10. Drugs for sale

I spent half my life in Britain and only once met an ex-convict. In Hong Kong I have been much more "privileged" and have met several convicted of murder, robbery, intimidation and other acts of violence.

Most of them were surprisingly nice people. One of the "murderers" confessed to me that he had never committed a murder in his life although he had served a long sentence for so-doing. He was an orphan and had been one of a gang involved in a murder. The gang were the only friends he had ever known, and when someone had to be arrested for the murder, he being the youngest was asked to stand in. This obviated the need for the older gangster who had really committed the murder to go to the gallows. This ex-convict greatly impressed me and I think he was speaking the truth, as by that time, his sentence being over, he had nothing to gain by lying.

One ex-convict I met had been under deportation orders after a secret tribunal had pronounced him guilty on more than ten charges, including intimidation, extortion with menaces, and other like charges that I have forgotten. Letters I received from the police said that this man was too dangerous to be at large. I did not find him so.

Meeting him for the first time after this briefing from the police was quite a surprise. He was polite, nervous, small, and insignificant. Looking at him,
I thought the charge of "dangerous" quite hilarious.

When his case was brought to my attention by some of his friends, he had already spent several months in jail: these friends explained that his only "crime" was to try and stop the drug trade in the area where he lived. He and a group of others from the village had made various reports to the police about drug-trafficking, and when no action was taken to stop the trade, he went on several occasions to Hong Kong to report to the Commissioner of Police. The Commissioner himself confirmed his visits, in 1966.

When it became obvious that he was really intent on stopping the drug trade, something had to be done to keep him quiet. He was threatened with beatings, and once he was forced to drink dirty water, by the gangsters who ran the trade with police protection. This did not deter him, and eventually he had to be put out of the way. The Hong Kong Government provided an excellent method of disposing of such people: the Detention and Deportation Tribunal, where charges do not have to be proved.

This "dangerous" character, being too dangerous to the drug trade in that area, was arrested on various charges, and brought before the Tribunal where witnesses are not required and defences can be dispensed with, under the pretence that it would be dangerous for witnesses to appear before such a "scoundrel", and as justice would be done no defence counsel need be present.
One would think that this man's friends would have rallied round him at this point, but they did not. I visited their village and saw clear indications in the attitude of the villagers that they had been intimidated. Important persons in the village agreed that he was innocent, but they were afraid to make any public statement about the matter. No one spoke against the "scoundrel", but several spoke in his favour.

On my second visit to the village, this time accompanied by a solicitor and two journalists, the attitude of the villagers had changed: the man had now been in prison for a year and they were angry at the injustice. They quickly called a meeting and explained that this man had been trying to do something good for his village; some of them had been ordered by police to give evidence against him and when they could think of nothing against him they were told what to say; one of them had dared to refuse to give such evidence and had been intimidated to keep quiet. These "witnesses" for the police had then been taken to the man's "trial" in a covered car, did not know which court they were at, had sat in an ante-room waiting to be called as witnesses, but had in fact never been called. The accused had asked to see the witnesses: if this had been granted, the whole bluff would have been called, as he would have recognized them as his friends and not as his accusers. But the three members of the Tribunal and the solicitor were not to know that. As far as they were informed, these men in the ante-room were living witnesses that there was plenty of evidence, and that they could not be called before
the dangerous scoundrel. The solicitor told me that he had enquired, and been assured that all would be carried out fairly in his absence: he later asked me to try to enquire into such a procedure.

It was a long, discouraging and futile struggle to try and get human rights for this man. For one thing, in a case of this kind, one has to make absolutely sure that one is not struggling on the wrong side. Supposing the man were a criminal? It was only after long investigation that I concluded that he was being framed for reporting the drug traffic. Little did I realise that in the same prison were other innocent men framed and brought before the Tribunal for the same reason.

Indirectly the Tribunal itself helped my investigations. Quite by chance I mentioned the case to a man who had been a member of one Tribunal: he was having some pricks of conscience about judging men guilty without tangible proof and on hearsay evidence by a single policeman. Unfortunately he appeared to do nothing about the pricks.

Worst of all was the official attitude. Whenever I asked for an investigation in the light of new facts revealed, the reply from the Colonial Secretariat was always the same, that there was "nothing to add" to the first answer received, which had said nothing anyhow. The Secretariat repeatedly asked for "more evidence", but consistently refused to examine any new evidence supplied.

Finally it was the detained men themselves who
forced action. A group of them, all victims of framing for reporting drug traffic, went on a hunger strike. They were already in a very weak state when the mother of one of them sought my help; her son was almost dead, she said. I rang up the Colonial Secretariat and the official who answered the phone told me quite merrily that he believed some men in prison were refusing to eat. I threatened action against the Government if anything happened to them, and I learned later that they were then forcibly fed; this was not the solution to their problem: all they wanted was a fair and open trial with real witnesses instead of hearsay evidence. The following is an account written by one of them, and it typifies the statements made by all of them: (Names are omitted to safeguard the man.)

"My name is ......, aged 41, native of ...... in the Kwangtung Province of China. I was born in Hong Kong, and during the war I worked for the Chinese Government. After the war I joined the Hong Kong Police in ...... as a police constable. In the year ... I was transferred to the detective branch, and in the year ... I wrote a letter to Mr. ...... (here he named a high Government official) informing him of police personnel involved in corruption and the drug trade. It was later found out that I was a civil servant using a pen-name in my letter. I was dismissed from the Police Force.

"I then set up a farm in the village of ......, and lived peacefully with my family.

"During my fifteen years of service with the
police I had arrested many people who ran gambling-
stalls and opium-dens, and I was very angry at being
dismissed for giving information about the corrup-
tion of some members of the police.

"I knew that those who operate illegal business
have permission from the police. In February ....,
I went to see Inspector ......, and he told me that the
then Assistant Commissioner needed informers bad-
ly, to help him wipe out all illegal business in Kow-
looon. Inspector ...... then introduced me to the
Assistant Commissioner and I worked for him.
After a month many of those illegal businesses had
to close down. The operators then discovered that
I was the informer, and they warned me that they
would get rid of me. I wrote and told the Assistant
Commissioner about this.

"On 21st June, 19xx, I was arrested in ..... Street
and charged with using the Assistant Commissioner’s
name to blackmail the operators of gambling stalls
and opium dens. I had been in the police all those
years, and would not be so stupid as to blackmail
opium dens and gambling stalls, as I knew that they
could inform the police, and when I took the black-
mail money they would arrest me.

"When I came before the Detention Tribunal, I
asked to see the witnesses who had testified against
me, but I was told by the judge that the lives of
the witnesses must be protected and therefore they
would not appear in court to answer my questions.
I was then detained for more than twenty months.
“On 28th August 19xx, the Supreme Court ruled that I should be set free, but had to wait for the Governor’s approval, which would take about four weeks. I was looking forward to being free, but on 9th November I was told that I would be detained indefinitely, along with five detainees who were promised their freedom at the earlier Supreme Court trial. We staged a hunger strike in protest.

“Days after, I was forced by the prison doctor to eat. On 18th November, the Prison Authority agreed to send our petitions to those in higher authority, and we agreed to take liquid food. In our petitions we stated that if we were considered harmful elements there should be a proper trial, police witnesses should appear in court to answer our questions, and if we were convicted we would accept the severest penalty. If we received no reply, we would go on hunger strike again in two weeks.

“We waited until 6th December, and resumed our hunger strike. We were then taken separately into a small room alone, where there was no bed but only some blankets, and we had to sleep on the floor.

“About two days later, the Commissioner of Prisons inspected the prison and we again revealed the reason for our hunger strike. He promised to send our petitions to the Authority concerned, and after we had received his assurance, we took liquid food again.

“I do not think Hong Kong is ruled by law, but
by those who run the drug business, the gambling; and those whose duty it is to suppress crime are helping with the illegal trade. Those who wish to see justice done, and those who wish to report crime for the sake of our society, have to suffer, while those who are engaged in crime can get away with it, and enjoy doing whatever they like.

"Mrs. Elliott, I would be grateful if you would guide me as to what to do in the future. I would be more than grateful if you councillors would see that justice is done, and would prove that I am innocent."

These petitions, which were sent to the Governor, were apparently ignored. There was only one way left: to make a public issue of the matter; this is often the only way since no one in the Government is willing to listen to reason or to examine the facts.

Three weeks later, in an Urban Council meeting open to the public, and while the men were still in prison, I placed a motion before the Council. It was ultra vires and special permission had to be given by the other councillors. The motion asked for an investigation into the use of threats of deportation against hawkers — the only way in which it could be related to the Urban Council. Indeed, the use of threats of deportation against hawkers or anyone else who stood in the way of corruption and crime protection was all too common. The Motion cited three specific cases, one of them being among these deportees. (All persons sentenced to detention are subject to deportation at the Govern-
ment's pleasure.)

The motion was passed with unanimous support from the officials, both elected and appointed, but it met with unanimous opposition from the officials on the Council.

The speech I made on that occasion must have hit hard, as it produced violent reaction from the then Colonial Secretary; but he received little support from the public, most of whom were fully aware of the situation.

The Colonial Secretary had only himself to blame: he had been asked many times to investigate the matter and he must have seen the petitions sent by the detained men. He made veiled threats that if I had not sought immunity through speaking from my position on the Urban Council, I might have been liable to prosecution; but although I repeated my statements through the press to give him the chance to prosecute, he denied that was his intention. Had he done so he could not have won in any fair court. He also refused to take part in any public debate on the matter. Again, he could not have won.

In spite of the denials of the Colonial Secretary, however, the men were all set free at once, no excuse being offered for their having been jailed. Their release was kept so quiet that many members of the public were not even aware of it. Most of them visited me and thanked me for my efforts, asking me to take up their cases in London to try to clear
their names. This was the reason for my much-
misunderstood visit to London in 1966. By then
there were many other important issues to raise
with an indifferent Government in London.

Among those who came to say thank you was
my little "dangerous" character, and this was our
first meeting. He looked cowed and intimidated
at first (police had ordered him not to go outside
his village), but later he regained his courage and
wrote out his story. I will not record it here as it
follows the same pattern as that quoted earlier,
but I will record a letter of support for him written
by twenty villagers who knew that he was innocent:

"In 1964, a resident named...... living in the village
of .....was arrested and accused of being a member
of a Triad Society; he was almost deported just
because he gave information about drug stalls to
the police. However, Mr. ..... was set free with your
help. But he is still on probation and his record is
stained. Why should this be so?

"It is said that Hong Kong is a law-abiding place,
and that a good citizen is always protected by the
law. Moreover, the police often request the citizens
to cooperate and tell them to be brave in giving
information on drugs and gambling stalls. The police
even promise to keep secret the names of informers
and give them protection when requested. If this
were done it would be a perfect plan for the benefit
of our community. But it is a great pity that it is
not as good as it sounds. Mr. .....'s case is a good
example of this. He tried to cooperate with the
police, but what he got was torture, imprisonment, and a great loss of time and money!

"So the statement that Hong Kong is a law-abiding place is completely false. Superficially it looks all right, but in fact it is so dark that everyone is afraid. After hearing Mr. .....'s case, who has the courage to cooperate with the police? It is doubtful if anyone would dare to do so.

"We hope that the Government will be true to its word, so as to win the confidence of the people and the cooperation of the public. Only in this way will evil-doers be prevented from endangering our community, and only then will our community have security.

"Mr. ..... is a good citizen and is unfortunately wronged by the police. We have therefore decided to send a joint letter to you to prove and guarantee that Mr. ..... has always been a good citizen, and we request you to do something to clear Mr. .....'s name and have his record cancelled. If you can do this successfully it means you will greatly encourage the citizens of Hong Kong to work together with the Government and make it possible for Hong Kong to be a law-abiding place both in word and in deed."

This letter, signed by twenty respected villagers, was sent to the Colonial Secretary. He ignored it. When the then Commissioner of Police was told of the support of the villagers he replied, "These villagers are all alike." He did not explain what he meant,
and later denied having said it. The injustice remains to this day, and the Government did not make it possible for "the citizens of Hong Kong to work together with the Government and make it possible for Hong Kong to be a law-abiding place both in word and in deed." The Government should not moan about crime increasing since it is responsible for the increase, responsible for the failure of the public to make reports on crime, responsible for encouraging crime: the experience of 1965 – 1967 indicated clearly that gangsters could expect the greatest cooperation from Government quarters.

If I had had any doubts about this deportation case when I began, I had none by the time I had finished. The Colonial Secretary proved its veracity by his unwillingness to investigate evidence. To all facts brought before him he had only one reply: "This was a properly constituted Tribunal." But how can there be any proper trial in which the accused is unable to call witnesses, question witnesses, or even have his solicitor present to defend him? Is there any place in the world where an alleged injustice is solved by ignoring it? But then, is there any place in the world where the drug traffic is protected as in Hong Kong?

From time to time the Hong Kong Government has tried to exonerate itself by publishing figures showing the amount of narcotics seized, the number of arrests made, and the number of addicts given treatment. But the drug problem has increased, not decreased. A conservative estimate puts the number of Hong Kong drug addicts at 80,000: there could
be twice that number; and they are younger as each year passes and more young people are dragged into the net.

If the police really wish to deal with the drug problem, as they claim they do, they must have extremely dull detectives. A child could lead them to some of the open drug markets on either side of the harbour.

The worst one I saw was at Ma San in the Causeway Bay area. A few months ago I visited this drug market with a friend. We saw drug addicts by the dozen smoking heroin: they were leaning over lamps in huts, or holding their silver paper containing the drug outside in the gutters, while stalls sold to any who wanted to buy. Such a scene of filth and degradation it would be hard to surpass. It had been the same several years earlier when my friend visited it; it was the same several months later when another friend visited it. The reader may see it today — unless it removes temporarily after this chapter has been printed. One thing is certain: it cannot possibly be unknown to the police.

When the police make a show of clearing these areas, they arrest a few pitiful addicts but never the real operators. Sometimes they arrest men who are not drug addicts and place drugs in their hands or in their pockets: there is plenty of evidence of this. The poor accused man has not a ghost of a chance: the police can bring as many "witnesses" as they wish to prove the charge, and they know full well that no magistrate is likely to believe the
word of an innocent victim against the word of several police. In the odd case where a magistrate is unconvinced and sets the prisoner free, no enquiry is conducted to find out why the false charge was made.

While Government servants make hypocritical statements blaming the public for not cooperating, calling upon them to report the existence of drug traffic, other Government servants are protecting the trade even to the point of arresting and imprisoning on false charges those who undertake this responsibility. Those who from the highest positions refuse to investigate are as guilty as those who indulge openly in the trade. If the Government had any genuine intention of dealing with this crime, it would take strong action to protect the victims and bring the culprits to justice. One is driven to conclude that this crime is being committed or protected by powerful persons within the Government's structure and the Government is determined to close its eyes.