

# 鄧兆駒律師事務所 ERNEST TANG, SOLICITORS

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陳浩庭律師 Chan Ho Ting, Mac 認可調解員(綜合及家事)

Our Reference : L00112/20

Date: 3<sup>rd</sup> July 2020

Your Reference : To be advised

## By Post & By WhatsApp System

Madam WONG Ching Mun Jenny

**URGENT**

Tower 1, The Belcher's,  
89 Pok Fu Lam Road,  
HONG KONG.

Dear Madam Wong,

## Re: Defamation

We act for Madam NG Ka Wah (also known as Mrs. Titania Tam) ("Mrs Tam") in relation to the captioned matter.

2. We are instructed as follows :-

- 2.1 At all material times, our client Mrs Tam is the Chairperson of the 9<sup>th</sup> Owners' Committee of The Belcher's located at No. 89 Pok Fu Lam Road, Pok Fu Lam, Hong Kong ("The Belcher's") and a member of its Security Sub-committee (保安小組) ("the Security Sub-com") whilst you are one of the members of the Security Sub-com.

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- 2.2 On 24<sup>th</sup> April 2020, a WhatsApp group named 保安小組 (“the Chat Group”) (which consists of 9 members) was set up solely for the purpose of easy communication amongst members of Security Sub-com in relation to security matters within The Belcher's. At all material times, our client Mrs Tam and you are members of the Chat Group.
- 2.3 At 1319 hours on 18<sup>th</sup> June 2020, you sent out the following WhatsApp message within the Chat Group, alleging that:-

“我 [your goodself] 在這裏很嚴肅對今天 Titania [Mrs Tam] 的行為十分不滿及不理解，本是為寶翠園改善保安問題發聲，最正常不過，原意亦是如此。今早大約 11 時一行七人 (Paul/Cherry/Yvette/MO-Alan/-CS-袁生) 由一開始便說我不應現在講解，要我收聲，於卑路乍街大門前，並說著如你再講，我會不讓你參予。於是還用手抓我的右臂，此舉十分不智。大家本應是熱心的，為什麼她覺得像自己有權。之後還是各人有各人敘述保安事務，又有什麼不妥。現請 Titania 不要再有肢體碰撞行為，並保留追究權利，也不好吧。請合作全為屋苑服務便是了，若有誤會，可齊心解決便是。”  
(emphasis added)

(hereinafter referred to as the “Offending Statements”)

3. We are of the view that the Offending Statements made and published by you within the Chat Group are completely untrue and constitute a grave slander/libel upon Mrs Tam. The Offending Statements were calculated to disparage Mrs Tam in the way of how Mrs Tam acted as the Chairperson of the 9<sup>th</sup> Owners' Committee of The Belcher's and a member of the Security Sub-com.

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4. You are, no doubt, fully aware that defamation *per se* is a serious matter. Mrs Tam takes no exception to such an issue and she would not tolerate any unfounded and bare allegations against her.

5. We are instructed to, which we hereby do, demand you to comply with the followings on or before 1 p.m. on 7<sup>th</sup> July 2020 :-

- (1) You shall withdraw, delete and remove the Offending Statements and all other relevant messages and comments made and published within the Chat Group and/or in any other platform including but not limited to all other WhatsApp groups relating to the management of The Belcher's;
- (2) You shall send out a written letter of apology in Chinese within the Chat Group; and
- (3) You shall, in writing, undertake not to in any way launch any personal attacks against Mrs Tam and/or her family member(s) and/or friend(s) within the Chat Group and/or in any other platform or occasion;

failing which Mrs Tam shall have no alternative but to take all necessary actions against you without further notice and shall hold you liable for all costs incurred as well as all losses and damages suffered by her.

6. Meanwhile, all our client (Mrs Tam)'s rights and interests are hereby expressly and unconditionally reserved.

Yours faithfully,

- c.c.
- (1) All members of the 9<sup>th</sup> Owners' Committee
  - (2) All members of the Chat Group
  - (3) The Management Office of The Belcher's - Shun Tak Property Management Limited
  - (4) Our client