

# **Hong Kong: Socialist MP 'Long Hair' sentenced to prison, parliamentary seat under threat**

Appeal for international protest messages against political persecution

Thursday 5 April 2012, by [Correspondent\(s\)](#) (Date first published: 21 March 2012).

March 21, 2012 — League of Social Democrats (LSD) chairperson, “Long Hair” Leung Kwok-hung, faces possible expulsion from Hong Kong’s Legislative Council (Legco) after being sentenced to two months in jail on a spurious conviction for criminal damage and disorderly conduct. Four other protesters – Wong Yeung-tat, Tang Kin-wa, Yung Wai-tong and Chan Sin-ying – received three-week jail sentences.



The case concerned protests in September 2011 at a government organised consultation over proposals to abolish by-elections for vacant Legco seats – yet another measure to stymie anti-government protests. More than 200,000 people protested against this undemocratic government proposals on July 1, 2011. The “consultation exercise” was mere window dressing by government, to assuage negative public opinion, while it pushed ahead with a modified version of its original plan.

The court’s decision is a travesty of justice. The combined sentence of five months’ prison time is for alleged criminal damage to a glass door and some plants at the conference centre in Tsim Sha Tsui, at a cost of HK\$4000. The accused were also found guilty of disorderly conduct, when the government’s decision to lockout around 100 opposition campaigners from a “public forum” was the cause of the heated atmosphere.

Human rights groups in Hong Kong say the court ruling represents a threat to freedom of speech. For the first time ever, the court used section 17B(2) of the Public Order Ordinance based on the concept of “joint enterprise liability”, under which several people are held jointly liable for a “criminal act” that only one person has committed. A spokesperson for the Civil Human Rights Front in Hong Kong said the ordinance was outdated and heavy handed (it originates from the British colonial administration).

## **Anti-government protests criminalised**

Long Hair was defiant after sentencing and is now on bail pending appeal, along with the other four defendants. "You can lock up my body, but you can't lock up my soul", he said. "I have no regrets."

"The decision to jail 'Long Hair' is a disgrace", said Sally Tang Mei-ching of Socialist Action in Hong Kong, which has fought many campaigns together with the LSD legislator. "It is evidently one law for the rich and powerful, and another for the rest - protesters are criminalised, while top government officials and chief executive candidates can break the law, except favours from tycoons, and keep company with gangsters."

The ongoing "small circle" election to choose Hong Kong's next leader, which culminates in a vote by an elite 1200 electors on March 25, has become a scandal-ridden farce, exposing law breaking and collusion with billionaires and criminals by leading candidates and their election teams. Yet those who fight against this grotesquely undemocratic system face increasing police repression and a legal and media establishment that is baying for blood.

As demands for democracy grow louder in Hong Kong and mass anger increases over an extreme wealth gap, the capitalist establishment backed by the Chinese dictatorship is seeking for new ways to crack down. The court case against Long Hair is a transparent case of political persecution, to punish him and his party especially for their key role in an anti-government by-election campaign in 2010, called to protest at the snail-like pace of democratic change.

## **Most repression for 45 years**

The government's more repressive line towards protests resulted in the appointment of hawkish police chief Andy Tsang Wai-hung one year ago. Under Tsang policing has clearly taken a new direction with a total of 416 arrests made on demonstrations in 2011, compared to 50 arrests the year before. This is the highest number of political arrests made since 1967, a year of major riots against British rule in which dozens of lives were lost.

Proceedings required a two-thirds majority can be initiated to remove a Legco member from their seat if a prison sentence exceeds one month. The Legco is only half-elected by popular vote, with half its seats chosen by business and other elitist groups. The Legco president Tsang Yok-sing, a pro-government stalwart, has already started proceedings against Long Hair without waiting for the appeal process. While the pro-government ranks can be expected to vote solidly to expel Long Hair, this will put pan democratic (opposition) legislators on the spot. Their combined 23 votes out of 60 in total are enough defeat an expulsion move unless - as is highly likely - some "moderate" pan democrats vote with the establishment camp.

A vigorous protest campaign is needed to demand the quashing of these shameful convictions and to expose the blatant class bias of the court's decision.

\* Quash the jail sentences against "Long Hair" Leung Kwok-hung and his four co-accused.

\* Oppose any action to strip 'Long Hair' of his Legco seat.

\* Step up the struggle against an undemocratic government and election system and against the capitalist "1 per cent".

*Socialist Action are appealing to comrades internationally to send letters of protest to the Hong Kong government, using the model protest letter below.*

I/my organisation wishes to protest against the recent shameful court ruling against legislator Leung

Kwok-hung and four other democracy activists. The sentencing of Leung Kwok-hung to two months in prison is severe by any standards of natural justice. It is clearly a politically motivated judgement designed to remove him from the legislature, where he was elected with over 40,000 votes. There can be no pretence of "impartiality" by Hong Kong's justice system - this is clearly part of a campaign of political persecution of those who campaign for universal suffrage and an end to Hong Kong's elitist, undemocratic political system. I/we demand the quashing of these convictions and voice our opposition to any steps to strip Leung Kwok-hung of his seat in the legislature, achieved through universal suffrage, while many others in the legislature are not elected at all.

*Send to:*

Chief Executive Donald Tsang Yam-kuen

Telephone : (852) 2878 3300

Fax : (852) 2509 0580

E-mail : ceo ceo.gov.hk

Secretary of Justice Wong Yan-lung

Telephone : (852) 2867 2001

Fax : (852) 2877 2353

E-mail: dojinfo doj.gov.hk

Please also send copies to:

longhairlongmarch yahoo.com.hk (Office of Leung Kwok-hung)

socialist.hk gmail.com (CWI in Hong Kong)

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**P.S.**

<http://links.org.au/node/2792>