

CRIME, JUSTICE AND PUNISHMENT IN COLONIAL HONG KONG

Central Police Station, Central Magistracy and Victoria Gaol

May Holdsworth & Christopher Munn



保育活化 Conserved and revitalised by



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CONTENTS

INTRODUCTION	1
PART ONE	
CENTRAL POLICE STATION	17
1 Barrack Block and Headquarters Block	19
2 A Colonial Police Force	35
3 Turning Points	67
PART TWO	
CENTRAL MAGISTRACY	95
4 Building the Magistracy, 1847–1914	97
5 Magistrates, Society and the Law in Colonial Hong Kong	109
6 One Million Cases: Glimpses of the Magistracy, 1841–1941	147
PART THREE	
VICTORIA GAOL	179
7 A Relic of Victorian Prison Design	181
8 ‘The Question of Insufficient Accommodation’	207
9 ‘Hope Dies!’ — Entering the Gaol	232
10 Punishment, Resistance and Release	263
<i>A Timeline of Key Events</i>	295
<i>Appendix</i>	302
<i>Select Bibliography</i>	305
<i>Illustration Credits</i>	308
<i>Notes</i>	310
<i>Index</i>	323



INTRODUCTION

Standing close together on a hillside above Hong Kong harbour, the Central Police Station, Central Magistracy and Victoria Gaol occupy a whole block in Hollywood Road, at the very centre of the city. Until dwarfed by high-rise developments, they loomed over other buildings on the lower slopes, an ominous presence. Architecturally, they are a legacy of the British Empire. Despite adaptations to local conditions and climate, such as Chinese roof-tiles and verandahs added for shade from the blistering subtropical sun, the main architectural elements are all redolent of the imperial connection — the Roman Doric columns and the arches and pediments no less than the engraved ‘G’ and ‘R’ on Headquarters Block. The apparently impregnable solidity of the surrounding walls and the buildings’ intimidating massiveness suggest something immaterial as well: they were a bastion of colonial power, a beacon flashing the unmistakable message of security, law and punishment.

In the normal course of events, the magistrates, warders and policemen who lived and worked in these buildings would have no monuments to their memory. They were ordinary people on the whole, not personages whose names and deeds are perpetuated by portraits and statues. Yet they do have a monument — in these evocative examples of Anglo-Chinese architecture, listed for statutory protection by the Hong Kong government in 1995.

Generations of other men and women were caught up in the criminal justice system. More than a million and a half predominantly Chinese people were dealt with in the Central Magistracy between 1841 and 1941: thieves and murderers, kidnappers and rapists, hawkers and street boys, vagrants and drunken sailors, prostitutes and gamblers, debtors and beggars, the guilty as well as the innocent. Their lives were commemorated only when, running into trouble with the law, their misdeeds were reported in the newspapers. But such memorials are no less meaningful than the monuments in stone. If buildings take precedence over people, the historian Roy Porter observed, we get heritage, not history.¹

This book is a history of the three institutions in terms of some of those people, the buildings in which they found themselves, and the setting in which they pursued their various activities. It covers multiple perspectives, but the people and their stories

remain at the centre of the narrative. It is told with a timeline that zigzags between the colonisation of Hong Kong in 1841, and 2005–2006, when the Central Police Station, Central Magistracy and Victoria Prison were decommissioned. A streak of racial discrimination runs through some of the stories. Pervasive in the criminal justice system in early colonial Hong Kong, racial discrimination was not so much a policy of colonial oppression as the outcome of distrust, prejudice, misunderstanding, impatience and fear, though in times of emergency it often seemed both deliberate and excessively severe.

In 2006, when its occupants moved out, the Central Police Station complex began a new life as a conservation and revitalisation project under the sponsorship of the Hong Kong Jockey Club Charities Trust. After a period of repair and restoration, and with the addition of two new structures, the 16 existing buildings and the compound in which they cluster were transformed into a centre for art, heritage and leisure. A place of retribution, redemption and death — now opened up to public gaze — became a space for edification and entertainment.

For decades, though, the public gaze had been averted from a spot that struck onlookers as forbidding, secretive and full of misery. The forlorn wails of gaol inmates erupting from time to time — so loud the whole neighbourhood could hear — left no one in doubt that this was where suffering lingered. Yells and screams from those subjected to corporal punishment mingled with the ‘terrible cries’ of lunatics, ‘who kept the whole Hospital or Gaol in an uproar’.² Equally provocative of dismay, revulsion or prurient fascination were the public executions that took place, first in the Magistracy compound, and from 1879 in a yard of the Gaol. Public hangings were not abolished until 1895.

When this site was first chosen in 1841 for a gaol and a Chief Magistrate’s house (incorporating a courtroom), it was considered remote enough though still accessible from the burgeoning town. The site was ‘airy, and elevated perhaps three hundred feet above the sea, from which it is distant fifty or sixty rods’.³ Soon afterwards, a proper courthouse — the Magistracy, predecessor of the one standing today — was constructed along Arbuthnot Road within striking distance of the Gaol, and in 1864 the Central Police Station, in the form of a new building, Barrack Block, was located nearby as well.

How did it all appear from the outside? Passers-by saw a walled enclosure sitting four-square on a block that was bounded on the north by Hollywood Road, named after Hollywood Tower, the Gloucestershire estate of Hong Kong’s second Governor, Sir John Davis; on the west by Old Bailey, in reference, perhaps satirically, to London’s criminal court; and on the east by Arbuthnot Road. Arbuthnot Road is said to allude to George Arbuthnot, a Treasury official and expert on finance.⁴ The southern perimeter of this ‘walled city’ was originally Caine Road, on which was built a new house for the Chief Magistrate, Captain William Caine. Later, probably as a result of redevelopment in the vicinity, the site shrank: a narrow passage below Caine Road, named Chancery Lane, then closed it off on the south. The original Chancery Lane, in London’s Holborn, had long been associated with the Court of Chancery and with the legal profession in England. Still later, the site was extended on the north

An engraving showing the north shore of Hong Kong Island, 1857. The Magistracy and the Gaol within a surrounding wall are highlighted. They stood above the town, ‘elevated perhaps three hundred feet above the sea’.

INTRODUCTION

overcrowding and lack of sanitation would have forced this family, along with many other people in this area, to carry out much of their daily lives on the streets, from sleeping and cooking to playing, trading and fighting. This put them in direct conflict with the police and other authorities.

The Central Police Station was thus at the pivot of the two socially and racially diverse worlds traversed by Hollywood Road. Crossing from one end to the other — from the Chinese district to the European quarter — could sometimes arouse territorial feelings. In early 1894, during celebrations of the Feast of Lanterns, thousands converged in the streets to watch a procession of lion dancers wind its way along Hollywood Road past the Central Police Station down to Queen's Road. The invasion of the European quarter by this noisy crowd proved too much, and a couple of Indian constables tried to stop the procession at the D'Aguilar Street side of the Hong Kong Club. This nearly provoked a riot, which escalated over the next few days into a clan fight between some cargo coolies at West Point — a fight that left one man dead and several others wounded.¹⁴

To the police and other agents of the government, coolies who were not actually busily labouring were at best a nuisance, and at worst a potential threat. In the early days of the colony, they constituted the bulk of the population, freely coming and going between the Chinese mainland and the island of Hong Kong. Sometimes they arrived en masse as refugees fleeing famine, dynastic crises, political unrest, war and rebellion to what they thought was a more tranquil and prosperous shore. The colonists congratulated themselves on having a ready source of cheap labour on their doorstep when trade was brisk and construction activity thrived. Chinese workmen were engaged in the first flush of building in the new settlement of Victoria in 1841, including the erection of a stone gaol and the Chief Magistrate's house. But in times



A procession along Queen's Road in about 1897.



Man Mo Temple, 1857.

of economic decline and unemployment, the presence of idle labourers loitering in the streets added to the general sense of unease and insecurity. A connection between unemployment, homelessness and crime was soon made. Other down-and-outs stayed to beg in the streets. In 1889 the Captain Superintendent of Police, Walter Deane, reported 236 cases of 'rogues, vagabonds, suspicious characters and vagrants' at large in the city. Philip Ayres, the Colonial Surgeon, observed that out of the daily average of 581 prisoners in Victoria Gaol in 1889 as many as 30 mendicants had been rounded up in one week and sentenced to 7 to 14 days' imprisonment. Many of them, he said, were either deformed or blind or had hideous sores which they exposed to 'excite charity'.¹⁵

Further along Hollywood Road, at the corner of Shing Wong Street, or Street of the City God, stood a house which served as a temporary lunatic asylum in 1877.¹⁶ Hong Kong's first government secondary school — the prestigious Central School (renamed Victoria College and later Queen's College) — moved from its old campus on Gough Street to a fine spacious new building on this corner block in 1889. Damaged in the Japanese invasion in 1941, the school building was demolished in 1948 and redeveloped as quarters for married junior police officers. Later vacated by the police, the former Police Married Quarters (rebranded 'PMQ') were conserved for re-use as 'a new creative industries and design landmark' in 2014.¹⁷

The lion dancers had not only been celebrating the Feast of Lanterns; they were also marking the restoration of the Man Mo Temple, a venerable institution for worshipping the Gods of Literature and War established in 1847. Man Mo Temple still stands on its original site on Hollywood Road, at the eastern boundary of Tai

Ping Shan. An early focus of religious and social life, the temple also functioned as 'a sort of unrecognized and unofficial local government board'.¹⁸

Moving west, we come to the Tung Wah Hospital, which opened its doors in Po Yan Street, perpendicular to Hollywood Road on the southern side, in 1872. Set up to dispense Chinese medicine and traditional treatments to the Chinese population, the Tung Wah served the community in such a wide variety of ways that it gradually gathered to itself not only status but also social and political power. Its influence was waning by 1889, however, and when it became caught in a controversy over how best to handle an epidemic of bubonic plague in 1894, it lost credibility with both the colonial administration and the Chinese community it was meant to serve.¹⁹

The Chinese Town crept westward in the mid-1850s. By then, thousands displaced by the ravages of the Tai Ping Rebellion in southern China were seeking refuge in Hong Kong. In anticipation that additional housing would be needed, the area known as Sai Ying Pun was developed. Streets were laid out, linking the area to Queen's Road West. Although the original intention was to have wider streets and larger lots, Sai Ying Pun soon became as overcrowded as Tai Ping Shan.

It was all to change. Five years after Governor Des Voeux's optimistic report, Hong Kong was struck by bubonic plague. The poorer Chinese bore the brunt of the epidemic, with half of all the cases coming from a part of Tai Ping Shan, and 75 to 80 per cent of these fatal. Many of the houses within that ten-acre area were 'small, dark, badly drained and ventilated and some of them were then in a most filthy condition, and the majority of them were certified to be unfit for human habitation'.²⁰ Houses in the streets and lanes in other parts of town nearby, in Sai Ying Pun especially, were just as bad. A number of them were engaged in 'fat-boiling', and were no better than 'dark holes in which there were quantities of decomposing and putrid meat, fat and bones, one of them filled with maggots. The stench from these places was unbearable'.²¹ To prevent a recurrence of the plague, the only recourse was to condemn those houses and destroy them — preferably by fire was the general view. Under the Taipingshan Resumption Ordinance, 385 houses were duly razed to the ground. This remedy, Governor William Robinson admitted, was a drastic one; it would result in nothing less than 'the destruction and rebuilding of one tenth part of Hong Kong'.²²

Slum clearance altered the townscape but did little to lessen the work of law enforcement. In the years that followed, contraventions of progressive new legislation



Soldiers of the Shropshire Light Infantry, dubbed the 'Whitewash Brigade', deployed to clean and disinfect plague-stricken houses in Tai Ping Shan in 1894.

*Dilapidated houses in
Tai Ping Shan, late
19th century.*



on buildings and public health brought increasing numbers of people before the magistrates and into the Gaol. Referring to the land shortage in the central district in 1956, the legislative councillor Dhun Ruttonjee proposed selling the Central Police Station: ‘Hollywood Road,’ he said, ‘is too much like a rabbit warren for this Station to be efficient.’²³ His suggestion met with no enthusiasm. Despite ever-rising populations and massive property developments, the Central Police Station, Central Magistracy and Victoria Prison remained in use into the 21st century.

This book is divided into three parts. **Part One** examines the physical development of the city of Victoria and provides a historical overview of the foundation and growth of the Hong Kong police force. The **first chapter** chronicles early construction in Hong Kong. This leads to an account of the establishment of police headquarters in Barrack Block and later in another station building, Headquarters Block. Some of their architectural elements are traced to the eclectic styles prevalent in contemporary Britain. **Chapter 2** discusses such themes as widespread crime in the early colony, the difficulty of recruiting capable officers and constables, the poor communication between police and people, and the prevalence of extortion and corruption among even the senior police officers. These and other shortcomings perceived to contribute to police inefficiency are further examined in **Chapter 3**. The long and chequered career of Walter Meredith Deane as Captain Superintendent of Police threw such problems as discipline and leadership into high relief. As the 19th century drew to a close, the force’s role in political policing became more pronounced as coping with strikes, boycotts and riots had to be alternated with regular police duties. Our

story fades out after the Second World War, when the Central Police Station lost its position as the force's headquarters.

Part Two examines the role of the Central Magistracy as the centre of criminal justice in Hong Kong through much of the colonial period, and as a tool of government. Rooted in the police courts of 19th-century England, the Magistracy in Hong Kong had powers and functions adapted to suit the special circumstances of the colony. **Chapter 4**, a history of the two Magistracy buildings on the site, discusses the inadequacies of the first, completed in 1847, as well as the delays and difficulties that accompanied the construction of its imposing replacement. In **Chapter 5** discussions about the evolution of magistrates' jurisdiction and sentencing powers are interleaved with brief accounts of key magistrates. **Chapter 6** outlines the main categories of offences through 11 cases from 1841 to 1941, and describes how the magistrates dealt with them, and what they tell us about the social and economic conditions of the time. The chapter explains why so many ordinary people were put in gaol for minor, non-criminal offences.

Part Three covers the history of Victoria Gaol (Victoria Remand Prison from the 1940s, and later simply Victoria Prison) through the 160 years of its existence. **Chapter 7** considers its physical development and gives pride of place to the radial-plan prison of 1862. The radial plan was seminal in the prison architecture later adopted by Japan and China. While the Gaol's various physical incarnations remain the backdrop to the discussion, **Chapter 8** focuses on official responses to its limitations. Victoria Gaol's failure to institute the separate system advocated by British prison reformers leads to an examination of the dilemmas faced by gaolers, who were frequently required to pursue aims without being given the resources to fulfil them. **Chapter 9** goes into admission procedures, classification, and the treatment of male prisoners as well as of women and children. This is followed by an examination of the duties of warders and brief accounts of a number of superintendents. Almost all prisoners, mostly Chinese, were silent witnesses of their fate. A few political dissidents and deportees nevertheless left clues of what life was like in the Gaol. **Chapter 10** discusses three themes. The first concerns various modes of punishment. Fearing that the regime was too soft on inmates, prison administrators placed emphasis on deterrence, which translated into harsher discipline, more arduous labour and less food. Prisoners' resistance in the form of riots and other acts of violence, most seriously the murder of turnkeys, is another theme. A third centres on release from gaol. Prisoners left gaol in a number of ways, from earning remission or pardon to forcible escape. The most desperate exit — the 'final departure' — was through death by suicide or execution.

All this adds up to a seamy vision of Hong Kong society. This vision contrasts sharply with the rather grand backdrop provided by the 'large, substantial and costly edifices'²⁴ on the Central Police Station site. We try to look behind this backdrop of brick and stone in order to bring to light a painful urban drama, one that had at its core a fraught encounter between the law on the one hand, and ordinary people in the streets on the other. Put another way, the Central Police Station complex was a critical point of

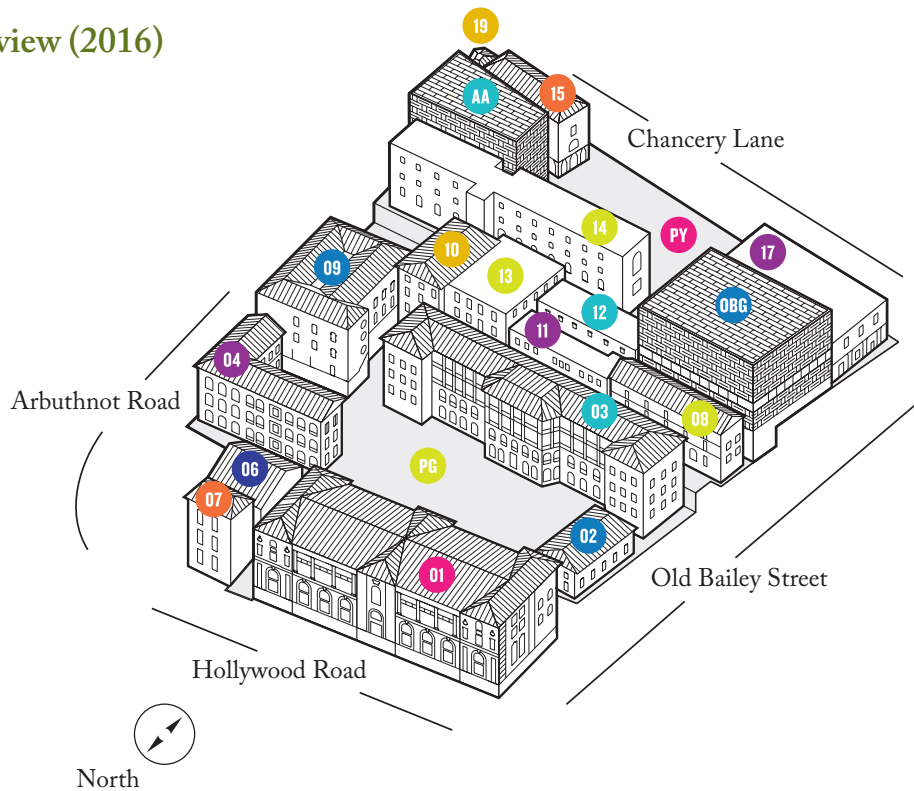
A 'rabbit warren': this aerial view from 1969–70 shows the Central Police Station, Central Magistracy and Victoria Prison in the midst of the most densely built-up area in urban Hong Kong.



engagement between colonisers and the colonised, between British and Chinese and other nationalities.

The buildings themselves are an inseparable aspect of this drama. In Hong Kong, where so much that is old has been demolished in the name of modernisation, the survival of those buildings would be remarkable were it not for a number of historical factors. They were preserved partly because official reluctance to spend money on unworthy criminals militated against knocking down and building anew, let alone moving to an entirely new site. Continuity was thus prolonged by default: the buildings remained in use and did not become obsolete. It was also partly because the tailing off of their useful life coincided with growing consciousness in Hong Kong of the need to conserve its physical and cultural heritage. In 1995 the government designated the Central Police Station, Central Magistracy and Victoria Prison as Declared Monuments. The designation would allow future development to be controlled, and by the time the site was vacated, an approach based on conservation had already been put in place. The renewal and revitalisation of the Central Police Station complex began as a material-centred project involving architects and engineers and contractors but soon came to include an enquiry into its social history. This book, one of the results of that enquiry, aims to introduce readers to the many layers of meaning attached to those restored buildings.

Site Overview (2016)



01	Headquarters Block	15	E Hall
02	Armoury	17	F Hall
03	Barrack Block	19	Baubinia House
04	Captain Superintendent's Quarters, Deputy Superintendent's Quarters, and Married Inspectors' Quarters	OBG	Old Bailey Galleries (New structure, designed by Herzog & de Meuron)
06	Married Sergeants' Quarters	AA	Arbuthnot Auditorium (New structure, designed by Herzog & de Meuron)
07	Single Inspectors' Quarters	PG	Parade Ground
08	Ablutions Block	PY	Prison Yard
09	Central Magistracy		
10	Gaol Superintendent's House		
11	A Hall		
12	B Hall		
13	C Hall		
14	D Hall		
			<i>Buildings demolished:</i>
		05	Garage
		16	Workshop and laundry
		18	General office

Married Inspectors' Quarters: In May 2016, in the course of restoration, a part of this building collapsed. A recovery plan was under discussion at the time of writing.

CHAPTER 1

BARRACK BLOCK AND HEADQUARTERS BLOCK

*With contributions from Michael Morrison,
Brian Anderson and Heather Jermy*

The complex of buildings we see today, made up of the Central Police Station, Central Magistracy and Victoria Prison, is the result of more than 170 years of change and development. The buildings range in date from the ‘relic of Victorian prison design’ we know today as D Hall, completed in 1862, the large and imposing Barrack Block of 1864, and the commanding Central Magistracy of 1914, to the even grander Headquarters Block, which was constructed in 1916–19. This chapter presents an architectural account of the two police buildings, Barrack Block and Headquarters Block, and the associated officers’ quarters, linking some of their design features to those found in contemporary buildings in Britain and other British colonies.

Construction in Early Hong Kong

The starting point of this account of the architecture and development of the site is the establishment of the colony of Hong Kong in 1841 and the construction of its very first buildings. According to several witnesses, early Hong Kong developed quickly. The engineer John Ouchterlony wrote about the incredible speed with which the new island settlement was being built: ‘With such extraordinary celerity were these building operations carried on, that, in due course of two months, the native town, Victoria, which had before presented to the eye scarcely anything but streets and rows of houses, formed of the most crazy, perishable, and inflammable materials, now boasted at least a hundred brick tenements, besides a spacious and commodious market place.’¹ Captain Arthur Cunynghame, a soldier with the British expeditionary force to China in the early 1840s, was similarly impressed:

Perhaps no place in the history of ages can boast of such a rapid rise as the town of Hong Kong. In August, 1841, not one single house was yet built, not a portion

(Left) A projecting bay of Barrack Block seen from behind one of the arches on the ground floor.

(Page 17) Massive Doric columns on a verandah of Headquarters Block.

of the brush-wood had been cleared away from this desolate spot. By June, 1842, the town was considerably more than two miles long, containing store-houses and shops, here called 'Go-downs', in which almost every article either Eastern or European could be procured, and most of them, at not very unreasonable prices.²

By 'houses of the most crazy, perishable, and inflammable materials', Ouchterlony was referring to the matsheds and makeshift warehouses that were being erected along the island's northern waterfront. The settlement could not be built fast enough, but the Chinese contractors flocking from the Mainland were adept at such improvisations. Before long those stopgap structures gave way to more permanent buildings — 'extensive and solidly built warehouses, wharves, jetties, etc., besides private dwelling houses, are springing up in every direction,' wrote Sir Henry Pottinger, Plenipotentiary and Superintendent of Trade.³ Queen's Road, following the shoreline, was beginning to take shape by late 1842. Several hundred workmen were employed in 'blasting and cutting, widening and ditching', besides building substantial bridges. They soon carved out a thoroughfare 60 feet wide except where interrupted by rocks too massive to cut away, and at those sections the road narrowed to 50 feet.⁴ By the following summer, a British observer was able to report that the road was 'being rolled flat by many coolies and all its mountains, gullies and lakes converted into as smooth a surface as possible'.⁵ By 1845 some 700 stone and brick buildings had been constructed, a third of them in European style.

All this building could not have taken place, as Governor Sir John Davis recognised in 1846, 'except for the ready command of the cheap and efficient labor of the Chinese'.⁶ Since there was initially not much in the way of guidance or government control, the design and construction of the buildings was often of poor quality. Chinese contractors were unfamiliar with the Western style of building and its economics, and many of them defaulted or went bankrupt, having given unrealistic quotations in their tenders: 'almost all contracts hitherto entered into with Chinamen have been obliged to be finished by Government, for the works were taken at far too low an estimate, and the consequence was, when the parties found they would become losers, both contractor and security decamped, and in some instances they were imprisoned.'⁷ Nevertheless great numbers of Chinese contractors persisted in the work, as an American visitor, Osmond Tiffany, observed in 1849: buildings were 'run up and finished with magic ease; one day the cellar would be dug, and the next the roof was being finished'.⁸

In contrast to the brick tenements, the earliest buildings on the Central Police Station site, dating from the 1840s and 1850s, were constructed largely of locally sourced stone (in this case granite) and timber, materials that would have been familiar in contemporary British architecture. Found in abundance in Hong Kong, granite is a tough and durable material, particularly suited to large public and commercial buildings. Built in an adapted British architectural style, these buildings introduced a feeling of permanence to the colonial presence in Hong Kong. Their design also owed something to practices in other British colonies, such as the use of chinam (or

CHAPTER 7

A RELIC OF VICTORIAN PRISON DESIGN

*With contributions from Michael Morrison,
Brian Anderson and Heather Jermy*

Like other members of British forces brought to Hong Kong by the Opium War, Lieutenant John Ouchterlony was struck by the rapidity with which the island was settled: ‘a stone jail, a wide, excellent road, drains, and bridges, wherever necessary, and an official residence for the presiding magistrate’, he enumerated,¹ were completed within four months of the British taking possession in 1841. A gibbet and a range of stocks were also designed, reported the *Canton Press* of 15 May 1841.

With a jagged spine of hills cutting across the centre of the island, it was obvious that Hong Kong’s earliest structures, not least its wharves and warehouses, would be built along the shore. The ‘stone jail’ was however located a little distant from the developing town, on a site about 300 feet above sea level. It stood in the middle of what are now Barrack Block and the parade ground. The residence for the presiding magistrate was built on the same site nearby. These structures were then enclosed by boundary walls, which reinforced the feeling of isolation.

Beginning with that ‘stone jail’ and ending with the early 20th-century block known as F Hall, the story of gaol-building on this site shows a progress that was slow and faltering. One narrative thread remains constant, though, as this and the next chapter demonstrate: the continuous increase in the number of prisoners, and the great difficulty of finding room to confine them all. The Gaol’s situation in what eventually became the crowded centre of the city compounded the difficulty, for there was little space for expansion outwards. The vivid simile of a ‘rabbit warren’ to describe the Gaol in 1938 was echoed in 1956, in the latter case as a comparison for Hollywood Road itself (see page 13).

Following changes in penal theory in Britain in the early 19th century, the separate system was partially introduced in Hong Kong through the construction of a radial-plan gaol. The separate system, which kept prisoners isolated in single cells, was expected to serve two ends: it would shield minor offenders from the bad influence

(Left) E Hall, built in 1915 to a design based on typical separate-cell prisons in Britain and America, with single cells ranged on either side of a central corridor.

(Page 179) This wide-angled shot of Victoria Prison in the 1960s encompasses, on the left, a part of the two new cell blocks on the opposite side of Old Bailey Street, which were completed in 1895. A subway under Old Bailey Street connected them to the main prison site. In the late 1950s or early 1960s these blocks were turned into police quarters, and, later in the 20th century, demolished.

of felons, and the solitude it offered supposedly encouraged the convict to turn his mind to repentance and reform. The new Gaol failed to live up to earlier expectations, however. As a consequence of inconsistent government policies and a less than total commitment to the separate system, the original architectural plan was cut back. Another prison was erected on Stone Cutters' Island and then abruptly abandoned. This chain of events reflected a shift in approaches that defined the primary aim of imprisonment as deterrence rather than rehabilitation.

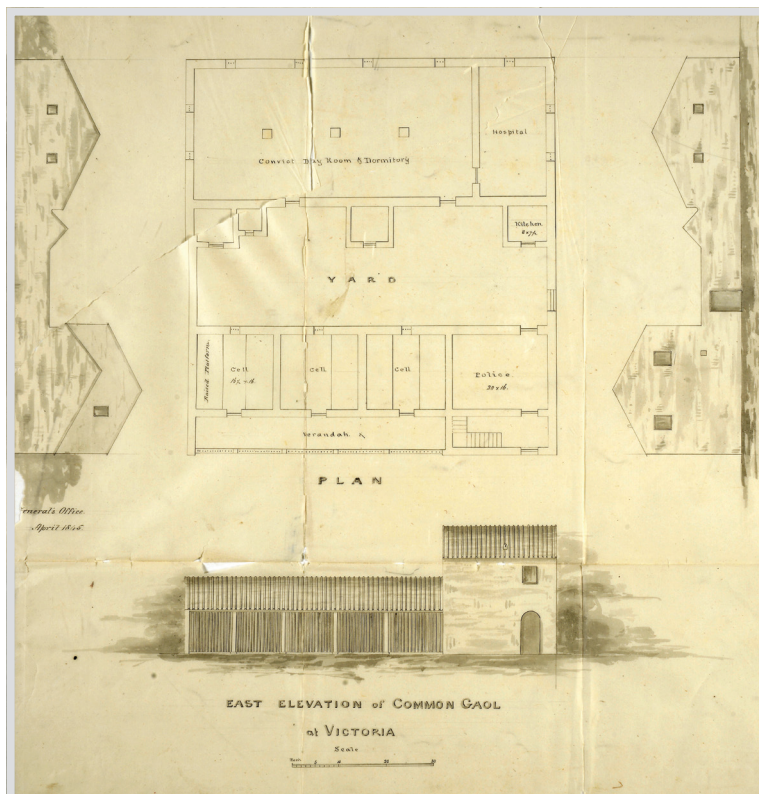
'A Stone Jail'

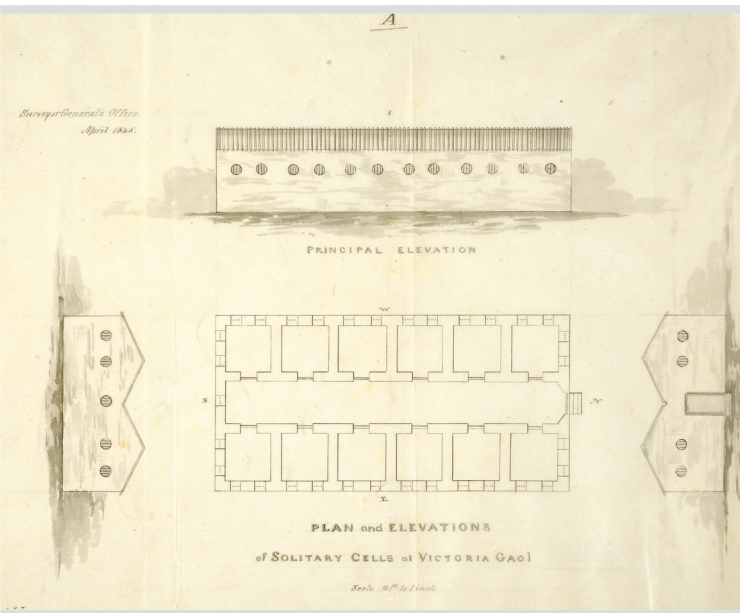
Hong Kong's first prison — the 'stone jail' — encompassed three buildings (named in contemporary drawings as Jails A, B and C) and two small outbuildings. The outbuildings are marked 'Kitchen' and 'Police' on a later plan (1851). In the north-east corner of the site there was also a guardhouse, with an attached verandah, which accommodated the watchmen on duty. A well is marked on the 1851 plan and evidence of its existence emerged during archaeological investigations of the site in 2012.

Jails (or Gaols) A and B used to house Chinese prisoners, were two separate structures linked by a central courtyard, an open space for prisoners to wash themselves and take exercise. The courtyard was enclosed at the north and south ends by a boundary wall, creating a self-contained structure. A report in 1843 outlines the layout of the buildings. Gaol A to the west is described as being '79 feet by 29 . . . divided into two separate apartments, one large and one small, both occupied by the labouring gang; both have good floors, are without ceiling, and well ventilated'. Gaol B to the east, 'designed for persons not sentenced', was 49 feet by 16 feet. It contained 'three rooms, each 17 feet by 16, with floors and beds; on one side of these rooms is a broad verandah, protecting them from the heat and rain', and rendering the prisoners 'not less, but rather more, comfortable than they would be in the common houses of the middling classes of the Chinese'.

To the east of Gaols A and B was Gaol C, a single-storey granite building, intended for the confinement of European prisoners. This building, 64 feet by 30, was divided into two rows of cells, 12 in all, the rows separated by a passage about eight feet broad. Each prisoner 'usually, if not always, had a separate cell, which is clean, well lighted and ventilated'.² A total of 430 Chinese, 28 Lascars, 9 Portuguese, 5 sepoys, 1 American and 9 Europeans lodged in the three cell blocks for different periods from 9 August 1841 to 18 September 1843. Cheek by jowl with these were also 134 others, mostly European seamen,

Ground plan and elevation drawings of the Gaol for Chinese prisoners, 1845. The accommodation was arranged on either side of a yard. The 'common gaol' was regarded as better appointed and more comfortable than the 'common houses of the middling classes of the Chinese'.





*Plan of Gaol C, 1845.
Encompassing two rows of
single cells, this was intended
for European prisoners.*

sentenced by the Marine Magistrate to undergo spells of confinement which varied from 2 to 84 days. Others were generally imprisoned for two or three weeks. Most of the seamen were locked up for drunkenness, disobedience to orders and disorderly conduct. They were apparently well treated, and at least they were amply fed, their daily rations being a pound of beef and a loaf of bread. The Chinese prisoners on the other hand were crammed into two buildings, one for those awaiting trial, the other for men assigned to the labouring gang, their legs clapped in irons. Nearly all of the Chinese prisoners were also publicly flogged and given anything from 20 to 100 lashes. Their food was plain but sufficient: they were allowed as much as they could eat of rice, mixed occasionally with some salt fish and vegetables. For drink they had 'pure water from the hills'. They were also provided with fresh water for washing

and bathing, while a 'scavenger' came to clean the place and scoop up the rubbish (including night soil) in the evening.³ Everything else, such as clothes and bedding, had to be found by the prisoners themselves.

While the site was approximately the same size upon its formation as it is today, the actual footprint was initially different. It originally extended as far south as the present Caine Road, and did not include the land fronting Hollywood Road upon which the Central Police Station Headquarters Block would later be constructed. Around it was a minimal road system, including the start of Hollywood Road at its eastern end and the whole of Arbutnot Road.⁴ By 1845 roadways had been extended throughout the whole of the colony, with the boundaries of the site setting the baseline for Old Bailey Street, Caine Road and the western extension of Hollywood Road.

Extensions to the Gaol

The rapid growth of the population of the early colony was accompanied by higher levels of crime and an increase in the number of convicts. In 1843 William Caine, Chief Magistrate, was instructed by the Governor, Sir Henry Pottinger, to submit an estimate for the construction of a 'Lock up House' on a separate site from the existing Gaols A, B and C, preferably the most central site available in the city. It was to be 'strongly built of stone and lime in the shape of a square with a Court Yard in the centre . . . As the building now to be provided will always be most useful, and indeed indispensable to this Colony, it should be built of the most lasting and solid materials.'⁵ The building was to contain a guardroom, a police station and separate confinement rooms for prisoners awaiting examination, with a verandah around the courtyard furnished with benches and stocks.

CHAPTER 10

PUNISHMENT, RESISTANCE AND RELEASE

On 27 June 1885 a prisoner serving an 18 months' sentence attacked the Gaol Superintendent Alexander Gordon with a bludgeon. He was quickly disarmed and punished. It then emerged that he was merely the paid instrument of some 50 convicts, nearly all Triad members, who had plotted the riot to make their grievances known. These grievances came down to the imposition by Gordon of a more severe prison regime, and a reduction in the daily allowance of rice from one pound eight ounces to just one pound.¹

Less than two years later the Gaol erupted with mutiny again as another group of prisoners assaulted their guards with cries of 'Ta! Ta!' ('Strike!' or 'Attack!'), this time because of a cut in their ration of meat.² Having anticipated some violent reaction, the Gaol administration was ready for them, and the rioters were decisively suppressed. Their ringleaders were identified and promptly subjected to a whipping by rattan of 12 strokes each.

Dissatisfaction with the quantity and quality of food invariably aroused prisoners' passions and was the main cause of collective resistance in prison. 'We must remember,' Alexander Gordon asserted, 'that food to a prisoner is like pay to a mercenary, every interference with custom or supposed rights is liable to end in mutiny.'³ During the period of those riots in Victoria Gaol, the penology refined by Edmund Du Cane was being widely applied in Britain, and, for a time, the idea that the prison should aim at reformation of the criminal was left behind. Hong Kong followed suit. Du Cane's penal regime was based on 'hard labour, hard board, and hard fare'. In the overcrowded Victoria Gaol, many prisoners slept on the hard floor anyway, and instead of 'hard board' the Gaol continued to resort to corporal punishment. This chapter examines those three forms of punishment, with examples of the occasions when prisoners found them so intolerable that they resisted by rioting, insubordination, self-harm and escape. The discussion of prison escapes leads to a consideration of exits from the Gaol

A TIMELINE OF KEY EVENTS

Entries in black: events in Hong Kong

Entries in green: events in the rest of the world (mainly Britain and China)

1816

- Construction of Millbank Penitentiary in Pimlico, London, to a radial-plan design showing the influence of Jeremy Bentham's panopticon.

1829

- Metropolitan Police Act passed, creating the first professional police force in Britain.

1839

- Outbreak of the Opium War.

1841

- Convention of Chuenpee, ceding Hong Kong to Britain, is agreed but not ratified.
- William Caine appointed Chief Magistrate of the new colony of Hong Kong.
- Hong Kong's population estimated to be about 7,450.

1842

- Hong Kong is ceded to Britain 'in perpetuity' by the Treaty of Nanking. Shanghai, Guangzhou, Ningbo, Fuzhou and Xiamen opened to foreign trade.
- Chief Magistrate prohibits Chinese from being out after 11 p.m. at night on pain of arrest by the police.
- **Pentonville Prison, the 'model prison' designed by Lieutenant Colonel Joshua Jebb, opens.**
- Population estimated to have doubled to about 15,000.

1843

- Caine's curfew brought forward to 10 p.m.; Chinese inhabitants going out after 8 p.m. are required to carry a lantern.

1844

- Colonial Police Force established.
- Opening of Supreme Court.
- First execution in Hong Kong, at West Point, of an Indian camp follower, for the murder of a European sergeant.

1845

- Charles May of the Metropolitan Police arrives in Hong Kong.
- Hong Kong government leases the first opium monopoly.

1847

- Man Mo Temple established.
- Opening of new Magistracy building.

1849

- First batch of Chinese labourers take ship from Hong Kong for the gold fields of California.

A TIMELINE OF KEY EVENTS

1850

- Beginning of the Taiping Rebellion in China.

1851

- The Taiping movement's fundamentalist Christian leader Hong Xiuquan declares himself King of the Heavenly Kingdom of Great Peace. The rebellion ends in 1864, after devastating 16 provinces and hundreds of cities but failing to topple the ruling Qing Dynasty.

1854

- System of juvenile reformatories introduced in Britain.

1856

- Police Commission appointed to examine defects of the force.
- *Arrow* incident and outbreak of the Second Opium War.
- First recorded execution in the Magistracy compound. The condemned man, Samarang, a Malay, is hanged for murder.

1857

- 'Light and pass' legislation tightens and consolidates earlier curfew regimes. Chinese inhabitants are required to have a pass from the police if out between 8 p.m. and sunrise.
- Cheong Alum, suspected of supplying poisoned bread, is arrested, tried and acquitted.
- 60 Chinese convicts are sentenced to transportation to Labuan (ten die on arrival).

1858

- Treaty of Tientsin concluded: ten more ports in China opened to foreign trade.
- Population of Hong Kong reaches 75,500.

1860

- Convention of Peking ratifies the Treaty of Tientsin and ends the Second Opium War. Britain acquires Kowloon peninsula.

1862

- Charles May appointed Police Magistrate.
- Captain Superintendent of Police William Quin recruits 150 sepoys from India for Hong Kong's police force.
- Work starts on a new prison at Stone Cutters' Island.
- Population of Hong Kong stands at 125,500.

1863

- Garrotting Act in Britain passed to allay public anxiety about a predatory criminal class at large in London. Joshua Jebb is criticised for the leniency of his penal regime.
- Edmund Du Cane appointed Director of Convict Prisons in the United Kingdom.

1865

- Hong Kong ordinance modelled on the Garrotting Act introduces sentence of flogging into the Supreme Court.

1866

- District Watch Force established.
- Branding scheme introduced.

1867

- An Ordinance for the Better Prevention of Contagious Diseases passed.
- Governor MacDonnell legalises gambling; 16 licensed gaming houses are allowed to operate under police surveillance.

1868

- Fire Brigade established by ordinance: firefighting powers transferred from Superintendent of Police to a Superintendent of the Hongkong Fire Brigade.
- Public executions abolished in Britain.

1869

- Police School established.
- Tung Wah Hospital is founded to dispense Chinese medicine and rapidly becomes the foremost Chinese charitable organisation in Hong Kong, providing a range of social and welfare services to the Chinese community and becoming a centre of informal power.

1871

- Police Commission appointed to enquire into the efficiency and organisation of the Police Force, and the prevention of crime in the colony.

1872

- Police Commission supports Dr James Legge's promotion of an Anglo-Chinese police force.

1877

- Governor Hennessy proposes prison reform and the adoption of the 'separate system'.

1879

- Three men publicly executed in the compound of the Gaol, the first execution to have taken place within the Gaol walls.

1880

- Ng Choy becomes a provisional member of the Legislative Council, the first Chinese to be appointed. Governor Hennessy also appoints Ng Choy acting Police Magistrate.

1881

- Hong Kong's population rises to 160,400.

1882

- The Po Leung Kuk is officially opened.

1884

- Outbreak of Sino-French War.
- Boatmen and cargo workers refuse to service or provision French ships in Hong Kong harbour. When police intervene, strikers riot.
- Peace Preservation Ordinance enacted to deal with strikes and anti-foreign boycotts.

1888

- 'Regulation of the Chinese' ordinance incorporates the 'light and pass' provisions.

1894

- Bubonic plague erupts in Hong Kong.
- Abdoolah Khan, private of the Hongkong Regiment, hanged in the Gaol yard, the last execution carried out in public view.

1897

- 'Light and pass' system suspended.

1898

- New Territories leased to Britain for 99 years.

A TIMELINE OF KEY EVENTS

1899

- Victoria Gaol renamed Victoria Prison.

1901

- Hong Kong's population reaches 283,900.
- Fingerprint classification adopted by London's Metropolitan Police.

1902

- First institution for the detention of delinquents established at Borstal in Kent, with the aim of segregating young offenders from adult convicts in prison. Similar institutions are developed nationwide.

1903

- Outbreak of plague in Victoria Gaol.

1904

- Ordinance reserves residence on Victoria Peak for non-Chinese except servants in European employ.
- Fingerprinting used by Captain Superintendent Badeley in Hong Kong.

1907

- Introduction of probation service in Britain.

1908

- Separate courts for offenders aged 15 and under introduced in Britain.
- More institutions called 'borstals' are opened in Britain.

1910

- Secretary of State orders the closure of all of Hong Kong's opium divans.

1911

- Republican revolution in China.
- Police given emergency powers under the Peace Preservation Ordinance to control crowds and make arrests, and additional flogging powers are sanctioned by Governor Lugard.
- Population increases to 456,740.

1912

- Attempted assassination of Sir Henry May as he arrives to take up his governorship.
- Tram boycott leads to confrontation between demonstrators and police.

1914

- World War I breaks out.
- Hong Kong government takes over the opium monopoly as part of wider international effort to suppress the business.

1915

- Courts in the newly built Central Magistracy open for business.

1918

- Peak District (Residence) Ordinance provides that with certain exceptions no person is permitted to live within the Peak District without the consent of the Governor-in-Council.

1919

- The Police and Gaol administrations are separated, and Captain Superintendent of Police and Superintendent of Victoria Gaol become discrete appointments.

1920

- Branch prison established at Lai Chi Kok.
- The title 'Superintendent of Prisons' is used in place of 'Superintendent of Victoria Gaol'.

- Series of labour strikes.
- Many cases of deportation and banishment during this period of political tensions, large-scale labour mobilisation, strikes and boycotts.

1921

- China begins negotiations for the retrocession of leased territories, including Weihaiwei.
- Hong Kong's population is now 625,166.

1922

- 200 men are recruited from Weihaiwei for Hong Kong's police force.
- Seamen and dockers strike for more pay; 120,000 workers come out in sympathy.
- Emergency Regulations Ordinance enacted, empowering the Governor in Council to legislate without reference to the Legislative Council.
- Police shoot strikers near Sha Tin, killing and wounding several.

1923

- First contingent of Weihaiwei policemen arrive in Hong Kong.

1924

- Kowloon Magistracy opens.

1925

- General strike and boycott; police deployed to break strike and deal with intimidation by strikers.

1931

- Ho Chi Minh detained in Victoria Prison.
- The Chinese intellectual Ai Wu is deported from British Burma and stays in Victoria Prison, en route to Shanghai.
- Hong Kong's population rises to 840,473.

1932

- Juvenile Offenders Ordinance passed, creating Hong Kong's first juvenile courts.
- New female prison at Lai Chi Kok opens.

1933

- First juvenile court held in the Central Magistracy.

1937

- Stanley Prison is constructed.
- Japan invades China: the Second Sino-Japanese War begins.

1939

- Part of Victoria Prison reopens as a detention centre for inmates on remand.

1941

- Hong Kong population estimated to be 1,640,000.
- Japan invades Hong Kong. The colony surrenders.

1942

- Central Police Station is used by the Japanese Kempeitai, or military police.

1942–44

- Hong Kong's population drops to 600,000 through voluntary repatriation and forcible deportation to China by the Japanese military government.

A TIMELINE OF KEY EVENTS

1945

- Japan surrenders.

1946

- Open reformatory institution for young offenders set up at Stanley.

1949

- Communist victory; People's Republic of China founded.
- Hong Kong's population is estimated to be 1,860,000.

1950

- Women constables recruited into the police force.
- Border between Hong Kong and China is closed.

1954

- New Police Headquarters at Arsenal Street, Wan Chai, opens.
- Hong Kong's population hovers between 2,000,000 and 2,250,000.

1956

- First open prison set up at Chi Ma Wan, Lantau Island.
- Hong Kong's population exceeds 2.5 million.
- 'Double Tenth Riots': protests by Nationalist supporters in Hong Kong on 10 October lead to several days of riots and many deaths.

1960

- Hong Kong's population rises to over 3 million.

1964

- Executions come to an end in Britain. In 1965 the death penalty for murder is suspended for five years, then totally abolished in 1969.

1966

- Riots sparked by proposed increase in Star Ferry fares.
- Last execution carried out in Hong Kong.
- Cultural Revolution launched in China.
- Leftist riots erupt in Macau.

1967

- Disturbances in Hong Kong following the start of the Cultural Revolution, including violent protests, marches, rioting, bomb explosions and assassination attempts.

1969

- First drug addiction treatment centre opens at Tai Lam.
- Police force becomes the Royal Hong Kong Police Force.

1972

- Psychiatric centre for prisoners set up in Siu Lam.

1973

- Following riots in Stanley Prison, investigations are launched into prison structure and administration, resulting in extensive reforms of the prison system in Hong Kong.

1974

- Hong Kong's population is close to 4.25 million.

1975

- First wave of Vietnamese boat people land in Hong Kong.

1979

- Central Magistracy closes. The building continues to operate as an annexe of the Supreme Court until 1982 and as the Western Magistracy until 1984.

1980 onwards

- Illegal immigrants from China and elsewhere are kept in custody at temporary border camps and at Victoria Prison before repatriation.

1981

- Dietary and corporal punishments in prisons abolished.

1982

- Prisons Department changes name to the Correctional Services Department to reflect its new emphasis on rehabilitation.
- System of borstals ended in Britain.

1984

- Signing of Sino-British Joint Declaration.

1988

- Sino-British Joint Liaison Group established.

1989

- Tiananmen Square protests and the June Fourth Incident.
- One million Hong Kong people march in protest against Tiananmen crackdown.
- Hong Kong's population is close to 5.7 million.

1990

- 'Basic Law of the Hong Kong Special Administrative Region' promulgated in Beijing, to come into force on 1 July 1997.
- Corporal punishment as a judicial punishment is abolished.

1992

- Orderly and voluntary repatriation programme instituted for Vietnamese boat people in Hong Kong.

1993

- Capital punishment abolished in Hong Kong.

1995

- Central Police Station, Central Magistracy, and Victoria Prison are named Declared Monuments by the Antiquities and Monuments Office.

1997

- Establishment of the Hong Kong Special Administrative Region of the People's Republic of China on 1 July: Britain ceases to administer Hong Kong; China resumes the exercise of sovereignty over the territory.
- Hong Kong's population stands at 6.49 million.

2005

- The Central Police Station site is officially decommissioned.
- Hong Kong's population reaches 6.9 million.

2007

- Hong Kong Jockey Club announces plans to fund the conservation and revitalisation of the Central Police Station complex.

APPENDIX

Heads of the Hong Kong Police Force

	<i>Year of Appointment</i>
<i>Chief Magistrate</i>	
William Caine	1841
<i>Acting Superintendent</i>	
Captain Haly	1844
Captain J. Bruce	1844
<i>Captain Superintendent</i>	
Charles May	1845
William Quin	1862
Walter Meredith Deane	1867 (acting until July 1868)
Alexander Herman Adam Gordon	1892
Francis Henry May	1893
Joseph Francis Badeley	1901
Charles McIlvaine Messer	1913
Edward D.C. Wolfe	1918
<i>Inspector General (Change of Title)</i>	
Edward D.C. Wolfe	1930
Thomas Henry King	1934
<i>Commissioner (Change of Title)</i>	
Thomas Henry King	1938
John Pennefather-Evans	1941
C.H. Samson*	1946
Duncan W. MacIntosh	1946
Arthur Maxwell	1953
Henry Heath	1959
Edward Tyrer	1966
Edward C. Eates	1967
Charles Payne Sutcliffe	1969
Brian F.P. Slevin	1974

Roy Henry	1979
Ray Anning	1985
Li Kwan Ha	1989
Eddie Hui Ki-on	1994
Tsang Yam Pui	2001
Dick Lee Ming Kwai	2003
Tang King Shing	2007
Andy Tsang Wai-hung	2011
Stephen Lo Wai-chung	2015
Chris Tang Ping-keung	2019

* Brief appointment under British Military Administration

Prominent Magistrates of the Central Magistracy

William Caine	1841–46
Charles Batten Hillier	1844–56
William Henry Mitchell	1850–62
Henry Tudor Davies	1856–59
Thomas Callaghan	1860–61
Charles May	1862–79
John Charles Whyte	1862–67
James Russell	1869–79
Ng Choy (Wu Tingfang)	1880–81
Henry Ernest Wodehouse	1881–98
Francis Arthur Hazeland	1901–16
Thomas Sercombe Smith	1898 & 1900–1907 (with breaks)
John Roskrige Wood	1908–24 (with breaks)
Roger Edward Lindsell	1919–29 (with breaks)
Walter Schofield	1931–37
Robert Andrew Dermod Forrest	1937–40
Harold George Sheldon	1940–41 & 1946–47
Lo Hin-shing	1948–70 (with terms in other magistracies)
Anthony Lawrence Leathlean	1958–73
Paul Melville Corfe	1966–83

Note: Well over a hundred men served as magistrates in the Central Magistracy during this period, some for only very short terms and many overlapping with each other. This list includes the 20 most prominent names, giving the periods in which they served as magistrates. No attempt is made to classify them according to changing designations and hierarchies (Chief Magistrate, Assistant Magistrate, Police Magistrate, First Police Magistrate, Principal Magistrate and so on).

Heads of Gaol, Prisons and Correctional Services

	<i>Year of Appointment</i>
<i>Chief Magistrate</i>	
William Caine	1841
<i>Various 'Jailers'</i>	1846–57
<i>Governor of the Gaol</i>	
Joseph Scott	1858
<i>Superintendent of Victoria Gaol</i>	
Charles Ryall	1862
Francis Douglas	1863
Alfred Lister	1874
Malcolm Struan Tonnochy	1875
Alexander Herman Adam Gordon	1885
Henry B.H. Lethbridge	1892
Francis Henry May	1897
Joseph Francis Badeley	1902
Charles McIlvaine Messer	1913
<i>Superintendent of Prisons</i>	
John William Franks	1920
<i>Commissioner of Prisons</i>	
James Lugard Willcocks	1938
William Shillingford	1947
John Tunstall Burdett	1951
Cuthbert James Norman	1953
Gilbert Roy Pickett	1968
<i>Commissioner of Correctional Services</i>	
Thomas Garner	1972
Chan Wa-shek	1985
Frederic Samuel McCosh	1990
Lai Ming-kee	1995
Ng Ching-kwok	1999
Pang Sung-yuen	2003
Kwok Leung-ming	2006
Sin Yat-kin	2010
Yau Chi-chiu	2014
Lam Kwok-leung	2017
Woo Ying-ming	2018

INDEX

Note: page numbers in italic indicate references in captions to illustrations.

- Aberdeen Industrial School, 87
- Ablutions Block, 203
- Ackroyd, Edward J., 125, 198
- Adsetts, William Hall, 252–54, 253, 294
- A Hall, 203, 206
- Ahmadeen, Sheik, 54
- Ai Wu, 207, 256–58, 257
- Alcock, Sir Rutherford, 251
- Alim, Sheik, 74
- Alves, A.F., 134
- A Moon, 48
- Anderson, Donald, 137
- Anderson, Robert, 49
- Andrew, Kenneth, 59
- Anneline (Matron), 248
- Anstey, Thomas, 128, 151
- Anti-Piracy Guard, 44
- Arbuthnot, George, 4
- Arbuthnot Road, 4, 6, 27, 27, 28, 97, 103, 105, 105, 106, 183, 191, 202
 - public hangings visible from, 98, 293
- Armoury, 32, 34, 49
- A-took, 100
- Au Chun, 293
- Ayow, 157
- Ayres, Dr Philip, 11, 221, 222, 293
 - views on opium smoking, 168, 168, 280–81
- Badeley, Joseph Francis, 60, 70, 79
- Balfour, S.F., 136
- Ball, Henry, 122
- banishment, *see* deportation
- Barrack Block, 4, 8, 13, 19, 19, 23, 24, 30, 33, 47, 58, 70, 197
 - design of, 22–25
 - extension to, 27–28
- Bauhinia House, 191, 191
- Bennett, Chester, 90
- Bennett, Elsa, 90–92
- Bentham, Jeremy, 188, 189
- Berger, Francisca, 62
- B Hall, 202, 206, 226, 233
- Bird, Isabella, 214
- Black, Major General Sir Wilsone, 77
- Blake, Sir Henry, 78
- Bonham, Sir George, 109, 115, 128, 185
- Bowen, Sir George, 117
- Bowler, Thomas Ide, 132
- Bowring, Sir John, 37, 42, 65, 99, 129, 150, 151, 152, 291
- Brady, Captain, 292
- bread poisoning case, *see* Cheong Alum
- Briarly, George, 62
- Bridges, W.T., 128
- brothels, 6, 9, 36, 42, 50, 59
 - registration system for, 61
 - inspectors of, 61
 - locations, 62–63
- Bruce, Captain, 39, 50
- Bruce, Murdoch, 21
- bubonic plague, 12, 45, 155
- Burdett, Major John Tunstall, 205, 229
- Byrne, James, 46
- Caine House, 94
- Caine, William, 4, 22, 22, 36, 39, 126, 127, 148–49, 150, 152, 158
 - style of enforcing the law, 35–36
 - career, 36–37, 126–27
 - and flogging, 121
 - on gambling, 164
 - and gaol-building, 183, 190
- Caldecott, Sir Andrew, 60
- Caldwell, Daniel, 57, 58, 69, 117, 128, 129, 130–31, 131, 219
- Callaghan, Thomas, 129
- Captain Superintendent's Quarters, 26
- Carey, Sub-Inspector, 174–75
- Carnarvon, Lord, 218, 219, 272
- Central Magistracy, 3, 13, 14, 15, 19, 21, 26– 33 *passim*, 66, 66, 97, 104–05, 114
 - architecture and construction, 102–08
 - ceases to operate as a court, 137
 - courtrooms in, 97, 106, 107, 108
 - declared a monument, 15
 - decommissioned, 4
 - and first juvenile court, 136

- main entrance to, 106, 106
- magistrates' entrance to, 105, 105, 106, 107
- revetment wall below, 103, 105, 106
- and the Stanley Prison drug conspiracy case, 145
- street boys in, 87
- white gloves presented in, 135
- see also* Magistracy
- Central Police Station, 3, 6, 10, 13, 14, 15, 19, 21, 22, 23–34
 - passim*, 23, 34, 47–66 *passim*, 47, 48, 62, 66, 67, 84, 143
 - declared a monument, 15
 - decommissioned, 4, 108
 - and history of the colonial police force, 35
 - relegation to regional status, 94
 - report of a ghost in, 81
 - saboteurs shot in, 90
 - shelters Kang Youwei, 77, 78, 78
 - torture in, 91
 - war damage to, 33, 34, 90, 92
 - as Western District Gendarmerie, 34, 90, 91
 - see also* Barrack Block; Headquarters Block
- Central School, 11
- Chadwick, Osbert, 153–54, 155
- C Hall, 197, 203, 206
- Chamberlain, Joseph, 56, 78
- Chan A Fook, 214
- Chan A Sze, 286
- Chancery Lane, 4, 185, 186, 195, 196, 196, 281
- Chang, Brilliant, 254–55, 254
- Chan Yau, 87
- Chater, Paul Catchick, 198, 243
- Chatham, William, 103
- Cheng Hon-kuen, 144
- Cheng Sang, 289
- Cheng Yuet-ying, 143
- Cheong Alum, 152
- Cheong Kwai Hing, 157–58
- Cheong Po-sang, 291
- Cheuk Akai, 291
- Cheung Tak-chi, 88
- Chief Magistrate, 4, 22, 35, 40
 - house of, *v*, 4, 10, 22, 97, 184
- Chinese, 3
 - as builders and labourers, 20, 21
 - elite's opposition to gaol-building, 199, 208, 214
 - form District Watch, 57
 - and gambling, 63, 165
 - making use of courts, 111
 - racial discrimination against, 4
- Chinese police, 56–60, 58
 - colonial distrust of, 56–57
 - and detection of crime, 57
 - and the General Strike, 81
 - known as *lukongs*, 73
 - known as 'luk yee', 53
 - and Police Commission of 1872, 72
- Ching Leung, 55
- Choa Chee Bee, 214
- Chorley, Henry, 46
- Chow, Tommy, 287
- Chui Apo, 211, 211
- Chun Aying, 73
- Chung Chau Ngan, 248–49
- Chung Kum-sow, 290
- Chung Piu, 287
- Chuy Ahing, 122
- Clarke, Henry Goscombe, 49
- Cleverly, Charles St George, 23, 24, 98, 185, 185, 188
- Colonial Cemetery, *see* Hong Kong Cemetery
- Communists, 80, 81
- Contagious Diseases Ordinance, 61, 63
- Cooke, George, 131
- coolies, 60, 149–50
- Cooper, Francis Alfred, 198
- Corfe, Paul, 138–40, 140, 143, 145
- Cowper, William, 99
- Cradock, Inspector, 132
- Creagh, Charles Vandeleur, 51, 52, 61, 62, 69, 69, 293
 - as magistrate, 132
- Criminal Investigation Department, 80
- criminal justice system, 3, 4, 87
 - biased against Chinese, 110–11, 151
- crime(s), 68, 80, 85, 88, 92, 93, 94, 147, 183, 208
 - abduction and trafficking, 157–58
 - assault, 150–51
 - creating a disturbance, 160
 - committed mainly by Chinese, 246–47
 - committed mainly by Europeans, 246–47
 - embezzlement, 177–78
 - illegal gambling, 162–65
 - hawking without a licence, 174–77
 - indecent exposure, 153–54
 - larceny, 147–48
 - nuisances, 154–57
 - illicit opium, 166–69: *see also* opium
 - piracy, 44, 210, 223: *see also* pirates
 - possession of unlicensed arms and ammunition, 169–70
 - regulatory, 221
 - robbery and murder, 88
 - traffic contraventions, 172, 174
- Crosby, Sergeant, 290
- Culliford, F.W., 244–45
- Cunynhame, Arthur, 19, 22
- curfews, 36, 37, 116, 116, 140, 141, 152, 153, 155, 221, 226

- Dai Wangshu, 261–62, 262
 D'Almada, F.X., 169, 174
 D'Almada, Leonardo, 108
 da Rocha (telephone clerk), 54
 Darrell (gaol guard), 275
 Davies, Henry Tudor, 98, 99, 128–29, 131
 Davis, Sir John Francis, 4, 20, 36, 119, 127, 290
 and legislation against Triad membership, 161
 and public executions, 289
 and burial within Jail precincts, 290
 Dayton, Gertrude, 252–54, 294
 Deane, Walter Meredith Deane, 6, 11, 13, 35, 43, 50, 52, 57, 63, 76, 112, 131, 153
 and the Bridges Street burglary, 73
 career, 67–69, 68, 74
 criticised, 70, 72, 74
 on an ethnically mixed force, 45, 71
 and gambling, 63–64, 164–65
 against public executions, 292
 and the Sheik Alim case, 74
 debtors' prison, 184, 186–87
 Dempster, J.C., 188, 247
 deportation, 40, 76, 82, 125, 162, 171, 223, 228, 255, 256, 259
 Deputy Superintendent's Quarters, 26, 26
 destitutes, 125–26
 Des Voeux, Sir William, 8, 12, 73, 74, 134
 D Hall, 19, 193, 194, 201, 202, 203, 206, 208, 215, 224, 256
 District Watch Committee, 58
 District Watch Force, 57–8, 59, 82
 Ditor (seaman), 52–53
 Dodds, James, 46, 48, 49
 Douglas, Francis, 215, 244, 245, 248, 291
 Du Cane, Edmund, 235, 263, 265
 and prison administration, 218–19, 285
 Duncan, Robert, 148

 E Hall, 181, 202, 202
 Eitel, E.J., 60, 131, 159
 Elliott, Charles, 36–37, 126
 Elliott, Elsie, 82, 139
 Ellis, James, 124–25
 escapes from prison, 209–10, 214, 286–89
 European police, 46–50
 drunkenness, 46, 48
 and extortion, 47
 Irish recruits among, 49
 language lessons for, 52
 post-war, 92, 93
 executions, 289–94
 public, 4, 98
 beheadings in China, 113, 213, 292

 Fan Ming, *see* Wong Ming
 Farncomb, Edward, 148
 Farr, W.R., 243–45, 274
 Fearon, Samuel, 38, 39
 F Hall, 181, 203–04, 204, 276
 Vietnamese asylum seekers in, 204, 206
 as reception centre, 206, 230
 fifth columnists, 33, 90
 Figora, Mario, 237
 fingerprinting, 59, 60
 Fire Brigade, 42, 133
 Flannery, Patrick, 144
 flogging, 121–24
 by birch whip, 124, 124, 278
 by cane, 123, 263, 276–79
 by cat-o'-nine-tails, 79, 122, 123, 123, 169, 220, 276, 278
 on juvenile offenders, 123, 163, 176–77, 278–79
 Fox, Stephen, 49
 Francis, J.J., 132
 Franks, J.W., 282
 Fuller, Gardiner, 245
 Fung I On, 155

 gambling, 60, 63–65, 162–65
 dens, 9, 36, 50
 fantan, 63–64, 101, 163, 164
 licensing of, 63
 pak kop piu, or *pak-a-piu*, 64, 163
 and police corruption, 64, 165
 scandal, 56, 64–65
 tsz fa, 64, 162, 163, 163
 wai seng, 64, 163
 Gaol, *see* Victoria Gaol
 Gaol, 1847 board of enquiry into the, 184
 Gaol, 1858 commission of enquiry into the, 188
 Gaol Commission of 1886, 198, 222–25
 Gaol Committee of 1877, 102, 208
 recommendations of, 219, 234, 269, 270
 Gaoler's house, 187
 Gaol officers' quarters, 200
 Gaol Superintendent's House, 106, 197, 197, 201
 Garcia, Arthur, 139
 Gibbons, Robert, 290–91
 Giles, J., 243–45, 274
 Godber, Peter, 66, 66, 143–45, 144
 Golding, Anthony, 47, 48
 Gompertz, Sir Henry Hessey Johnston, 133
 Gordon, Alexander Herman Adam, 198, 246, 277, 284
 on Canton prisons, 214
 career, 243, 243
 and prison diet, 263
 and prison escapes, 281–82

- and overcrowding, 222, 225, 283
- and prison riot, 263
- on separate confinement, 223–24
- Gresson Street shoot-out, 49, 56
- guardhouses, 182, 186, 186, 194
- Guisville, Charles, 61
- Guo Songtao, 247, 264
 - on the crank, 271
 - on Victoria Gaol, 207, 212, 264
- Gutierrez, Servando Cesar, 241
- Gutzlaff, Karl, 36

- Hall, John Carey, 196
- Haly, Captain, 39
- hangings, *see* executions
- Harrop, Phyllis, 33
- Hau Hang, 59, 59, 60
- Hazeland, Francis Arthur, 134–35, 166, 167
- Headquarters Block, *v*, 2, 3, 6, 13, 19, 19, 21, 29, 30, 30, 31, 32, 34, 183
 - architectural features of, 103, 104, 105, 108
 - design of, 28–32
 - gymnasium in, 28, 31, 34
 - war damage to, 33
- Hennessy, Sir John Pope, 43, 63, 130, 132, 134, 218
 - and flogging, 123, 220, 276
 - and gambling, 164
 - and gaol-building, 192
 - and opium, 168
 - granting pardons to prisoners, 285–86
 - and the Po Leung Kuk, 159
 - and sanitation in the Gaol, 279–80
 - unpopularity of, 133
 - and penal reform, 208, 217, 218–22
- Hillier, Charles Batten, 113, 127–28, 128, 148–49
- Hill, Michael, 146
- Ho A Chau, 286
- Ho Ayee, 122
- Ho Chi Minh, 81, 260–61, 260
- Ho Fook, 214
- Hogan, Sir Michael, 174
- Hoggarth, George, 166, 167
- Ho Kai, 157, 157, 165, 198
- Hollywood Road, 3, 4, 6, 27–31 *passim*, 29, 33, 35, 77, 151, 183, 252, 253
 - brothels in, 62, 252, 253
 - mixed character of, 6–13
- homosexuality, 55
 - in the Thornton case, 48
 - in the Gaol, 282–84
- Hon A Ng, 159
- Hong Kong Cemetery, 48, 48, 50
- Hong Kong International Arbitration Centre, 146
- Hong Kong Jockey Club Charities Trust, 4
- Hong Kong Police Force, 13, 34
 - expense of, 39
 - formation of, 38–39
 - Police Tactical Units, 83, 146
 - post-war development of, 93–94
 - Queen's award of 'Royal' to, 85
 - recruitment of Sikhs to, 51–52
 - Special Branch, 82
 - Weihaiwei contingent in, 44, 80, 92
 - see also* police
- Hong Ngok, 283
- Hornby, Sir Edmund, 38, 71
- Horspool, George, 56, 293
- Horton, Inspector of Brothels, 62
- Ho Tung, 77, 214
- House of Detention in Victoria Gaol, 125, 228, 254–55
- Hulme, John Walter, 128, 148
- Hung Kam-ning, 137
- Hung Kam-shing, 137
- Hunt, Ernest 'Taffy', 144
- Hurst (sergeant at Victoria Gaol), 244
- Hyatt (publican), 100

- Independent Commission Against Corruption, 66, 143
- Indian police, 50–56, 58
 - abuse of, 54
 - accommodation in Central Magistracy, 107
 - Chinese attitude towards, 53–55
 - messes at the Central Police Station for, 55
 - post-war re-enlistment, 92
 - sepoys among, 50
 - and Sikhs from Sind, 51
 - see also* police; Sikhs
- Irving, E.A., 169

- Jails (*also* Gaols) A, B and C, 183–85, 208, 209, 209
- Jarman, James, 48, 48, 291
- Jebb, Joshua, 184, 188, 190, 218, 236
 - and tread wheels, 269–70
- Jones, Robert, 290–91
- Justices of the Peace, 68, 113, 115, 136, 142, 161, 174
 - and flogging for gaol offences, 242, 277, 278

- Kahn, Abdul, 243–45, 274
- Kang Youwei, 77–79
- Kempeitei, 90, 138
- Kempton, Freda, 255
- Kennedy, Sir Arthur, 72, 219, 285, 292
- Keswick, William, 192, 198
- Khan, Ayub, 282

- Kimberly, Lord, 68
 King, Thomas Henry, 44, 70, 88
 and the seamen's strike, 80
 Kirby, Albert, 177–78
 Knutsford, Lord, 198, 225
 Koh, Kimmy, 93, 93
 Komino, Sergeant, 91
 Ko Tin-hing, 107
 Kuomintang, 81, 82
 Kwok Cuok-la, 290
- Lai Cheung, 287
 Lai Chi Kok prison, 85, 205, 228, 238, 248, 249
 Lai Wing Sheung, 125
 Lam Ayow, 290
 Lam On, 59
 Lansbury, George, 259
 Laong Kwok-shi, 120
 Lau A Kau, 277–78
 Lau Choy, 288, 288
 Lau Tak Yam, 55
 Lau Wai Chun, 214
 Lawson, Mrs, 290
 Leathlean, Anthony, 141, 145
 Lee-achoong, 215
 Lee, Inspector of Brothels, 61
 Lee Lum-kwai, 117, 117
 Lee Tak-ye, 83
 Legge, James, 22, 53, 70–71, 71, 127
 Legg, John, 46
 Leslie, Henry, 47
 Lethbridge, Henry, 225, 234, 245
 Leung Yuen Tai, 289
 Li Achan, 160
 Li Chi Shing, 289
 Li Fuk-shing, 131, 162
 Light and Pass laws, *see* curfews
 Light, Enoch, 142
 Li Hon Hung, 75, 76
 Li Kwai Fan, alias Liu Chui, 50
 Lilius, Aleko, 236, 248, 255–56, 256, 265, 268
 Lindsay, Inspector, 73
 Lindsell, R.E., 108, 135, 135, 136
 Li Pong, 293
 Lo Apiu, 131
 Lo Aqui, 127, 167
 Lobscheid, Wilhelm, 213
 Lockhardt, Louisa, 241
 Lockhart, J.H. Stewart, 56, 78, 134
 Logan (prisoner), 281–82
 Lo, Helen, 138
 Lo Hin-shing, 138, 138, 146
 Lo Kei, 82
- Lo Man-kam, 137, 177
 Loseby, Frank, 177
 Lo Shu Wan, 87
 Lowry, George T., 137, 178
 Lugard, Sir Frederick, 74, 79, 135, 170
 and proclamation of the peace, 170–71
 on crime and sentencing, 226
 Lugg, Lieutenant, 42
 Lui Fong, 135
 Ly Asee, 122
 Lytton, Sir Edward, 190
- Macartney, Sir Halliday, 247, 248
 McDonald, George, 48
 MacDonald (turnkey), 245
 MacDonnell, Sir Richard, 50, 51, 57, 61, 68, 69, 72, 125, 129, 130, 193, 215, 240, 245
 and branding and deportation, 212, 285
 on gaol punishments, 270–71
 and licensed gambling houses, 63–64, 164
 and prisoners' self-harm, 279
 in favour of public executions, 292
 and Stone Cutters' Island prison, 192, 211
 and whipping, 220
 MacGregor, Sir Atholl, 178
 McGregor, Hugh, 41
 Macintosh, Duncan, 92
 Mackean, Ernest, 165
 McKenzie, Robert, 248
 MacLehose, Sir Murray, 143
 McSwiney, Percy, 148
 Magistracy, 4, 6, 14, 21, 21, 22, 22, 26, 27, 59, 97, 98, 100, 110, 191, 198
 conditions in the old, 99–102
 construction in 1847 of, 98, 184
 as engine of criminal justice, 109
 executions in the compound of, 290
 and the government, 112–13
 interpreters in, 130–32
 jurisdiction of, 109–10, 137
 summary justice in, 110, 112–13, 118
 see also Central Magistracy
 magistrates, 114–15
 as coroners, 113
 jurisdiction of, 115–17
 powers of punishment, 118–19
 recruitment of, 126
 see also under individual names
 Mahomed, Khushi, 171–72
 Malaka, Tan, 81, 237, 258–59, 258, 260
 Man Mo Temple, 11, 11, 128, 151
 Mann, Sergeant, 63
 Married Inspectors' Quarters, 26

- Married Sergeants' Quarters, 27
 Marsh, Sir William, 264
 Martin, Charles, 125
 Maxton, James, 259
 May, Charles, 23, 24, 25, 67, 149, 153, 157, 158, 215
 career, 42–43, 133
 on ethnic composition of police force, 43
 and flogging, 121–22, 124
 organises a police force, 41–46
 as Police Magistrate, 53, 129–30
 and preventive policing, 36, 41
 and control of prostitution, 61–63
 views on Chinese, 42
 May, Sir Francis Henry, 45, 49, 55, 67, 70, 77, 78, 79, 118, 133
 attempted assassination of, 75–76, 171
 as Captain Superintendent of Police, 74–75, 75, 240, 240
 and flogging with a birch, 124
 and the gambling scandal, 64, 75
 and motor cars, 173
 and ordinance reserving residence on the Peak, 156
 as Superintendent of Victoria Gaol, 226, 240
 May, Phoebe, 240, 240
 Medhurst, W.H., 127
 Messer, Charles McIlvaine, 49, 70
 Metropolitan Police, 41, 49, 60, 67, 70
 Mills, Harry Arthur, 49
 Mitchell, F.W., 111, 128, 129
 Mitchell-Innes, N.G., 160
 Mok Lok-wai, 83
 Moore, Dr, 294
 Moss, Michael, 251
mui tsai, 60, 158–59, 248
 Murphy, Timothy, 59, 259
 Murray, Dr Ivor, 53–54, 211, 217, 244–45

 Newman, Charles, 241, 293
 New Oriental Building, 94, 94
 Newton (prisoner), 209–10
 Nigel, F.G., 169
 Ng Choy, 126, 131–33, 132, 156
 Ng Kai Sui, 287
 Ng Kun Pow, 53–54
 Ng Ling, alias Kwong Kwang, 49
 Ng Ping-u, 59–60, 60
 Ng Sik-ho, 143, 143, 144
 Norman, James, 250–51, 250
 Noronha Printing Company, 204

 Ogawa Jijuro, 197
 Ohara Shigechika, 196–97, 198
 Ohtsuka Sekitaro, 91, 92
 Old Bailey Street, 4, 29, 33, 62, 143, 161, 185, 239, 240, 287, 290

 opium, 100, 118, 133, 281
 divans, 59, 88
 illicit trade in, 101, 101, 118–19, 125, 135, 143, 166–69
 monopoly or farm, 113, 116, 132, 134, 166–68, 127
 suppression movement, 168
 O'Sullivan, Edmund, 49, 252, 254
 O'Sullivan, Mortimer, 49
 O'Sullivan, Patrick, 49
 Ouchterlony, John, *v*, 19, 20, 181

 parade ground, 24, 28–34 *passim*, 181, 198, 203
 Pauncefote, Julian, 155
 Peel, Robert, 70
 Peel, Sir William, 260
 Pennefather-Evans, John, 88, 88, 92, 93
 police reform proposed by, 89
 Pentonville prison, 23, 184, 216, 217, 217
 separate system in, 190, 194, 222
 Pereira (gaol guard), 275
 Perkins, Detective, 254
 Persey, Costa, 290
 Peterson, Inspector of Brothels, 62
 Petty Sessions Court, 115
 Pham Thi Anh Hong, 231
 pirates, 38, 38, 113, 121, 127
 Po Leung Kuk, 60, 159
 police, 35
 in the British Empire, 89, 92–93
 brutality, 83, 84
 corruption, 50, 65–66, 75, 88
 high rate of death among, 48–49
 ethnic composition of, 43–46, 70–71
 extortion, 39, 47, 55, 57
 control of gambling and prostitution, 61–65
 inefficiency of, 39
 interpreters, 39, 45, 51, 59, 64
 moneylending by, 55
 and recruitment of Muslims, 52, 89
 and politics, 13, 76–85
 powers, 40–41
 regular duties of, 85–87, 88–89
 and riots and social disorder, 66, 67, 76, 79–81, 82–85
 uniforms, 41, 42, 46–47, 53
 from Weihaiwei, 44, 80, 92
 see also Hong Kong Police Force; Chinese police;
 European police; Indian police
 Police Commission
 of 1856, 41
 of 1872, 53, 58, 67–72, 76, 213
 police magistrates, 111
 Police Married Quarters ('PMQ'), 11
 Police School, 45, 59
 Pope-Hennessy, James, 192

- Porter, Roy, 3
- Pottinger, Sir Henry, 20, 41, 41, 121, 127
and gaol-building, 183
- prison
chain gangs and productive convict labour, 212, 220, 274–76
classification, 236–39
contraband articles smuggled into, 145, 243, 281
emphasis on deterrence in, 218–19, 226
diet, 218–19, 221–23, 225, 264–69
early release from, 285–86
health and sickness in, 154, 239–40, 279–80
juveniles in, 87, 249–51
regulations, 232, 234, 235
self-harm in, 279
women and children in, 187, 194, 201, 205, 247–51
see also Victoria Gaol
- prisons
conditions of Chinese, 212–14
chaplains, 236
progressive stage system in, 268, 285
reform, 188–90
rise of, 189
uniforms, 235–36
- prostitution, 60, 61–63
- punishments, 118–25
branding, 212, 212, 219
Chinese, 113, 119–20, 119, 213
corporal, 121–24, 276–79: *see also* flogging
crank, 270–72, 271
fines, 112, 118–19, 124–25
imprisonment, 124, 182, 208
oakum picking, 243, 272, 274, 274
racist assumptions about, 208
shot-drill, 196, 270–72, 272–73
stocks, 120
transportation, 149, 210–11, 219–20
tread wheel, 187–88, 269–70, 270
see also deportation; flogging; queue(s)
- Pun Fung, 249
- P'un Hing, 59
- Qing legal code, 36, 37, 127
- Qiyang, 36
- queue(s), 22–23, 40, 51, 54, 59, 101, 102, 102
cutting of, 119, 127, 223, 234
- Quincey, William, 63, 64–5
- Quin, William, 50
- refugees and illegal immigrants, 10, 77, 81, 85, 86, 87, 88, 93, 229, 231
Vietnamese boat people, 204, 229–31, 230
- registration system, 40, 113, 120, 127
- republican revolution, China, 79, 171
- Rice, T. Fitz Roy, 57
- riot of 1966, 67, 82
commission of enquiry into, 83
- riot of 1967, 67, 82, 83
Magistracy hearings under Emergency Regulations, 140–42
- Rizal, José, 272
- Robinson, Sir Hercules, 50, 228
and Stone Cutters' Island prison, 23–24, 192, 211
- Robinson, Sir William, 12, 56, 198
- Ross, Leslie Owen, 29, 30, 103
- Rozario (interpreter), 99
- Russell, James, 133, 149, 157, 159
- Ruttonjee, Dhun, 13
- Ryall, Charles, 215
- Rylands, Constable, 62
- Ryrie, Phineas, 68, 72, 73
- Sai Ying Pun, 12
- Samarang, 290
- Samson, C.H., 92
- Sayer, George Robley, 173
- Schofield, Walter, 87, 136, 173
and separate system of juvenile justice, 136
- Scott, John Edward, 49
- Scott, William, 40
- Searle, Betty, 126
- separate system, 14
rationale for, 181–82, 189, 222
in Victoria Gaol, 223, 225–26
- Shaftain, Frank Walter, 90, 92, 93
- Sheldon, Harold, 137, 176, 177, 178
- Shun Fuk, 166–67
- Sikhs, 44, 44, 51, 52, 53, 54, 56, 56, 59
criticism of, 54
defection to Japanese, 89
honesty of, 53
objection to steel helmets, 89
in Shanghai, 80
wearing of turbans, beards and *kirpans*, 52–53
see also police; Indian police
- Singh, Amer, 56, 59
- Singh, Bakhtawar, 55
- Singh, Bhag, 55
- Singh, Bishen, 120
- Singh, Harnam, 282
- Singh, Mullah, 49, 56
- Singh, Nehal, 245
- Singh, Sahib, 55
- Singh, Serain, 55
- Singh, Surta, 86

- Singh, Utter (*also* Attar), 55–56, 64
 Single Inspectors' Quarters, 27
 Smale, John, 35, 55, 57, 132, 158, 245
 Smith, Albert, 99, 100
 Smith, Cecil Clementi, 124–25
 Smithers, Thomas, 41
 Smith, Thomas Sercombe, 120, 133
 Snow, Philip, 45
 So Sau-chung, 82, 82
 So Su-ling, 84
 Speed, James Leslie, 282
 Stanford, William, 215
 Stanley internment camp, 90, 178
 Stanley, Lord, 112
 Stanley Prison, 66, 85, 105, 205, 228, 238, 294, 294
 Stanley Reformatory School (later Stanley Training Centre), 250
 Stanton, William, 162, 163, 165
 Star Ferry riots, *see* riot of 1966
 Steele, Thomas, 209–10
 Stephen, Sir James, 113
 Stewart, Frederick, 72
 Stone Cutters' Island, 24, 182, 192, 211, 212, 217
 Street Boys' Club, 87
 strikes and boycotts
 Guangdong–Hong Kong General Strike of 1925, 80–81, 135
 in San Po Kong factory, 83
 seamen's strike of 1922, 45, 80
 Stubbs, Sir Reginald, 52, 59, 171
 and seamen's strike, 80
 suicides, 55, 207, 234, 289
 Sullivan, H.G., 174
 Supreme Court, 110, 115–20 *passim*, 122, 123, 130, 132, 134, 135, 137, 142–45 *passim*
 building, 102

 Tai Kwun, 6
 Tai Ping Shan, 9, 13, 124, 154
 and diseases, 12, 12, 151, 155
 Tai Tam Kwan, 160
 Tam Chung, 88
 Tam (prisoner), 283
 Tarrant, William, 37
 Taylor, Alfred, 125
 Thomson, Alexander MacDonald, 271
 Thornton, Police Constable, 48
 Tiffany, Osmund, 20
 Tomkyns, Lieutenant Colonel, 42
 Tomlin, George, 68
 Tomlin, G.L., 271
 Tong King-sing, 130, 130

 Tong Mow-chee, 130
 Tonnochy, Malcolm Struan, 68, 117, 132, 242–43, 242, 291, 293
 Too A-Po, 117
 transportation, *see* punishments
 Triads, 38, 39, 66, 77, 87, 90, 121, 131, 143, 145
 book on, 165
 in the Gaol, 225, 263, 281
 in Hong Kong, 160–62
 in the police, 165
 Tsang Ngai Boon, 135
 Tsang Tak-sing, 141
 Tsang Yok-sing, Jasper, 83
 Tung Tau Bay Training Centre, 251
 Tung Wah Hospital, 12, 125, 176, 240, 278, 280, 286
 and emigration abuses, 60
 funded by gambling monopoly, 164

 Ung-apow, 290
 unnatural crimes, *see* homosexuality

 vagrants, 125, 150
 van Rees, T.L., 141
 Victoria Gaol, 3, 4, 11, 14, 21, 22–24 *passim*, 22, 32, 46, 48, 55, 60
 architecture and the radial plan, 14, 23, 190–91, 193–95
 earliest structures of, 182–83
 extensions to, 198–200, 201, 202
 influence on Japanese prison architecture of, 196–97
 prisoners from treaty ports and other foreign settlements in, 251
 overcrowding, 198, 216–18, 222, 225, 228
 prisoners buried in, 81, 290
 war damage to, 205, 228–29
 warders and other staff of, 243–46, 244
 see also prison
 Victoria Prison, 2, 13, 14, 15, 19
 declared a monument, 15
 decommissioned, 4, 201, 206
 yard, 34, 202, 203, 206
 see also Victoria Gaol; Victoria Remand Prison
 Victoria Reception Centre, 206, 239
 Victoria Remand Prison, 14, 143, 205, 226–29, 238–39, 239, 283, 287, 289
 Vigano, Father, 293

 Wai Kam-chuen, 105
 Wan Man, 88
 war crimes trials, 90
 Water Police, 41–42
 Weatherhead, Alfred, 155
 Webster, John, 48
 Weihaiwei contingent, *see* police

- Wei Yuk, 157, 157, 214
 Western District Gendarmerie, 34, 90, 91
 White Russians, 44
 Whitfield, H.M., Major General, 68, 69
 Whyte, John Charles, 121, 124
 Williams, Charles, 290–91
 Williams, E.H., 178
 Willson, Major C., 171
 Wing Lok Street, 56, 59
 Wise, A.G., 63
 Wise (prisoner), 235
 Witchell, Job, 65, 66
 Wodehouse, Henry Ernest, 63, 72, 79, 113, 134, 155
 career, 133–34
 Wodehouse, Pelham Grenville, 134
 Wodehouse, Philip Peveril John, 79, 79, 134, 135, 172
 Wolfe, Edward Dudley Corscaden, 39, 70
 Wong Achow, 47
 Wong Afook, 157
 Wong Apo (kidnapper), 157
 Wong Apo (prisoner), 220
 Wong Ayow, 121
 Wong, George, 138
 Wong Ho, 240–41
 Wong Kai-kei, 294
 Wong Kwai-ying, 84
 Wong Kwong, 265, 282–83
 Wong Kwong Tin, 172
 Wong Ma-chow, 117, 219
 Wong Ming, 283
 Wong Qui Fook, 235, 236
 Wong Shing, 162, 214
 Wong Yau, 278
 Wood, John Roskruge, 108, 133
 Wu Tai Chow, 142
 Wu Tingfang, *see* Ng Choy
 Wynne-Jones, E.I., 173–76

 Yang Ti Liang, 144
 Yeong Chau Ying, 292–93
 Yeung Kui-wan, 49–50, 50
 Yeung Po, 60
 Young, Sir Mark Young, 178
 Youngson, James, 48
 Yung Wing, 130