

A battle of words with Sneath

SENT "Peggy" to the Social Welfare Department.

HONGKONG'S UNSOLVED INJUSTICES

The Memoirs of ELSIE ELLIOTT



To quell any doubts that readers may have about the character of this child, I quote from the reply of the Social Welfare Department: "... (Peggy) being a very innocent child leaves every decision to her parents who have become greatly disturbed and depressed since her pregnancy was confirmed.

"They want to keep the expected baby but without making any plans for his/her future.

"Nor have they considered the future status of the under-aged mother who should get married later on."

When the Attorney General's office replied, again under the signature of Mr G.R. Sneath, it said: "The result of the enquiries is that no trace can be found of any report being received in this police division about such a case. Before reaching the conclusion that this must be because the police have suppressed a report, please consider carefully whether you have the slightest evidence for coming to such a conclusion.

"I feel bound to urge this on you because you appear to harbour the suspicion that the police make a practice of suppressing evidence when submitting case files to this department. You express shock; presumably because you have allowed this suspicion to crystallise into a certainty in your mind. I find this allegation shameful because it is totally unfounded by anything which you have produced."

girls giving evidence in camera if the details were going to be too painful, but never have I heard of a rapist getting off scot-free to save the girl's recounting her experiences.

Moreover, was this not a tacit admission that the rape had taken place; if not, what experience was there to relate?

By this time I was furious with G.R. Sneath, and I replied posing two questions:

IN yesterday's extract from "Hongkong's Unsolved Injustices", the memoirs of Elsie Elliott, Elsie described the tragic case of "Peggy", a 13-year-old rape victim.

Read on, as Elsie tries to get the Government to bring the rapist to justice.

● Is a case like this not usually heard in camera? and,

● Are you going to let this man continue raping girls in order to save them a harrowing experience (that is, in court)?

I went on: If you have a valid reason for stopping the court judging this case, I think you have responsibility to let me know.

Unless you do so, I shall hold this against you until it is cleared up.

"May I remind you that

this disgusting affair. So to Mr Sneath I replied: "Your facetious letter of February 16 helps nothing in this rape case. I wanted a serious enquiry about a serious matter, but you are just picking out some point to try to avoid the real issue.

"Since two cases are said to have been traced to one man, it is quite the point to ask how long your department is going to collaborate with the police and allow this man to rape girls. Unless you can prove that you had good reason to believe this man was innocent, large doubts remain, both against the man and the Government departments concerned.

"I suppose you will not go so far as to say that this girl was not raped and that it is usual for girls to have children at the age of 12-13 without the need of the law to take action; then surely you must admit someone was guilty, and if not this man, who?

"Would you kindly tell me what has been done to find out who raped this little girl? If you cannot answer privately — or should I say WILL not — I shall ask the question publicly. I know whose side the public will be on — certainly the innocent child's.

"I wonder if you would treat the matter so much as a joke if the girl were your daughter — or even if she were of your own race?"

In his reply to this letter, Mr Sneath used the usual devious method of a

'What would you do if she was your daughter?'

Sneath ended with this beautiful piece of compassion: "I would go further in the case of the alleged rape of a young girl, and say that it would be wrong to subject her to the ordeal of recounting her experience in a public court unless it was considered absolutely necessary. I would ask you to consider this aspect of the matter."

Nice man, so he was really looking after Peggy by refusing to have the rapist judged! And that was in the PUBLIC interest!

But this letter revealed a temperament found in many Government departments in Hongkong. He foretells that I will say the police have suppressed the second case, warns me to consider, and goes on at once to blame me for having reached the conclusion he is guessing I may reach.

Perhaps the suspicion was mainly in his own mind. It should have been, because later evidence showed that this was exactly what the police had done.

As a man of law, I should have thought too that he had heard of young

the Government is supposed to serve the public and is not its master."

To this G.R. Sneath replied: "When a letter contains (as my letter did) such a question as 'Are you going to let this man continue raping girls...?' and the vague threat that if one does not provide satisfactory reasons to the writer this will be held against one, it really begins to seem that nothing is being gained on either side by the correspondence.

"The answer to your first question is no.

"Your second question comes into the 'Have you stopped beating your wife?' category for which there is no answer without challenging its premise."

If Sneath had had a valid reason for not putting the rape case in court, I am sure he would have given it. Most departments, if they have a reason for their action, are only too glad to give it.

I believe he knew his department was wrong, and was prepared to bully his way out of responsibility.

I was not prepared to give up: the girl's image was ever before me, and I lost sleep worrying about

Government department when it has no proper answer to a question; he reviewed all that he had previously said, denied that he had been facetious, and ended by referring with hurt pride to my last paragraph: "I do not think that any comment is called for on this singularly unpleasant insinuation."

Insinuation or not, I believe that had it been his daughter it would have been a very different matter.

As he still gave no reason for his action, and did not say what he was doing about the other case by the same man recently reported, and as he did not say what would be done to trace the rapist if this man So was not guilty, I wrote again asking:

● What was the reason why this case was not sent to court for judgment?

● What investigations were made to try to find the rapist?

I reminded him that the public expected to SEE that justice was being done.

To my surprise, in his next letter Mr Sneath congratulated me on my reelection to the Urban Council, and reminded me that some Government

servants, including himself, did put the interests of the people of Hongkong as their foremost objective.

However, in spite of the improved tone, the letter still added nothing new on the case, but Mr Sneath continued merely to insist that what he had done was "in the public interest."

We were still in square one. Meanwhile the baby had been born and the parents were frantic at the injustice to the child.

Then came a valuable piece of information from the brother of the little girl.

He had apparently been afraid to give details of his own experience while working in the same company, but anger took away his fear and he made a statement.

For his protection I will refer to him as Kenneth.

● TOMORROW — gathering more evidence.

May 26, 1976

The Star