

LCQ19: Applications to Hong Kong Arts Development Council for grants

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Home Affairs, Mr Caspar Tsui, in the Legislative Council today (June 9):

Question:

It has been reported that an arts group received in the past three years grants from the Hong Kong Arts Development Council (HKADC) totalling \$2.78 million, some of which was used in the production of a film "Inside the Red Brick Wall". There are comments querying that as the said film advocates hatred, violence and anti-government sentiments, HKADC should not have sponsored the film's production with public money. In this connection, will the Government inform this Council:

(1) whether it knows the number of films sponsored by HKADC in each of the past five years, and set out in a table the amount of grant received by each film;

(2) whether it knows the criteria adopted by HKADC for vetting and approving grant applications and deciding the amount of the grant; and

(3) of the new measures in place to spur HKADC to vet and approve grant applications more stringently, so as to prevent the situation of public money being used to sponsor arts groups in producing artistic work that advocates hatred and violence, or violates the National Security Law for Hong Kong?

Reply:

President,

Having consulted the Hong Kong Arts Development Council (HKADC), my reply to the various parts of the Member's question is set out as follows.

The HKADC operates funding schemes of different nature to support local arts groups and arts practitioners to pursue and implement creative endeavours to nurture artistic excellence.

There are two main types of grants, i.e. Year Grant and Project Grant. The former is provided on organisation basis and provides greater room for creativity (including project format, content, etc.) during the grant period. The latter is provided on project basis which requires the submission of project details at the time of application. In 2020-21, the HKADC funded 60 arts groups (including five film and media arts groups) under Year Grant (including the Literary Arts Platform Scheme) and 267 projects (including nine film projects) under Project Grant, involving a funding allocation totalling \$102,666,400.

(1) Details of arts groups and artists who received grants from the HKADC under the Project Grant to implement film projects, and details of film and media arts groups who received Year Grant from the HKADC in the past five years are set out in Annexes 1 and 2 respectively. The HKADC has not kept information on the breakdown of expenditure on individual film projects by Year Grant recipients.

(2) Since 1999, the HKADC has put in place an approval mechanism to process grant applications by "peer assessment". Through open recruitment and selection, it has appointed arts professionals and veterans as examiners to assist in assessing applications for various grants and effectiveness of funded programmes and make funding recommendations for endorsement of the HKADC. The "peer assessment" mechanism and the funding mechanism aim to achieve the following objectives:

- (a) minimising the chance of conflict of interests;
- (b) enhancing professionalism of "peer assessment"; and
- (c) by having the examiners' funding recommendations endorsed by the committee/council, ensuring that HKADC members exercise their monitoring power and shoulder the final gate-keeping responsibility.

According to its established procedures, the HKADC regularly recruits and selects, through voluntary nominations and open invitations in newspapers, arts practitioners and professionals from various arts sectors to serve as examiners for various assessment exercises. Currently, the HKADC has 103 arts consultants and 602 examiners. The HKADC reviews the implementation of the examiners' system from time to time to ensure the quality of examiners and to refine the mechanism. The HKADC will review the performance of examiners on a regular basis, for example, by taking into account their past attendance records and records of assessments as one of the references in considering service extension.

The HKADC has set up approval mechanisms to process applications of Year Grant and Project Grant respectively to ensure that assessments are conducted professionally and impartially and that the approvals are given stringently. The assessment panels are composed of examiners and HKADC members of the relevant art form groups with a system of declaration of interests put in place. The HKADC will also invite external experts to assist in the adjudication if necessary. In order to ensure professionalism and credibility of assessment, examiners are selected for appointment to assessment panels based on their professional backgrounds and qualifications and are decided by drawing lots.

(3) Ying E Chi Limited (Ying E Chi) was one of the arts groups receiving Year Grant in 2020-21. The grant amount was \$892,400, which was about 0.9 per cent of the total grants approved under HKADC's Year Grant and Project Grant during the year. The HKADC did not fund the production of "Inside the Red Brick Wall" by Ying E Chi. It was one of the films arranged for screening in the Hong Kong Independent Film Festival organised by Ying E Chi. The HKADC has required all arts groups receiving grants, including Year Grant and

Project Grant, to undertake that they will fulfil the terms of the contract entered into with the HKADC, including compliance with the laws of Hong Kong during the grant period. The HKADC also issues letters from time to time to remind all arts groups receiving Year Grant to comply with the laws of Hong Kong and other contract terms. The last occasion when the HKADC issued such a letter was in January 2021. If arts groups receiving grants breach contract terms in any respect as confirmed by law, including advocating the independence of Hong Kong and overthrowing the Government under the current laws of Hong Kong, the HKADC may exercise its rights to postpone, adjust or suspend grant disbursement for the funded arts groups for the grant year.

In addition, the HKADC will examine the funding contracts to be entered into with grantees to ensure that their content complies with the requirements of the latest legislations. The HKADC will also organise talks to provide grantees with information relating to the requirements of the National Security Law and other new legislations so as to enhance their understanding of the relevant laws.