



Foreign and Commonwealth Office

London SW1A 2AH

29 November, 1984

Prime Minister (2)

Dear Charles,

To be aware.

Hong Kong: Capital Punishment

The Governor of Hong Kong warned us by telegram on 20 November that his decision to commute to life imprisonment the death sentence passed on Keung Sin-Chi (for the murder in 1982 of a mother and her two small children during a robbery) might cause something of a public outcry when it was announced the following day. The Prime Minister might wish to be aware of this case in advance of the call by UMELCO members on 5 December and her own visit to Hong Kong. During the discussion of the case in the Executive Council (EXCO) which preceded the Governor's decision to commute the sentence, the majority of Unofficial Members felt so strongly about the case that they abstained from giving advice. The Governor reminded the Council that the attitude of Parliament to capital punishment had not changed. Nevertheless a number of members asked for their strong feelings on this matter to be conveyed to London.

The death penalty still exists in Hong Kong and public opinion there is strongly in favour of its being applied. However although convictions on capital charges occur regularly, no death sentence has been carried out since 1966. In 1973 the then Foreign Secretary (Sir Alec Douglas-Home) intervened to prevent an execution in Hong Kong. The Colonial Secretary of Hong Kong made a statement in the Legislative Council in 1975 to the effect that the Secretary of State could not recommend to The Queen to reject a plea for clemency from Hong Kong while feeling in the House of Commons in England was against capital punishment. Since then the Governor in Council has always commuted death sentences, although with some reluctance displayed by the Unofficial Members of EXCO. In late 1975 the then Governor (Sir M Maclehoze) announced that he would impose life sentences, save in exceptional circumstances, when commuting the death penalty. Although this appeared to have taken some of the sting out of this issue, it remains a sensitive one.

In the event, the Hong Kong press has recorded the commutation of Keung's sentence without so far giving any prominence to the issue or to the attitude of members of EXCO. Should there be any press interest here we propose to point out that the decision was taken in Hong Kong by the Governor after consulting the Executive Council. If pressed we would add that, in the absence of an elected legislature in Hong Kong, special attention

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must be paid to the views of Parliament on capital punishment.

*Yours ever,*

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