

Proposed Establishment of Street Art Performance Area

Background

Recently, street performances are often staged in the pedestrian zones in Mong Kok. The Places of Public Entertainment Ordinance provides that any performance in public must be approved by the Hong Kong Police Force, Transport Department and Fire Services Department before a licence is granted by the Food and Environmental Hygiene Department. Some performers do not consider that their performance is subject to the said Ordinance and therefore no application has been submitted. They think that the Ordinance only applies to places where entry is required. However, there is no entry boundary for the streets; anyone passing by the area can enjoy the street performance. Therefore, application to government department(s) is not required for street performance as a general rule. Amateur acrobatic 'fire' performance in the streets has caused nuisance to the shops nearby and police intervention. The performance itself is not an illegal act, but the crowds so gathered have led to dissatisfaction to the shops.

Some of the 'fire' performers have been prosecuted by the Police for street obstruction, but the prosecution was ultimately cancelled. This case has aroused concern as to whether cultural performances should be confined to grandiose and presentable venues. In international cultural centres like New York, Paris and London, street art performers are allowed in different parts of the city. In European and American countries, people generally accept that street art performances in public space should be protected in the same way as freedom of speech. In the crowded city of Hong Kong, some performing groups have taken up much space and attracted large crowds, thus causing public nuisance. To balance off the performers' rights, the government might consider the licensing system in other big cities by establishing dedicated areas for street art performance, to facilitate coordination of time and venue for performers.

In the U.S.A., a licence is required for any street performance. The government can restrict the performance in 'conventional public spaces' such as streets, piazza on the grounds of 'time, venue and format', but it cannot intervene with the content of the performance.

The scale of the Street Art Festival in Singapore has become larger and is now next to Japan. In mainland China, street art performance has become more popular. In recent years, the International Cultural Festival has been held in Beijing during the Spring Festival season. Shanghai is developing Nanjing Road in Huangpu Area into an important international landmark, whereby one of the highlights is the promotion of 'street art culture'. In some Chinese cities, the

focus of commercial promotion activities is street art performance. In Taipei, some hundred places are open for application by street art performers. The activities are not confined to performances alone, others like poem recitals, painting exhibitions or creative cultural activities can also be held. It is regretted that in Hong Kong, a focus of eastern and western cultures, there is as yet no plan for promotion of street art performance.

In his newspaper article entitled 'The Open Sky for Culture', Secretary for Home Affairs HO Chi-ping said, "To release public space for street art performers is a worthwhile task and also serves to promote cultural development and social consolidation."

Proposals

1. The government should study the establishment of performance areas in the streets, subways, footbridges and parks, with sound management systems and arrangements, to regulate the time, venue and use of equipment for the performance. The licensing and management issues could be vested in the Leisure and Cultural Services Department or the Food and Environmental Hygiene Department. Street art performers could be issued with a licence after passing an assessment and payment of a fee.
2. The government should streamline the licensing procedure. One-year licences could be issued to performers, whereby holders could perform in the dedicated street art performance areas. By so doing, they could have room for survival and development, and ingest a cultural flavour to the public space in Hong Kong.
3. International street art should be introduced by staging a Hong Kong International Street Art Festival annually at a dedicated performance area in Tsim Sha Tsui, lasting for 2-3 weeks, with music, drama and visual art performances by different ethnic groups around the world.

The Home Affairs Bureau is requested to attend the meeting in response to the above proposals.

Submission

This paper is submitted for discussion by members at the Yau Tsim Mong District Council meeting to be held on 31 August 2006 in the afternoon.

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