

IN THE COMMISSION OF INQUIRY INTO THE
DIAPHRAGM WALL AND PLATFORM SLAB CONSTRUCTION WORKS
AT HUNG HOM STATION EXTENSION UNDER THE
SHATIN TO CENTRAL LINK PROJECT

WITNESS STATEMENT OF MR. CHU KA-KAM

I, CHU Ka-Kam of [REDACTED]
[REDACTED] say this:-

A. Background

1. I was born in Guangdong, Shanwei (汕尾), Mainland China in the year 1972. I am now 46 years of age. I was educated to secondary three in Mainland China. Since 2008, I began to work in Mainland China as a construction worker. I came to Hong Kong in the year 2011 and continued with my profession as a construction worker. In 2014, I obtained the necessary qualifications to become a foreman for formwork and in 2015, I became a registered skillful worker, a licensed Qualified Tradesmen on Carpenter and Metal Scaffolder.
2. In or about late-June 2015, I joined China Technology Corporation Limited (“**Chinat**”) as a foreman for formwork. Since then, I came to know Mr. Poon Chuk-Hung, Jason (“**Mr. Poon**”) as he was the managing director of Chinat. I am currently still an employee of Chinat.
3. I am aware that on 10 July 2018 the Chief Executive in Council appointed the Commission of Inquiry investigating the diaphragm wall and platform

slab construction works at Hung Hom Station extension under the Shatin to Central Link Project pursuant to s.2 of the Commissions of Inquiry Ordinance (Cap.86). I now give this witness statement for and on behalf of Chinat.

4. I have had the opportunity to read the witness statement and the supplemental witness statement of Mr. Poon dated 3rd September 2018 and 14th September 2018 respectively. I agree that the facts deposed therein are true. I wish to supplement the followings. Unless otherwise stated, I shall adopt the nomenclature and abbreviations used in Mr. Poon's witness statement.

B. Works in Chinat

5. From late September 2015 till March 2017, I was assigned to work in the Hung Hom Station Construction Site (the "site"). I saw a variety of workers from different organisations at the site. All of them were wearing different uniforms that reflected the organisations that had engaged them:-

5.1 Workers of Leighton wore a T-shirt which is dark orange in colour with some trimmings and Leighton's logo (which is a big letter "L" in orange colour) printed near the left-upper region of the T-shirt. Workers of Leighton also wore red reflective safety vests with the two Chinese characters 「禮頓」 (the Chinese name of Leighton) printed at the back.

5.2 Workers of Fang Sheung did not wear any form of uniforms, they usually wore casual clothing of their own or did not wear any upper clothing. Workers of Fang Sheung also wore red safety vests sometimes.

- 5.3 Workers of Chinat wore light-blue short-sleeves T-shirts with a logo in blue with a dragon printed near the left-upper region of the T-shirt. The back of the T-shirt is printed with the name “China Technology Corporation Limited” and the dragon logo. Workers of Chinat did not wear reflective safety vests as the T-shirt itself had reflective trimmings.
6. It is common practice of Chiant to have lunch meetings almost every day in the temporary offices of Chinat at the site (“**Lunch Meeting**”). Those meetings were held between Mr. Poon and Chinat employees who were above the rank of foreman. On most occasions, I would also attend the lunch meetings.

C. Witnessing Non-conformance Practices

C1. Incidents when constructing the EWL slab

7. From late-September 2015 to mid-November 2016, I was assigned to work at the EWL, which is the upper deck of SCL. Chinat is responsible for formwork and the pouring of concrete. At those times, I would be responsible to lead and supervise a team of 7 to 40 workers in accomplishing tasks assigned on a daily basis. The number of workers I have to lead and supervise depends on the workload of that particular day. Given that the workers are assigned to me, I did not obtain and retain the contact details or particulars of those workers under my supervision
8. In the EWL construction sites, Chinat workers were responsible for formwork. After Chinat workers completed all the works, workers of Fang Sheung would be responsible for screwing the threaded bars into the couplers.

9. When workers of Fang Sheung completed this process, Leighton would seek the MTRC guidance in relation to the pouring of the concrete. Foremen of Leighton and MTRC would jointly inspect the quality of the work at the construction sites concerned. If the inspectors of MTRC were satisfied with the quality of works, they would orally inform representatives of Leighton to pour the concrete. On the other hand, if the inspectors of MTRC were not satisfied, representatives of MTRC would direct workers of Chinat to do necessary rectification works as they deem necessary.
10. According to my understanding, when MTRC authorized Leighton to pour concrete on a particular area, MTRC would execute certain written documents for Leighton's follow up actions..
11. On a day in or about late-October 2015 at around noon, I saw two workers at or about Area C wearing dark orange uniforms and reflective safety vests, similar to those worn by Leighton employees, cutting threaded rebars. At that time, I was about 2 to 3 metres away from where they were cutting threaded rebars. The surrounding lighting was sufficient for me to clearly see what they were doing. One of the workers was holding a green grinding/cutting machine and using it to cut the threaded rebars. Those threaded rebars were very easy to identify as they were silver in colour whilst the steel threads were dark brown in colour. According to what I saw, the threaded rebars were initially about 7 cm long. Around 2 cm of the threaded rebars were trimmed by these two workers. The two workers placed the steel threads on the floor after they had finished cutting them.
12. I did not stop the two workers when I saw them cutting the threaded rebars. My experience is all on formwork and scaffolding, it may be common to cut the threaded rebars of a steel thread as the threaded rebars might be damaged when they are sometimes delivered to site. If the threaded rebars

were damaged, it would not be possible to screw them into the coupler. As such, it would be necessary to cut the threaded rebars.

13. That said, I did not check whether the threaded rebars were actually damaged when I witnessed the cutting of the threaded rebars. I did not inquire into the matter as it was not within my job scope and duties to do so..
14. In one of the Lunch Meetings in October 2015, Mr. Poon mentioned that he saw someone cutting the threaded rebars. He said he would report the matter to Leighton. He also asked all foremen of Chinat to take photographs and report the matter to him if we saw anyone cutting the threaded rebars. I recalled that around 1 or 2 foremen attending the Lunch Meeting did mention that they also saw similar incidents. As the matter was so long ago, I could not recollect who actually raised the matter nor could I recall who actually attended the Lunch Meeting at that time.
15. In another Lunch Meetings in November 2015, Mr. Poon again mentioned that cutting threaded rebars were still ongoing. He said he would report the matter to Leighton again for follow up. He also reminded all foremen of Chinat to take photographs and report the matter to him if we saw anyone cutting the threaded rebars. As the matter was so long ago, I could not recollect who actually attended the Lunch Meeting at that time
16. In another Lunch Meeting in February 2016, Mr. Poon again mentioned cutting threaded rebars were still ongoing. He said he would report the matter to senior officers of MTRC. As the matter was so long ago, I could not recollect who actually attended the Lunch Meeting at that time.

C2. Incidents when constructing the NSL slab

17. In or about mid-April 2016 till early-March 2017, I began to work at the NSL,

which is the lower deck of SCL. The work scope was similar to what I did when I worked at the EWL, I would be responsible to lead and supervise a team of 7 to 40 workers in accomplishing tasks assigned on a daily basis. The number of workers I have to lead and supervise depends on the workload of that particular day. Given that the workers are assigned to me, I did not obtain and retain the contact details or particulars of those workers under my supervision.

18. In the evening of about mid-June 2016, I saw two workers at or about Area A wearing dark orange uniforms and reflective safety vests, similar to those worn by Leighton employees cutting threaded rebars. At that time, I was about 2 to 3 metres away from where they were cutting threaded rebars. The surrounding lighting was sufficient for me to clearly see what they were doing. One of the workers was holding a red machine and using it to cut the threaded rebars. Those threaded rebars were very easy to identify as they were silver in colour whilst the steel threads were dark brown in colour. According to what I saw, the threaded rebars were initially about 7 cm long. Around 2 cm of the threaded rebars were trimmed by these two workers. The two workers placed the steel threads on the floor after they had finished cutting them.

19. I did not stop the two workers when I saw them cutting the threaded rebars. My experience is all on formwork and scaffolding, it may be common to cut the threaded rebars of a steel thread as the threaded rebars might be damaged when they are sometimes delivered to site. If the threaded rebars were damaged, it would not be possible to screw them into the coupler. As such, it would be necessary to cut the threaded rebars.

20. That said, I did not check whether the threaded rebars were actually damaged when I witnessed the cutting of the threaded rebars. I did not inquire into the matter as it was not within my job scope and duties to do

so.

21. In one of the Lunch Meetings in April 2016, Mr. Poon again mentioned that someone secretly cut the threaded rebars in the Hung Hom Station Construction Site. As I was too busy with my work, I only reported the progress of the formwork-building and left the Lunch Meeting. I could not know for sure whether Mr. Poon mentioned that he (himself) witnessed the cutting or he heard such information from other foremen. As the matter was so long ago, I could not recollect who actually attended the Lunch Meeting at the time.

22. In early-March 2017, I was assigned to work in the Hong Kong-Zhuhai-Macao Bridge construction site and as such did not participate in further works at the Hung Hom Station Construction Site.

I believe that the facts stated in this witness statement are true to the best of my recollection. I also enclose herewith copy of my police witness statements taken on 13th July 2018 and 30th July 2018 respectively for the Commission's reference.

Dated this the 27th day of September 2018.



(CHU Ka-Kam)

I certify that I, Lau Kar Keung, solicitors of 2nd Floor, Beautiful Group Tower, 74-77 Connaught Road Central, Hong Kong have translated the contents of this document to Mr. Chu Ka-Kam who appeared to understand the document and approved its content as accurate and made his signature in my presence.



Lau Kar Keung