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Healthcare workers charged with subversion in Hong Kong under draconian new security law

A prominent labour unionist for the health sector in Hong Kong is among 47 people charged with conspiracy to commit subversion under the recently enacted National Security Law.

Winnie Yu Wai-ming, a nurse, is the founder and chairwoman of the Hospital Authority Employees Alliance. The labour union, founded in late 2019, represents around 9000 of the 67 000 staff employed by the Hospital Authority, the statutory body that manages all of Hong Kong's government hospitals. Yu, along with 46 others, was charged on 28 February. She was denied bail and will be held in custody until the next hearing of the case on 31 May. A doctor, Kwok Ka-ki, who is a former member of the Legislative Council, was also one of the 47 charged with subversion. He and 14 others were granted bail, but this was immediately appealed, and he remains in custody.

Yu and Kwok were among 53 people arrested on 6 January for their involvement in an unofficial primary election held in July 2020, to decide who would stand as the pro-democracy candidate in upcoming Legislative Council elections. Over 610 000 people voted in the poll. Yu stood against three other candidates for the health services functional constituency, which represents health services professionals.

The three other candidates—Cyrus Lau Hoi-man, Ricky Yuen, and Joseph Lee Kok-long—were also arrested on 6 January and required to report to the police on 28 February but were not charged. Lau is a registered nurse and an officer of Hong Kong Allied Health Professionals and Nurses Association. Yuen was the head of the School of Nursing at the privately owned Union Hospital. He posted on his Facebook page on 26 February that he had been fired in the wake of his arrest.¹ Lee is a nurse and a professor and dean in the School of Nursing and Health Studies at the Open University of Hong Kong.

Lee was also the incumbent Legislative Council member representing the health services functional constituency. He was one of the pro-democracy camp legislators who resigned en masse from the city's parliament in November 2020 after Beijing passed a resolution allowing the Hong Kong government to dismiss politicians deemed a threat to national security, and four, including Kwok Ka-ki, were unseated. In a public statement before he reported to the police on 28 February Kwok said, "In the face of constant political repression, we can only rely on each other for mutual support and care. We stand by each other to fight against adversity. A prison may keep us in isolation, but it cannot prevent us from caring for each other."

Before the bail hearing ended, Yu's employer suspended her from duty, a move that drew criticism

from Arisina Ma, the president of the Hong Kong Public Doctors' Association. She told *The BMJ*, "It's a problem of timing. Now that she has been denied bail, and quite likely she needs to be detained until May, of course it is impossible for her to get back to work, so it's more reasonable for her employer to suspend her. But the Hospital Authority just made their decision when she got arrested and in the middle of the bail hearing—not because they knew that she couldn't get back to work but because she was charged under the National Security Law. It's also because she is the president of the HAEA [Hospital Authority Employees Alliance], one of the unions that has stepped on the nerve of the government and the pro-government side."

The alliance led strike has been credited with forcing the government to tighten border control measures in February 2020 during the early stages of the covid-19 epidemic in Hong Kong.² Since then the alliance has been a vocal critic of the government, notably its pandemic control measures.

In an interview with the Hong Kong media outlet Stand News on the eve of being charged, Yu said, "They will suppress us as long as there is a voice of opposition. They are trying to tell us: stop trying to fight. If you continue to fight, you will only end up in prison. I feel like I've done my best to try to fight in different ways, So, I can say I have no regrets."³

1 Yuen R. Facebook. <https://www.facebook.com/ricky.yuen.5245/posts/10217248466915358>.

2 Parry J. China coronavirus: Hong Kong health staff strike to demand border closure as city records first death. *BMJ* 2020;368:m454. doi: 10.1136/bmj.m454 pmid: 32019754

3 If today is the last day of freedom. *Stand News* 2021. https://www.youtube.com/watch?v=xGBjGGKuvPI&ab_channel=Stand-News%E7%AB%8B%E5%A0%B4%E6%96%B0%E8%81%9E.