

**Complaints dealt with by the Communications Authority (“CA”) (released on 17 November 2022)**

The CA has considered the following complaint case –

[Television Programme “Barrack O’Karma 1968” \(金宵大廈 2\) broadcast by Television Broadcasts Limited \(“TVB”\)](#)

The CA also reviewed the decisions of the Director-General of Communications (“DG Com”) on four complaint cases.

Having considered the recommendations of the Broadcast Complaints Committee, the CA decided that –

1. the complaints against the television programme “Barrack O’Karma 1968” (金宵大廈 2) were **unsubstantiated** and no further action should be taken against TVB; and
2. the decisions of the DG Com on the complaint cases should be upheld. Details of the cases are set out in the [Appendix](#).

17 November 2022

**Case – Television Programme “Barrack O’Karma 1968” (金宵大廈 2) broadcast from 9:30pm to 10:30pm on 12 and 13 April 2022 on Jade Channel of Television Broadcasts Limited (TVB)**

33 members of the public complained about the captioned programme. The substance of the complaints was that the portrayal of a foreign domestic helper by an actor through makeup and affected accent amounted to racial discrimination; and that the negative portrayals of foreign domestic helpers aggravated the prevalent stereotyping of and discrimination against them.

**The Communications Authority (CA)’s Findings**

In line with the established practice, the CA considered the complaint case and the representations of TVB in detail. The CA took into account the relevant aspects of the case, including the following –

*Details of the Case*

- (a) the two episodes of the mystery and supernatural drama under complaint, entitled “姐姐” (“Sister”), depicted a local couple who treated their domestic helper (the Protagonist) like their daughter, so as to “transform” her into their daughter who died in a traffic accident some time ago. The Protagonist was played by a local actor. The actor at first used dark makeup and delivered the dialogues with an accent to play a Filipino foreign domestic helper. In the later part of the episodes, under the couple’s “transformation”, the appearance of the Protagonist became more similar to the deceased daughter and her Cantonese became more fluent, gradually morphing into the deceased daughter; and
- (b) in the drama, the Protagonist was treated unkindly by some local people, including the friends of the female employer who said half-jokingly that foreign domestic helpers might practise voodoo. There were also scenes showing the Protagonist acting strangely.

*Relevant Provisions in the Generic Code of Practice on Television Programme Standards (TV Programme Code)*

- (a) paragraph 1 of Chapter 3 – licensees should ensure that their programmes are handled in a responsible manner and should avoid needlessly offending audiences by what they broadcast; and
- (b) paragraph 2(b) of Chapter 3 – a licensee should not include in its programmes any material which is likely to encourage hatred against or fear of, and / or considered to be denigrating or insulting to any person(s) or group(s) on the basis of, among others, ethnicity, nationality, race or social status.

## **The CA's Consideration**

The CA, having regard to the relevant facts of the case, considered that –

### ***Makeup and Accent***

- (a) the focus of the case was on whether the portrayal of foreign domestic helpers in the two episodes resulted in denigration or encouragement of hatred against foreign domestic helpers on the basis of ethnicity, nationality, race or social status;
- (b) in the latter part of the episodes, the Protagonist was portrayed as gradually morphing into the deceased daughter of the local couple. The deceased daughter was played by the same actor who played the Protagonist. The CA considered that the makeup and accent of the Protagonist were justified for plot development and the purpose of characterisation;
- (c) as regards the allegation that TVB could have cast a Filipino to play the Protagonist, the CA considered that it was a matter of editorial discretion of the licensee, which was outside the scope of the TV Programme Code;

### ***Portrayal of Foreign Domestic Helpers***

- (d) the drama centred on supernatural theme. The portrayals of the Protagonist, including her strange behaviours, were justified for the nature of the drama and development of the plot. There was no depiction of the Protagonist practising voodoo or causing harm to the couple;
- (e) the CA also noted TVB's submissions that the portrayals of unkind treatments of the Protagonist reflected the impolite behaviours of some local people. Such behaviours were not endorsed nor encouraged in the drama, and were condemned by other characters in the drama. For example, the remarks of minor characters describing foreign domestic helpers as voodoo practitioners were expressly rebutted by the female employer; and
- (f) based on the analysis above, the drama did not have any intention to discriminate against foreign domestic helpers. The makeup and accent of the Protagonist and portrayals of foreign domestic helpers in the drama were justified for plot development and characterisation purposes, and would unlikely be considered offensive or denigrating or insulting to any group on the basis of ethnicity, nationality, race or social status. Hence, there was insufficient evidence to establish a breach of paragraphs 1 and 2(b) of Chapter 3 of the TV Programme Code.

## **Decision**

In view of the above, the CA considered that the complaints were **unsubstantiated** and decided that no further action should be taken against TVB.

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## Appendix

### Review of the Director-General of Communications' Decisions on Complaint Cases by the Communications Authority

<b>Title</b>	<b>Broadcast Channel</b>	<b>Broadcast Date</b>	<b>Substance of Complaint</b>	<b>Decision Upheld</b>
Radio Programme "On a Clear Day" (在晴朗的一天出發)	CR 1	8.1.2021	Glorification of Violence & Impartiality	Unsubstantiated
TV Programme "News Report" (新聞報道)	TVB News	26.1.2021	Inaccuracy	Unsubstantiated
TV Programme "1900 News" (新聞最前線)	Fantastic TV Hong Kong Open TV	27.1.2021	Inaccuracy	Unsubstantiated
TV Programme "News Report" (新聞報道)	TVB News	15.2.2022	Inaccuracy	Unsubstantiated