

(Given Subject: Defending the underdog, and stay in China)

I have been asked this morning to speak about my own work, so perhaps I may begin by attempting to answer a question which has frequently been asked of me: "What makes you tick?"

I have never really seriously considered this question before, but gradually I have reached the conclusion that I was born with an automatic reaction to injustice. From being a child, I can remember feeling a flush of indignation on hearing of an injustice of any kind. This automatic reaction system was probably set in motion by my father, who brought me up to believe in the equality and rights of all people, everywhere, without racial boundaries. The system became more automatic, perhaps, when I became a Christian in a deeper sense at the age of 19 and began to weigh all questions in the light of Christian teaching.

I suppose one's character is built on these internal mechanisms and external influences, to make us what we are.

Of course, when we are young, we see only black and white, and there are no grey areas. On becoming a Christian I decided that if all the world were Christian, there could be no hatred, no injustice, no war. But I have since come to realise that there are other religions which make the same claims, and unfortunately, the followers of these religions are sometimes at war with each other. Besides, we have no power to make others accept what we ourselves believe. And unfortunately, by reason of birth, education or circumstances, it seems that some people have no wish to make the world a better place.

Anyhow, believing that Christianity was the world's answer to human suffering, I became a missionary and spent the years 1948 - 1951 in China.

This was a very important time in the history of China. The People's Army was already making its way to Nanking, and our missionary group of six young people had to change our destination, which was North China, and go instead to Kiangsi Province in Central China. We spent most of our time in the capital, Nanchang, though we did spend six months studying Chinese in the beautiful hills of Kuling, which area is now a tourist resort, and even has a bus service. We either had to walk up the high mountain or be carried in sedan chairs.

The stay in Nanchang was interesting from the historical point of view, though the economic situation was impossible to imagine, with inflation usually at 100% per day and sometimes even more. The people had not recovered from the war with Japan before they were plunged into the civil war between the Nationalists and the Communists. The end of this war came in 1949, and we stood on the streets and watched the people of Nanchang welcoming the Liberation Army and that was a relief in many ways as it put an end to the worst of the suffering. Physical danger was over, inflation stopped overnight, and the people began to build up what peace they could, after more than ten years of war.

This three year stay in Nanchang was interesting, but it was also a time of disillusionment. For one thing, I found that our church attracted very few people. To many Chinese, Christianity stood for western colonialism, and one can scarcely blame them for this interpretation of missionary work. One of our ~~own~~ missionaries aptly described the attitude of some as "imperialists with a Christian twist". I suppose I had begun to see our work through Chinese eyes, and I did not like what I saw. Missionary work was not as I had expected, at least not in the church to which I belonged.

In 1951, almost all missionaries withdrew from China, including our mission. Some of us had intended to go on to Borneo, but eventually we settled in Hong Kong. Rents even then were so high that we had to live in a little illegally built house, for which no doubt the Chinese landlord had to pay a bribe to save it being demolished.

In Hong Kong we certainly lived closer to the people. In China we had lived behind the high walls of the mission compound. But in Hong Kong we lived in a squatter area, where we really saw life in the raw, and experienced the fear of typhoons^{here} and floods.

Living among squatters, washing their sore feet and looking after their sicknesses caused in those days by poor living conditions and malnutrition, was something more like the work I had expected to do as a missionary. Then when one of our ^{Chinese} church members suggested that the squatter children needed education, we decided to start a small school. Education had been my vocation in ~~England~~ Britain, and that proved an asset.

We managed to get a small piece of land for temporary use, and bought an old tent from the army. That became our first Mu Kuang School. The name was fitting. It means "thirsting for light". Although we meant it to mean thirsting for the light of learning and truth, in fact it came literally to mean thirsting for daylight, because it was very dark inside. We had 30 pupils and started at Form 1. Mr. Tu, my colleague, taught the Chinese subjects, and I taught all the other subjects, mainly in English, partly in Chinese.

At the end of the first year, we had managed, with a donation, to build two classrooms on the site, and later added another storey. We also ran a clinic in the same premises, and that too was strictly illegal, though in the circumstances at that time the Government shut its eyes as it could not cater to the needs of the people. The only mistake I remember being made was when a nurse extracted the wrong tooth of a patient, and the patient's gold denture fell out with it. ^{The patient} ~~she~~ just laughed and said that it was heavy and troublesome anyhow.

Gradually, by renting buildings, we increased our school work. The Government, through the intervention of the Bishop of Hong Kong gave us an estate school for a primary school, and finally in 1972 we built a new secondary school in Kwun Tong. We now run one secondary school to which we shall soon add a new wing, two primary schools and four kindergartens. Most of them operate with Government subsidy, and we no longer have financial problems such as we had in the early 1950s, and in the 1960s, when I had to take an outside teaching job to earn money to help to run our schools. Those were busy days, with teaching morning, afternoons and evenings, in order to make ends meet. And it was all worth while, though heavy going. We now have over 5000 pupils.

But teaching alone would not have satisfied me. We lived among underprivileged people, and the injustices they suffered made me angry.

Among these injustices were the long working hours, and total lack of labour laws. People could work 16 hours a day, seven days a week, but there were no laws to protect them. You can imagine that I was furious therefore when the GUARDIAN newspaper in Britain criticised China because people in China were said to work 10 hours a day, six days a week. I wrote to the editor, asking him if he didn't know that in Hong Kong people worked 12 - 16 hours a day, seven days a week. Some in fact had only one half day holiday a year, at Chinese New Year. Subsequent to that letter, questions were asked in Parliament, and eventually Britain made inquiries. The final result of that was that working hours were limited, but there was a proportionate cut in wages. As there was no control on overtime, the end result was that workers did the same amount of work to earn the same wages, and an editorial in the S.C.M. Post, asked if I didn't know that Chinese people LIKE to work long hours. I found Chinese people no different from others, they work as long as it takes to earn enough for their families to eat, as they say, two meals a day. It was many years before labour laws demanded holidays for workers. I heard many stories of factory owners who locked their workers in the factories to ensure that they worked overtime, and who refused to give them the statutory holidays when they were required years later. "Laissez-faire" was the keyword in those days, but it was a free system only for employers, and the workers had freedom only to accept or be jobless.

There were other issues that kept me busy in those days. Even minor concessions took a lot of effort. I once asked the police to put up a sign "Danger, children crossing" on a road often used by the army, where there had been many accidents, and several children had been killed. It took a long hard struggle, because the police said it was the responsibility of the army, and the army denied responsibility. But in the end, the sign was erected, and I don't know who eventually took responsibility.

But perhaps my biggest battle was the struggle against corruption. Senior Government servants, some of whom are still here in high places, took the view that corruption was a way of life and it did no harm, but even kept the wheels oiled, as they called it. But I saw its effect on the people, and it was to that I objected. Many jobless people took up hawking for a living, but they had to agree to pay corruption on request. The alternative was the loss of their livelihood. This practice has not yet been eradicated. I found that people had their huts, their homes, demolished over and over unless they had paid some official to shut his eyes. This practice also continues to this day, but now it is the triads who collect the money, and obviously some officials are still involved, as I shall mention later. There was even corruption on the standard of school buildings in those days. We always had difficulty in registering a rented building for use as a school, because no one dared to ask me for a bribe, so the alternative was to find fault with the building and delay or even refuse registration. I am glad to say that this situation no longer exists, so far as I know. We now have a better, more professional kind of official in the Education Department. But in the 1950s and 1960s, there was scarcely an area of public service where

corruption was not the order of the day, and if I spoke against it, I was simply asked to prove it. Officialdom refused to investigate and expected me to get all the proof before they would act. In cases where I did get evidence, I found that my informant was in trouble, but nothing was done about the complaint. I learned to refuse to give my informants' names, and that is what the officials meant when they said that I gave no evidence - all they really wanted was to know who had told me.

This battle on corruption lasted nearly twenty years, before the Independent Commission Against Corruption (ICAC) was set up, in 1974. The setting up of the ICAC was the first official admission that corruption existed, and even at its inauguration, Mr. Cater said "I am convinced that the vast majority of civil servants are not corrupt". I challenged him on those words, and after a few years in the job he had to admit that corruption was widespread in every area of the government. In the ten years since the ICAC was set up, there have been some improvements, but the Commission is not independent, and cannot prosecute without the Legal Department, and it seems clear that they are limited in the scope of their investigations to certain levels in the Government. Since the Amnesty for corrupt civil servants, which was forced on the then Governor by a police mutiny, the work of the ICAC has been, in my opinion, ineffective, and corruption is still rife, though in a different form. Instead of accepting corrupt money directly, some get it through the operation of vice dens, and as triads and vice are involved, investigations are in the hands of police and not ICAC. This is particularly true of police corruption - there is no doubt that some police work along with triads, for example, in collection of squeeze from estate shopkeepers. The shopkeepers pay under triad intimidation, and when reports are made to the police, they take no action in some cases - though not all police are involved in such activities. Corruption is therefore more difficult to ~~pro~~ detect, and after so many years of futile struggle, I don't see any hope under the present system of succeeding in another campaign. From time to time I do make reports if people complain to me, but the results are almost a foregone conclusion, and the reply is "Not enough evidence".

Today there are not so many underdogs as there used to be, and I hope my struggle has had at least some effect. For example, every child can have free education, and although the quality needs upgrading, at least that is an improvement on the 1950s and 1960s. Today we have better labour laws, and every worker gets statutory holidays, and can make claims if he is not paid his wages. We are still far behind in providing for the unemployed, the underemployed, and those who are temporarily out of work because of sickness. While I do not ask for a welfare state in Hong Kong, I do think there is plenty of room for improvement in the social welfare system for those who are willing to work but are temporarily unable to do so. Investigations take too long to carry out, and people can die or commit suicide while they wait for help - that is why I always carry a little money to my Urban Council office, just in case someone comes who has no money to buy food. No one asks me for money, but in our office we have learned to detect those who are desperate and try to give timely help.

My Urban Council ward office is held every Wednesday and Saturday afternoon, and I take about 40 cases each time - sometimes more. Therefore we interview 300 - 400 people with problems a month, and in those numerous interviews, we become familiar with current problems, and also learn a great deal about people and how to deal with them.

I would like to mention the main problems that come to us:

1. Housing has always been our major problem. There are so many aspects of the need, and so many complications in the policy, that I cannot go into detail today. But I shall pinpoint the major problems in each issue:
 - (a) a person who follows the rules to get housing by registering on the waiting list and waiting his turn, is likely to wait for at least 7 or 8 years to get housing. If he is willing to go to a less popular area, he may get it faster. If he chooses a popular area, he could wait longer than 10 years, if he ever gets it at all. Therefore, most people will accept what is offered.
 - (b) However, that only applies to those who are willing to wait for their proper turn. But there is a constant stream of people who have found the loopholes in the policy and are trying to jump the queue by buying a hut in an area due for government clearance. It is clear that some person or persons in the department gives out the information on clearances, because the triads get busy, and sell tiny spaces at high prices, shortly before the clearance. Some people buy their spaces in time to get housing - and recently I have found flatowners who do this and get away with it. So long as they are on in the hut on the day of registration, they get housing, with no questions about income or assets. Many property owners have got public housing in this way. Others are less fortunate, and they buy the hut space after the first investigation is made. They may pay up to \$20,000 for the hut space, but they are not eligible for housing because they missed the investigation. They can never find the person to whom they paid the money.

I am doing my best to have the policies changed to cut out all queue jumping of this kind, but it seems that I get rid of one loophole only to find that another has been opened. I can already see some possible loopholes in the new policies being decided at this moment. I think it is impossible to win on this battle for fair allocation.

The reason for this housing need, of course, is the government's policy of using land as a source of revenue, resulting in high rent in the private sector, and a universal need for public housing in the low-income sector. There are still many flats lying vacant, but low-income workers cannot afford to rent or buy them.

2. Social Welfare I have already referred to the problem of social welfare. The most common cases that come to us are divorce or desertion cases, widow^s and widowers with young children. It is becoming more common now for wives to desert their husbands and children, though there are still many cases of husbands abandoning their wives and children. Drugs and gambling are often the reason why a husband neglects his family. In these cases, the problem of the children is difficult. In the case of a woman, she finds the public assistance inadequate, and usually wants housing and work. In the case of a man, he

immediately has to give up his job if there are small children to look after, and most men do not know how to do this, so they want to find an institution for the children, to permit them to go back to work. This is not easy, and the struggle could go on for years.

3. Legal Problems are also common in our office. Some of them are claims for accident insurance and compensation. It is difficult to persuade people that they have to prove that the driver was to blame before they can claim, but that is the case. I have come to the conclusion that "Accident insurance" is wrongly named, and should be, as it is, only "Insurance when the Driver is proved to be at fault". Otherwise they get nothing except a small amount of "No fault insurance" from a scheme run by the Government. This is usually too little to bury the dead victim, or to pay medical expenses if the victim lives.

Little though it is, I am glad that my campaign for no-fault insurance, started twenty years ago, eventually succeeded, and the victim does at least get something.

Apart from legal cases claiming insurance for industrial and traffic accidents, we get a number accusing police of making false charges. Whenever there is an anti-crime drive, I always groan because I know that there will be an influx of people saying that they have been framed up by police. While I cannot claim that all the complaints are genuine, I am sure that some are. A person who has a previous record is vulnerable at such a time. Being known to police in the area, he may be picked up at any time and charged with an offence which he may not have committed.

Earlier this month we had two such cases in one day. A man who had been a drug addict but is now having methadone treatment, claimed that he was arrested as he came down the stairs of his own home, and when no drugs were found on him, he was accused of having swallowed a packet to evade arrest. He was taken to hospital for stomach examination, but complained that he was not allowed to know the result of the examination. He is now waiting for his case to be heard, and he will get a lawyer through the Law Society free legal advice scheme. On the same day, a young woman came to say she is being charged with assaulting police and refusing to show her identity card. She says that in fact the policeman used bad language to her, and when she objected he hit her in the chest and charged her. We hope to get a lawyer for her. Surely an anti-crime campaign should be aimed at robbers and big criminals, not at such minor matters!

To the person so charged, these cases are not minor, because in Hong Kong we have no law for the rehabilitation of minor offenders, such as came into force in Britain 10 years ago. The law in Britain cleans the record of the minor offender after a number of years proportionate to the punishment, provided no further offences are committed. This gives an incentive to a minor offender to keep his life straight, and experience has shown that minor offenders who clear their records in this way often become very good citizens in order to keep themselves clean.

In Hong Kong there is no incentive to go straight, but a strong incentive to further crime, as even the most minor offence sticks for life.

In the past few years I have been trying to get a rehabilitation law for Hong Kong, and have collected a large number of cases to prove the need. Among these cases is that of a woman now forty years old, who has a criminal record because at the age of 16 she took a few flowers from someone's garden and was fined \$50.

A man now aged forty-one was refused permission to take up a certain job because at the age of 15 he had been found guilty (although he pleaded not Guilty) to a charge of being a triad member.

Many people who apply for Government jobs are in a quandary. They have to state if they have a criminal record. If they say they have, they will not get the job. If they lie and say they have no record, it is almost sure to be found out from police records going back for decades, and they will then be saxed for making a false statement. Yet they cannot get public assistance because they are of working age, so the incentive to crime is great.

This year, a group of lawyers from the International Commission of Jurors, of which I am a committee member, has propped a rehabilitation scheme for minor offenders in Hong Kong, and we are awaiting the reply from the A.G. No doubt someone in the Government will claim all credit for the scheme when it comes out, but the main thing is that such a scheme should be brought out quickly. There are very many people living straight lives who are waiting anxiously for the news that they can now say they have a clear record.

Meanwhile, people suffer from our negligence. I recently dealt with a serious case of negligence, in which a boy of 15 was informed by police that ~~he would not be able to immigrate with his family because~~ he had a criminal record and he would therefore be unable to immigrate with his family who were settling in Australia. When I ~~made inquiries by reading the court records~~ studied the court record of his case, I found that he had been found guilty of fighting, but on appeal, the ^{Judge} magistrate said that the magistrate had made a mistake, and he was acquitted. The victim had said that this boy was not involved in the fight. But the record had not been corrected, and would have remained with the boy for life if he had not applied to go to Australia and discovered the error. Fortunately I was able to get it corrected, but it made me realise that there must be many others who have kept their records even after being acquitted. The incident pinpointed a weakness in the system, and the police and legal department promised to tighten up procedures.

It takes a long time to gain a small concession for the underdog in Hong Kong. First, it is difficult to persuade the authorities that the injustice exists, and if one manages to prove it, it takes an even longer time to get it corrected. The authorities are not accountable to the people, and if they take action it is only because they have a conscience. Many do not seem to have one at all. At least, one can say that they have no enforceable responsibility.

In this work, I am not alone, but have a number of voluntary helpers, who prefer to be unnamed, because some are government servants and their assistance to me would not be in their favour at work. Some of them interview, translate, write letters, type or explain. Sometimes, cases are sent to me by Government servants, or even magistrates, who feel that an injustice has been done but they themselves are unable to deal with it. One Government servant has for many years sent \$500 a month to help needy cases, and I always send him a record of how it was used. He has helped hundreds of people in this way.

I recently visited Britain, and my friends there told me that there are now many injustices in Britain too, some of them similar to the injustices we have in Hong Kong. I realise that Hong Kong does not hold a monopoly on injustice, but lack of any democratic procedures makes it more difficult to get action here, because Government servants and the Government do not have to be accountable to the public. Democratic countries, though none of them can claim perfect democracy, at least have some kind of checks and balances which do not exist in Hong Kong. Democracy makes people more civic conscious, and they will then support just causes which do not affect them personally. But the system in Hong Kong does not encourage civic consciousness, and people will usually only complain if the issue affects themselves and their families, and they are seldom concerned about others. However, having said that, I must add that some of our young people are becoming more civic conscious, and will organise protests - for which the Government blames them. Those who helped to organise the ~~xxx~~ public housing rent protesters have been called "trouble-makers". In democratic countries they would be just civic-minded people concerned about injustices to others.

I do not believe there is any perfect democratic system in existence today, but can only say that some countries are more democratic than others. Hong Kong makes no claim to democracy, and some in power can benefit from keeping it that way. Change will come slowly because those who make laws are the ones who benefit more by keeping the status quo, and that is unfortunate. In other countries where such a system has existed, it has caused revolution, and that is unfortunate, because revolution usually creates more suffering than it solves.

I do not think Hong Kong needs to fear about any hotheads starting real trouble, except in the field of crime. The Hong Kong people are not made of terrorist material, and they are too pragmatic to destroy a system upon which their livelihood depends. But the system does breed crime, and that is why I believe that the Hong Kong Government is blind to the truth, in its efforts at self-preservation.

Sometimes I may speak out too strongly, but I always remember the advice someone gave me many years ago: if you see something wrong and you want to put it right, either do nothing, or wait until you can hit hard. You have to hit the government hard before it responds. And that is what I have tried to do - with slow but certain success, I hope.