

# About repression in Hong Kong

Wednesday 14 October 2020, by [HO Kelly](#) (Date first published: 14 October 2020).

## Contents

- [Hong Kong Hospital Authority](#)
- [Security law: over 100 scholar](#)
- [Another Hong Kong magistrate](#)

## **Hong Kong Hospital Authority demands answers from radiologists after unit head refuses to name medics who went on strike**

by Kelly HO (HKFP)

<https://hongkongfp.com/2020/10/14/covid-19-hong-kong-hospital-authority-demands-answers-from-radiologists-after-unit-head-refuses-name-medics-who-went-on-strike/>

The Hong Kong Hospital Authority (HA) has demanded a group of radiologists at the Princess Margaret Hospital provide reasons for their absence after their manager refused to hand over the names of team members who went on strike in February. Medics were demanding action on the looming Covid-19 epidemic.

Local media reported on Wednesday that all medics from the department of radiology at the public hospital in Kwai Chung received a letter from the government hospitals management body recently. It asked them to explain and clarify why they did not show up at work between February 3 and 7.

Thousands of medical workers in Hong Kong staged a five-day strike during the early days of the coronavirus outbreak, as they demanded the government impose a full shutdown of the city's border with mainland China, where the first case of Covid-19 was reported.

**The Hospital Authority Employees Alliance (HAEA)** said at the time that Hong Kong must curb the source of the deadly virus, otherwise the city may never have enough manpower and resources to contain the epidemic.

## **Name list**

According to media reports on Wednesday, the HA's human resources department wrote to around 20 radiologists at the Princess Margaret Hospital. The sources said only a few medics from the department had joined the strike, but the authorities "*assumed*" many of them were involved after their department head declined to give the management a name list.

Dr. Arisina Ma, president of the Hong Kong Public Doctors' Association told Ming Pao that some doctors who only joined the department in July also received the letter. She said the HA could have checked who was on duty by looking at computer records: "*[Absentee staff] thought it was crazy and unreasonable.*"

Stand News quoted a source as saying that the staffers were "*disappointed and angry*" at the HA's

decision, while another radiologist concerned told Ming Pao that he did not take part in the strike, but some of his peers were worried the incident may affect their career prospects.

In response to media enquiries, the HA did not comment on the incident or explain why it issued letters to all doctors in the department. The statutory body only said it has written to employees who went on strike, asking them to confirm their dates of their absence and give explanations.

Last Saturday, the HAEA re-shared a post on Facebook from February and said HA staffers should not respond to any “*unreasonable requests*” from their superiors. The alliance said they would issue a sample reply for their members to respond to requests linked to the strike action after seeking legal advice.

*“If your superiors make any unreasonable requests because of the strike, please save all evidence... to protect your personal interests and for future follow-up work,”* the alliance wrote.

## **Security law: over 100 scholars call for ‘united front’ to defend academic freedom**

by Kelly Law (HKFP)

<https://hongkongfp.com/2020/10/14/security-law-over-100-scholars-call-for-united-front-to-defend-academic-freedom/>

More than 100 leading scholars from around the world have slammed the Beijing-imposed national security law, saying university leaders and academics must form a “united front” to defend against a “direct assault” on academic freedom.

In a joint statement released on Tuesday, 103 academics from 71 institutions in 16 countries raised concerns about the “universal jurisdiction” of the controversial security legislation in Hong Kong.

The law, which asserts extraterritorial jurisdiction, criminalises secession, subversion, collusion with foreign forces and terrorist acts, broadly defined to include disruption of public transport and other infrastructure.

The signatories referred to Article 38 of the sweeping legislation, which stipulates the law shall apply to acts committed outside of the semi-autonomous territory by people who are not permanent residents.

“The National Security Law, which under Article 38 is global in its scope and application, will compromise freedom of speech and academic autonomy, creating a chilling effect and encouraging critics of the Chinese party-state to self-censor,” the statement read.

Dr Harry Wu from the Li Ka Shing Faculty of Medicine at the University of Hong Kong (HKU) and American scholar Dan Garrett were among the group of Chinese politics, law and modern history scholars who signed the open letter. Garrett was barred from entering Hong Kong last September after he testified before US Congress about the city’s anti-extradition bill protests.

The British Association for Chinese Studies (BACS) said teachers and students were concerned that, when passing through Hong Kong and China, local authorities could consider their educational materials to be subversive and punish them.

The association cited universities’ attempts to protect students undertaking China-related studies,

such as anonymous coursework submission. The statement also accused Beijing of “weaponising” students to surveil their lecturers, saying university staff and students feared their statements made in class would be reported.

*“Universities cannot be expected to resolve the problem alone... what is needed is a united front of university leaders and academics, Members of Parliament, and senior government officials to act in defence of academic autonomy and freedom of speech,”* the signatories said.

In July, HKU fired pro-democracy activist and law professor Benny Tai over alleged misconduct. The 2014 Umbrella Movement leader filed an appeal against the expulsion, saying the decision was made by “an authority beyond the University through its agents.” Beijing’s liaison office in Hong Kong later hailed Tai’s dismissal as *“poetic justice.”*

The signatories called on prestigious universities in the US, UK, Europe, Australia and New Zealand to *“unequivocally condemn”* the security law. It said without an outright reproof, the institutions would be regarded as implicitly backing the legislation.

*“Such political censorship is antithetical to the pursuit of knowledge and understanding. It also prevents a critical discussion about the PR China and its role in the world.”*

## **Another Hong Kong magistrate reassigned after criticism of protest rulings**

by Kelly HO (HKFP)

<https://hongkongfp.com/2020/10/14/another-hong-kong-magistrate-reassigned-after-criticism-of-protest-rulings/>

Hong Kong Magistrate Gary Lam Tsz-kan will be reassigned to the Obscene Articles Tribunal next month, amid criticism by Chinese state media and public complaints against his rulings over protest-related cases.

The judiciary confirmed with local media on Tuesday that Gary Lam – a permanent magistrate at the West Kowloon Court – will take up a new post on November 2. He will be responsible for determining whether an article submitted is obscene or indecent, or its publication is intended for the public good.

The judiciary told local media that the transfer was made based on *“operational needs.”* Magistrates are often reassigned to different courts and tribunals, it said, adding that the arrangement would help the magistrates gain *“judicial experience.”*

*“Regarding complaints related to Magistrate Gary Lam Tsz-kan, the judiciary will handle them based on the established mechanism,”* the judiciary said in a reply to Apple Daily’s enquiries.

Last month, Beijing-owned newspaper Ta Kung Pao accused Lam of bias in an editorial, saying the city’s judiciary should be reformed to tackle the *“ridiculous rulings”* by “yellow judges.” The colour yellow is used to identify supporters of Hong Kong’s pro-democracy movement, while the colour blue is associated with the pro-Beijing, pro-government and pro-police faction.

The Ta Kung Pao article cited Lam’s ruling in a case that involved four men, who were charged with assaulting a plainclothes officer after a pro-democracy march on New Year’s Day. The newspaper said it was *“eye-opening”* to see Lam acquitted two *“main suspects,”* while the other two who were “on the look out” were found guilty.

*“What’s more shocking is that the judge let the main suspects off the hook because the victim’s memory was impaired... the judge also said the officer had ‘exaggerated’ his statement,” the article read.*

*It added: “It is often seen that the court delivers unfair judgements over cases related to the violent unrest, but the ruling this time still refreshed people’s understanding of how a yellow judge would defend the defendant to exonerate them.”*

Last Thursday, the judiciary dismissed complaints against another Magistrate Stanley Ho Chun-yiu, who was also lambasted by Chinese state media as being biased towards demonstrators when handling cases linked to the anti-extradition bill protests. The judiciary found the complaints unsubstantiated and said Ho did not make any remark that showed a political inclination, or indicate an apparent bias against police officers.

The former Eastern Court magistrate has stopped hearing criminal cases since September 18, as he was appointed in July as the temporary deputy registrar of the High Court. The judiciary rejected rumours that the appointment related to the complaints received, saying his appointment was made for “normal operational purposes.”

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