

**IS MARTIN LEE, Q.C.
AN UTTERER OF IRRESPONSIBLE STATEMENTS ?**

It is not very often that a Queen's Counsel is accused of uttering irresponsible statements, but that is what happened in the Legislative Council Meeting of Thursday, January 14.

Mr Martin Lee, Q.C., a barrister, who charges like a bull when he has a well-heeled client in toe, was on the receiving end of what could be described as a tirade from the Chief Executive of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), Mr Tung Chee Hwa.

Mr Tung Chee Hwa is quoted as stating, directly to Mr Martin Lee, Q.C.: *'Mr Lee, from time to time, and more frequently recently, I have been listening to what you say. To put it seriously, those words are irresponsible ...'*

Strong stuff!

A statement of this gravity from one of the *'chosen sons'* of the Government of the People's Republic of China must be considered stinging – certainly it must be taken seriously.

No doubt, Mr Martin Lee, Q.C., was shaken to his jock strap by the pronouncement of Mr Tung Chee Hwa.

Targetnewspaper.com cannot recall any Governor of Hongkong, when the British were running the show and held sway in the Legislative Council, taking personal exception to a statement from the floor.

Even when the felon Chim Pui Chung was sitting in the Legislative Council and made a personal attack on the last white Governor of Hongkong, Mr Chris Patten, to his credit, the Governor merely parried the verbal blow and got on with the business at hand.

The verbal attack was, as the saying goes, like water off a duck's back. No doubt, Mr Patten, considering the source of the attack, just ignored it.

If Mr Tung had uttered his statements, outside the Legislative Council, Mr Martin Lee, Q.C., may have had grounds for considering, issuing a Writ of Summons, naming Mr Tung Chee Hwa as Defendant.

The Statement of Claim, attached to the Writ of Summons, no doubt would have alleged slander on the part of the Chief Executive.

Certainly, the statements, made by Mr Tung Chee Hwa in the Legislative Council Chamber, must have lowered Mr Martin Lee, Q.C., in the eyes of his peers, ridicule, hatred and contempt, notwithstanding.

Targetnewspapers.com notes that Mr Martin Lee, Q.C., today, was awarded the Schuman Medal by the European Parliament for his attempts to promote democratic principles in the Hongkong Special Administrative Region of the (Communist) People's Republic of China.

Targetnewspapers.com further notes that Chief Executive Tung Chee Hwa has never been awarded such a medal.

One might ask the important question: Why?

But, since the Mr Tung Chee Hwa uttered his accusations against Mr Martin Lee, Q.C., in the Legislative Council, he is afforded Absolute Privilege – and there is nothing that Mr Martin Lee, Q.C., can do about the situation.

However, one wonders whether or not Mr Martin Lee, Q.C., has had his advocacy business severely damaged because one does not expect a Queen's Counsel to make irresponsible statements, whether or not they are uttered inside the hallowed halls of the Legislative Council Chamber.

Would it follow that, if Mr Tung Chee Hwa is correct in that Mr Martin Lee, Q.C., is '*more frequently recently*' an utterer of irresponsible statements, Mr Martin Lee, Q.C., may be inclined to utter irresponsible statements in the High Court, also?

For targetnewspapers.com even to publish this suggestion would appear to be a gross libel, of, in, or by itself, but targetnewspapers.com prays that it may have Qualified Privilege in publishing what took place in the Legislative Council Chamber and analyzing the impact of the tirade of the Chief Executive, and that Mr Martin Lee, Q.C., will not consider, leveling a libel action against this medium.

It would appear, prima facie, that either Mr Tung Chee Hwa is uttering irresponsible statements, by alleging that Mr Martin Lee, Q.C., is uttering irresponsible statements, or he is correct.

Neither Mr Martin Lee, Q.C., nor Mr Tung Chee Hwa has to prove that what they have said is correct and true in all respects, but it would appear that, for the sake of all, they should be caused to prove their respective cases.

Mr Martin Lee, Q.C., has made statements to the effect that Mr Tung Chee Hwa and his senior people have sought assistance from the Xin Hua News Agency in order to lobby support on important issues.

Outrageous as this may sound to certain people, if there is a modicum of truth to this suggestion, then there is good reason for the people of the HKSAR to lose more than a little faith in their valiant leader, Mr Tung Chee Hwa.

If there is modicum of truth to that which Mr Martin Lee, Q.C., is stating, then it would appear that Mr Tung Chee Hwa requires the assistance of Xin Hua officials to accomplish that which is his sworn mandate: Carrying out the orders of Beijing with regard to the PRC Government's property, known as The Hongkong Special Administrative Region.

It was not until July 1, 1997 that Mr Tung Chee Hwa entered politics, if one may assume that his present position is a political one rather than being one of master and servant, with Mr Tung Chee Hwa, being the servant of his Beijing masters.

Prior to his ascension to the purple of office, Mr Tung Chee Hwa was a businessman, running a shipping company, along with his brother.

At the time that he was, simply, a businessman, he could be said to have been a capitalist of the worst kind (in Communist thinking, that is).

Now, it must be fair to state that he is a Communist of the best kind – in the mould of his masters in the Great Hall of the People.

Communists do not suffer democrats, gladly, (even democrats who are barristers and have taken '*the silk*') as the saying goes, so one may understand the reason that Mr Tung Chee Hwa finds it difficult to stomach the statements of people of the ilk of Mr Martin Lee, Q.C.

At one time, to have labelled Mr Tung Chee Hwa as a Communist could have been, prima facie, libel.

But, today, no doubt, Mr Tung Chee Hwa must consider, being called a Communist, to be a singular honour.

(targetnewspapers.com assumes that, as Beijing's choice to rule the HKSAR, Mr Tung Chee Hwa is a member in good standing of the Chinese Communist Party)

It would appear that one method to clear the air, once and for all, is for each side – Mr Tung Chee Hwa in the Communist corner and Mr Martin Lee, Q.C., in the capitalist/democratic corner -- to present their respective points of view in an open forum ... and let the better man win.

The forum could be the High Court, a tribunal, or even in an open marketplace, it would make little difference.

The loser could, simply, resign, with Mr Martin Lee, Q.C., turning in his *'silk'* to the HKSAR Chief Justice, if he is found to have been irresponsible in his statements; and, Mr Tung Chee Hwa could, simply, inform his betters in Beijing that he can no longer be their little Communist in the HKSAR due to the fact that he, wrongly, accused his better – Mr Martin Lee, Q.C., of being irresponsible.

Anyway, it has been reported that Mrs *'Chief Executive'* Betty Tung wants her husband to retire when his term of office expires – unless, of course, she is of a bent to utter, openly, irresponsible and outrageous statements, too.

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