(hooliganism)   "   "

The lawyer representing a 48-year-old man who was given a death sentence with a reprieve in 1984 for "hooliganism" - a charge that no longer exists - continued the fight to free his client. 1984   "   "

48

Niu Yuqiang who is known as China`s "last hooligan" was sentenced after "snatching a hat, smashing a window and fighting with another man".   "
"   "

"   The charge of hooliganism was abolished in 1997 when the law was revised. 1997

Niu`s lawyer, Zhou Ze, explained that his client remained behind bars at a prison in Northwest China`s Xinjiang Uygur autonomous region and twice had his sentence reduced before he was paroled in 1990 because of tuberculosis.

1990   However, Niu was expected to return to the prison in 1992 after his treatment. He said he stayed in Beijing because he did not get a letter from the

authorities informing him he had to return.

1992

Instead, he remained under the supervision of police in the capital until 2004 when the prison sent representatives to Beijing to escort him back to the prison.　2004

Officials at the prison told him the years he spent in Beijing would not count as time served, so he would remain behind bars until 2020.

2020　Niu and his lawyer insist that his sentence should have been over in 2008. Niu claims that it was the responsibility of the prison to ensure he returned after his treatment.

2008

Zhou says he has asked the prison to deduct the years Niu spent in Beijing from his client`s sentence. The petition was formally turned down.

Zhou on Monday sent back another letter to the prison, claiming that it was not Niu`s fault because nobody told him he had to go back to the prison.

Zhou has also written a letter to the Standing Committee of the National People`s Congress, the nation`s top legislature, asking for an amnesty for Niu, given that he was given a severe sentence in the first place for minor crimes.

"Niu received such a harsh sentence because the lawsuit was handled at a special historic time," he said.

"   "

China started the first round of its yanda - or "strike hard" - campaign in 1983. During the campaign, the police usually took tough measures against criminals and the judicial authorities handed down swift and harsh penalties. 1983   "

"

"The country should reconsider all those who were sentenced during the campaign and judge their behavior again according to the current Criminal Law," Zhou said.

"

"   However, experts while agreeing the sentence was severe, say it was given according to the law of the time and the court`s decision should be respected and enforced.

"The prison term should be served," said Hong Daode, a criminal procedure law professor at China University of Political Science and Law. However, Hong said the prison should not extend the sentence to 2020 because "it was the prison authority`s responsibility to ask him to return at the right time".

"   "

2020

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