

News of Against Child Abuse

2021.04.13 SCMP Hong Kong couple found guilty of murdering 5-year-old daughter in horrific child abuse case

- After 10 hours of deliberations, High Court jury also finds step-grandmother guilty of two of four counts of child cruelty
- The girl was rushed unconscious to hospital in January 2018, her body covered in over 130 injuries; her older brother, who survived, had suffered a similar amount of harm



The court was shown drawings by the victim at school. Photo: Handout

A Hong Kong couple have been found guilty of murdering their five-year-old daughter three years ago in one of the city's most horrifying cases of child abuse.

The girl's 56-year-old step-grandmother was also convicted of two out of four counts of child cruelty.

A High Court jury of three men and four women on Tuesday returned the verdicts after 10 hours of deliberations, following a month of heartbreaking testimony from family members, teachers and doctors.

Murder and manslaughter are both punishable by life imprisonment, while the cruelty charge carries a maximum sentence of 10 years. All three defendants had no prior convictions.

The father was found guilty of murder by a unanimous vote, and the stepmother was convicted by a 6-1 majority. The grandmother was unanimously cleared of ill-treatment of the children, but was found guilty of two counts of neglect by a vote of 6-1.

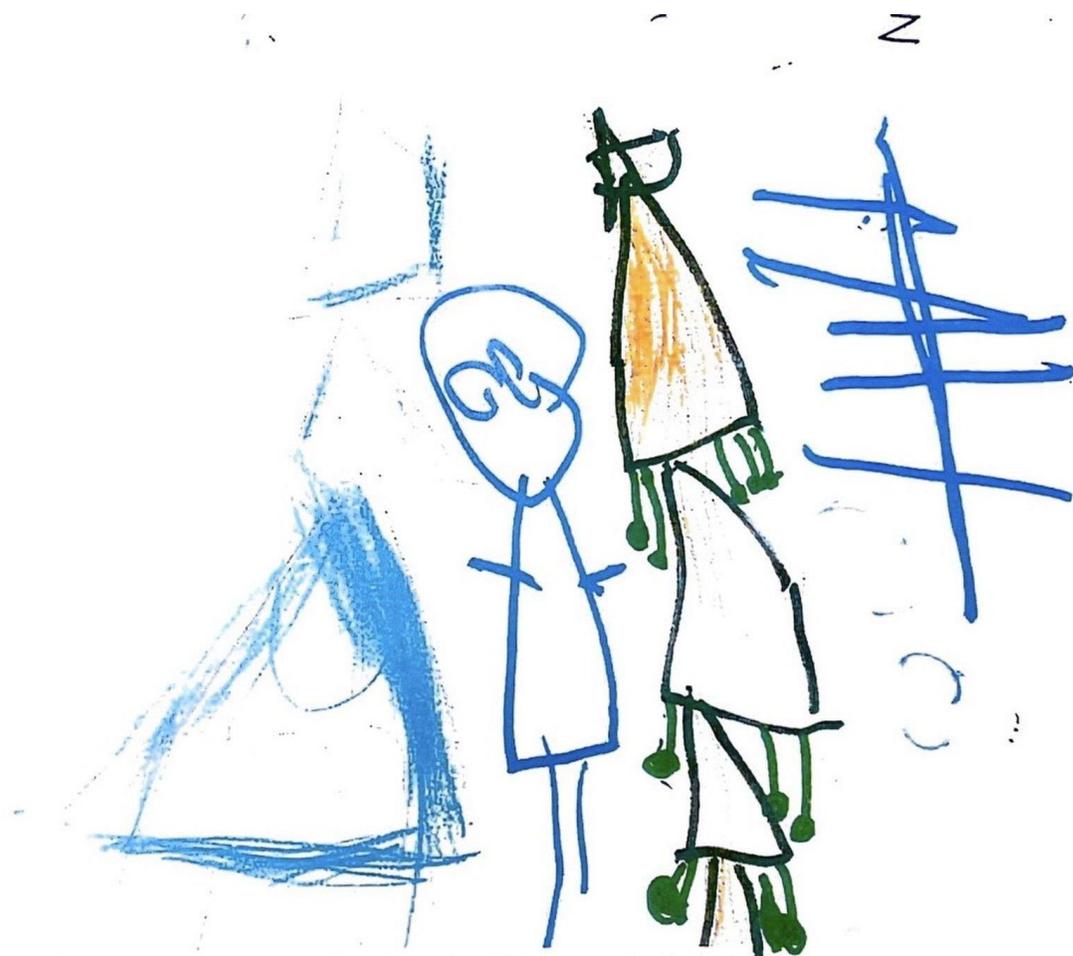
None of the defendants showed a visible reaction to the verdicts.

The judge will hear mitigation on Wednesday and sentence them on April 20. The step-grandmother's bail was revoked, while the parents have been remanded since their arrest in January 2018.

The shocking abuse first came to light on January 6, 2018, when the child was rushed unconscious to Tuen Mun Hospital, in a diaper, her body covered with some 130 injuries.

On the same day, her eight-year-old brother was also sent to hospital, where he was found to have about the same number of injuries on his underweight body.

The children's 29-year-old father, a transport worker, and 30-year-old stepmother, a housewife, admitted they had ill-treated and neglected them over a period of 150 days, since they moved in with the step-grandmother on August 10, 2017, but they denied murdering the girl.



Another drawing by the victim. Photo: Handout

The death sparked public outrage and brought renewed attention to the city's child protection measures. In the aftermath, the government announced new arrangements for reporting pupils' absence and suspected abuse, introduced more social workers, and revised its guidelines on handling similar cases in the future.

Public interest was also evident from the regular full attendance in court and heated online discussions, which included comments so alarming it prompted Mr Justice Albert Wong Sung-hau to ask correctional services to pay more attention to the couple's life in prison.

One post read: "Hope someone inside will take care of them."

"Convict them already and let the inmates assault them," wrote another.

The judge has issued a gag order barring the identification of the family members and schools involved, to protect the siblings and their stepsister, who was not abused. But that did not stop the online doxxing of one teacher, even after his full name was withheld by the media.

An autopsy concluded the girl had died of septicaemia after she was infected by two kinds of bacteria: Salmonella enteritidis and Staphylococcus aureus.

Derek Lai Kim-wah, senior assistant director of public prosecutions, said the chronic abuse was a significant cause of the girl's death because it weakened her immune system's ability to fight the salmonella infection that eventually killed her.

That was reflected by the experts' finding of the change in the girl's thymus – a vital organ responsible for the production of white blood cells that fight salmonella – which had been reduced to its smallest size, despite it generally being at its largest in children her age, in response to toxic stress.

The parents accepted they caused the death and offered to plead guilty to manslaughter, but that was rejected by the prosecution.

The murder charge hinged on the question of whether the parents had the intent to cause the girl grievous bodily harm at some point through their ill-treatment or neglect.

One example offered by prosecutors was denying her food for three to four days on three occasions in November and December 2017, when she was also experiencing other forms of abuse.

But both parents had denied having such an intent, and said they did not know about the deterioration of the thymus when they used corporal punishment for the purpose of "teaching".

As for the step-grandmother, Lai said the most serious crime she committed was neglecting the children in her care, in the flat she owned, as she could have stopped the punishments and saved the girl.

But the grandparent, an accounting clerk, said she did intervene, while questioning if the children were truly in her care. She also denied using a rattan stick on the children.

Halfway through trial, her defence counsel Chase Pun argued she had no case to answer, because the prosecution's allegations rested on inconsistent accounts given by the children. But Wong ruled against her on all four counts.

She did not testify.

The Social Welfare Department has been following up on the girl's brother and stepsister since January 2018, providing clinical psychological services, residential care and financial assistance.

A spokesman said the department would continue to provide support and services as appropriate.

The Post has been told the boy has been returned to his paternal grandmother's care, without requiring further counselling since 2019, while the stepsister has been placed in foster care.

Both were accompanied by social workers when they testified against their parents and grandmother in a separate room via a live television link.

In response to the verdict, top microbiologist Dr Ho Pak-leung shared on Facebook two verses from the Bible's Book of Proverbs: "Do not fret because of evildoers or be envious of the wicked, for the evildoer has no future hope, and the lamp of the wicked will be snuffed out."

Ho, an expert witness who had testified on the girl's serious infection, said he hoped her tragic case could serve as a wake-up call for the community to pay more attention to child abuse and offer a helping hand when children were in need. He also expressed hope that the girl's spirit would find peace now that justice had been served.

In a statement, the Hong Kong Committee on Children's Rights called on the community and the government to work together to strengthen laws and systems to protect the city's 1.1 million children.

"This was not a single case," the statement said. "And such cases must be thoroughly reviewed to trace needs and loopholes to ensure responsible practices being the norm."

Against Child Abuse, the NGO, recognised improvements in government policies and mechanisms in the past three years, while making further recommendations, such as banning corporal punishment and establishing a system for mandatory reporting of suspected child abuse.

Reference: <https://www.scmp.com/news/hong-kong/law-and-crime/article/3129333/hong-kong-couple-found-guilty-murdering-5-year-old>