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Panel on Home Affairs

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 13 December 2013**

Promoting artistic creation and autonomy of arts groups

Purpose

This paper provides background information and summarizes relevant discussions of the Panel on Home Affairs ("the Panel") relating to artistic creation and autonomy of local performing arts groups.

Background

Cultural policy

2. According to information available on the homepage of the Home Affairs Bureau ("HAB"), the Government has set a vision for its cultural scene, i.e. to make Hong Kong an international cultural metropolis with a distinct identity grounded in Chinese traditions and enriched by different cultures, where life is celebrated through cultural pursuit; and creativity is a constant driver of progress in the community. The Government's policy objectives are -

- (a) to provide opportunities for the community's wide participation in culture and the arts;
- (b) to provide opportunities for those with potentials to develop their artistic talents;
- (c) to create an environment conducive to the diversified and balanced development of culture and the arts;
- (d) to support the preservation and promotion of Hong Kong's traditional cultures while encouraging artistic creation and

innovation; and

- (e) to develop Hong Kong into a prominent hub of cultural exchanges.

3. According to the Administration, the following principles have been observed to support the above objectives -

- (a) People-oriented - to encourage citizens to fulfill their needs for cultural pursuit and to realize their potential in the arts;
- (b) Diversity - to foster the vibrancy and diversity of Hong Kong's cultures;
- (c) Freedom of expression - to maintain artistic freedom and enhance the protection of intellectual property;
- (d) Holistic approach - to involve all sectors of the society in order to create an environment conducive to the vibrant development of culture and the arts. All government departments should work together to promote cultural development; and
- (e) Partnership - to establish partnership among the Government, the business community and the cultural sector.

Funding mechanism for major performing arts groups

4. According to the information provided by the Administration to the Panel in May 2009, the Government provides funding to local performing arts groups through HAB, the Leisure and Cultural Services Department ("LCSD") and the Hong Kong Arts Development Council ("HKADC") to enable local performing arts groups' development and, at the same time, the public's access to quality performing arts programmes of these arts groups at affordable prices for the purpose of enriching the cultural life of the community at large.

5. At present, HAB provides regular funding to the "Big nine" major performing arts groups, namely, Hong Kong Philharmonic Orchestra, Hong Kong Chinese Orchestra, Hong Kong Repertory Theatre, Hong Kong Dance Company, Hong Kong Sinfonietta, The Hong Kong Ballet, City Contemporary Dance Company, Chung Ying Theatre Company and Zuni Icosahedron; while LCSD and HKADC provide presentation, sponsorship, ticketing, publicity and direct funding support to other small and medium-sized arts groups. These combined efforts seek to enable arts groups at different stages of development to grow in a stable environment to achieve excellence in their respective arts

forms.

Artistic autonomy

6. According to the Administration, HAB enters into a Funding and Services Agreement ("FSA") with each of the "Big nine" major performing arts groups and monitors their performance in the context of FSA. In line with its policy to support freedom of artistic expression and creation, the Government is committed to safeguarding the autonomy of local art groups. It will not interfere with either the executive decisions or the artistic directions of the arts groups. While the Government does not have a preconceived view on what the artistic directions of arts groups should be, it counts on the governing boards of the groups to, on the artistic front, lead the groups to artistic excellence in their respective art forms, and on the management front, ensure proper management of the groups through the setting of proper internal procedures and guidelines and due diligence in compliance with these procedures and guidelines.

7. Within this framework of autonomy, the Government expects the governing boards of major subvented performing arts groups to continue to adhere to principles of transparency and accountability in the management of the groups which is a legitimate expectation on organizations supported to a considerable extent with public money. It also expects these major performing arts groups to dedicate more efforts to arts education and audience building in the community and in schools in line with public expectation on the arts groups.

Relevant discussions of the Panel

8. The Panel had not specifically discussed artistic creation and autonomy of local performing arts groups in recent years. However, related issues were raised when the Panel discussed the subjects of cultural policy, the governance of/funding mechanism for major performing arts groups and the strengthening of software and humanware for culture and the arts. The relevant discussions are summarized below.

Respect for the freedom of expression and artistic autonomy

9. At the meeting on 4 July 2012, the Administration briefed the Panel on the key findings and recommendations of the Research Study on the Funding Mechanism for Performing Arts Groups in Hong Kong ("the Study"). Members noted that on the design of the future funding system, the Study pointed out that there was a desire for funding to be more clearly linked to the vision and mission of the arts organizations, with specific outputs and outcomes

agreed for each organization in line with the Government's policy. Concern was raised as to whether the performing arts groups had to refrain from criticizing the Government in order to secure public funding support, which, in their view, ran contrary to the call of the community for upholding the freedom of expression in culture and arts.

10. The Administration clarified that the Government's policy objective was to create an environment which was conducive to the freedom of artistic expression and creation and the wider participation in cultural activities by the public. The Government only played the role of a facilitator, and would not influence with the specific operation of artistic creation or contents of creativity. It was committed to upholding the freedom of cultural and artistic creation and expression, as well as providing an environment that supported the development of cultural creativity.

11. At the Panel meeting on 7 April 2006, query was raised as to how the Administration could really uphold the freedom of cultural and artistic creation and expression given the growing pressure exerted on various sectors, including the media, the political sector, the cultural and the arts sectors, against their freedom of expression. Concern was also raised about the problem of self-censorship in the media in Hong Kong.

12. The Administration responded that Hong Kong was renowned in Asia for its high degree of freedom of cultural and artistic creation. The Government had been providing funding support to arts groups including those which had frequently criticized Government policies or made a mockery of the Government and senior officials. As far as artistic creation was concerned, the Administration did not see any artists in Hong Kong and reason why they exercised self-censorship in their cultural and artistic creation.

Promoting artistic creation

13. At the Panel meeting on 4 July 2012, information was sought on measures taken by the Administration to facilitate the sustainable development of the nine major performing arts groups as well as the small and medium-sized performing arts groups in the long term.

14. The Administration advised that HKADC had been providing subsidies to hundreds of arts groups or arts practitioners for their creative pursuits. The arts portion of the Arts and Sport Development Fund also provided new funding opportunities to enhance the capacity development for promising arts groups and practitioners. These apart, LCSD had been providing support and performing opportunities for small and medium-sized performing arts groups through

various channels such as organizing year-round cultural presentations and district arts and cultural activities, with a view to facilitating their artistic creation and outreach activities. At the same time, LCSD had launched a Venue Partnership Scheme at its performance venues, which fostered a partnership between venues and arts groups with the objectives of building up the artistic image and characters of the venues and its partners, as well as enlarging the audience base.

Latest development

15. At the Panel meeting on 8 November 2013, some members expressed grave concern about recent media reports relating to The Hong Kong Ballet's new production "*The Dream of the Red Chamber*". In their views, freedom of artistic creation and artistic autonomy should be respected, otherwise local art development would be adversely affected. In the light of members' concerns, the Panel will discuss the item "Promoting artistic creation and autonomy of arts groups" at the meeting on 13 December 2013. The nine major performing arts groups receiving subvention from the Government have been invited to give written views on this subject.

Relevant papers

16. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

**Relevant papers on
Promoting artistic creation and autonomy of arts groups**

Committee	Date of meeting	Paper
Panel on Home Affairs	7.4.2006 (Item IV)	Agenda Minutes
Panel on Home Affairs	14.12.2007 (Item IV)	Agenda Minutes
Panel on Home Affairs	8.5.2009 (Item IV)	Agenda
Panel on Home Affairs	14.5.2010 (Item V)	Agenda Minutes
Panel on Home Affairs	4.7.2012 (Item III)	Agenda Minutes
Panel on Home Affairs	18.1.2013 (Item IV)	Agenda