

Five jailed for bribing electors in Shatin DC by-election

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A defeated candidate of the 2009 Shatin District Council (DC) By-election (Tai Wai Constituency) and four other persons, charged by the ICAC, were today (Monday) sentenced to various jail terms at the District Court for conspiracy to bribe registered electors and engage in other corrupt and illegal conduct in relation to the by-election.

Lee York-fai, 44, a doctor and a defeated candidate of the by-election, and Chiang Sai-cheong, 55, secretary of Mei Lin Community and Welfare Association (the Association), were jailed for 21 months and 12 months respectively.

Co-defendants Simon Liang Chun-yip, 42, chairman of the Association, and Cheung Shing-kai, 44, a company director, each received a jail term of 21 months, while Yu Wai-chi, 37, treasurer of the Association, was sentenced to 12 months' imprisonment.

In sentencing, Judge Douglas Yau Tak-hong said the defendants' offences were premeditated and organised. Jail terms instead of suspended sentences had to be imposed on them to serve as a deterrent to maintain fair and clean elections.

The defendants were earlier found guilty of a total of 10 charges under the Elections (Corrupt and Illegal Conduct) Ordinance (ECICO) - five concerning corrupt conduct and the remaining five relating to illegal conduct.

The court heard that on February 23, 2009, Lee submitted a nomination form to the Registration and Electoral Office (REO) to stand as a candidate for the by-election that was held on March 29, 2009.

Between early January and March 28, 2009, the Association organised 12 dinner banquets costing over \$1 million for its 1,578 members, 981 of whom were registered electors. While the Association only charged each member with \$20, the five defendants provided and met all the costs of entertainment, food and drinks consumed at the banquets for inducing the electors to vote for Lee.

On separate occasions between February 5 and March 29, the polling day, Lee, Chiang, Liang and Yu offered electors food and drinks for breakfasts, free anti-flu injections, 38 one-day local tours or \$100 coupons for settling medical expenses at Lee's clinic for the same purpose.

The court heard that Lee, Chiang, Liang and Yu published printed election advertisements, which failed to meet certain requirements. The election advertisements concerned included a leaflet on the free anti-flu injections, two books on health tips and two other leaflets to recommend a new book.

Chiang, Liang and Yu also engaged in illegal conduct by incurring election expenses in relation to the production expenses of reusable bags.

Lee incurred election expenses totalling over \$2 million, which exceeded the statutory limit of \$48,000. But Lee only reported about \$34,000 to the REO, the court was told.

An ICAC spokesman reminded candidates, election agents and helpers as well as electors of public elections to observe the ECICO.

"Bribing electors at public elections is a serious offence, and the offenders are liable to prosecution," he said.

The ICAC had launched a series of education and publicity programmes to promote the clean election message for the upcoming District Council Election. Similar programmes would also be arranged for other public elections, the spokesman added.

The prosecution was today represented by Senior Public Prosecutor Olivia Tsang, assisted by ICAC officer Beta Leung.