

# 香港劇場年鑑 2016

舞蹈 · 戲曲 · 戲劇

HONG  
KONG  
THEATRE  
YEARBOOK  
2016  
Dance  
Xiqu  
Drama



香港劇場年鑑2016（舞蹈、戲曲、戲劇）

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# 活化工廈前 請先改革藝發局

楊雪盈

香港藝術發展局（藝發局）為本港推廣、支持、策劃藝術發展的法定機構。自一九九五年局方制訂《香港藝術發展局條例》引入民主成分起，合資格選民可推選範疇代表躋身委員行列。推選活動三年一度，至今已經歷八次更替，是鮮有包含民主參與成分的政府諮詢架構。二〇一六年民選委員在十七名委員中，共佔十席，來自根據《香港藝術發展局條例》定義的十個藝術界別<sup>1</sup>所舉行「推選活動」，卻非「選舉」。因為根據上述條例，所有藝發局大會的委員，都由行政長官委任。所謂選舉其實是通過界內「推選」找出代表，再向民政事務局（民政局）建議委任。所以「民選」某程度上可說是「未如人意」，倘若政府認為此民選代表足夠令其付出相應政治代價，以當今時勢也不是沒可能不予委任。所以「藝發局選舉」縱使有「民主」的面貌，政府對藝發局仍有絕對的操控權，這點不得不察。

然而推選活動始終是藝文界與政府對話的直接而唯一的官方平台，「成立藝發局」及「有民選成分」，是回歸前藝文界的「成功爭取」。可是二十年早已過去，推選活動仍

然未如人意。審計署於二〇〇九年曾發表報告<sup>2</sup>，指藝發局對推選活動宣傳不足，眾多藝術工作者都對推選活動程序並不了解，甚至錯失登記為選民的時機，失去參與機會。時任民政局局長曾德成，曾在報告中承諾會預留大筆經費，擴闊宣傳渠道。然而，多年過去，當年對藝文業界的鏗鏘承諾，現已化成一紙空文。民政局及藝發局在過去推動推選活動程序改革的心力，仍在原地踏步。

## 宣傳方式受限 候選人與選民 這麼近那麼遠

多年來藝發局選舉均受到「宣傳不足」的抨擊。二〇一六年，現任民政局局長劉江華在立法會文件指出<sup>3</sup>，宣傳藝發局推選活動的渠道包括簡介會、新聞稿、電台廣播、信件、電郵，以及在主要的文化藝術場地張貼海報和宣傳單張等。然而，一般大眾對推選活動的認知仍然不足，有合資格選民更從未聽說過相關活動，使多屆氣氛依舊冷淡。根據政府統計處在二〇一三年的報告（附表一），業界的總人數早已多達二十萬人，粗略對比二〇一六年最新數字，已登記選民只有5,864人，不足業界人數的3%<sup>4</sup>，只屬冰山一角。

1. 十個藝術界別包括：藝術行政、藝術評論、藝術教育、戲曲、舞蹈、戲劇、電影藝術、文學藝術、音樂和視覺藝術。

2. 審計署。《審計署署長第五十二號報告書》，第五章，〈香港藝術發展局〉，2009年3月27日。[http://www.aud.gov.hk/pdf\\_sc/c52ch05.pdf](http://www.aud.gov.hk/pdf_sc/c52ch05.pdf)

3. 〈立法會十六題：藝發局藝術範疇代表提名推選活動〉，《新聞公報》，2016年4月27日。<http://www.info.gov.hk/gia/general/201604/27/P201604270346.htm>

4. 政府統計處於二〇一三年報告中界定業界人士包括以下十一個界別的從業人員，包括：藝術品、古董及工藝品；文化教育及圖書館、檔案保存和博物館服務；表演藝術；電影及錄像和音樂；電視及電台；出版；軟件、電腦遊戲及互動媒體；設計；建築；廣告及娛樂服務；這與藝發局的十個藝術範疇定義有所不同。

參閱：政府統計處。〈香港的文化及創意產業在2011年的情況〉，《香港統計月刊（2013年5月）》，2013年5月15日。

<https://www.statistics.gov.hk/pub/B71305FB2013XXXXB0100.pdf>



候選人組成「跨界連結」的宣傳照。

照片提供：「HKadc2016\_connection」Facebook專頁



2016年香港藝術發展局藝術範疇代表提名推選活動  
照片提供：「HKadc2016\_connection」Facebook專頁

即使候選人主動出擊郵寄宣傳品，但是是否能夠接觸到所有選民亦屬未知之數。由於在登記選民的程序中存有漏洞，以致候選人的選民資料光碟內資料不整全。候選人如想取得更詳細的選民名冊，就只能到公關公司查閱及手抄其所屬範疇的選民資料。換言之，即使候選人扭盡六壬，也是無法取得完整十個範疇的選民名單。藝發局推選活動的目的本應是增加藝文界的民主成分參與，推動業界關心社會與藝術的發展，然而在安排上卻本末倒置，盡是一道又一道的牆，拒人千里，令人惋惜。

遺憾的是，類似的情況在過去的選舉上屢見不鮮。於二〇一六年，公關公司向候選人提供的選民聯絡資料光碟，就只載有2,196名選民的聯絡資料，僅佔總選民人數的37%<sup>5</sup>。部分選民更在不知情下被歸類為「不願接收候選人資料」，如同「隱形選民」。民政局稱，有登記選民因沒表明同意向候選人披露其個人資料，故只可根據《個人資料（私隱）條例》，拒絕將他們的個人資料向候選人提供。局方強調會檢討各項程序及安排，但藝發局推選活動並不受選舉管理委員會的條例所監管，全由民政局外判的公關公司籌辦，選民根本無從向私營的公關公司跟進、查證推選活動的爭議，甚至監察整個推選活動。民政局既然知情，何不主動要求公關公司發信選民詢問意向？反而私下為選

民的知情權作決定？當時立法會議員陳淑莊去信詢問民政局標書內容，可是部門完全無視，答非所問。

### 政府外判選舉成常態 公關公司安排紊亂

藝發局為具備撥款審批權的政府法定機構，民政局多年來，卻將推選活動外判予公關公司代理，引起選民登記混亂、選舉宣傳不足、欠缺選舉指引等積弊。自二〇〇四年起，由馮煒光所創辦的靈思公共關係亞洲有限公司連續四屆中標。其中於二〇一三年一屆的推選活動中，靈思公共關係亞洲有限公司更犯上嚴重的失誤，需即時致歉及臨場商討解決方案<sup>6</sup>。爭議雖「過關」，但賠上的卻是藝發局整個推選活動的公信力。儘管去年民政局將推選活動易手至英思宇（香港）有限公司籌辦，但程序安排上依然紊亂，多年之積弊仍未改善之餘，亦無助推動業界更積極參與其中。有傳媒曾查詢外判選舉的詳情<sup>7</sup>，民政局只回覆指「每三年舉辦一次的提名活動由開展至結束，每次為期半年以上，涉及大量工作，包括活動宣傳、處理選民登記及參選申請、安排候選人論壇、執行投票活動等。這些工作難以由本局現有人手吸納。」局方亦沒有公開招標的程序與考慮準則，相關委聘決定根本無從稽考。政府以人手為由就輕易將選舉外判，即使發生爭議亦難以追究。

事件所反映的不只是公關公司欠缺籌辦選舉活動的經驗，更令人深思民政局處理選舉活動的思維。藝發局在業界亦有一定代表性，但選舉規格遠不如由選舉管理委員會籌組的立法會選舉、區議會選舉及鄉郊代表選舉般嚴謹合理，更沒有選舉應有的公平公正。現時藝發局推選活動卻並沒有相關法律條文規管約束，選舉經費上限、候選人選舉開支申報、候選人支持者同意書、禁止賄選之規定，均沒有限制，致使選舉並不公平。另一方面，選民和市民亦無權向公關公司查考各候選人的選舉經費，損害選舉公正。作為一個每年批出逾六千萬撥款的機構而言<sup>8</sup>，在安排、監管，以及推動宣傳推選活動等方面竟如此粗疏，著實令人費解。

此外，政府需將推選活動交還選管會主理而非外判給公關公司。政府旗下有專門負責選舉的「選舉管理委員會」，緣何要將藝發局的選舉工作外判予公關公司？過往兩屆，公

關公司就推選活動安排屢次出現問題後，理應為此事負責的民政局卻未向公眾致歉及檢討不足。議員去信詢問，但局方的回應卻十分敷衍，只是引用條例，未有就提出的問題作出解釋。政府以「人手不足」將選舉工程外判予毫無選舉經驗的公關公司，安排混亂難以讓業界人士信服。民政局實應認真考慮收回外判的選舉權，讓選管會負責藝發局推選活動，以釋除大眾對藝發局選舉公信力的疑慮。<sup>9</sup>

## 選民資格改革之路

藝文界對於藝發局的選民爭論從不間斷。藝發局過去曾就推選活動作出改革，二〇一〇年進入藝發局的民選委員蔡芷筠，成功在二〇一三年推動修訂個人選民的資格，擴大選民基礎。當中包括本地大學或專上學院指定藝術範疇的畢業生，以及本地學校教授有關藝術行政、藝術評論、戲曲、舞蹈、戲劇、

5. 〈藝發局選舉候選人無法接觸六成選民 楊雪盈批民政局「沒撥亂反正之意」〉，《明報》，2016年11月23日，港聞。  
[https://news.mingpao.com/ins/instantnews/web\\_tc/article/20161123/s00001/1479904545520](https://news.mingpao.com/ins/instantnews/web_tc/article/20161123/s00001/1479904545520)

6. 2013年一屆中，公關公司因錯誤釘裝選票，以致某些選票夾有多於一張同一界別的選票。開票當晚，有出席的21名候選人竟要漏夜與公關公司及民政署職員即時開閉門會議，擬定解決方案。〈公關懶理錯票 淪第三世界選舉〉，《蘋果日報》，2013年10月9日，港聞。  
<https://hk.news.appledaily.com/local/daily/article/20131009/18455828>

7. 黃俊邦。〈藝發局選舉公關公司代勞 候選人竟無法接觸選民〉，《香港獨立媒體》，2013年9月25日。  
<http://www.inmediakh.net/adcp>

8. 香港藝術發展局。《年報2014-2015》，資源中心，2015年11月。  
[http://www.hkadc.org.hk/wp-content/uploads/ResourceCentre\\_AD\\_CPublications/AnnualReport/2014-15/AnnualReport\\_2014-15\\_full.pdf](http://www.hkadc.org.hk/wp-content/uploads/ResourceCentre_AD_CPublications/AnnualReport/2014-15/AnnualReport_2014-15_full.pdf)

9. 楊恩娜（楊雪盈）。〈選舉制度——藝發局的致命病源〉，《香港獨立媒體》，2013年10月7日。  
<http://www.inmediakh.net/node/1018326>

電影藝術、文學藝術、音樂或視覺藝術等科目的全職及兼職導師。雖然二〇一〇年未有數字，但以個人身分登記的選民數字在二〇一三年及二〇一六年都有增幅，可見成效之彰。

團體選民方面，二〇一三年曾有團體因在未獲授權下，為多於七百名成員登記為選民而被傳媒廣泛報導。當時，候選人只能把選舉單張送往團體，至於宣傳單張是否能真正交到選民手上、選民是否自願不收取選舉資料也未可知。如此漏洞，在二〇一六年一屆大有改進。藝發局曾於二〇一五年八月提出《藝術範疇代表提名推選活動建議》，並曾於二〇一六年一月於立法會討論，「合資格藝術團體為其合資格成員或僱員登記為選民時，須附上有申請人親自簽署的選民登記表格及其提供的個人通信地址」。局方要求所有團體選民重新登記之餘，並收緊藝術團體選民登記要求，選民登記表格須由成員自行填報簽署，篩走了「幽靈選民」。二〇一六年，總登記選民人數大幅下降至5,864人。

雖改革緩慢，但業界對藝發局的關注有增無減，單以投票率而言，就由二〇一〇年的27%上升至二〇一六年的42%，有六成升幅。而參選的人數亦大大提高，由於有競爭，迫使每個界別的候選人都需各自向選民解釋政綱。

藝發局的推選活動只是整個藝術文化政策的一小部分，但卻也是整體藝文界參與政府政策的一個縮影。藝發局的推選代表自入局後處處受限制，雖晉身委員之列，但卻沒有實權推動即時而全面的藝術發展策略。甚至每人每屆只有一個願望可去達成，為藝發局的政策小修小補。民選代表當選後亦沒有自己的辦事處及充足支援，很多時只能單靠局方有限度的行政資源處理極多的會議及資料文件，令推動藝術發展的願景事倍功半。在沒有酬金的制度下，以私人時間應付海量的文件，對委員或有興趣參與的人士而言，亦是一個相當大的成本。

以往藝發局委員由於自動當選，無須面向公眾，政綱不用寫，論壇不必去，也可安然坐穩委員之位。時至今日，民選代表雖已更著重與不同範疇選民的溝通，但藝發局在根本上排斥與民間關注團體合作，難有對話空間。此外，有更多「撥款以外」的文化政策，需要藝發局為藝文界挺身而出。二〇一六年視覺藝術範疇「藝術家年獎」得主程展緯所言，藝發局的角色應為「監察政府和帶動市民關顧所有政策中應包含的文化面向，及就本地藝術事務向政府發聲」。藝發局在工廈及「西九」等與藝文生態息息相關的大事上沉默以對，令人惋惜。誠盼民政局、藝發局及其委員能加緊步伐，走出被動及保守的陰霾，誠意溝通，落實改革。

藝發局自一九九四年成立以來，已強調「民間參與」的原則。二十多年來，有心人比比皆是，何以藝發局改革仍然緩慢，甚至大倒退為「撥款機構」呢？藝發局改革事在必行，藝發局應與專責的民政局商討改良推選活動，將推選活動交由選舉事務處管理，有法可依。在架構上，局方亦應考慮逐步把普選擴展至所有大會委員，及其他委員會。委員亦需主動與民間團體討論，加強對不同文化藝術議題的溝通，保持觸覺，堅守「民間參與」的初衷。距離下屆二〇一九年藝發局推選活動不足兩年，選民及業界人士不要輕言放棄此唯一對話平台，反應積極參與，引發討論，一起關注本地文化藝術發展的路向。

附表一：藝術發展局藝術範疇代表提名推選活動

選舉年份	2010		2012		2013		受影響團體選票	2016	
選票性質	團體 <sup>10</sup>	個人	團體	個人	團體	個人		團體	個人
藝發局登記選民人數					7,523	980	3,913 (-52%)	3,610	2,254
選民總人數	7,701				8,512			5,864	
投票人數	1,909				2,884			2,456	
投票率	27%				33.9%			41.8%	
業界總人數 <sup>11</sup>	189,430 <sup>12</sup>			200,370 <sup>13</sup>	207,490 <sup>14</sup>				

附表二：立法會體育、演藝、文化及出版界功能界別選舉（編按：本文並未提及有關選舉，資料為延伸參考）

選舉年份	2010		2012		2013		受影響團體選票	2016	
選票性質	團體 <sup>15</sup>	個人	團體	個人	團體	個人		團體	個人
立法會登記選民			2,586 <sup>16</sup>		17 (0.6%)		17 (0.6%)	2,525	395
投票人數			1,807					2,247	
投票率			75.45%					81.06%	
業界總人數 <sup>17</sup>	189,430 <sup>18</sup>		200,370 <sup>19</sup>		207,490 <sup>20</sup>				

- 10. 業界人士可以透過已登記藝團的登記取得投票權，藝團本身並沒有投票權。
- 11. 業界人士指以下十一個界別的從業人員，包括：藝術品、古董及工藝品；文化教育及圖書館、檔案保存和博物館服務；表演藝術；電影及錄像和音樂；電視及電台；出版；軟件、電腦遊戲及互動媒體；設計；建築；廣告及娛樂服務。
- 12. 政府統計處。〈香港經濟的四個主要行業及其他選定行業〉，《香港統計月刊（2016年3月）》，2016年3月15日。  
<https://www.statistics.gov.hk/pub/B71603FB2016XXXXB0100.pdf>
- 13. 政府統計處。〈香港的文化及創意產業〉，《香港統計月刊（2017年6月）》，2017年6月15日。<https://www.statistics.gov.hk/pub/B71706FA2017XXXXB0100.pdf>
- 14. 同上。
- 15. 立法會體育、演藝、文化及出版界功能界別選舉個人選民及藝術團體均只會擁有一張選票。
- 16. 二〇一二年立法會體育、演藝、文化及出版界功能界別選舉選民總人數。
- 17. 同註 11。
- 18. 同註 12。
- 19. 同註 13。
- 20. 同註 14。

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# Reform the HKADC before Revitalising Industrial Buildings

Clarisse Yeung

The Hong Kong Arts Development Council (HKADC) is a statutory body established for the promotion, support and strategic planning of the development of the arts in Hong Kong. It is one of the few governmental consulting bodies in Hong Kong with democratic participation; the component was first introduced in 1995 through the promulgation of Hong Kong Arts Development Council Ordinance by which eligible voters can nominate representatives from their specialty into the Council once every three years. Eight sessions of rotation have taken place up until the present. Democratically elected council members made up 10 out of the 17 seats in total in 2016. And yet, the "nomination exercise" held by the 10 specified art interests<sup>1</sup> according to the Hong Kong Arts Development Council Ordinance is not an "election", since every HKADC council member shall be appointed by the Chief Executive according to the above ordinance, effectively reducing the so-called election to having the field "nominate" a representative to be recommended to the Home Affairs Bureau (HAB) for appointment. This calls into question the "democratic component". It is not unimaginable, given the current political climate, that the government may refuse appointment in consideration of the political calculus that a certain democratically elected representative

may incur. Despite the democratic façade that the HKADC election puts up, we must not forget the government still has complete control over the HKADC in practice.

However, the nomination exercise remains the only direct official channel through which stakeholders of the arts communicate with the government, and "the establishment of HKADC" which contains "a democratic component" is a successful pre-handover achievement. Two decades later, the nomination exercise still falls short of our expectations. As stated in a report issued by the Audit Commission in 2009<sup>2</sup> insufficient publicity for the nomination exercise by the HKADC caused a lack of understanding of the nomination procedures among many arts practitioners, some of whom had even missed the deadline for voter registration which cost them the entitlement to participate. Tsang Tak-sing, the then Secretary for Home Affairs, promised in the report that a large sum would be budgeted for enhancing publicity efforts, a grandiose promise which, after all these years, has proved to be empty. Reform efforts from the HAB and the HKADC on the nomination procedures have led to very little tangible results.

### **Restricted promotion keeping candidates away from voters**

Criticisms of insufficient publicity for the HKADC election have abounded throughout the years. As pointed out by the Secretary for Home Affairs Lau Kong-wah in a Legislative Council document in 2016<sup>3</sup>, publicity channels for the HKADC election include briefing, press release, radio broadcast, mail, e-mail, and posters and leaflets posted at major arts and cultural venues. However, the general public remains ignorant of the nomination exercise. Some eligible voters have never even heard of it. Multiple sessions of the election took place to low turnouts. According to a report published by the Census and Statistics Department in 2013 (Table 1), the total population of the arts industry had exceeded 200,000. In 2016, only less than 3% of that number

was registered<sup>4</sup>, representing 5,864 voters. The under-representation is alarming.

Reaching the entire electorate is a challenge for candidates mailing out publicity materials. This is caused by the loopholes in the voter registration procedures, which has led to incomplete voters' information being stored in the disc distributed to the candidates, who in turn can only access the more detailed register of voters from the public relations agency and copy the information of voters of their own specialty by hand. In short, there is no way for candidates to obtain a complete list of voters from all 10 specialised fields. The nomination exercise of HKADC, which is supposed to enhance democratic participation by the stakeholders of the arts industry and promote social concern and arts development, is regrettably a screen which

- - 1. The 10 specified art form groups include: Arts Administration, Arts Criticism, Arts Education, Chinese Opera (Xiqu), Dance, Drama, Film & Media Arts, Literary Arts, Music and Visual Arts.
  - 2. Audit Commission. *Director of Audit's Report No. 52*, Chapter 5, "Hong Kong Arts Development Council", 27 March 2009. [https://www.aud.gov.hk/pdf\\_e/e52ch05.pdf](https://www.aud.gov.hk/pdf_e/e52ch05.pdf)
  - 3. "LCQ16: Hong Kong Arts Development Council nomination exercise", Press Releases, 27 April 2016. <http://www.info.gov.hk/gia/general/201604/27/P201604270347.htm>
  - 4. Industry practitioners are defined in the Report of Census and Statistics Department 2013 as practitioners working in the following 11 fields: art, antiques and crafts; cultural education and library, archive and museum services; performing arts; film, video and music; television and radio; publishing; software, computer games and interactive media; design; architecture; advertising; and amusement services. These categories differ from the ten art interests specified by the HKADC. See Census and Statistics Department. "The Cultural and Creative Industries in Hong Kong, 2011", *Hong Kong Monthly Digests of Statistics (May 2013)*, 15 March 2013. <https://www.statistics.gov.hk/pub/B71305FB2013XXXXB0100.pdf>

sets obstacles after obstacles to put people off in practice.

Unfortunately, such incidents were by no means isolated cases. The disc handed out by the public relations agency in 2016 contained the contact information of only 2,196 voters, which comprised 37% of the entire electorate<sup>5</sup>. Some of the voters had involuntarily been listed as “unwilling to receive materials from candidates” and were invisible from the system. The HAB claimed this is due to registered voters not stating that they agreed to release their personal information to candidates, obliging the Bureau to refuse access to such information by the candidates in accordance with the Personal Data (Privacy) Ordinance. The HAB has made emphatic claims that it would review existing procedures and practices. However, since the nomination exercise of HKADC is not regulated by any ordinance of the Electoral Affairs Commission and is entirely outsourced by the HAB to an external public relations agency, voters have no means to demand the privately run agency to follow up on or investigate any controversies arising from the nomination exercise, let alone

regulate it. As the HAB is aware of the problem, it begs the question of why the Bureau has not requested the public relations agency to enquire about voters’ intention by mail, but made such a decision about the voters’ right to know on their behalf. Tanya Chan, then a Legislative Councillor, wrote to the HAB for information on the content of the tender documents, but no due answers were given in the reply.

### **Normalised outsourcing of election to incompetent public relations agencies**

While the HKADC is a statutory body which has the power of funding approval, the HAB has however been outsourcing the administration of the nomination exercise to external public relations agencies, which has contributed to disorderly voter registration, insufficient publicity and lack of election guidelines, among other chronic issues. PR Concepts Asia Ltd, a public relations agency founded by Andrew Fung Wai-kwong, won the tender for a streak of four sessions starting in 2004. In the nomination exercise held in 2013, a serious error made by PR Concepts ended with

5. “HKADC election candidates unable to reach 60% of voters Clarisse Yeung pans the HAB for having ‘no intention of rectifying the chaos’”, *Mingpao*, 23 November 2016, local news. [https://news.mingpao.com/ins/instantnews/web\\_tc/article/20161123/s00001/1479904545520](https://news.mingpao.com/ins/instantnews/web_tc/article/20161123/s00001/1479904545520)



Promotion image from "HKadc2016\_connection" formed by candidates.

Photo courtesy: Facebook page "HKadc2016\_connection"



2016 Hong Kong Arts Development Council Nomination Exercise

Photo courtesy: Facebook page "HKadc2016\_connection"

the company issuing immediate apologies and negotiating remedial actions on the spot.<sup>6</sup> While the blunder was resolved, it caused considerable damage to the credibility of the HKADC nomination exercise. Procedural arrangements remained chaotic after the HAB changed the agency in charge to Instinctif Partners (Hong Kong) Limited, achieving little in promoting active participation by the industry or in resolving any of the chronic issues. Media enquiries of the details of the outsourced election<sup>7</sup> were only met with a reply from the HAB stating that "as the nomination process lasts for half a year and takes place once every three years, it is difficult for the HAB with its current manpower to absorb the immense workload arising from publicity, administering voter registration and candidacy application, organising election forums, and administering election". There is no publicly known tendering procedure nor criteria for successful tender, and it is questionable what the basis of appointment really is. Recklessly shifting the responsibility to external parties means difficulty in holding anyone accountable following mismanagement.

What such events revealed is not only the incompetence of the public relations agencies concerned, but also the mentality by which the HAB handles elections. Given the authority of

the HKADC in the industry, it is worrying that the standards by which its election is conducted trail far behind those of the Legislative Council, District Council or Rural Representative Election in rigour and rationalisation, to say nothing of equity and justice. With no laws or regulations governing the HKADC nomination exercise, no restrictions whatsoever on maximum campaign budget, reporting campaign expenses, agreement statement of candidate supporters or anti-bribery terms, no power for voters or citizens to inspect the campaign expenses of each candidate, the equity of the election is compromised. It is incomprehensible that an organisation approving over HK\$60 million in funding annually<sup>8</sup> can be so amateurish in arranging, overseeing and promoting its very own nomination exercise.

Furthermore, it indicates the necessity of having the nomination exercise managed by the Electoral Affairs Commission instead of outsourcing it to public relations agencies. There is no sensible reason to outsource the HKADC election while the government has the Electoral Affairs Commission as the designated administrative body for elections. Following a string of problems caused by the public relations agencies in the past two sessions, the HAB, which should have been held accountable, issued no public apology and conducted no review,

and was perfunctory in its reply to the inquiry from Legislative Council. Only existing laws were cited in the reply, and no explanation was given. Citing lack of sufficient manpower as the reason for outsourcing the management of the nomination exercise to entirely inexperienced external public relations agencies to such appalling results, the government and especially the HAB should seriously consider taking back the outsourced election and putting the Electoral Affairs Commission in charge of the HKADC nomination exercise, in order to clear up public doubts about the credibility of the HKADC election.<sup>9</sup>

### Paths to voter eligibility reform

Voter eligibility has never failed to stir up controversies. Past reform efforts by the HKADC on the nomination exercise included the amendment

- 6. In the 2013 session, the public relations agency in charge made errors in stapling the ballot papers, which led to some of them containing more than one ballot paper for the same art interest. The 21 candidates present on the evening of ballot box opening discussed remedial measures with the public relations agency and the HAB in a closed-door meeting overnight. "PR agency unbothered by ballot errors Election on par with third world countries", *Apple Daily*, 9 October 2013, local news. <https://hk.news.appledaily.com/local/daily/article/20131009/18455828>
- 7. Wong Chun-pong. "HKADC election outsourced to PR agencies Candidates unable to reach voters", *Hong Kong In-Media*, 25 September 2013. <http://www.inmediakh.net/adcpr>
- 8. Hong Kong Arts Development Council. *Annual Report 2014-2015*, Resources Centre, November 2015. [http://www.hkadc.org.hk/wp-content/uploads/ResourceCentre\\_ADCPublications/AnnualReport/2014-15/AnnualReport\\_2014-15\\_full.pdf](http://www.hkadc.org.hk/wp-content/uploads/ResourceCentre_ADCPublications/AnnualReport/2014-15/AnnualReport_2014-15_full.pdf)
- 9. Clarisse Yeung. "The election system — the fatal cause of HKADC's pathology", *Hong Kong In-Media*, 7 October 2013. <http://www.inmediakh.net/node/1018326>

proposed by Ger Choi, a democratically elected council member in 2010, which was passed in 2013 to modify the criteria for qualifying as individual voters to extend the electoral base to include graduates of specific art-related subjects from local universities or tertiary institutions as well as full-time and part-time instructors giving courses in Arts Administration, Arts Criticism, Arts Education, Chinese Opera (Xiqu), Dance, Drama, Film & Media Arts, Literary Arts, Music or Visual Arts in local schools. No figures were available from 2010, but the efficacy of the amendment can be gauged from the increase in registered individual voters in 2013 and 2016.

As for organisational voters, an organisation was found in 2013 to have registered more than 700 members on their behalf without authorisation, an incident widely covered in the media. At the time,

candidates could only deliver publicity materials to the registered address of an organisation without knowing whether they would reach the voters eventually, or whether the voters had opted out from receiving electoral materials. But these loopholes were significantly remedied in the 2016 session. In August 2015, the HKADC proposed some suggestions for the Nomination of Representatives of Arts Interests, which were tabled for discussion at Legislative Council in January 2016, suggesting that “[the voter registration form] shall be completed and signed by members/employees of eligible arts organisations applying for voter registration together with their personal correspondence address”. The authorities also required all organisational voters to re-register and set up stricter requirements for voter registration for organisations, under which members of the organisations are now required to personally fill in and sign their voter registration forms to eliminate “shadow voters”. In 2016, the total voter population decreased significantly to 5,864.

Despite sluggish reform, industry attention to the HKADC has never been keener. Voter turnout increased from 27% in 2010 to 42% in 2016, an increase by close to 60%. The number of candidates also increased greatly, and candidates from all specified arts interests were obliged to explain their platform to voters due to competition.

The HKADC nomination exercise represents only a small portion of the city's arts and cultural policy, but it also encapsulates the participation of the arts industry in public policy. Nominated representatives who are elected into the HKADC remain bound by restrictions which limit their actual power to launch immediate and complete development strategies for the arts, reducing their efforts to piecemeal improvements and remedies for the general policies of the HKADC. Very often each council member can only achieve one promised agenda. Since there is no dedicated office space or adequate support for these democratically elected council members, they can only handle the large number of meetings and information documents by relying on the limited administrative resources from the HKADC, making their intention to promote development of the arts an impractical project. Processing a huge volume of documents without remuneration and in their private time entails considerable costs for council members, and sets great hurdles for people interested in getting involved.

In the past, many council members were elected by default and did not have to face the public, and they did not have to present a concrete platform or attend any forums. At present, even though democratically elected representatives have tried to focus on communicating with voters from

different specified fields, the HKADC remains hostile to cooperating with concern groups and leaves little room for conversation. There are also many cultural policies not related to funding that require intervention from the HKADC for the sake of the arts industry. As Ching Chin-wai, recipient of Artist of the Year for Visual Arts in 2016, remarks, the HKADC's role should be to "monitor the government and take the lead to raise attention to the cultural aspects that should be covered in public policies, and relate its views to the government on local art-related affairs". It is regrettable that the HKADC remains silent on major issues concerning the arts and cultural field such as industrial building revitalisation and the West Kowloon Cultural District. It is hoped that the HAB, the HKADC and its council members can make haste to step out of passivity and conservatism, show sincerity in reaching out and implement concrete reforms.

Ever since its establishment in 1994, the HKADC has emphasised the principle of public participation. In over two decades, enthusiasts abounded but reform of the HKADC remained sluggish, while the organisation threatened to become yet another institution with the power of funding approval. Reforming the HKADC is a top priority, and the HKADC should be in discussion with the HAB about how to improve its nomination exercise,

and how to hand the nomination exercise over to the Electoral Affairs Commission to grant it legal accountability. Structurally, the HKADC should also consider extending suffrage to the entire body of council members and other committees. Council members should be proactive in engaging in discussion with public organisations and enhance communication on different cultural and art-related topics, maintaining their acute sense and abiding by their original promise of civil participation. As there are less than two years to go to the next HKADC nomination exercise, which will be held in 2019, voters and stakeholders should not easily take leave from this one and only platform; they should be actively involved, initiate discussion and keep a watchful eye on the directions of the development of the arts in Hong Kong.

(Translated by Wayne Yeung)

Table 1: Hong Kong Arts Development Council Nomination Exercise

Year of Election	2010		2012		2013		Number of affected organisational votes	2016			
Nature of Voter	Organisation <sup>10</sup>	Individual	Organisation	Individual	Organisation	Individual		Organisation	Individual		
Number of registered HKADC voters					7,523	980	3,913 (-52%)				
Total number of voters					8,512			5,864			
Voter turnout					2,884			2,456			
Voter turnout rate					33.9%			41.8%			
Total number of industry practitioners					189,430 <sup>12</sup>	200,370 <sup>13</sup>					
					207,490 <sup>14</sup>						

Table 2: The Sports, Performing Arts, Culture and Publication functional constituency in the elections for the Legislative Council  
(Editor's note: The following information is for reference only, since the election is not mentioned in the article.)

Year of Election	2010		2012		2013		Number of affected organisational votes	2016	
Nature of Voter	Organisation <sup>15</sup>	Individual	Organisation	Individual	Organisation	Individual		Organisation	Individual
Registered Legislative Council voters			2,586 <sup>16</sup>		17 (0.6%)		2,525	395	2,247
Voter turnout									
Voter turnout rate									
Total number of industry practitioners									
			189,430 <sup>18</sup>	200,370 <sup>19</sup>	207,490 <sup>20</sup>				

- 10. Industry practitioners may register to vote through a registered arts organisation. The arts organisation by itself is not eligible to vote.
- 11. Industry practitioners are defined as practitioners working in the following 11 fields: art, antiques and crafts; cultural education and library, archive and museum services; performing arts; film, video and music; television and radio; publishing; software, computer games and interactive media; design; architecture; advertising; and amusement services.
- 12. Census and Statistics Department. "The Four Key Industries and Other Selected Industries in the Hong Kong Economy", *Hong Kong Monthly Digests of Statistics (March 2016)*, 15 March 2016. <https://www.statistics.gov.hk/pub/B71603FB2016XXXXB0100.pdf>
- 13. Census and Statistics Department. "The Cultural and Creative Industries in Hong Kong", *Hong Kong Monthly Digests of Statistics (June 2017)*, 15 June 2017. <https://www.statistics.gov.hk/pub/B71706FA2017XXXXB0100.pdf>
- 14. Ibid.
- 15. For the Sports, Performing Arts, Culture and Publication functional constituency in the elections for the Legislative Council, only one vote may be cast by each of the individual voters and arts organisations.
- 16. Total number of voters under the Sports, Performing Arts, Culture and Publication functional constituency in the elections for the Legislative Council in 2012.
- 17. Ibid. 11.
- 18. Ibid. 12.
- 19. Ibid. 13.
- 20. Ibid. 14.



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