

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

**WITNESS STATEMENT OF CHAN YUK HUNG
FOR
MTR CORPORATION LIMITED**

I, **CHAN YUK HUNG**, of AECOM, 8/F, Tower 2, Grand Central Plaza, 138 Shatin Rural Committee Road, Shatin, Hong Kong, **WILL SAY AS FOLLOWS:**

1. I was a Works Supervisor (Resident Site Staff) ("**WS**") of MTR Corporation Limited ("**MTRCL**") for the Shatin to Central Link Project ("**SCL Project**").
2. I was seconded from AECOM to MTRCL as WS during the period August 2014 to May 2017. I was involved in the SCL Project throughout my secondment period at MTRCL.
3. I obtained a Basic Certificate for Technician Trainees from the Hong Kong Institute of Vocational Education in 2008. I also obtained a Diploma in Civil Engineering from the same institution in 2013.
4. I am providing this witness statement in response to various matters raised in a letter dated 27 July 2018 from Messrs. Lo & Lo, Solicitors (who I understand are the solicitors acting for the Commission of Inquiry into the Diaphragm Wall and Platform Slab Construction Works at the Hung Hom Station Extension under the SCL Project). The matters raised in the letter ("**Letter**") which I will deal with in this witness statement are those listed as items 4, 8(a), (b), (e) and 13(b)-(d) of the Letter.
5. In the paragraphs to follow, I will provide my response, observations and comments in respect of each of items 4, 8(a), (b), (e) and 13(b)-(d) of the Letter based on my personal knowledge and involvement in the SCL Project from August 2014 to May 2017, and based on documents which I refer to in my answers below. I confirm that the

information provided in this statement are true to the best of my knowledge, information and belief.

Item 4: Identify the type of work and duties under taken by such managers, supervisors and inspectors.

6. Between August 2014 and May 2017, I was a WS at Hung Hom Station and was assigned to various areas to conduct site surveillance. From around November 2015 to around May 2016, I worked under the supervision of Mr. Kobe Wong, who was the Senior Inspector of Works – Civil. Mr. Wong assigned me to conduct site surveillance in the following areas: South Approach Tunnel ("SAT"), Area A, Area A2 and Underpinning ("UPN") south area.
7. I was on site daily from Monday to Saturday between 8:00 am and 6:00 pm. As WS, my primary role was to conduct daily site surveillance to monitor day-to-day site works of the Contractor, Leighton Contractors (Asia) Limited ("LCAL"), at the locations to which I was assigned. In particular, this included the preparation of site diaries, the taking of site photographs, and conducting daily surveillance of works (including, among others, steel fixing works for the diaphragm walls and the EWL slab).
8. I was in a work WhatsApp group (the "**WhatsApp Group**") which included Mr. Kobe Wong, Mr. Andy Wong (an Assistant Inspector of Works ("**AIOW**")), and other AIOWs, Inspector of Works and WS colleagues under the supervision of Mr. Kobe Wong (collectively, "**Team Members**"). The WhatsApp Group was used to report our daily surveillance of works to the Team Members.
9. After the end of my tenure with MTRCL in May 2017, I was removed from the WhatsApp Group. The contents of the WhatsApp Group cannot be now retrieved from my phone as I have since changed my phone but have not backed up the chat history for the WhatsApp Group.

Item 8: Given the extensive public concern about the safety of the diaphragm walls and platform slabs and allegations that there might have been unlawful shortening, cutting or defective connection of the steel bars in the diaphragm walls and platform slabs ("Defective Steel Works"):

Item 8(a): Explain and confirm whether Your Company has any knowledge of the Defective Steel Works (whether undertaken by Leighton and/or its sub-contractors) and if so, identify and describe the relevant events and occasions. Please describe the defects, explain in what ways Requirements, Standards and Practice had been breached and provide particulars of such events and occasions (with reference to plans and drawings, photographs and documents as necessary and appropriate), including but not limited to the dates, time, locations, number of steel bars affected and the equipment used to shorten or cut the steel bars.

Item 8(b): Identify the managers, supervisors, inspectors and/or other persons who witnessed such events and occasions.

Item 8(e): Following Your Company's knowledge of the relevant events and occasions, please describe and explain what steps and measures were taken by Your Company to (i) investigate the Defective Steel Works; (ii) alert and report the matter to the Main Parties and the Government or any of them and (iii) rectify the Defective Steel Works.

10. During my time as WS of MTRCL for the SCL Project at Hung Hom Station, I have not witnessed any shortening or cutting of the threaded end of steel bars.
11. The only incident involving the cutting of the threaded end of steel bars of which I was aware at that time is as follows.
12. Although I do not recall the exact date and time, to the best of my recollection, I recall that Mr. Andy Wong (who was at that time assigned to conduct site surveillance in Area C) sent a WhatsApp message in the WhatsApp Group one day, saying that someone had cut off the threaded end of a steel bar. I remember that Mr. Andy Wong also sent a photograph to the WhatsApp Group regarding this incident. I do not remember the responses of the Team Members in the WhatsApp Group.
13. I remember that another colleague, possibly Mr. Tommy Leong, told me in person that Mr. Kobe Wong had also sent out an email regarding the incident reported by Mr. Andy Wong. Having now seen a copy of this email, I can confirm I was not one of the recipients. However, I recall a colleague telling me about this email, because at that time I considered this a very unusual incident.

14. Around or after Mr. Andy Wong's WhatsApp message, I recall that Mr. Kobe Wong asked the Team Members at a group meeting in the morning to conduct sample checks of the threaded end of installed steel bars while conducting site surveillance in their respective assigned areas by asking LCAL to direct workers to unscrew the installed steel bars for the Team Members to check.
15. Around the time of Mr. Andy Wong's WhatsApp message, I was assigned to conduct site surveillance in Area A. As requested by Mr. Kobe Wong, on a number of occasions I sample checked the threaded ends of installed steel bars in Area A by asking for them to be unscrewed. I conducted such checking by measuring the length of the threaded end of unscrewed steel bars with a ruler to check that it was the correct length. On the occasions when I checked the threaded end of unscrewed steel bars, I did not see any shortened threaded end. In addition, I have not observed any cutting of the threaded end of any steel bars, nor any cut-off threaded end of steel bars at all.
16. As far as I recall, apart from Mr. Andy Wong's WhatsApp message as mentioned in paragraph 12 above, during my tenure with MTRCL, I have not heard or known of any other incident involving the shortening or cutting of the threaded end of any steel bars, whether in the WhatsApp Group, from my colleagues, or at all.

Item 13(b): Confirm whether Your Company was aware that steel bars were being shortened or cut by hydraulic cutters on site, and if so, what were the reasons for using a hydraulic cutter to carry out such work.

Item 13(c): Confirm whether workers engaged by Leighton and/or its subcontractors had used hydraulic cutters to shorten and cut the steel bars embedded or to be embedded within the diaphragm walls and platform slabs and if so, please identify the workers and/or entities who carried out such shortening or cutting work by hydraulic cutters, and the persons and/or entities who gave instructions (i) for such work to be carried out and (ii) for hydraulic cutters to be acquired.

Item 13(d): Please explain and confirm whether it is a common practice within the construction industry to use a hydraulic cutter to shorten or cut steel bars embedded or to be embedded within the diaphragm walls and platform slabs.

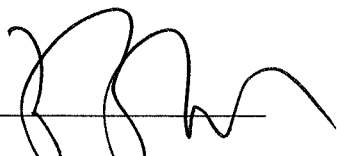
17. I have not observed, nor have I heard of any workers using handheld hydraulic cutters to shorten or cut the threaded end of steel bars. In fact, I do not recall seeing any handheld hydraulic cutter on site.
18. It is a normal procedure for long steel bars to be cut to the necessary length to suit the design intent of the drawings. However, to my knowledge, this was not done by the use of handheld hydraulic cutters.
19. As to whether the cutting of the threaded end of steel bars is a "common practice within the construction industry", in my experience as frontline site staff, I have never heard of it being considered "common practice". As mentioned in paragraph 10 above, I have not observed any such cutting or shortening of the threaded end of steel bars myself during my employment with MTRCL.
20. Finally, I would like to mention the following:-
- (1) My recollection of every detail of the above events is not perfect. Accordingly, in preparing this witness statement I have reminded myself of the events in question by reference to various hard copy materials which I have identified in this statement.
 - (2) In preparing this statement, I have tried my best to provide all relevant information to the Commission of Inquiry. However, in the event that there are other relevant matters referred to or mentioned in other documents which have not been recently been placed before me, I would welcome the opportunity to comment on such matters at a later date if and when identified and placed before the Commission of Inquiry.

Dated 11th September 2018



CHAN Yuk Hung

I certify that I, JIANG Ziying, a legal assistant of Mayer Brown, 16-19/F, Prince's Building, 10 Chater Road, Central, Hong Kong, have interpreted the contents of this witness statement to the person making this witness statement who appeared to understand the same and approved its content as accurate and made his signature in my presence.



JIANG Ziying

Date: 11th September 2018