



旺暴被告即時入獄具阻嚇作用



中英社評 >>>

今年大年初一晚參與旺角街頭黑夜暴亂的「熱血公民」成員陳柏洋，昨在九龍城裁判法院被判「襲警」與「拒捕」兩項罪名成立，即時入獄九個月。

有關判決，受到法律界、執法人員及市民的廣泛關注，原因在於：這是回歸以來一宗罕見的大規模暴亂事件，暴徒以行人路紅磚及其他雜物瘋狂襲擊警員，造成多名執法人員受傷。事件是對社會治安及特區政府管治的嚴峻挑戰。

因此，作為旺角暴亂首宗作出裁決的案子，被告陳柏洋到底會被處以何種刑罰，是銀鐐入獄還是「溫情」的「社會服務令」，各方咸表關注。

結果，陳柏洋「襲警」及「拒捕」兩罪俱發，前者入獄九個月、後者入獄四個月，同期執行，即一共囚禁九個月，並且不准保釋，即時入獄。散庭後，陳柏洋被鎖上手銬、押上囚車，自法庭直駛赤柱監獄，接受其違法暴行所應得的下場。

而有關判決的重要性，在於緊接陳柏洋之後，最少還有三十四名旺角暴亂的被告將由今日起相繼出庭受審及被裁決，所涉罪名包括參與暴動、襲警、企圖縱火、刑事毀壞、襲擊導致他人身體受傷、擾亂公眾地方秩序等；其中，堪稱「首惡」的「本土民主前線」被告梁天琦、黃台仰同被控煽動及參與暴動罪名，案件已轉介高等法院等候排期審訊。

陳柏洋昨日被判即時入獄九個月，此一結果，對三十四名被告的案子將會



◀法治是港人社會最重要的核心價值之一，市民關注旺角暴亂的判決並支持依法重判，是理所當然的

資料圖片



▲「熱血公民」成員陳柏洋（中）被判「襲警」與「拒捕」兩項罪名成立，即時入獄九個月

資料圖片

並指出要嚴肅依法處理。

法治是港人社會最重要的核心價值之一，違法暴亂不可以見容於法治社會。市民關注旺角暴亂的判決並支持依法重判，是理所當然的。

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帶來何種影響，有待相關法庭依法作出處理，目前不宜置喙，以免有妨礙司法公正之嫌；但是，「一葉知秋」，陳柏洋的即時入獄，無疑將會起到明顯的阻嚇作用。

事實是正如陳柏洋案的主審法官蘇惠德昨日在庭上所指出：被告當晚帶同手套、頸套等裝備去到旺角暴亂現場，其間多次向正在維持秩序的警員投擲水樽，並且在被拘捕時作出激烈反抗；而襲警是嚴重罪行，對前線警員的人身安全及士氣均會構成影響，因此判刑需具阻嚇性，不可姑息。

蘇官的這一席話，不僅對案中被告

陳柏洋而言，對曾經參與旺角暴亂及正在等候審訊的三十四名被告而言，同樣是十分中肯和重要的判語。當晚大年初一，本是人人高興的日子，但搞事分子藉所謂小販擺賣問題而掀起一場暴亂，而且以極為暴力的手段襲擊警員，甚至多人圍毆已負傷倒地的執法官員，還有人企圖縱火……。這些行爲，在一向以法治和治安良好為榮的港人社會，其震撼性和破壞力是難以言喻的，對特區政府的依法管治更是極其嚴峻的挑戰。

暴亂事件也引起了中央的關注，全國人大常委會委員長張德江今年五月訪港視察時，就曾提到對旺角暴亂事件，

Immediate imprisonment of a convict in a Mong Kok riot-related case has a deterrent effect

Chan Pak-yeung, a Civic Passion member who had participated in the Mong Kok riot on Lunar New Year night, was sentenced to a nine-month jail term for assaulting a police officer and resisting arrest at Kowloon City Court yesterday, and was immediately taken away to be locked behind bars.

This case has attracted wide attention in the legal sector, among law enforcers and citizens. The reason lies in that the Mong Kok riot was a large scale violent incident rarely seen since Hong Kong's handover, in which rioters madly attacked police officers with bricks taken from side pavement and other objects, injuring several law enforcers. The incident posed a serious challenge to social order and the governance of the SAR Government.

Therefore, as the first court case relating to the Mong Kok riot, what punishment Chan Pak-yeung, the defendant, would be given – whether he would be jailed or just given some “softhearted” community service order, it has attracted attention from various sectors.

Eventually, Chan Pak-yeung was found guilty on one **count** of "assaulting a police officer" and another of "resisting arrest", and sentenced to nine months in jail for assault and four months for resisting arrest – to be served concurrently, namely, to be jailed for nine months altogether. His application for bail was rejected and he was immediately taken away to be locked behind bars.

The significance of this ruling lies in that right after Chan Pak-yeung's case, at least another 34 defendants in Mong Kok riot-related cases will successively be tried in court or given verdicts starting from today, being **charged with** participating in riot, assaulting police, attempting to commit arson, causing criminal damage, assault resulting in serious bodily injury, and/or causing disorder in public places, etc. Among them, Hong Kong Indigenous' Edward Leung Tin-kei and Ray Wong Toi-yeung, who deserve to be called as the "chief culprits" of the riot, both are charged with instigating and participating in riot. They are to have their cases heard in the High Court.

Whether and how the sentence of Chan Pak-yeung to nine-month imprisonment yesterday would affect the processing of the cases involving these 34 defendants, this should be left for the court to handle in accordance with the law. It is not proper for others to say anything right now, so as not to arouse suspicion **pervverting** the course of justice. However, like "a **straw**

in the wind", the immediately imprisonment of Chan Pak-yeung no doubt has a deterrent effect.

In fact, as magistrate So Wai-tak pointed out in court yesterday that the defendant had brought with him to Mong Kok equipment such as gloves and neck guard, and during the riot, thrown water bottles at an police officer maintaining order on the spot and struggled to violently resist arrest. Assaulting police was a serious offence, which "endangered the safety" of the police officers and affected police morale. Therefore penalties given to him should have adequate deterrent effects, as such crimes should not be tolerated.

Such words by magistrate So Wai-tak also make a very pertinent and important verdict on the 34 defendants who had participated in the Mong Kok riot and are waiting for their trials, not just on Chan Pak-yeung. On the Lunar New Year night, in what otherwise should be a happy time for everyone, trouble-makers stirred up a riot making use of the issue of unlicensed vendors. Rioters attacked police officers in extremely violent ways: several of them jointly beat an already injured police officer lying on the ground, and some others attempted to commit arson... For Hong Kong society which had always **taken pride in** its rule of law and good public order, the shocks and damages such acts had caused were beyond expression. For the SAR Government's governance in accordance with the law, the riot posed an extremely serious challenge.

The riot also aroused attention and concern from the Central Government. Chairman Zhang Dejiang of the Standing Committee of the National People's Congress (NPC), during his tour in Hong Kong in May, once mentioned the Mong Kok riot and pointed out that it should be seriously dealt with in accordance with the law.

The rule of law is one of Hong Kong society's most important core values. Law-breaking riots cannot be tolerated in a society with the rule of law. It is natural and right for Hong Kong people to keep close watch on court verdicts in Mong Kok riot-related cases and give their support to heavy punishments in accordance with the law.

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電視購物頻道

一至兩個人在鏡頭前介紹產品，直接講解產品的特色（Feature）好處（Merit），並會示範（Demonstration）如何使用，讓家庭觀眾覺得產品「好使好用」，便會立即行動（Call to Action）致電購物。

你可曾留意電視購物頻道所出售的產品，不會在街頭、商場、小店買到，因為電視購物公司明白到，產品在坊間到處有售，顧客便不會致電訂貨，所以電視購物節目必須提供大量有獨特性的（Unique）商品，才能不斷地吸引客源，而且貨品會直接送到客戶家門（Home Delivery），讓顧客感到一份的優越感（

Privilege）。

至於價格方面，通常都以「最低價」、「優惠價」等字眼標榜，並多採用「製造商建議零售價」（Manufacturer's Suggested Retail Price），列出「原價」和「現價」，通過比較，顧客感到自己買到了「平貨」，增加產品的吸引力。除了價格有吸引力外，還會附送一些相關產品的贈品（Complimentary），務求讓消費者覺得「好抵買」（Good for Value）。

由於購物頻道非常方便使用，顧客只要有信用卡（Credit Card）、打個電話

就可以購物，而且消費者很容易愈買愈多，連一些沒有需要的產品都購買，有的人每天都會花很長時間觀看頻道，甚至出現「唔買唔得」的情況，這些可說是購物上癮（Addicted），變為購物狂（Shopaholic）。

電視購物頻道確是一個方便、快捷的購物方式，但要適可而止，不要過分沉迷。

撰文：李慧慈（Ada）香港專業進修學校（港專）傳訊與拓展總監、李慧文（Shida）香港專業進修學校（港專）語言傳意學部主任

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緣起香江 >>>

談林則徐（四）

說起對林則徐的評價，有四點可供參考：

一、民族英雄：十九世紀，鴉片的毒害已由個體擴展到國家層面，禁煙已是必然措施，即使沒有林則徐，亦必由其他官員處理，然而當時只有林則徐義無反顧地擔起挽救國家前途的重任。回顧禁煙經過，林則徐的果斷行動展現他對鴉片禍國的痛恨，以及對時局的遠見與駕馭能力。當他意識到鴉片問題將由貿易糾紛提升到軍事衝突時，在得不到朝廷和普遍同僚的支持下，仍盡力調動資源備戰。面對英國遠征軍的入侵，林則徐頑強抵抗，領導七戰皆勝，護國有功，說他是民族英雄，絕對適切。至於，清廷最終敗北，明顯不是林則徐的責任。

二、禁煙禁毒的精神代表：道光帝詔諭禁煙，林則徐最先響應。到廣東查禁鴉片不但雷厲風行，在虎門以石灰銷煙，滅除鴉片毒性對環境的傷害，就連西洋醫師與外國教士都衷心讚嘆。雖然禁煙之舉僅施行兩年，最終清廷在「船堅炮利」的威脅下被迫開放貿易，鴉片買賣更加肆無忌憚。

不管如何，後世對林則徐禁煙的貢獻仍是肯定的，更以他作為禁煙禁毒的精神象徵。民國時期，上海曾出產成藥，聲稱能助人戒斷煙癮，取名為「林則徐戒煙金丹」；政府方面，為宣導國民禁煙戒毒，更將每年六月三日（即虎門銷煙日）列為「禁煙紀念日」，全國官民舉行集會，追述禁煙事跡和意義；在香港，石鼓洲戒毒所亦豎立兩尊林則徐的雕像，藉此給予營友精神的鼓勵。

三、中國近代史的開端人物：乾隆以來，清廷以天朝大國自居，實行閉關自守政策，拒絕接觸外面的世界。直到鴉片戰爭結束，清廷被迫敞開國門，從此捲入「國際政治關係」的漩渦，而林則徐正是我國由中古史過渡到近代史的關鍵人物。他不但扛下禁煙使命，成為清英衝突的代理人，同時也揭開了大清千瘡百孔的真實面貌，影響往後百多年來的國運。可見，無論在國史論述以至禁煙運動，他都是劃時代的重要人物。

四、香港史的重要人物：林則徐禁煙時期，在尖沙咀村發生的林維喜事件成為清英兩國兵戎相見的導火線。交戰期間，林則徐領導抵抗，七戰全勝，其中三場更在港九境內發生，直接和間接地改變了香港的際遇。既然鴉片戰爭是中國史的轉捩點，香港又佔有重要位置，但一般史書鮮有站在香港的角度來論述林則徐與香港史的關係。時至今天，社會仍習慣以「開埠」作為本地史的開端，對於鴉片戰爭歷史（尤其前半段）未予應有的論述和評價，實欠公允。

香港史學會總監 鄧家宙
電郵：shkh.org@gmail.com