the day, and stringent measures are used to guard against unauthorized early dissemination of the incoming data.

Early forecasting are based on data from priors, early voter surveys, and data from exit polls. Extremely conservative decision rules are used for calling an election outcome before any real vote is in. Estimates of within-precinct bias compared to real votes are constantly made. For races too close to call when voting ends, real vote counts are continually updated, so is the outcome prediction.

[+ + + + + + + + +]

“The Future of Exit Polling”

■ Trevor N. Thompson, NORC at the University of Chicago, USA

Increasing emphasis is placed on making voting more convenient. New technologies will permit different modes of voting, including early voting, voting by mail, convenient voting centers (where people can go anywhere outside their home town to cast their votes), and the question is “Will Internet voting be far away?”

As society gets more diverse and complex, exit polls become more complicated in terms of translation and language. Race and ethnicity of interviewers is another concern in the area of cultural sensitivities.

Regulatory challenge is always an issue, especially after 2000 when a wrong call of winner was made. Governments are becoming more active in regulating surveys of all kinds, including exit polls. People are more concerned about privacy, so there will be more restrictions on access to the polling places, more privacy regulations and publication bans. Public distrust is getting worse year after year. Response rates for opinion surveys are declining.

New technologies for exit polling include hand-held devices and internet surveys. The same applies to actual voting, and paper ballots is giving way to voting machines, touch screens, and so on. Researchers are already adopting internet panels at a lower cost, rather than using telephone survey. Registration-based sampling will be the next thing that USA will spend a lot of money in exploring. The registration list at precinct and state levels are available to the public, so research institutes can use such sampling frame to develop the techniques. Address-based sampling is another innovation that one can use to improve the accuracy of the survey. Mobile devices and social media are also used for election day surveys now.

There used to be only the news media doing the polls on election day, now more exit polls are being run by academic institutes at state level, and interest and political groups are doing their own election day data collection. Rumor has it some are doing it for commercial ventures. It is problematic if we have only one source of election day data, but too many sources for too many different purposes and quality levels also creates confusing results.

Financial crisis is facing traditional media sponsors of exit polls. With new methodologies and technologies at a lower cost, the gulf between traditional and new methodologies has increased, and trusted techniques may have to be abandoned.

Exit polls will not go away in the United States, but they will change and new models of sponsorship will evolve. There will be more competition from other models, especially “exit polls” built on internet panels, and new methods that emerge will be a hybrid of old and new approaches.