

**Commission of Inquiry into the Construction Works at and near the Hung Hom Station  
Extension under the Shatin to Central Link Project**

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**THIRD WITNESS STATEMENT OF HENRY LAI**

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I, **HENRY LAI** of 39/F Sun Hung Kai Centre, 30 Harbour Road, Hong Kong, will say as follows:

1. I refer to my first witness statement dated 2 May 2019 (“**My First Statement**”) and my second witness statement dated 17 May 2019 (“**My Second Statement**”). Unless otherwise stated or the context otherwise requires, any abbreviations shall bear the same meaning as in My First Statement and My Second Statement.
2. I make this third statement in reply to the following statements submitted to the Commission of Inquiry and address any relevant matters raised in these statements:
  - 2.1. the witness statement of Leung Chi Wa dated 8 May 2019 (“**Leung’s Statement**”);  
and
  - 2.2. the witness statement of Ng Man Chun (“**Ng**”) dated 17 May 2019 (“**Ng’s Statement**”).
3. Any allegations or matters raised in the statements mentioned in paragraph 2 above (or any other statements) which are not addressed in, or are inconsistent with, my witness statements are denied. If I do not address any allegations or matters raised in other witness statements, it should not be construed as an admission on my part.
4. Unless otherwise stated, the facts stated herein are within my personal knowledge and are true. Where the facts and matters stated herein are not within my own knowledge, they are based on the stated sources and are true to the best of my knowledge.
5. Since the construction at NAT happened quite some time ago, I do not have detailed memory on matters that were discussed verbally but have not been recorded contemporaneously, in writing or otherwise.

### **My response to Ng's Statement**

6. I note in paragraph 15(13) of Ng's Statement, which is repeated in paragraph 34 of Ng's Statement as his response in relation to the rebar fixing work in NAT, that he stated that during the rebar fixing checks of the 3 Stitch Joints as conducted jointly by MTRCL and Leighton, Leighton no longer asked workers from Wing & Kwong to be present so as to attend to any occasional rectification work that was identified by MTRCL or Leighton, probably because Leighton had to rush through the works.
7. However, Wing & Kwong's absence from those formal joint inspections would not in any way speed up the progress of the works. If any defects were found during the rebar fixing checks, Wing & Kwong would still be required to carry out the rectification work before MTRCL's construction engineer would give the verbal approval for the work to proceed.
8. In response to paragraphs 45, 47, 49 and 51 of Ng's Statement, whilst I do not recall such conversation ever taking place, I would never have given those instructions to Ng or Wing & Kwong, in particular telling him to instruct his workers to just screw the rebar into the couplers as much as possible and asking rhetorically whether the walls would collapse. At the time I was an Engineer, who is a junior member of the engineering construction team (having just joined the Project in February 2016) and could not make such decisions affecting a large area of the construction site, especially in relation to rebar fixing work that would have substantial implication on safety. Instead, I would immediately escalate such complaint (as allegedly raised by Wing & Kwong) to my seniors, who would have the requisite authority to resolve such issue, particularly because there would be cost implication to Leighton in handling of such issue (as Ng allegedly said at the time). Furthermore, such matters would have been documented. As stated in paragraph 37 of My First Statement, I cannot recall anyone raising any issue regarding the connections between the couplers and the threaded rebar at the time. This includes any complaint by Ng or Wing & Kwong about the rebar not being able to fit into the couplers. I wish to emphasise that I would not have given those instructions to Ng or Wing & Kwong to speed up the progress of the works, because that would go against my professional integrity.



9. Also, according to my recollection, I did not give the instructions to Wing & Kwong as alleged in paragraphs 55, 57, 58, 60, 63 and 70 of Ng's Statement. I also do not recall having those discussions with Ng as alleged in paragraphs 69 and 70 of Ng's Statement; for the reasons given in paragraph 8 above, none of those allegations could have been true.
10. In response to paragraphs 72, 73, 76 to 79, 83 and 85 to 87 of Ng's Statement, I do not recall giving such instructions to Ng or Wing & Kwong, but in any event, I would not have done so for the reasons given in paragraph 8 above. Also, if Ng or Wing & Kwong made any complaint about the concrete covering the couplers not being completely hacked off, I would have informed Wing & Kwong that Leighton's workers would continue chipping off the concrete in those circumstances and there would be no difficulty for Leighton's workers to do so within a relatively short period of time.
11. In paragraphs 96 and 97 of Ng's Statement, Ng refers to a meeting between Wing & Kwong and Leighton at the site office. I remember having such meeting in around February 2018, because when we were preparing for the remedial works, after the defects which caused the water seepages were identified at the 3 Stitch Joints. Ng's reference of Ms Wong should be Regina Wong (Site Agent) of Leighton, whereas his reference of my senior should be Cheung Chi Wai (Site Agent) of Leighton. We then took Wing & Kwong to the construction site and explained to them the status of the work as exposed from opening up the concrete. I am not aware of the alleged conversation between my senior and Ng. I certainly had not reported any problem about rebar connection to my seniors at the time when Wing & Kwong carried out the rebar fixing work as alleged, because I was not aware of any.

### **My response to Leung's Statement**

12. Contrary to what is stated in paragraph 24 of Leung's Statement, some workers from Wing & Kwong would be present during the rebar fixing checks conducted jointly by MTRCL and Leighton, so that they could attend to any occasional rectification work as identified by MTRCL or Leighton. Sometimes Ng (or his subordinate) would also attend.

Dated the 24 day of May 2019.

Signed:  .....

**Henry Lai**