

# Hong Kong's Tightened Film Censorship and Its Implication on Hong Kong Cinema\*

**ABSTRACT.** Heng Siu, *Hong Kong's Tightened Film Censorship and Its Implication on Hong Kong Cinema*. "Images" vol. XXXVII, no. 46. Poznań 2024. Adam Mickiewicz University Press. Pp. 55–68. ISSN 1731-450X. <https://doi.org/10.14746/i.2024.37.46.4>

Hong Kong's film censorship had become completely apolitical on the eve of the city's change of sovereignty from Britain to China in 1997. This paper will review film censorship practices in the early handover period, drawing from the first-hand experience of the author, who was a public officer working in the film censorship institution. It will examine how film censorship practices in Hong Kong have changed to reintroduce political censorship following the Chinese government's tightened grip over this former British colony, such as imposing the National Security Law (NSL) prompted by a massive civic movement in 2019. Political censorship has begun to manifest in a more covert manner within the film industry. Filmmakers, distributors, and screening organisers are finding ways to navigate the tightened censorship, ranging from circulating works overseas to incorporating acts of censorship as part of the creative process. The dynamics between the state's control, the industry's collaboration, and the filmmakers' reactions are collectively shaping the evolving landscape of Hong Kong cinema under a mutating political environment in the post-NSL Hong Kong.

**KEYWORDS:** Hong Kong cinema, Hong Kong film censorship, political censorship, Anti-Extradition Law Amendment Bill Movement, *Inside the Red Brick Wall*

Hong Kong's film censorship practices have undergone significant transformations resulting from the Chinese government's tightened grip over this former British colony since 2019. This paper aims to examine these changes in detail, both within and beyond institutional frameworks, against the backdrop of Hong Kong's diminishing freedom of speech. The objective is to elucidate the implications of this intensified film censorship for Hong Kong cinema, particularly concerning the types of cinematic content that will be produced and the methods by which such content will be circulated.

Film censorship practices often reflect a regime's mode of governance. Authoritarian regimes prioritise monitoring and suppressing ideologies unfavourable to them, imposing stringent censorship on cinema, which serves as an effective medium for ideological dissemination. Conversely, governments in democratic and liberal societies encourage the dissemination of ideologies supportive of their governance through various means. In terms of political censorship, Hong Kong transitioned

## Introduction: Film Censorship and Hong Kong's Political Environment

\* Some parts of this paper appeared in the author's earlier essay written in Chinese. H. Siu, *Drastic Changes in Film Censorship Policy* [電影檢查遽變], [in:] *Hong Kong Cinema 2020* [香港電影 2020], eds. E. Cheng, C. Ng, Hong Kong Film Critics Society,

Hong Kong 2021, pp. 30–37. However, materials have been re-organised in this paper to illustrate different arguments, and new materials and perspectives have also been added.

from rigorous control in the 1960s to more lenient regulation in the 1990s, right before Britain handed over Hong Kong's sovereignty to China in 1997. Concerns arose over whether film censorship would become much stricter after the handover, given communist China's reputation for controlling freedom of expression. Anxiety over the loss of freedom heightened when the Hong Kong government announced plans in 2003 to enact laws "to prohibit any act of treason, secession, sedition, subversion" against the Chinese central government, in accordance with Article 23 of the *Basic Law*, Hong Kong's mini constitution. Many Hong Kongers feared that this would threaten freedom of expression. Among other factors, a massive demonstration by half a million Hong Kongers halted the legislation. Film censorship remained fairly apolitical throughout the first two decades after the change of sovereignty, surviving the Article 23 controversy and other crises, until the arrival of the National Security Law (NSL), which, in a way, resurrected the Article 23 legislation, but with broader and vaguer application.

In 2019, the Hong Kong government proposed legislation to extradite fugitives to China, sparking massive protests – the largest of which saw two million Hong Kongers rallying, four times the scale of that in 2003 – against this bill, which threatened Hong Kong's judicial independence. This unprecedented civic campaign, known as the Anti-Extradition Law Amendment Bill (Anti-ELAB) Movement, soon led to Beijing's tightening grip over Hong Kong. China's central government imposed the NSL on Hong Kong, effective from July 1, 2020, bypassing Hong Kong's legislature. Freedom of speech has been severely jeopardised, as any expression deemed to incite hatred of the Chinese or Hong Kong government is now criminalised. New film censorship practices have been implemented since the imposition of the NSL, and the Film Censorship Ordinance (Cap. 392 of the Laws of Hong Kong) was amended in 2021 to align with the NSL. It took several decades for Hong Kong's film censorship to become liberal, open, consistent, and predictable enough for the creative sectors. Yet, in just a few years, it has swung back to stringent control over cinematic expressions, with arbitrary and shifting boundaries of what is allowed for public viewing.

This paper will compare current film censorship practices with those in the early post-handover period. Significant studies have already been conducted on the history of Hong Kong's film censorship by researchers such as Hong Kong filmmaker Herman Yau in his Ph.D. thesis, film scholar Kenny Ng in his book project on Hong Kong cinema and its political context, and Maria Barbieri in her M.Phil. thesis.[1]

[1] L.T.H. Yau, *The Progression of Political Censorship: Hong Kong Cinema From Colonial Rule to Chinese-Style Socialist Hegemony*, Ph.D. thesis, Lingnan University, Hong Kong 2015; K.K.K. Ng [吳國坤], *Yesterday, Today, Tomorrow: Mainland and Hong Kong Cinema's Politics, Art and Tradition* [昨天今天明天：內地與香港電影的政治、藝術與傳統],

Chung Hwa Book Company, Hong Kong 2021; M. Barbieri, *Film Censorship in Hong Kong*, M.Phil. thesis, University of Hong Kong, Hong Kong 1997. See also K.K.K. Ng, *Inhibition vs. Exhibition: Political Censorship of Chinese and Foreign Cinemas in Postwar Hong Kong*, "Journal of Chinese Cinemas" 2008, no. 2(1), pp. 23–35.

There is also substantial scholarship on the study of post-handover Hong Kong cinema, such as Laikwan Pang's analysis of the city's film industry in a transnational context, Esther Yau and Chu Yiu-wai's respective studies on the trend of China-Hong Kong co-productions aiming at commercial success, and Ruby Cheung's inquiry into recent Hong Kong independent cinema.[2] As this paper intends to focus on current film censorship practices, it will not delve into the details of post-handover Hong Kong cinema, and will only provide a brief history of Hong Kong's film censorship before the handover to facilitate discussions on the present situation. Additionally, the essay will draw upon the author's first-hand experience as a member of staff in Hong Kong's film censorship institution to provide an insider's perspective.

I was personally involved in Hong Kong's film censorship process from the early post-handover period to the outbreak of the Anti-ELAB Movement. My involvement included roles as a staff member of Hong Kong's film censorship institution and later as a film festival and film programme administrator submitting films for censorship. I joined Hong Kong's civil service in 2002, just five years after the handover, and was assigned to the Film Section of the Television and Entertainment Licensing Authority (TELA), the executive arm of the Film Censorship Authority staffed by civil servants. TELA was dissolved in 2012, and the Film Section was reorganised as part of the Office for Film, Newspaper, and Article Administration (OFNAA). At TELA, I served as the sectional Executive Officer, supporting the section head and chief censor, officially titled the Principal Entertainment Standards Control Officer (Film), in internal coordination and external liaison related to film censorship. The nature of my job allowed me to closely observe and be engaged in Hong Kong's film censorship practices in the early post-handover days. Although I was not one of the Film Censors, my position as the chief censor's aide exposed me to a wide range of film censorship policy and operational matters.

In Hong Kong, all recorded moving images, including films, intended for public exhibition must be submitted for prior censorship

### A Period of Apolitical Film Censorship in Post-Handover Hong Kong

[2] L. Pang, *Postcolonial Hong Kong cinema: utilitarianism and (trans)local*, "Postcolonial Studies, Culture, Politics, Economy" 2007, no. 10(4), pp. 413–430; see also her monograph in Chinese, *Not Yet Sunset: Post-1997 Hong Kong Cinema* [黃昏未晚：後九七香港電影], The Chinese University of Hong Kong Press, Hong Kong 2018; E. Yau, *Watchful Partners, Hidden Currents: Hong Kong Cinema Moving into the Mainland of China*, [in:] *A Companion to Hong Kong Cinema*, eds. E.M.K. Cheung, G. Marchetti, E. Yau, Wiley-Blackwell, Chichester 2015, pp. 15–50; Y.W. Chu, *Toward a New Hong Kong Cinema: Beyond*

*Mainland-Hong Kong Co-productions*, "Journal of Chinese Cinemas" 2015, no. 9(2), pp. 111–124; R. Cheung, *Hong Kong's New Indie Cinema*, Palgrave Macmillan, Cham 2023. For academic studies on contemporary Hong Kong cinema around the handover period in 1997, see *Between Home and World: A Reader in Hong Kong Cinema*, eds. E.M.K. Cheung, Y.W. Chu, Oxford University Press, Hong Kong 2004. The introduction of this book also provides a survey of scholarship in Hong Kong cinema studies leading up to the handover period.

according to the Film Censorship Ordinance, and must obtain a Certificate of Approval (commonly known in the industry as a “Censor Card”) beforehand. When the government proposed legislation regarding Article 23 of the *Basic Law*, legislator Cyd Ho, concerned about the impact of the new legislation on film censorship, questioned the administration on films banned in Hong Kong from 1965 to 1974 during the colonial era. This period roughly coincides with the time from the brewing of the Chinese Communist-backed 1967 Riot against the colonial government to an era of stability and development following the reforms implemented by Governor Murray MacLehose (Governor of Hong Kong, 1971–1982). I was tasked by the chief censor to compile this list personally in response to Cyd Ho’s question, thus affording me the privilege of reviewing all the files about the films banned during this period.[3] Out of the 357 films prohibited from public screening during those ten years, the majority were banned on grounds of moral corruption, depiction of crime, or scenes causing deep shock or disgust, with only 34 possibly censored for political reasons.

Clauses on which the Film Censors in the 1960s and 1970s could base their decisions when making political censorship became non-existent on the eve of the change of sovereignty. The clause that allowed the Film Censors to ban films or make excisions because they “provoke hatred between persons in Hong Kong of differing race, colour, class, nationality, creed or sectional interest” was replaced by a clause with a much higher threshold, eliminating the possibility of its use for political censorship. The amended clause now reads “whether the film denigrates or insults any particular class of the public by reference to the colour, race, religious beliefs or ethnic or national origins or the sex of the members of that class.” The clause that prescribed censors to ban or cut films that “damage good relations with other territories” was completely repudiated in 1994.

After Hong Kong emerged from the aftermath of the 1967 Riot and before 1994, the most notable politically banned films were two anti-Communist titles made in Taiwan, namely, *The Coldest Winter in Peking* (dir. by Pai Ching-jui, 1981) and *If I Were for Real* (dir. by Wang Toon, 1981). Researchers have suggested that the colonial government responded to Beijing’s strong reaction to these two films because they wanted to appease Communist China when Sino-British negotiations about the future of Hong Kong were about to commence.[4] From 1994 up to the implementation of the NSL in Hong Kong, film censorship remained completely apolitical in nature. The Film Censorship Ordinance and the Film Censorship Guidelines for Censors issued by the

[3] The list can be found on the press release issued by the Hong Kong government: <https://www.info.gov.hk/gia/general/200303/12/16e.htm> (accessed: 28.01.2024). This list probably provides the most comprehensive survey of films banned by the Authority, quoted by

scholars in their studies. L.T.H. Yau, op. cit., pp. 163–165; K.K.K. Ng, *Inhibition vs. Exhibition...*, p. 27.

[4] *The Coldest Winter in Peking* was approved for public screening but the approval was revoked after one day. For an account of the banning of this film

administration in accordance with the Ordinance had no provisions whatsoever for censorship on political grounds.

Film Censors are full-time government employees who belong to the Entertainment Standards Control Officer grade in the civil service. Like all civil servants, they prioritise adherence to laws and regulations and act within the authority vested in them. Since all clauses in the Ordinance and Guidelines explicitly preclude political censorship, it would be *ultra vires*, or beyond their legal authority, for Film Censors to consider political factors in discharging their duty. However, the commitment to avoiding *ultra vires* practices began to wane with *Inside the Red Brick Wall* (2020). This documentary, created by an anonymous team referred to as “Hong Kong Documentary Filmmakers,” chronicles the police siege of the Hong Kong Polytechnic University, notable for its red brick-like building materials. The film documents the confrontations between the police and the protestors during the Anti-ELAB Movement. It received much critical acclaim, including the Best Film at the Hong Kong Film Critics Society Awards and Best Editing at the International Documentary Film Festival Amsterdam.

*Inside the Red Brick Wall*, like all films intended for public screening in Hong Kong, obtained a Certificate of Approval before its limited public screenings at the Hong Kong Arts Centre in June 2020, predating the enactment of the NSL. The film was approved for public screening and classified as Category IIB, which advised that it was “not suitable for young persons and children”, though age restriction was not mandatory. It was reported that the film’s distributor, Ying E Chi, applied for a waiver of the censorship fee for this round of screenings. Whenever a fee waiver is granted, the Certificate of Approval is typically valid for specific occasions only, with conditions about the dates, venues, and/or occasions (such as a film festival) specified on it. The certificate lapsed after the screenings in June, so Ying E Chi resubmitted the documentary for approval when they planned to screen it in September 2020, just a few months after the NSL was in place. This time, the Authority required Ying E Chi to add a warning notice on an intertitle at the beginning of the film:

This film records the serious incidents at The Hong Kong Polytechnic University and nearby areas in November 2019. Some of those depictions or acts may constitute criminal offences under prevailing laws. Some of the contents of or commentaries in the film may be unverified or misleading.[5]

in relation to Sino-British relations, see K. Wong, E.K.L. Pang, *Hong Kong Decoded: Insights from the Banning of The Coldest Winter in Peking* [香港解密: 《皇天后土》被禁啟示錄] “City Magazine [號外]” 2017, no. 494.

[5] R. Wong, *Hong Kong gov’t orders film distributor to include official warnings in documentaries about protests*, Hong Kong Free Press, 22.09.2020, <https://hongkongfp.com/2020/09/22/hong-kong-govt-orders-film-distributor-to-include-official-warnings-in-documentaries-about-protests/> (accessed: 28.01.2024).

### *Ultra Vires Practices on the Eve of Legalising Political Censorship*

Moreover, the film's classification was changed from Category IIB to Category III, thereby prohibiting viewers under the age of 18. On the day of the screening, four inspectors from the OFNAA were present to ensure compliance with the Authority's requirements.[6] Changing the classification within a few months and proactively sending inspectors to a screening venue was unprecedented, though it fell within the powers vested in the Film Censorship Authority. The requirement to add the intertitle was particularly problematic. Based on my experience as a former staff member and my analysis, this ruling was indeed *ultra vires*.

At that time, Section 10(4) of the Ordinance prescribed that a Film Censor had only three options regarding the film censorship decision: approve, refuse, or request excisions – additions to a film were not an option according to the Ordinance. The requirement for the distributor to add an intertitle with a warning notice was therefore beyond the Authority's power. In response to press enquiries, the OFNAA, as the executive arm of the Authority, defended the decision by quoting Section 13(4A) of the Ordinance, which stated that the Authority may impose conditions "relating to the circumstances of exhibition." However, this argument appeared unsound.[7] Firstly, it was highly questionable whether the addition of a component to a film constituted "circumstances of exhibition." Secondly, the application of Section 13(4A) over the years had only been used to specify the validity period, location, and occasion of the Certificate of Approval.

The content of the required warning was also problematic. In the same response to the press enquiry, the OFNAA indicated that *Inside the Red Brick Wall* contained footage capturing acts that "may be in violation of existing laws," thus necessitating a warning to "avoid imitation of the behaviours or misleading viewers." A film censorship decision predicated on the notion that viewers might imitate illegal acts portrayed in the film lacked foundation – if such reasoning were upheld, it would necessitate the avoidance of all depictions of crime in films and lead to a blanket ban on crime fiction altogether. Referring to another law as justification for alterations also represented an *ultra vires* decision. It could be inferred that the undisclosed law cited in the OFNAA's response was likely the NSL, based on the timing. The Film Censorship Authority has never been constitutionally authorised to take into account any legislation other than the Film Censorship Ordinance when making decisions.

The Authority's abuse of power was even more evident in the case of *One Country, Through Torture* (dir. by Kong Kingchu, 2021). The film re-enacts scenes of the Chinese government's torture of dissidents arrested and detained. Submitted for censorship in early 2021, the Authority required the addition of a warning notice and demanded certain excisions before the film could be rated Category III. In a let-

[6] According to a private social media post by Ying E Chi's director Vincent Chui on 21.09.2020.

[7] R. Wong, op. cit.

ter to the filmmaker, the OFNAA justified the Authority's decision by claiming that the "documentary-style expression intends to make viewers believe these accusations are facts," and that commentaries on the Chinese Communist Party in the film "aim at inciting or causing viewers' hatred against the central people's government." The OFNAA also stated that the proposed excisions contained "unfounded accusations lacking evidence" which are "highly likely" to have violated Sections 9 and 10 on sedition of the Crimes Ordinance (Cap. 200).[8]

Given the absence of any provision in the Film Censorship Ordinance for a Film Censor to consider a film's documentary nature, its impact on Hong Kong's relations with China (the relevant clause was repudiated in 1994), or its potential breach of another ordinance, the Authority's decision was blatantly *ultra vires*. Regarding the latter issue of censoring based on other ordinances, practices from the early post-handover period that I personally handled have provided an illustrative comparison. During the early 2000s, public buses often had monitors installed showing commercials and infotainment programmes, which fell under the definition of "film" and were subject to censorship. If a Film Censor suspected that a commercial or infotainment programme might have breached another law, such as the Gambling Ordinance (Cap. 148) for programmes involving unlicensed lucky draws, or the Undesirable Medical Advertisements Ordinance (Cap. 231) for drug commercials making specific claims, they could not withhold approval solely on those grounds. Instead, the practice during my tenure was to issue a letter advising compliance with the relevant ordinances. Banning or requesting excisions citing laws other than the Film Censorship Ordinance was outright *ultra vires* and was considered off-limits to any civil servants in those days when respect for rules and regulations was paramount.

To legalise similar practices in the future, the government first revised the Film Censorship Guidelines for Censors in June 2021. The Secretary for Commerce and Economic Development, with power delegated to him by Section 30 of the Ordinance, added clauses that required Film Censors to consider the NSL and "carefully examine" documentaries. Although the Secretary was allowed to issue any guidelines as long as they did not contradict existing laws, these revisions are not based on the principles of the Film Censorship Ordinance, at least not until the Ordinance itself was revised in November 2021. An amendment bill on the Ordinance was passed to incorporate requirements to consider whether screening a film would be "contrary to the interests of national security" (Section 10(2)(d) of Cap. 392) and to allow the Authority to require "the addition of a particular notice to the film" (Section 10(4A) of Cap. 392) in its decision.

[8] The filmmaking team posted the OFNAA's letter on its social media. See: <https://www.facebook.com/>

OneCountryThroughTorture/posts/234810771703237 (accessed: 28.01.2024).

## Deviation from Precedents in Film Censorship Law Enforcement

While amendments to the Guidelines fall within the authority vested in the Secretary for Commerce and Economic Development, revising them without a basis in the Ordinance undermines the consistency and predictability of public policy for stakeholders in the film sector. Even when the Guidelines and other practices align with the Ordinance, departures from established precedents can pose challenges. For example, the Authority's decision to reclassify *Inside the Red Brick Wall* within a short timeframe is unusual, despite each case being evaluated individually. Maintaining a stable standard in film censorship typically involves consistent rulings on the same film over a brief period.

The OFNAA, or the then TELA, periodically reviews film censorship standards through public opinion surveys conducted every two years or more, adjusting standards to reflect shifts in public acceptance of various content types. However, it is uncommon for a film resubmitted within a few months to receive a different rating. While the Authority may consider the specific circumstances of a film's exhibition (Section 10(3)(c) of Cap. 392) and assign a different classification, the change from "not suitable for young persons and children" to "persons aged 18 or above only" for this film is hard to justify. It is unlikely that the acceptance of scenes depicting confrontations during the police siege of a university by young viewers changed significantly in such a short period. Furthermore, there were no major differences in the intended audiences for the two submissions.

The film's distributor and screening organiser, Ying E Chi, reported the presence of OFNAA inspectors at the screening. According to the Ordinance, inspectors are empowered to "enter any place in which he has reason to believe a film is exhibited or intended to be exhibited" (Section 23, Cap. 392). Historically, the Film Section of TELA maintained a team of inspectors for proactive cinema monitoring, although this team was disbanded before the turn of the millennium to streamline manpower. Subsequently, inspectors responsible for the enforcement of the *Control of Obscene and Indecent Articles Ordinance* (Cap. 390, in short COIAO) assumed this role, but inspected cinemas only in response to complaints. Proactive inspections were reintroduced in 2020 at the first post-NSL screening of *Inside the Red Brick Wall* and other non-theatrical screenings organised by civil society groups. For instance, the Hong Kong Confederation of Trade Unions organised screenings of Anti-ELAB Movement documentaries, including *Inside the Red Brick Wall*,<sup>[9]</sup> while the Hospital Authority Employees Alliance attempted to show a film on the 1989 Tiananmen Massacre.<sup>[10]</sup> These

[9] S. Cheng, *Private Screening of Hong Kong Protest Doc May Be 'Inciting Terrorism,' Claims Lawmaker, Urging Police Action*, Hong Kong Free Press, 22.04.2021, <https://hongkongfp.com/2021/04/22/private-screening-of-hong-kong-protest-doc-may-be-inciting-terrorism-claims-lawmaker-urging-police-action/> (accessed: 24.01.2024).

[10] C. Chau, *Hong Kong Gov't Officials Visit Medical Union to Warn against Tiananmen Massacre Doc Screenings*, Hong Kong Free Press, 28.05.2021, <https://hongkongfp.com/2021/05/28/hong-kong-govt-officials-visit-medical-union-to-warn-against-tiananmen-massacre-doc-screenings/> (accessed: 24.01.2024).



organisations may not have been aware that non-theatrical venues also require Certificates of Approval under the Film Censorship Ordinance. The OFNAA dispatched inspectors proactively to halt these screenings, asserting their illegality without the requisite Certificates. These actions illustrate how political censorship is enforced not only during the submission stage but also at screening events, especially those organised by politically dissident groups.

Another instance where the Authority has deviated from established practices is the regulation of online streaming in public venues. During my tenure in TELA's Film Section, I was instructed by the then chief censor that all Internet content, whether exhibited publicly or privately, fell under the remit of the COIAO, rather than the Film Censorship Ordinance. The legal definition of "film" as a "record of visual moving images" was formulated in the pre-Internet era, assuming that the record would be stored in the same location as its exhibition. Regulation of Internet content has consistently been governed by the COIAO, without distinguishing how such content is displayed. However, in September 2021, Johann Wong, Deputy Secretary for Commerce and Economic Development overseeing OFNAA policy, asserted during a legislative meeting on amendments to film censorship laws that public exhibitions of Internet content also fall under the Film Censorship Ordinance.<sup>[11]</sup> While the Ordinance does not explicitly preclude the possibility of a "record of visual moving images" being cloud-based, this new interpretation by a senior government official further impedes collective viewing experiences of politically sensitive cinematic content in Hong Kong.

The above discussion has examined the tightening of film censorship at an institutional level, highlighting instances of *ultra vires* practices by public officers, amendments to laws and regulations, and deviations from established precedents in enforcement. However, none is as troubling as film censorship operating outside the public institution in a more covert manner. Once again, *Inside the Red Brick Wall* serves as an illustrative example. Following the addition of a warning notice and a reclassification to Category III, the film received a Certificate of Approval and was slated for public screenings legally at the Golden Scene Cinema and the Hong Kong Arts Centre in March 2021. Yet these screenings were abruptly cancelled, sparking speculation about the forces behind the decision, widely believed to be influenced by Beijing. Scholars like Enoch Tam have astutely analysed how a regulating *dispositif*, drawing on the Foucauldian concept, was at play in this and similar cases. Tam concluded that going online and abroad provide

### Non-institutional Film Censorship

[11] *Government Points Out the Amended Film Censorship Ordinance Covers Screenings of All Kinds* [政府指電影檢查修訂條例涵蓋所有形式的放映], Now News, 20.09.2021, [https://news.](https://news.now.com/home/local/player?newsId=450527&fbclid=IwAR1D6TZ_5R62uQSqXUBwF5wVQ-ofodZ6QzqhMtA_33c1GORTdGW3fXe7esPo)

[now.com/home/local/player?newsId=450527&fbclid=IwAR1D6TZ\\_5R62uQSqXUBwF5wVQ-ofodZ6QzqhMtA\\_33c1GORTdGW3fXe7esPo](https://news.now.com/home/local/player?newsId=450527&fbclid=IwAR1D6TZ_5R62uQSqXUBwF5wVQ-ofodZ6QzqhMtA_33c1GORTdGW3fXe7esPo) (accessed: 24.01.2024).

avenues for films labelled as “politically sensitive” to reach their audiences.[12] However, these solutions overlook the social significance of local screenings for viewers in Hong Kong. Physical screenings with collective viewing experiences can foster community-building, thereby contributing to the construction of cultural identity.

Another alarming instance of censorship beyond institutional frameworks involved a film only remotely associated with “politically sensitive” themes. *Winnie the Pooh: Blood and Honey* (dir. by Rhys Frake-Waterfield, 2023), a British independent slasher film without direct references to Hong Kong politics, successfully passed through the censorship process and was set for release in March 2023. However, all screenings were cancelled just two days before its scheduled opening, reportedly due to cinemas’ sudden withdrawals. The OFNAA responded to media inquiries by confirming the film’s approval for public exhibition and attributing the cancellations to the cinemas’ “commercial decisions.” However, the simultaneous withdrawals by all cinemas hinted at a different scenario. Speculation suggested pressure from Beijing, possibly due to the association of the cartoon character “Winnie-the-Pooh” with Xi Jinping, Chairman of the People’s Republic of China, in online memes.[13]

This case highlights that non-institutional film censorship, or what Enoch Tam terms the regulating *dispositif*, proves more effective in censoring political content than regulatory amendments or enforcement practices. Cinema circuits, typically part of larger corporations or conglomerates with business interests in China, actively avoid conflicts with the Beijing government. This avoidance extends to major film companies that have increasingly focused on co-productions with China following the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) in 2003. Consequently, independent film distributors, festival organisers, screening presenters and auteur filmmakers contend with the unpredictability and opacity of non-institutional film censorship, which benefits from collaboration within the local film industry.

### Regaining Agency in the Face of Tightened Film Censorship

Prior to the enactment of the NSL, the Authority rarely demanded cuts or bans for films intended for festivals, let alone banning them outright. However, requests for excisions of scenes depicting or alluding to the Anti-ELAB Movement have now become routine for film festivals, affecting especially two major platforms for local short films: the Fresh Wave International Short Film Festival and the ifva Awards. In most cases, filmmakers themselves declined to make the

[12] E.Y.L. Tam, *Hong Kong Independent Political Documentary under the Regulating dispositif: Inside the Red Brick Wall and Beyond*, “Asian Cinema” 2022, no. 33(2), pp. 177–189.

[13] P. Brzeski, A. Ritman, *How a ‘Pooh’ Slasher Flick May Have Tipped Hong Kong Towards Greater Beijing*

*Censorship*, The Hollywood Reporter, 24.03.2023, <https://www.hollywoodreporter.com/movies/movie-news/winnie-the-pooh-blood-and-honey-hong-kong-beijing-censorship-1235359823> (accessed: 25.01.2024).

required cuts and withdrew their films from the festivals. There were also occasions where the Authority procrastinated in the issuance of Certificates of Approval, compelling the organisers to cancel the screenings altogether. In both scenarios, such censorship effectively curtailed the circulation of films, preventing them from reaching their target audiences.[14]

Amidst heightened censorship, three filmmakers in the 2023 edition of the Fresh Wave International Short Film Festival responded innovatively to the Authority's demand for excisions. Instead of withdrawing from the Festival or complying outright, they creatively replaced the excised footage with blacked-out sections and muted sound. The films – *My Pen is Blue* (dir. by Siu Chi-yan, 2023), *Please Hold On* (dir. by Chan Ka-man, 2023) and *The Reticent Wave* (dir. by Yuen Chi-him, 2023) – all explore post-Anti-ELAB Movement trauma to some extent. The use of blackness and silence in these films not only reinforces their messages but also serves as a powerful commentary on the oppressive regime and echoes the social ethos during the Anti-ELAB Movement. The directors conveyed in post-screening discussions and interviews that, although they regretted the necessity of removing certain scenes, they hoped to provoke viewers' imagination and reflection, perhaps on the stringent censorship as much as on the Anti-ELAB Movement itself.[15] Film scholar Kenny Ng praises their approach for “combining resistance and compromise.”[16]

Another strategy to cope with the tightened censorship involves pursuing overseas circulation, as Enoch Tam suggests in his discussion of “deterritorialising” Hong Kong cinema. Many films addressing Hong Kong's socio-political issues have chosen overseas screenings over domestic ones. Prominent examples include *Revolutions of Our Times* (dir. by Kiwi Chow, 2021), which premiered at Cannes and won Best Documentary at the Golden Horse Awards in Taiwan; *May You Stay Forever Young* (dir. by Rex Ren and Lam Sum, 2021), nominated for Best New Director and Best Editing at the Golden Horse; *Drifting Petals* (dir. by Clara Law, 2021), which won the Best Director Award at the Golden Horse; and *Blue Island* (dir. by Chan Tze-woon, 2022), also nominated for Best Documentary at the Golden Horse. These films, which include references to the Anti-ELAB Movement, would not pass Hong Kong's now stringent censorship. These works that address pivotal moments in Hong Kong's history are primarily accessible only to

[14] From the NSL and up to September 2023, 22 films had their screenings cancelled due to film censorship issues. *At Least 22 Films Cancelled Screenings due to Film Censorship Issues* [近年至少 22 影片因電檢取消放映], Wave, 12.09.2023, <https://wavezinehk.com/2023/09/12/censorship/> (accessed: 24.01.2024).

[15] *Order from Film Censorship Authority, 3 Fresh Wave Films has “Black Screens”, Longest One Accounted for 40%* [電檢令刪改內容 鮮浪潮至少 3 短片

現「黑幕」最長佔片長四成], Wave, 11.06.2023, <https://wavezinehk.com/2023/06/11/freshwave/> (accessed: 24.01.2024).

[16] *Order from Film Censorship Authority, 3 Fresh Wave Films has “Black Screens”, Scholar: Combines Compromise and Resistance* [電檢令刪剪 鮮浪潮至少 3 短片現「黑幕」學者：做法結合妥協與抵抗], Wave, 12.06.2023, <https://wavezinehk.com/2023/06/12/censor/> (accessed: 24.01.2024).

diasporic Hong Kongers and international audiences, thereby limiting their exposure to the local viewership for whom these narratives are, ironically, most relevant.

Under Hong Kong's new regulatory landscape for films, filmmakers still aiming to produce works for local public screenings may need to resort to allusions and allegories when addressing politically sensitive subjects. They must adeptly capture the emergent structure of feeling in Hong Kong society without directly referencing specific incidents. Through the use of sophisticated metaphors and exploration of collective emotions, Hong Kong filmmakers may be able to carve out a narrow space in which their films will circulate and resonate with Hong Kong audiences while circumventing censorship.<sup>[17]</sup> This approach, however precarious, charts a potential path forward for Hong Kong cinema in the face of stringent censorship, besides options such as online and overseas distribution.

### Concluding Remarks: The Changing Landscape of Hong Kong Cinema

Tightened film censorship, manifested through institutional practices marked by *ultra vires* decisions and inconsistent enforcement actions, as well as through enigmatic and opaque restrictions operating outside institutional channels, has reshaped the landscape of Hong Kong cinema in the post-NSL era. These censorship practices have bifurcated Hong Kong cinema into films intended for local circulation and films that directly address contemporary local issues. The former predominantly include China-Hong Kong co-productions, which scholars argue may lead to a "local cultural disconnect,"<sup>[18]</sup> while the latter face significant hurdles in reaching local audiences despite their pertinence.

Within this dichotomy, filmmakers are increasingly adopting innovative strategies to navigate an oppressive censorship system, employing more oblique approaches to preserve the socio-political relevance of their works. Some filmmakers in the realm of arthouse film festivals even use acts of censorship itself to underscore their messages. Others choose to employ metaphors or capture the city's ethos without explicitly referencing specific incidents. Nevertheless, the shifting standards and practices of film censorship mean that the struggle between content regulation and creative expression will persist. Filmmakers will continue to grapple with the conflict between contemporary relevance and widespread dissemination, striving to explore new means to safeguard both under intensified censorship.

It may be unrealistic to anticipate that Hong Kong cinema will reclaim the same vibrancy it enjoyed in the 1980s, a golden era

[17] For examples of how some recurring motifs in post-NSL Hong Kong cinema entail an emergent structure of feeling, see H. Siu, *The "Little Warm Spring" in Hong Kong Cinema, or the "Hong Kong Localist New Wave," in the Wax and Wane of Civil Society*, "Rising Asia Journal" 2024, no. 4(2), pp. 412–444.

[18] M.M. Szeto, Y.C. Chen, *Mainlandization or Sinophone Translocality? Challenges for Hong Kong SAR New Wave Cinema*, "Journal of Chinese Cinema" 2012, no. 6(2), p. 121.

when the Hong Kong film industry wielded global influence and economic prominence. Nonetheless, the cultural significance of Hong Kong cinema will depend on filmmakers' ingenuity in manoeuvring through an increasingly erratic censorship system and crafting their content accordingly. The future trajectory of Hong Kong cinema, like all other cultural productions in a city under Beijing's tightened grip, remains uncertain in terms of whether it will thrive or decline in the long run.

*At Least 22 Films Cancelled Screenings due to Film Censorship Issues* [近年至少 22 影片因電檢取消放映], Wave, 12.09.2023, <https://wavezinehk.com/2023/09/12/censorship/> (accessed: 24.01.2024).

Barbieri Marias, *Film Censorship in Hong Kong*, M.Phil. thesis, University of Hong Kong, Hong Kong 1997.

Brzeski Patrick, Ritman Alex, *How a 'Pooh' Slasher Flick May Have Tipped Hong Kong Towards Greater Beijing Censorship*, "The Hollywood Reporter" 24.03.2023, <https://www.hollywoodreporter.com/movies/movie-news/winnie-the-pooh-blood-and-honey-hong-kong-beijing-censorship-1235359823> (accessed: 25.01.2024).

Chau Candice, *Hong Kong Gov't Officials Visit Medical Union to Warn against Tiananmen Massacre Doc Screenings*, Hong Kong Free Press, 28.05.2021, <https://hongkongfp.com/2021/05/28/hong-kong-govt-officials-visit-medical-union-to-warn-against-tiananmen-massacre-doc-screenings/> (accessed: 24.01.2024).

Cheng Selina, *Private Screening of Hong Kong Protest Doc May Be 'Inciting Terrorism,' Claims Lawmaker, Urging Police Action*, "Hong Kong Free Press", 22.04.2021, <https://hongkongfp.com/2021/04/22/private-screening-of-hong-kong-protest-doc-may-be-inciting-terrorism-claims-lawmaker-urging-police-action/> (accessed: 24.01.2024).

*Between Home and World: A Reader in Hong Kong Cinema*, eds. Esther M.K. Cheung, Yiu Wai Chu, Oxford University Press, Hong Kong 2004.

Cheung Ruby, *Hong Kong's New Indie Cinema*, Palgrave Macmillan, Cham 2023. <http://dx.doi.org/10.1007/978-3-031-25767-4>

Chu Yiu-wai, *Toward a New Hong Kong Cinema: beyond Mainland-Hong Kong co-productions*, "Journal of Chinese Cinemas" 2015, no. 9(2), pp. 111-124. <https://doi.org/10.1080/17508061.2014.994352>

*Government Points Out the Amended Film Censorship Ordinance Covers Screenings of All Kinds* [政府指電影檢查修訂條例涵蓋所有形式的放映], Now News, 20.09.2021, [https://news.now.com/home/local/player?newsId=450527&fbclid=IwAR1D6TZ\\_5R62uQSqXUBwF5wVQ0fodZ6QzqhMtA\\_33c1GORT-dGW3fXe7esP0](https://news.now.com/home/local/player?newsId=450527&fbclid=IwAR1D6TZ_5R62uQSqXUBwF5wVQ0fodZ6QzqhMtA_33c1GORT-dGW3fXe7esP0) (accessed: 24.01.2024).

Ng Kenny K.K. [吳國坤], *Inhibition vs. Exhibition: Political Censorship of Chinese and Foreign Cinemas in Postwar Hong Kong*, "Journal of Chinese Cinemas" 2008, no. 2(1), pp. 23-35. [https://doi.org/10.1386/jcc.2.1.23\\_1](https://doi.org/10.1386/jcc.2.1.23_1)

Ng Kenny K.K., *Yesterday, Today, Tomorrow: Mainland and Hong Kong Cinema's Politics, Art and Tradition* [昨天今天明天: 內地與香港電影的政治、藝術與傳統], Chung Hwa Book Company, Hong Kong 2021.

*Order from Film Censorship Authority, 3 Fresh Wave Films has "Black Screens", Longest One Accounted for 40%* [電檢令刪改內容 鮮浪潮至少 3 短片現「黑幕」最長佔片長四成], Wave, 11.06.2023, <https://wavezinehk.com/2023/06/11/freshwave/> (accessed: 24.01.2024).

## BIBLIOGRAPHY

- Order from Film Censorship Authority, 3 Fresh Wave Films has "Black Screens", Scholar: Combines Compromise and Resistance* [電檢令刪剪 鮮浪潮至少3短片現「黑幕」學者：做法結合妥協與抵抗], *Wave*, 12.06.2023, <https://wavezinehk.com/2023/06/12/censor/> (accessed: 24.01.2024).
- Pang Laikwan [彭麗君], *Not Yet Sunset: Post-1997 Hong Kong Cinema* [黃昏未晚：後九七香港電影], The Chinese University of Hong Kong Press, Hong Kong 2018.
- Pang Laikwan, *Postcolonial Hong Kong cinema: utilitarianism and (trans)local*, "Postcolonial Studies, Culture, Politics, Economy" 2007, no. 10(4), pp. 413–430. <https://doi.org/10.1080/13688790701621417>
- Siu Heng [蕭恒], *Drastic Changes in Film Censorship Policy* [電影檢查遽變], [in:] *Hong Kong Cinema 2020* [香港電影2020], eds. Elson Cheng and Chining Ng, Hong Kong Film Critics Society, Hong Kong 2021, pp. 30–37.
- Siu Heng, *The "Little Warm Spring" in Hong Kong Cinema, or the "Hong Kong Localist New Wave," in the Wax and Wane of Civil Society*, "Rising Asia Journal" 2024, no. 4(2), pp. 412–444.
- Szeto Mirana M., Chen Yun-Chung, *Mainlandization or Sinophone Translocality? Challenges for Hong Kong SAR New Wave Cinema*, "Journal of Chinese Cinema" 2012, no. 6(2), pp. 115–134. [http://dx.doi.org/10.1386/jcc.6.2.115\\_1](http://dx.doi.org/10.1386/jcc.6.2.115_1)
- Tam Enoch Yee-Lok, *Hong Kong Independent Political Documentary under the Regulating dispositif: Inside the Red Brick Wall and Beyond*, "Asian Cinema" 2022, no. 33(2), pp. 177–189. [https://doi.org/10.1386/ac\\_00054\\_1](https://doi.org/10.1386/ac_00054_1)
- Wong Klavier, Pang Eddie K.L., *Hong Kong Decoded: Insights from the Banning of The Coldest Winter in Peking* [香港解密：《皇天后土》被禁啟示錄] "City Magazine" [號外] 2017, no. 494.
- Wong Rachel, *Hong Kong gov't orders film distributor to include official warnings in documentaries about protests*, Hong Kong Free Press, 22.09.2020, <https://hongkongfp.com/2020/09/22/hong-kong-govt-orders-film-distributor-to-include-official-warnings-in-documentaries-about-protests/> (accessed: 28.01.2024).
- Yau Esther, *Watchful Partners, Hidden Currents: Hong Kong Cinema Moving into the Mainland of China*, [in:] *A Companion to Hong Kong Cinema*, eds. Esther M.K. Cheung, Gina Marchetti, Esther C.M. Yau, Wiley-Blackwell, Chichester 2015, pp. 15–50. <http://dx.doi.org/10.1002/9781118883594.ch1>
- Yau L.T. Herman, *The Progression of Political Censorship: Hong Kong Cinema From Colonial Rule to Chinese-Style Socialist Hegemony*, Ph.D. thesis, Lingnan University, Hong Kong 2015.