

On Human Rights Day, Hong Kong Court sentences British National Jimmy Lai to over 5 Years' Imprisonment

His international legal team condemns his Conviction and Sentence; and calls on the UK Government to take immediate action

For immediate release

London, 10th December 2022

Today, 10th December 2022, British national Jimmy Lai has been sentenced by the Hong Kong District Court to a total of 5 years and 9 months' imprisonment on two counts of "fraud" relating to the lease of the premises for his pro-democracy media organisation, *Apple Daily*. Mr Lai's international legal team, led by Caoilfhionn Gallagher KC, condemns today's sentence and calls for the UK Government to take immediate, robust action to secure his release ahead of his upcoming National Security Law trial.

Background

75-year-old Mr Lai is a British citizen based in Hong Kong. He is a renowned media entrepreneur, pro-democracy campaigner, and writer. He is the founder of *Apple Daily*, one of Hong Kong's most popular newspapers until its forced closure in June 2021. He is a well-known and high-profile supporter of the Hong Kong democracy movement and advocate for peaceful assembly, and has been an outspoken critic of the Chinese government's human rights violations.

Mr Lai has been repeatedly targeted by the Hong Kong authorities because of his political opinions, his journalism and his status as a high-profile pro-democracy advocate. Over the past two years he has faced a barrage of criminal prosecutions. He was arrested in August 2020, and since December 2020 he has been imprisoned continuously in Stanley Prison, Hong Kong.

Mr Lai has already served custodial sentences for his participation in peaceful pro-democracy protests in 2019-2020. Today's sentence of 5 years and 9 months follows his conviction on 25th October 2022 on two counts of fraud involving the alleged breach of the terms of the lease of the *Apple Daily* premises. The fraud verdict has been condemned by the United States' Government and civil society. On 26th October 2022 the US State Department stated, "*The United States condemns the October 25 verdict against Hong Kong democracy advocate Jimmy Lai, founder of the Apple Daily newspaper, on spurious fraud charges. We remain deeply concerned about the deterioration in protection for human rights and fundamental freedoms and the systematic dismantling of Hong Kong's autonomy under the National Security Law (NSL). These include increased efforts to wield the NSL to suppress independent media, to silence dissenting views, and to stifle freedom of speech. Though Lai's fraud trial was not on NSL grounds, local authorities nonetheless imposed the NSL's more restrictive legal procedures for this non-NSL case. These actions undermine the PRC's obligations under the Sino-British Joint Declaration, which is a binding international agreement, to uphold Hong Kong's high degree of autonomy and protected rights and freedoms.*" The full US State Department statement is available [here](#).

Mr Lai faces further spurious charges under Hong Kong's draconian National Security Law (NSL), carrying a maximum sentence of life imprisonment, and sedition charges, for his journalism and peaceful pro-democracy activities. His NSL trial is currently listed to start next week, on 13th December 2022, although it may be delayed further as the Hong Kong authorities are awaiting a decision from Beijing on the conduct of the proceedings. The prosecution has sought to prevent Mr Lai's British defence counsel

in the NSL case, Mr Owen KC, from representing Mr Lai at his NSL trial on grounds of national security, and a decision is awaited from Beijing on this issue.¹

The litany of cases against Mr Lai has been widely viewed internationally as an attempt to oppress his pro-democracy campaigning and his media outlet's reporting critical of China. The [European Union's External Action Service](#) and [European Parliament](#), the [US Senate](#), and the [United Nations](#) have all expressed alarm over Hong Kong's crackdown on Mr Lai and other pro-democracy campaigners.

Response to Today's Sentence

Mr Lai's son, **Sebastien Lai**, who is based in Taiwan, said:

“My dad has already spent two years in prison for standing up for human rights in Hong Kong, for freedom of speech and association. Now they have sentenced him to 5 years 9 months for breaching a lease contract, and he is awaiting a National Security Law trial which could condemn him to spend the rest of his life behind bars. My dad is a British citizen who has done nothing wrong. I call on the UK Government to take urgent action to protect my dad immediately and secure his freedom. The UK must do all it can to stop this, and do it now.”

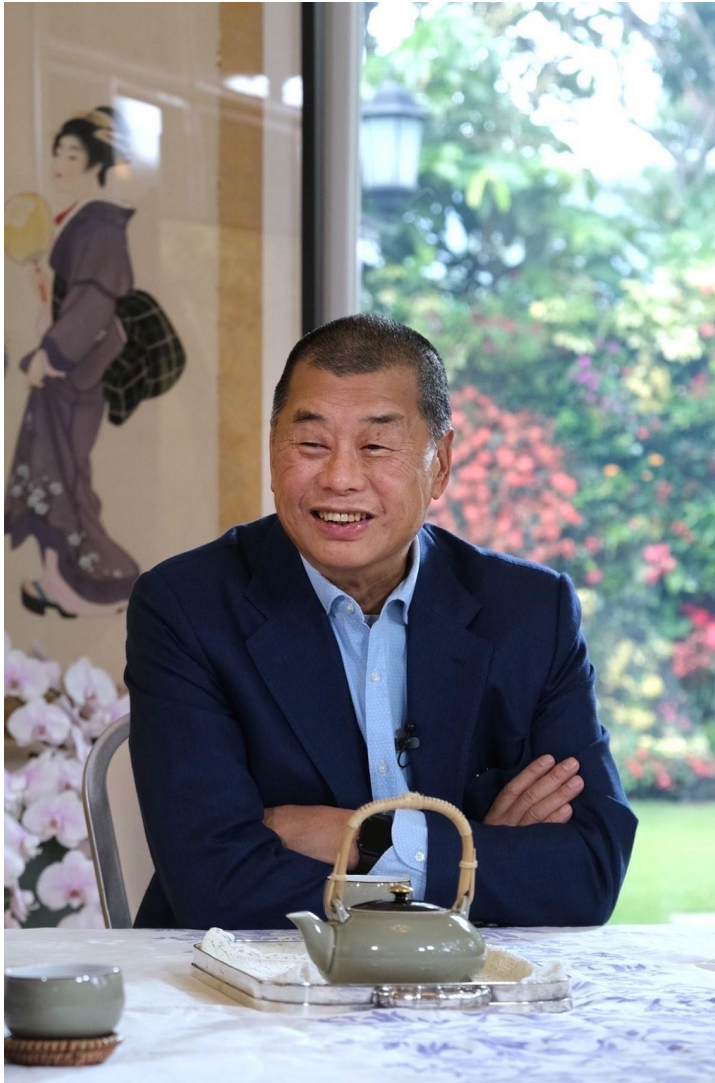
Leader of Mr Lai's international legal team, **Caoilfhionn Gallagher KC** added:

“Jimmy Lai is a UK national, imprisoned in Hong Kong for speaking truth to power. He is being subjected to ‘lawfare’ - multiple prosecutions and lawsuits, all designed to silence and discredit him and send a clear message to others that they should not dare to criticise the Chinese or Hong Kong authorities. The legal harassment against him and his imprisonment since 2020 flagrantly violates international law and has attracted widespread international condemnation. There is a deep irony to Mr Lai being sentenced for an entirely baseless fraud conviction today, Human Rights Day.

Mr Lai is a British national. It is frankly astonishing that we have heard more about this spurious fraud conviction from the US Government than Mr Lai's own government. We ask the Prime Minister and the Foreign Secretary to treat this case with the urgency it deserves and to speak out in support of its citizen.”

Mr Lai is represented by an international legal team, led by **Caoilfhionn Gallagher QC**, and including **Jonathan Price, Tatyana Eatwell** and **Jennifer Robinson**.

¹ The Chief Executive of Hong Kong, John Lee, has asked the National People's Congress Standing Committee to decide the matter, and the NSL trial is adjourned whilst this decision is outstanding.



Jimmy Lai
Photograph by Next Animation Studios