

### THE RIGHT TO KNOW : HOW THE GOVERNMENT SEES THE SITUATION

In times of peace, every government of the world, regardless of how it may be perceived by those people, who are not its citizens, wants the world to believe that it is an open and accountable government, at least, outwardly.

It looks so much better than having the world maintain that a territory is governed by a tyrant, who rules with a heavy hand.

The Government of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC) is a member of that fraternity, which wants the world to see it as an open and accountable Government.

It would like to have the world believe that the situation in respect of the 416 square miles that constitute the HKSAR is, today, better than ever before, that the Government of Chief Executive Tung Chee Hwa is more accountable to the 6.70 million human inhabitants of the territory than ever before, that the Administration is operating more smoothly than when the British '*raj*' was in control, and that one only had to wait to see how the HKSAR economy would pull up its own boot straps and everybody will be applauding the intelligent way that the Government oversaw its charge, during the current economic crises.

Putting tergiversation aside, disregarding Mr Tung Chee Hwa, outwardly favouring the HKSAR rich and powerful over the HKSAR, not-so-rich and not-so-powerful, notwithstanding his cronies, being placed in positions of power, notwithstanding his inability to make, and carry out, a determination of materiality for the benefit of the HKSAR populace, once one starts to dissect the situation within the territory with regard to its operations since Mr Tung warmed the top seat, one may start to wonder at the Government's methods that are being employed in order to keep power in the hands of the privileged few.

The Immigration Department told TARGET, recently, that the total population of the HKSAR of all nationalities, today, other than registered Chinese nationals, stands at 526,510 people.

(The term, '*all nationalities*', in this case, must mean those individuals whose nationalities are not ethnically Chinese, or who are considered not residents of the HKSAR, whether or not they are ethnically Chinese).

That figure of 526,510 people, being '*all nationalities*', is just a tad less than 8 percent of the entire population of the HKSAR.

Also, of that figure of 526,510 people, 20,610 people represent what this department of Government terms as the UK – United Kingdom – population of the HKSAR.

That statistic includes British Dependent Territory Citizens, British Overseas Citizens, British Protected Persons, plus British Subjects.

The UK contingent of the HKSAR population, therefore, represents about 0.30 percent of the total population, at most, but that 0.30 percent includes ethnically Chinese people who, during the decade, prior to the assumption of political power by the Government of the PRC, were issued, what could be described as passports, denoting British Citizenship, Second Class, such status, giving the bearer of the passport no right of abode in Great Britain or any of its possessions.

It would appear that many of the British Citizens, who lived and worked in the HKSAR, prior to July 1, 1997, have gone, of that there can be no question (TARGET is not referring to Hongkong Civil Servants, but, mainly,

to the British Citizen, who was engaged in private enterprise, prior to July 1, 1997).

In order for TARGET to obtain information in respect of the demographics of the territory, it took about one week for Government to answers this medium's questions.

TARGET's request had to be in the form of a written letter, which was sent by facsimile transmission to the Government's Information Services Department (GIS) on Monday, March 18, 2002.

By contrast, when the last British Government of Hongkong was running the show, senior members of Governor Chris Patten's Administration often had a one-to-one rapport with many members of the media; and, questions could be submitted, orally, or in writing: It made little difference.

(Although, to be absolutely fair, the present situation is much more precise.)

Answers to most questions, more often than not, were forthcoming from the GIS on the same day that questions were posed when the British ruled the roost.

That was considered standard procedure.

The same was true of The Police Public Relations Bureau, The Office of The Securities and Futures Commission, The Stock Exchange of Hongkong Ltd, The Medical and Health Department, The Housing Authority, and so it went on.

Today, the situation, in respect of the Government of Mr Tung Chee Hwa, is much more '*centralised*' and all questions to any Government department have to be submitted through the Government's Information Services Department.

This is a very interesting development for a number of reasons, and it is a clear departure from the modus operandi of pre-1997 times when one could speak, directly, to the Government's representative at a certain department and strike up a one-on-one relationship.

When TARGET spoke to an official of the GIS, recently, in order to learn how many domestic helpers there were in the HKSAR, this medium was asked: '*Why are you asking this question?*'

TARGET refused to answer the question, asking the authority of the junior clerk at the GIS to pose such an obstacle in the path of this medium's right to obtain information, which was within the public domain (hopefully, TARGET reasoned, such demographical information would not be considered a matter of stealing State secrets or posing a threat to the security of the territory).

TARGET was, then, curtly told to submit its request in the usual manner – in written form.

The answers to our questions were received from the Immigration Department some 4 days later.

But, at least, the answers were received.

### **The Stock Exchange of Hongkong Ltd**

While the Immigration Department and the GIS may be slow off the mark, these days, at least one is quite likely to obtain some sort of an answer to one's queries, although there is sufficient circumstantial evidence to make one think that covert censorship is alive and well in the halls of power.

However, with regard to The Stock Exchange of Hongkong Ltd and The Office of The Securities and Futures Commission (SFC), it is a completely different story.

TARGET's relationship with both of these departments was, up to 1997, as close as a medium could hope to be with a Governmental and/or quasi-Governmental department, with officials of both organisations, being open

and forthright with TARGET and rarely being too busy to give a quick and comprehensive response to a question, either directly or indirectly, or through a designated underling when a senior official was pushed for time or was out of town.

However, TARGET is quick to point out that no Hongkong Government department or Government servant ever compromised its/his position, at least, not insofar as TARGET was concerned.

Now, both The Stock Exchange of Hongkong Ltd and The Office of The Securities and Futures Commission are closed shops.

Or so it would seem to this medium, except when they are desirous of obtaining publicity or the Public Relations kind.

When TARGET asked the SFC, some months ago, how determinations were made, on a subjective basis or an objective basis, the Public Relations person, a female, said at first that she had to know the reason for the question, then, she said that she would consider whether or not to give TARGET an answer.

About one fortnight later, TARGET was told the answer over the telephone.

The answer was that the all determinations of the SFC were made on an objective basis.

This was followed up with a written confirmation of the verbal statement, but only after TARGET requested it.

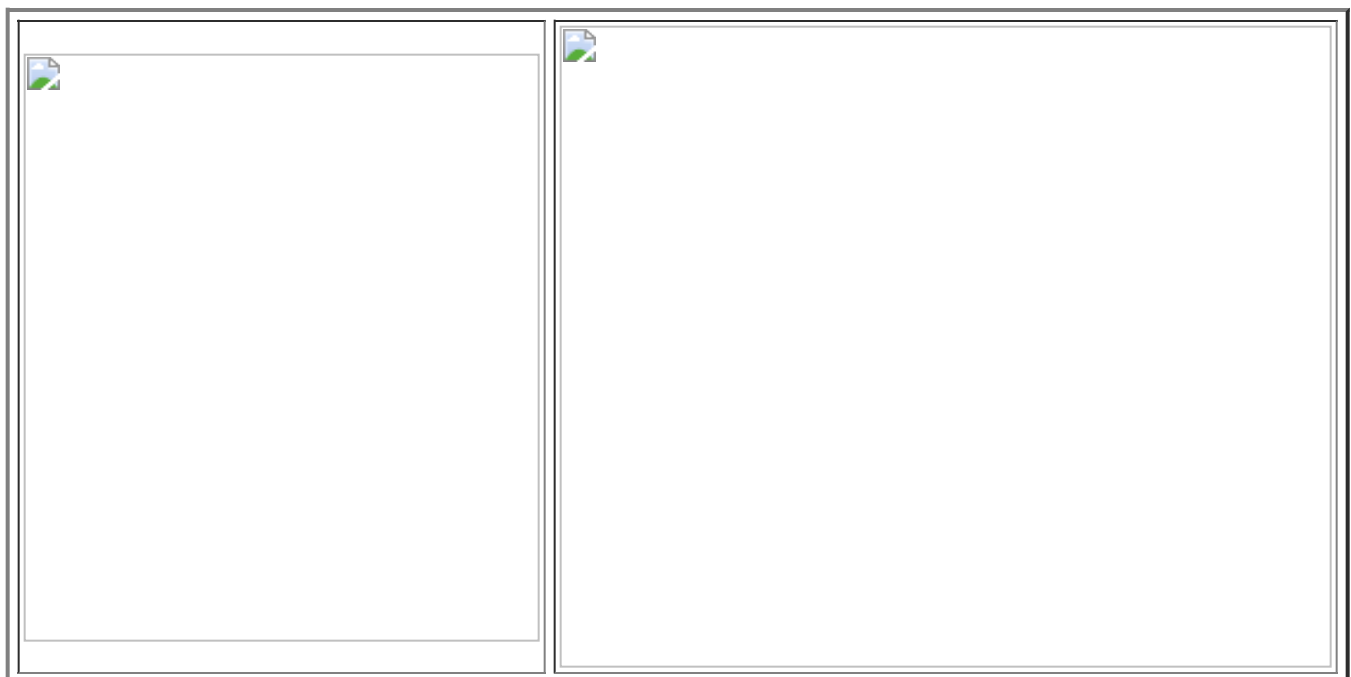
TARGET was, also, told that, henceforth, all questions from members of the Press must be submitted in writing and that the SFC is not bound to answer any/all questions, such determinations, being the sole prerogative of the PR Department, and at its total discretion.

So much for objectivity.

As for The Stock Exchange of Hongkong Ltd, TARGET sent a letter to the Chairman, Mr Charles Yee Yeh Kwong, on March 4, 2002.

No answer was ever forthcoming.

This was the letter that TARGET sent to Chairman Lee:



## **The High Court of The HKSAR**

It was in the first week of April that TARGET discovered that the High Court of the HKSAR had deleted the addresses of parties, involved in Bankruptcy Proceedings.

This was the first time that such a deletion had been deemed necessary.

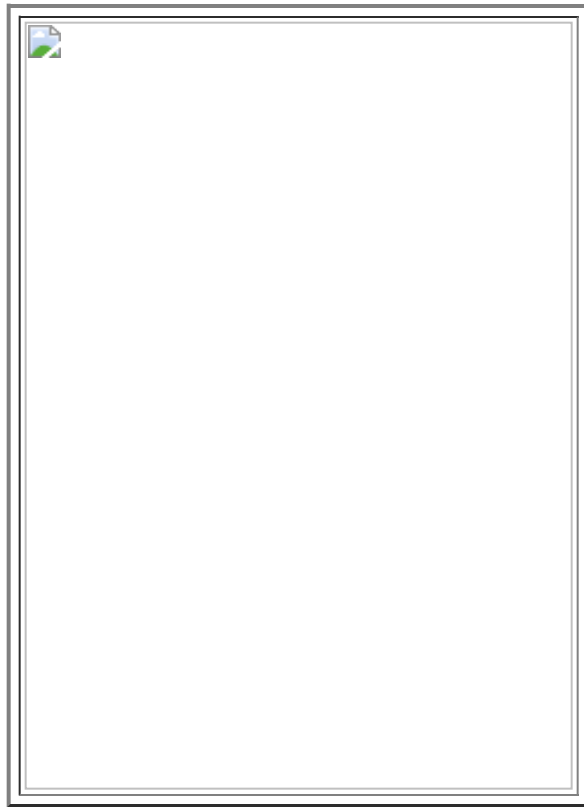
Since TARGET publishes information with regard to bankruptcies, on a selective basis, it is, now, impossible for this medium, or any other medium, or any extant creditor or any prospective creditor, to know, with any degree of certainty, who is the party who is the subject of a Bankruptcy Notice or Bankruptcy Order when such a person has a fairly common name, such as Leung Chi Keung or John Smith.

TARGET telephoned the High Court in order to enquire as to the reason(s) for this change in policy.

Eventually, after being told, rudely, by a High Court staff member that it was none of this medium's business as to the reason that the High Court adopted this or that determination, we wrote this letter on April 4, 2002:



About 5 days later, TARGET received this response from The Registrar of the High Court:



### **The Independent Commission Against Corruption**

While police departments of the world should not be loved by right-minded people because the requirement for such a department of government means that there is a dire need for it, nevertheless, police departments have come to be a necessary evil in all countries.

TARGET uses the term, '*necessary evil*', unreservedly, because it is recognised that policemen have to think evil thoughts in order to catch the evil members of society.

Sadly, this is a fact of modern civilisation.

In fact, most policemen become more and more jaded the longer that they stay members of such a disciplined service.

The most horrible police force of the HKSAR is, without question, the Independent Commission Against Corruption (ICAC).

It was established during the time of the British Administration under the Governorship of the late Lord Murray MacLehose, back in February 1974.

Back in 1974, there was such opposition to the establishment of the ICAC that members of The (then) Royal Hongkong Police Force attacked the headquarters of the ICAC, while Governor Sir Murray (as he was then known) mobilised the contingent of British soldiers, stationed in Hongkong, should the situation get out of control and martial law had to be established.

It was well known, in those days, that corruption in The Royal Hongkong Police Force was rife, as former Superintendent '*Taffy*' Hunt told the Court, during the trial of a number of corrupt police officers – including Superintendent Hunt, who was among the most corrupt, but who was granted amnesty for his testimony and assistance to the Crown.

He ended up living the good life in Spain, with his ill-gotten gains.

Say what one might about the ICAC, but one cannot take away from this draconian department of the Government of the HKSAR that it has instilled the fear of God into the 6.70 million human population of the territory.

Nobody should, logically, be in love with the likes of the ICAC, or any of its many officers, but everybody should support the role of the ICAC, although it has been known to overstep its mandate on a number of occasions.

The ICAC used to produce, every Saturday morning, an ICAC Court Calendar.

That Calendar gave very brief specifications as to the cases that the ICAC had investigated, which resulted in charges, being brought against parties and when the cases would be heard at specific magistracies.

Production of this Calendar was ceased in 2001, with an ICAC Public Relations Officer, first telling TARGET that *'we do not have the resources'* to produce the Calendar, and, then, a week or so later, TARGET was told by the same individual: *'It is not required'*.

TARGET was, then, told that members of the Press/public may go to individual magistracies in order to see whether or not an ICAC case was being heard on a particular day.

It is interesting that the ICAC should determine to cease publication of this Calendar – while the High Court continues to publish its Daily Cause Book – which is equivalent to the ICAC Calendar.

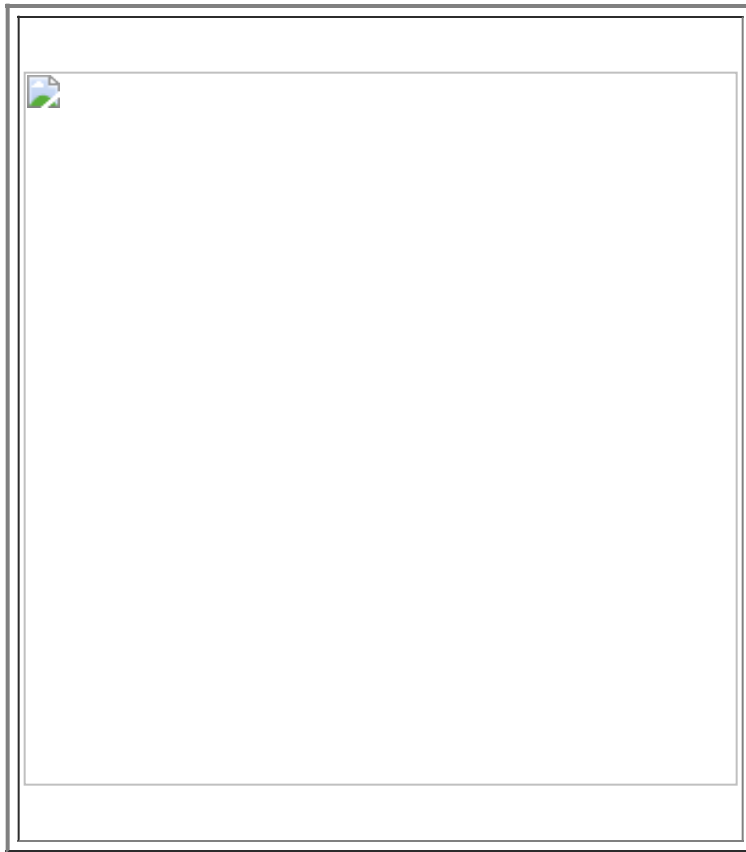
In fact, the High Court publishes its Daily Cause Book, daily, as the name implies, while the ICAC only published its Calendar, weekly.

Curiousor and Curiousor, as Alice would have stated in Lewis Carroll's famous story, Alice in Wonderland.

### **The Information Services Department**

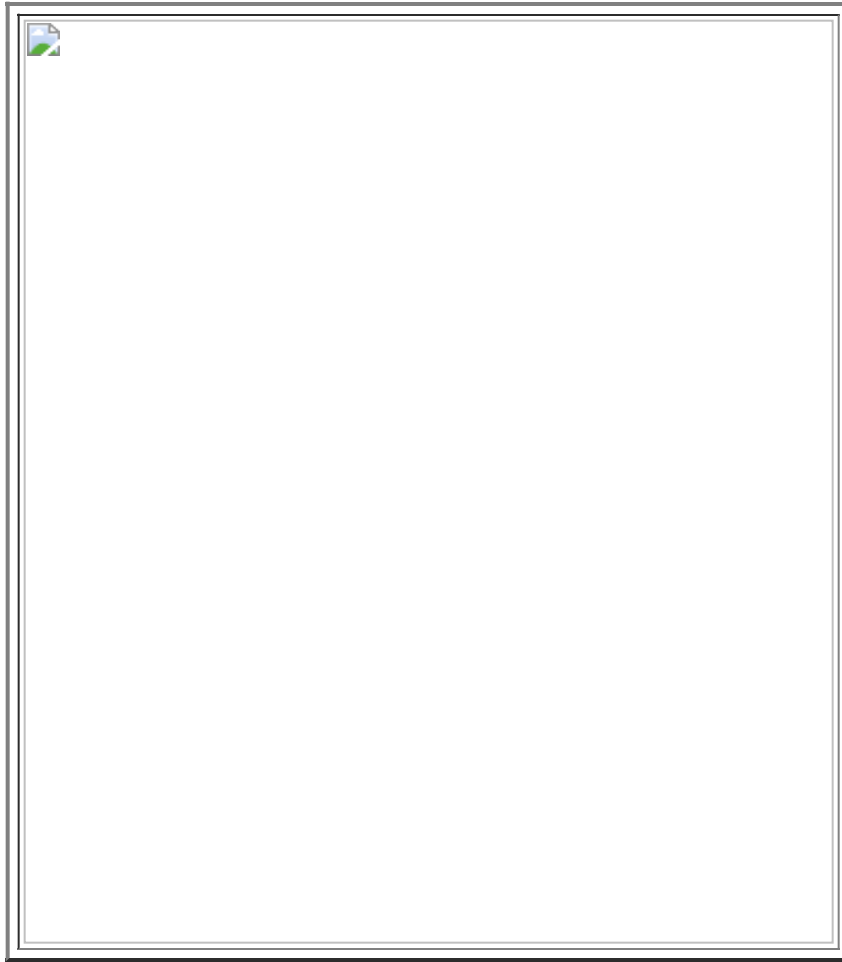
Maintaining objectivity and willing to give the HKSAR Government the benefit of any doubt, but, at the same time, seemingly faced with the inevitable conclusion in respect to the present modus operandi of the Government of Mr Tung Chee Hwa, TARGET wrote directly to the GIS, asking very pointed questions.

This was the letter:



The answer came back on the same day at about 8:42 pm.

It said:



TARGET is told, on the one hand, that all questions should be submitted by facsimile transmission or by e-mail in order that there be no misunderstandings between the GIS and this (and, presumably, any other) medium, but, taking the response to TARGET's queries of April 15 to heart, with the best intentions in the world, it would appear that, in addition to filing questions in a written form, in advance to obtaining answers, *'Press enquiries naturally involve two-way communication ... in order to have a better understanding of the questions ...'*

TARGET recalls the GIS Press Enquiries officer, asking this medium in respect of the number of Filipinas, living in the territory: *'Why are you asking this question?'*

Two-way communication or one way to field questions?

### **The Hongkong Export Credit Insurance Corporation**

In July last year, TARGET discovered, through industry sources, that the rate of growth of payment defaults in respect of exporters of the HKSAR had hit one of the highest levels in the past decade.

In order to confirm this, TARGET tried to talk to a number of HKSAR Government contacts, only to discover that there was a general feeling of unease in talking about this subject.

In all cases, TARGET was told to ask the GIS for any information because a memorandum had been circulated to the effect that members of the Press were not to be entertained, directly, and that all information about Government was to be channeled through the GIS.

In a telephone call to The Hongkong Export Credit Insurance Corporation (TARGET was a little naughty and did not seek approval from the GIS to go directly to source), this medium learned that the reports about payment defaults, escalating rapidly, were correct.



Ms Alison Tsui, of The Hongkong Export Credit Insurance Corporation, a statutory body of the HKSAR Government, said that from April 1, 2000 to March 31, 2001, the gross claims by the 2,600 Policyholders of the Corporation had grown to nearly \$HK79 million.

For the first half of the 2001 year, to June 30, gross claims had risen by about 67 percent, Year-on-Year, to about \$HK47.06 million, Ms Tsui told TARGET.

After this information had been confirmed, TARGET's Editor received a telephone call from another member of The Corporation, also from a lady, who said that she was calling on instructions of Ms Tsui.

TARGET was told to submit a detailed written report to the Corporation before any further information would be released to this medium, according to this lady, identified only as being a Ms Leung.

(TARGET was able, later, to identify her as being Ms Angela Yuen, Assistant General Manager of the Corporation.)

She said: *'What is the information for? What are you going to write? I have to know what you are going to write.'*

When TARGET refused to submit to the grilling, Ms Alison Tsui came back on the telephone and explained that the information that TARGET had collected was *'very sensitive'*.

Ms Tsui, explaining that she was under instructions from her boss – who was not named – said: *'You must understand the sensitivity ... We are not censoring you ... We just want to know how you will use the information, first.'*

TARGET did, in fact, submit questions to The Corporation in compliance with Government's procedure, after all, this newspaper does not want to be closed down due to non-compliance of a Government edict.

In the PRC, proper, today, elections are held only when the results of the free elections are known in advance.

This is very expedient of the PRC Government and permits for forward planning, before votes are cast.

The HKSAR appears to be following, closely, the proclamations of the PRC, proper, and the guinea pig, Hongkong, is trying to catch up with its big brother until the day comes when Mr Tung Chee Hwa can proclaim, openly:

*'This is one country; one people; one system.'*

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