

Witness Statement of Chu Tun Hon

I, Chu Tun Hon (“**Vincent Chu**”), Senior Engineer of Highways Department (“**HyD**”) of 1st Floor, Ho Man Tin Government Offices, 8 Chung Hau Street; Ho Man Tin, Kowloon, do say as follows:-

1. I make this statement pursuant to the directions given by the Commission of Inquiry (“**COI**”) into the Diaphragm Wall and Platform Slab Construction Works at the Hung Hom Station Extension under the Shatin to Central Link (“**SCL**”) Project of 1 August 2018 (“**1 August Letter**”). Save as otherwise stated, the matters stated in this statement are either within my knowledge or obtained from perusal of the relevant file records which I have access to, and are true to the best of my information, knowledge and belief.
2. This witness statement addresses Question 12 at page 17 of the 1 August Letter concerning the events set out in a press release published by the Transport and Housing Bureau (“**THB**”) on 9 June 2018.
3. I have held the post of Senior Engineer / Shatin to Central Link (7) of HyD since 29 May 2015. During the period from 15 October 2015 to 11 March 2018, my job duties included, among other things, overseeing the construction of MTR Corporation Limited (“**MTRCL**”)’s Contract No. 1112 of the SCL Project.
4. Schedule 1 to this statement is a list of all documents relevant to HyD’s handling of an email sent by Mr Jason Poon of China Technology Corp Ltd (“**CT**”) to THB dated 15 September 2017, including documents not sent by or to me for the sake of completeness. I understand that other witnesses will refer to the documents in Schedule 1 instead of producing them separately in their statements to the Commission for the avoidance of duplication.
5. On 15 September 2017 at 1106 hours, a representative from the China Technology Corporation Limited (“**CT**”), Mr. Jason Poon (“**Jason Poon**”), sent an email to the Secretary for Transport and

Housing's Office ("CT's email"). Leung Sai-ho ("SH Leung"), the then Assistant Secretary for Transport and Housing (Transport) 7B of THB discussed CT's email with Jonathan Leung, Government Engineer (Railway Development) 1 of HyD and asked for HyD's urgent advice. Jonathan Leung asked me by email on 15 September 2017 at 1142 hours to follow up the matter. A copy of Jonathan's email to me is at VC-1.

6. At 1216 hours on 15 September 2017, I sent an email to Mr. James Ho, Senior Construction Engineer – Civil of MTRCL requesting urgent input on the background information on the "issue" mentioned by CT in CT's email, including:
 - (a) Background information, nature and story of the "issue";
 - (b) Any photos and relevant information related to the "issue;
 - (c) Actions taken by MTRCL in relation to the "issue" and the response of CT in January 2017;
 - (d) How the "issue" is related to the interest of the public; and
 - (e) Intention of CT to request for a joint interview.

7. In response to my enquiry, Mr Carl Wu, Co-Ordination Manager of MTRCL replied by email at approximately 1503 hours on 15 September 2017 stating that MTRCL were not privy to any details of the "issue" raised by CT. It was however stated in the email that the project team of MTRCL indeed had a conversation with Jason Poon of CT in January 2017 on technical issues relating to steel reinforcement bars. Instead of providing any further details of that conversation, MTRCL asked HyD to provide details of the "issues" to them. A copy of the emails with MTRCL of 15 September 2017 at 1216 hours and 1503 hours are at VC-3 and VC-4. At around 1630 hours on 15 September 2018, I had a telephone conversation with Christie Wong. According to my recollection, Christie Wong informed me briefly that Mr. Carl Wu of MTRCL would coordinate on a reply of the "issue" raised by CT.

8. At 1608 hours on 15 September 2017, SH Leung sent an email in reply to Jason Poon, and I was copied in this reply email. Among other things, the email informed Jason Poon that I would approach

him shortly.

9. I tried calling Jason Poon for three times at around 1700 hours on 15 September 2017 but in vain. Therefore, I emailed him at 1802 hours and asked him to call me back to discuss his concerns.
10. At 1924 hours of 15 September 2017, I received an email from Jason Poon. He told me that he was engaged in a meeting at that time and would phone me on 16 September 2017 at 0900 hours. A copy of my email to Jason Poon at 1802 hours and his reply email at 1924 hours are at **VC-5** and **VC-7**.
11. Accordingly, I called my colleague Ms. Christie Wong on 15 September 2017 in the evening to follow up on this matter. Subsequently, I received an email from Ms. Christie Wong at 1000 hours on 16 September 2017 reporting to me her telephone conversation with Jason Poon. Ms. Christie Wong stated that Jason Poon preferred discussing with me on 18 September 2017 and that he would call me at around 1100 hours on 18 September 2017. A copy of Ms. Christie Wong's said email is at **VC-9**.
12. On 18 September 2017, I called Jason Poon at 1115 hours and 1645 hours but could not reach him. At 1845 hours on the same day, I managed to contact Jason Poon by phone and he agreed to provide information of the "issue" by writing within an hour. A copy of my email to Jason Poon following immediately after our conversation at 1920 hours is at **VC-12**.
13. At 1922 hours on 18 September 2017, Jason Poon sent an email (which was copied to me) in reply to SH Leung's email of 15 September 2017 at 1608 hours, stating that:

"During these few days we are working tight and hard on the suspecting technical issue with Messrs Leighton and had reached satisfactory understanding and full clarification. ie the suspecting subject had been cleared now and no significant impact is retained.

In order to avoid any unwanted impact and due to the good progress observed, we thus kept silent on the investigation from Messrs HyD and we had did [sic] our best endeavor on our act of non-disclosure.

We believe it is a full and final end of the issue and may we invite to close all relevant files accordingly.

[...]

by copy of this email, may I express my sincere acknowledgement on the prompt and professional services being maintained by both Mr S H Leung of THD [sic] and Mr Vicent [sic] Chu of HyD”.

The above email of Jason Poon copied to me is produced in SH Leung's witness statement to the Commission as **LSH-16**.

14. To the best of my recollection, after considering Jason Poon's email, I called Mr SH Leung and discussed the matter with him. Both of us agreed that the case should be closed.
15. I confirm that the contents of this Witness Statement are true to the best of my knowledge, information and belief.



(Chu Tun Hon)

1-7 SEP 2018

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