

Page 1	Page 3
<p>1 Monday, 26 November 2018 2 (10.02 am) 3 CHAIRMAN: Thank you. Sorry for keeping you waiting. There 4 were, at the beginning of the week and after the break, 5 a number of administrative matters that we had to deal 6 with, so thank you for your patience. 7 MR PENNICOTT: Good morning, sir. 8 CHAIRMAN: Good morning. 9 MR PENNICOTT: Welcome back. Sir, I think I've got no 10 housekeeping or other matters to deal with, so we will 11 just continue with Leighton witnesses, and I think the 12 next witness is Mr Edward Mok. 13 CHAIRMAN: Thank you. 14 MR SHIEH: Good morning, Mr Chairman. Good morning, 15 Professor. 16 COMMISSIONER HANSFORD: Good morning. 17 MR SHIEH: Mr Mok is now in the witness box. Mr Mok, good 18 morning. 19 WITNESS: Good morning. 20 MR SHIEH: If you want to listen to the translation, you can 21 put on the headphones. 22 When you give an answer, could I ask you to speak 23 out in words, rather than just nod, otherwise the 24 shorthand writers will not be able to capture what you 25 say and put it in writing. Do you understand?</p>	<p>1 A. Yes, I see it. 2 Q. That is your signature? 3 A. Yes, correct. 4 Q. Do you confirm the truth and accuracy of the contents of 5 these three witness statements? 6 A. Yes, I confirm that. 7 Q. You are prepared to put them forward as your evidence in 8 this Commission of Inquiry? 9 A. Yes, no problem with that. 10 MR SHIEH: There is something I forgot to do for the benefit 11 of the Commission. For Mr Mok's positioning in the 12 corporate chart, can I ask the Commission to look at 13 bundle C7. 14 MR PENNICOTT: There's a fourth witness statement, 15 C35/26693. 16 MR SHIEH: There's a fourth witness statement, I'm sorry, 17 and the signature page is at C35 -- well, the first page 18 is 26693; do you see that? 19 A. Yes, I see it. 20 Q. And the signature is over the page. 21 A. Yes, correct. 22 Q. Do you confirm that as well? 23 A. Yes. 24 Q. Thank you. 25 Can you look at bundle C7 at 5535. That's for the</p>
Page 2	Page 4
<p>1 WITNESS: (Via interpreter) Yes, I understand. 2 MR EDWARD MOK (affirmed in Puntì) 3 (All answers given via simultaneous interpreter 4 except where otherwise specified) 5 Examination-in-chief by MR SHIEH 6 MR SHIEH: Can you look at bundle C12, page 8107. 7 A. Yes. 8 Q. You can see this is a document entitled, "First witness 9 statement of Edward Mok"; do you see that? 10 A. Yes, I see it. 11 Q. Can you then turn to page 8118. 12 A. Yes. 13 Q. Is that your signature on that page? 14 A. Yes, correct. 15 Q. Can I then ask you to look at C24086. 16 A. Yes, I see it. 17 Q. Do you see that is your second witness statement? 18 A. Yes, correct. 19 Q. And your signature appears at 24095? 20 A. Yes, I see it. 21 Q. Finally, can you look at C34, page 26521. 22 A. Yes, I see it. 23 Q. Do you see that is your third witness statement? 24 A. Yes, correct. 25 Q. Turn to 26524.</p>	<p>1 benefit of the Commission. 2 To put you in this corporate chart, you see 3 underneath the blue box with the word "MTRC" -- 4 A. Yes. 5 Q. -- there's Mr Malcolm Plummer? 6 A. Yes. 7 Q. If you move down, you can see "Gary Chow", do you see 8 that, "Construction manager"? 9 A. Yes. 10 Q. If you move slightly to the left of Gary Chow, you see 11 "HUH N", and you move down, under "William Holden", 12 further down, you see your name, "Graduate engineer, 13 Edward Mok". 14 A. Yes. 15 Q. Do you see that? 16 A. Yes. 17 Q. That is the organisation structure as of 14 May 2015. 18 We can see that on the top -- 19 A. Yes. 20 Q. -- left-hand corner; do you see that? Do you confirm 21 that is your position, line of reporting, at around that 22 time? 23 A. Yes. In May I moved from the D-wall team to the EWL 24 slab team, so there's a transition there. At that time, 25 my director/supervisor was Andy Ip and Joe Leung. So</p>

Page 5	Page 7
<p>1 perhaps this was in transition, so that's why they</p> <p>2 didn't update it in time because we had just started</p> <p>3 work on the slab at that time. But it's right here,</p> <p>4 more or less.</p> <p>5 Q. Thank you. So what you mean is that some time</p> <p>6 subsequent to what is shown in this corporate chart you</p> <p>7 were moved to the EWL slab team?</p> <p>8 A. Yes, correct.</p> <p>9 Q. If you look at the next page, which is 5536 -- could</p> <p>10 I have that blown up -- for this one, you can actually</p> <p>11 see -- can you see Andy Ip here?</p> <p>12 A. Yes, correct.</p> <p>13 Q. There, you were actually under Andy Ip. And you can see</p> <p>14 Joe Leung, Andy Ip, and then further down, Sasa Leung,</p> <p>15 and then your name?</p> <p>16 A. Yes.</p> <p>17 Q. This is the position as of December, if you look at the</p> <p>18 top left-hand corner; do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. Do you confirm that this correctly puts you in the</p> <p>21 corporate chart in terms of your line of reporting and</p> <p>22 position?</p> <p>23 A. Yes, correct.</p> <p>24 Q. Mr Mok, can you remain in the witness box because</p> <p>25 counsel for the Commission and also counsel for other</p>	<p>1 Q. Right. Just a few questions on the first period, that</p> <p>2 is when you were carrying out duties and</p> <p>3 responsibilities on the diaphragm wall works.</p> <p>4 What were the nature of your duties in relation to</p> <p>5 the diaphragm wall works?</p> <p>6 A. Well, when I was working on the diaphragm wall, I was</p> <p>7 mainly responsible for site daily records. Apart from</p> <p>8 daily records I was also responsible for some routine</p> <p>9 inspections -- because before the start of every process</p> <p>10 there was a method statement, and in the method</p> <p>11 statement there would be an inspection test plan, that</p> <p>12 is the ITP, and then it would list out all the</p> <p>13 inspection hold points. I was responsible for following</p> <p>14 the hold points, and there was also some routine</p> <p>15 inspection. That means every day I would go and do the</p> <p>16 inspection on site and then I would go by the hold</p> <p>17 points to arrange inspection together with MTRCL's</p> <p>18 inspector and engineers, and then I would arrange</p> <p>19 inspections. Also, there would be coordination with</p> <p>20 sub-contractors.</p> <p>21 So those were mainly my duties in relation to the</p> <p>22 diaphragm wall.</p> <p>23 Q. That's very helpful. Could I ask you, please, just to</p> <p>24 help us with a couple of documents. First of all,</p> <p>25 please, could you be shown F19/13272.</p>
Page 6	Page 8
<p>1 parties may have some questions for you. The Commission</p> <p>2 may also ask you questions. After all this, I may have</p> <p>3 some follow-up questions to ask you. So please remain</p> <p>4 seated and answer those questions. Do you understand?</p> <p>5 A. Yes, I understand.</p> <p>6 MR SHIEH: Thank you.</p> <p>7 Examination by MR PENNICOTT</p> <p>8 MR PENNICOTT: Good morning, Mr Mok.</p> <p>9 A. (In English) good morning.</p> <p>10 Q. My name is Pennicott, I am one of the counsel for the</p> <p>11 Commission, and as Mr Shieh has just indicated, I get to</p> <p>12 go first and then others may follow.</p> <p>13 Mr Mok, first of all, can we just sort out the dates</p> <p>14 when you were carrying out your various duties and</p> <p>15 responsibilities on this project. My understanding is</p> <p>16 that from about August 2013 to about August 2015,</p> <p>17 approximately, your duties and responsibilities were in</p> <p>18 respect of the diaphragm wall works. Is that correct?</p> <p>19 A. Yes, correct.</p> <p>20 Q. As you indicated to Mr Shieh just a moment ago when he</p> <p>21 was showing you the organisation charts, there may have</p> <p>22 been a transition period from about May to August 2015</p> <p>23 where you were switching from the diaphragm wall works</p> <p>24 to the EWL and the NSL works; is that correct?</p> <p>25 A. Yes, correct.</p>	<p>1 Mr Mok, you will see there a document, it's headed</p> <p>2 top left-hand corner "Intrafor", and it's a panel record</p> <p>3 for panel EM76; do you see that?</p> <p>4 A. Yes, I see that.</p> <p>5 Q. Is this a document you're familiar with, this type of</p> <p>6 document?</p> <p>7 A. Yes.</p> <p>8 Q. If you would be good enough, please, to be shown</p> <p>9 page 13279. This is what I understand to be</p> <p>10 a cage-by-cage inspection record. Do you see that,</p> <p>11 Mr Mok, and do you agree with the description that I've</p> <p>12 just given?</p> <p>13 A. Yes, I see that.</p> <p>14 Q. We see that in the bottom left-hand corner your</p> <p>15 signature is on this document; do you see that?</p> <p>16 A. Yes, this is one of the connections.</p> <p>17 Q. Right. So you were, as I understand it, signing off</p> <p>18 that you had inspected the connection between the 7th</p> <p>19 and 6th cages; is that correct?</p> <p>20 A. That's right.</p> <p>21 Q. So, when you were doing that inspection, what exactly</p> <p>22 were you inspecting and what were you looking at?</p> <p>23 A. In relation to this cage, that is this panel, there are</p> <p>24 altogether seven cages. You can see the wording "7th</p> <p>25 cage and 6th years of age inspected at steelyard", which</p>

Page 9	Page 11
<p>1 means it was before the connection we had to inspect the 2 condition of the cages before we put them into the 3 trench. We had to inspect the condition before we did 4 so. 5 So, in relation to this inspection, what we did was 6 in accordance with this shop drawing, that is to check 7 the number of the main bars, the shear lengths and the 8 bar sizes, that is to check everything against the 9 drawings, spacing size and other things. After we have 10 done so, we would sign off with MTR, Intrafor, as well 11 as our representative, to indicate that we have 12 inspected it and accepted it. 13 Q. Yes, and that's why we see all the different signatures 14 on the sheet? 15 A. (In English) Yes. 16 Q. At this stage, were you inspecting the couplers? 17 A. I just mentioned that this was before they were taken to 18 the trench for the connection. However, we paid 19 attention to that because it was an inspection at the 20 steelyard, we would check the couplers to see if there 21 was any damages. It was a visual inspection for any 22 irregularities, say for example any omissions, whether 23 there was a missing coupler of the reinforcement bar; 24 these were the things that we paid attention to. 25 Q. Can I then ask you, please, to be shown G17.</p>	<p>1 Q. Can you explain to us, Mr Mok, what this document is? 2 A. This is to prove -- well, this is one of the checklists 3 of the diaphragm wall. This form precisely listed 4 out -- that is, as the top-right diagram, it is 5 a section of the steel cage indicating that there are 6 24 main bars. This form precisely stated the cage 2 to 7 the top cage, ie cage 1, and their connection. It has 8 listed out many criteria to show that all couplers' 9 connections have been inspected and accepted and in the 10 end they were signed off. 11 Q. Where would this document be prepared, Mr Mok? In the 12 steelyard, fabrication yard, or at the diaphragm wall 13 site itself? 14 A. It was right at the D-wall location where connections of 15 steel cages were done. 16 Q. Right. So, as the cages were being dropped down into 17 the diaphragm wall, this document would be prepared 18 contemporaneously with that process happening; is that 19 correct? 20 A. That's right, correct. 21 Q. I think not necessarily on this particular sheet, 22 Mr Mok, but on others, we find your signature on the 23 document? 24 A. That's right. 25 Q. So you, as well as inspecting connections of the cages</p>
Page 10	Page 12
<p>1 Sir, this bundle, together with G16, are two new 2 bundles that have come in over the last week or so. 3 They have documents that are elsewhere in the F run of 4 files, but they just happen to be a very helpful 5 collection of these documents all in one place and 6 that's why I'm going there. 7 So if you go to G17/1266.1250, it should be the 8 first page in the file, and that's why I've gone there, 9 for no other reason. 10 Sir, I don't think this is a document we've looked 11 at before, hence the reason for going to it. 12 Mr Mok, do you see the sheet at .250, I'll call it 13 for the moment; do you see that? 14 A. Yes. 15 Q. Is this a document that you're familiar with? 16 A. Yes. 17 Q. You can see that as per the documents we were looking at 18 just a moment ago, this also relates to panel EM76; do 19 you see that, top left-hand corner? 20 A. Yes, that's right. 21 Q. You will see here, in manuscript, just to the left of 22 the plan drawing, somebody has written "Cage 2 to cage 23 1", it looks like 1700 hours on 16 November 2013; do you 24 see that? 25 A. Yes.</p>	<p>1 at the fabrication yard, were also involved in checking 2 couplers as they were, as it were -- 3 A. (In English) Lowering down. 4 Q. -- going down at the diaphragm wall site? 5 A. That's right. 6 Q. I think if you go on two pages to 12661.252, we do 7 indeed see an example of your signature at the bottom; 8 is that right? 9 A. That's right. 10 Q. Okay. Sorry, just help me with this, Mr Mok. I forgot 11 to ask you one question. Go back to .250, please. 12 A. Yes. 13 Q. Whose are the signatures along the bottom of each of the 14 rows that we can see, these along the bottom 15 (indicating); whose signature is that, do you know, or 16 which company if you don't know the individual? 17 A. It was from Intrafor, T3. 18 Q. Right. T3 from Intrafor? Right. 19 A. Yes, because there were a number of T3s at that time, 20 I didn't know which is which, but it was T3 from 21 Intrafor. 22 Q. Yes, I understand. And also then countersigned by 23 somebody, Tommy, for MTRC, and then Ryan, that's Ryan 24 Kow, I think, K-O-W, from Leighton; is that right? 25 A. That's right.</p>

Page 13	Page 15
<p>1 Q. Thank you very much. You can put that document away 2 now, thank you very much. 3 Mr Mok, back in 2013, when you were working on the 4 diaphragm wall works and signing these documents, were 5 you aware of a document called the site supervision 6 plan? 7 A. Back in 2013? Yes, I was aware of this document. 8 Q. Were you shown it, back in 2013? 9 A. No. No, because there was no need for me to be one of 10 the parties to TCPs, so I did not see the document at 11 that time. 12 Q. Right. Did you see it subsequently? 13 A. Subsequently, no, not really, not the actual document. 14 Q. Okay. There's also something known as a quality 15 supervision plan, QSP. Is that a document you were 16 aware of back in 2013? 17 A. Back in 2013, I did not know what a QSP was referring 18 to. 19 Q. Right. Were you aware that this document we were just 20 looking at, the big schedule, is actually a table taken 21 from an appendix to the QSP? Were you aware of that? 22 A. Yes. Well, after I have started the work, I was aware 23 of that, but not at the very beginning, because back in 24 2013 I had just joined the trade. There was a list of 25 necessary documents for submission. It was required</p>	<p>1 A. At that time, I was on scheme A training. I was 2 transferred back to the head office on the design team. 3 I wasn't specifically assigned to any jobs. When there 4 was a design request from the site, I would be assigned 5 there. So it was task by task. I wasn't specifically 6 assigned to one particular task. 7 Q. Right. So you went to do some training within the 8 design team? 9 A. That's right. 10 Q. Are you still working for Leightons? I couldn't work 11 that out. 12 A. Yes, correct. 13 Q. Okay. As I understand it, we were told by Mr Ip two 14 Fridays ago that both he and you, and others, assisted 15 in the compilation and collation of documentation 16 earlier this year, when the government, MTRC and 17 ultimately the Inquiry were asking for materials to be 18 supplied by Leighton, and you helped in that process, 19 I understand; is that right? 20 A. Yes, correct. 21 Q. I'll come back to that a little bit later. 22 Now, as I understand it, Mr Mok, there was a small 23 team of engineers responsible for areas C on the EWL and 24 areas B and C on the NSL, comprising -- leaving aside 25 Mr Ip and Joe Leung -- Man Sze Ho, Sasa Leung and</p>
<p>1 under inspection. I think a few months later I came to 2 know that this was actually a QSP. 3 Q. Right, or part of the QSP? 4 A. (In English) Yes. 5 Q. Okay. So you knew that when you were doing the 6 diaphragm wall duties? 7 A. Right. 8 Q. Could we then, please, move on to the period from, let's 9 call it mid-2015, when you then transferred over to the 10 EWL and the NSL. 11 A. (In English) Yes. 12 Q. I understand you were responsible for area C on the EWL, 13 and areas B and C on the NSL. Is that correct? 14 A. Right. 15 Q. As I understand it, those duties continued until about 16 November 2016. Is that correct? 17 A. Right, because afterwards I was transferred back to the 18 head office. 19 Q. Right. That was going to be my next question. So what 20 happened in 2016? You went back to head office, did you 21 say? 22 A. Yes, I said that. Yes, that's right. 23 Q. Were you assigned to any particular project back at head 24 office, or more general duties? What was your role from 25 November 2016 onwards?</p>	<p>1 yourself. Is that broadly correct? 2 A. Yes, correct. 3 Q. How did your role differ from the other two? What were 4 the differences? Who was doing what? 5 A. Well, at the time, whether it's the EWL slab or the NSL 6 slab, there were many different processes involved. You 7 know, in terms of preparation work or in terms of the 8 actual works there were many processes involved. At the 9 time, my senior, Andy Ip or Joe Leung, they, you know, 10 would divide the duties, and for the three of us, in 11 some areas there may be overlapping. But for me, I was 12 mainly responsible or I would focus more on rebar 13 fixing. 14 Q. Right. So you saw your primary role as watching 15 over/supervising/inspecting the rebar fixing works being 16 done by Fang Sheung? 17 A. No, it's not just rebar fixing. Maybe, apart from 18 Fang Sheung, I may also liaise with China Technology on 19 concrete pouring. But perhaps more focus was put on 20 rebar fixing. 21 Q. Right. You tell us in your witness statement that Mr Ip 22 took you through working drawings in the site office and 23 explained what needed to be done by way of inspections 24 of the rebar and what you needed to check for. Then he 25 took you to site, to guide you or supervise you through</p>

Page 17	Page 19
<p>1 the different inspections, and you say that he went 2 through that process with you a number of times, three 3 or four times you say, until he had confidence that you 4 knew exactly how to do it. 5 Have I summarised that accurately? 6 A. (In English) Yes. 7 Q. You say that for the rebar fixing you would check the 8 layers of rebars, whether there were sufficient 9 layers -- and presumably, what, you would do that by 10 reference to a drawing; is that right? 11 A. Yes, correct. 12 Q. And you would check the spacing and the lap length, 13 again presumably by reference to drawings? 14 A. Correct. 15 Q. And, you say, you would check the coupler connection in 16 accordance with the working or agreed drawings. 17 Now, specifically in relation to the coupler 18 connection, Mr Mok, precisely what was it that you were 19 looking for and checking? 20 A. To check the coupler connection, primarily it's a visual 21 inspection. I have to see how many threads are exposed. 22 For normal connection, we shouldn't be able to see any 23 threads. 24 Let me give some background. Why is it I would know 25 what the criteria were? Because, when I first joined in</p>	<p>1 couplers were connected to the cages for the diaphragm 2 wall and also the manner in which the rebar was to be 3 connected to the couplers for the purposes of the slab? 4 A. I remember I went to two training sessions. The first 5 one was in 2013. It was specifically on D-wall. Before 6 we went to work on the slab, together with Fang Sheung's 7 representative, we attended another training session. 8 For the second training session, the content was more or 9 less the same. It's just that they would use the slab 10 as examples in the second training. 11 Q. That's very helpful, Mr Mok. Thank you very much. 12 My understanding of the position, Mr Mok -- and 13 perhaps you could confirm this -- is that as Fang Sheung 14 laid the rebar and fixed and installed the rebar, your 15 inspection of the couplers, as you say, all around the 16 perimeter, would take place on a layer-by-layer basis. 17 Is that correct? 18 A. Yes, correct. 19 Q. Right. Am I right in thinking, Mr Mok, that there are 20 no written records of those in layer-by-layer 21 inspections? 22 A. Layer-by-layer, you mean let's say the bottom layer and 23 then the layer above -- so you mean the whole bottom, or 24 all of the box layers? 25 Q. I mean each single -- let's take the bottom layer.</p>
Page 18	Page 20
<p>1 2013, BOSA, the supplier of couplers, provided training. 2 I attended the training. So that's why I know what the 3 criteria were for acceptance. Now, it was mostly visual 4 inspection, that we were told there could be 5 an allowance of one to two threads that may be exposed. 6 So that's about it. 7 COMMISSIONER HANSFORD: Can I ask a question at this point? 8 So, Mr Mok, when you're inspecting a coupler, how close 9 to the coupler would you be? 10 A. Take the EWL slab as an example. There would be coupler 11 connections around the whole perimeter. So the person 12 would physically follow each coupler and walk around. 13 But if you ask what the distance is, it's about the 14 height of a person. I wouldn't squat to look at it but 15 I would look standing, look at the coupler standing. So 16 it may be 1 metre to 1.5 metres, that is my distance 17 from the coupler. 18 COMMISSIONER HANSFORD: Thank you. 19 MR PENNICOTT: Thank you, sir. 20 You have answered one of my other questions already, 21 Mr Mok, which is that you were given some tuition by 22 BOSA; is that right? I think that's what you said 23 a moment ago. 24 A. Yes, correct. 25 Q. Was that in relation both to the manner in which the</p>	<p>1 A. (In English) Yes. 2 Q. There may be five or six layers of rebar, three going 3 one way, three going the other. So there's no 4 documentation in relation to each of those layers, the 5 inspection of the couplers? 6 A. For the rebar fixing RISC form, it would cover such 7 things. 8 Q. Right. The only document that exists in relation to the 9 inspection of the rebar is the RISC form, the R-I-S-C 10 form, that was issued by Leighton when they were 11 confident that the rebar had been -- a particular area 12 of rebar had been installed, and that very shortly the 13 concrete could be poured. That's the only documentary 14 record, as I understand it. Is that correct? 15 A. Apart from RISC form, there is another one called 16 pre-pour checklist. The name of the form should be cast 17 in situ checklist. 18 Q. Right. So you have your rebar RISC form -- 19 A. (In English) Yes. 20 Q. -- and your pre-pour RISC form; those are the only two 21 documents? 22 A. Well, I should put it this way. For the concrete 23 pouring, for each bay, there are many hold points, but 24 the most critical forms would be the rebar fixing RISC 25 form and then the pre-pour check RISC form. Apart from</p>

Page 21	Page 23
<p>1 these two forms, RISC, then there would be Leighton's</p> <p>2 cast in situ checklist. Very often we would attach it</p> <p>3 to the pre-pour checklist RISC form, so we could then</p> <p>4 record the whole inspection for the EWL slab.</p> <p>5 Q. Let's just take an example. There's a particular area</p> <p>6 in area C, let's call it C1-3, to take an example.</p> <p>7 Fang Sheung start by doing the bottom layer of the</p> <p>8 bottom mat of rebar, yes?</p> <p>9 A. (Nodded head).</p> <p>10 Q. Right. Once they have done that bottom layer or the</p> <p>11 bottom mat, you inspect the connections, the couplers,</p> <p>12 the connections?</p> <p>13 A. Yes. Because at that time, I think in one day they</p> <p>14 could only complete one layer of bottom mat, so</p> <p>15 therefore every day I would have the opportunity to</p> <p>16 check that.</p> <p>17 Q. Right. My point -- I think you're agreeing with me --</p> <p>18 is that in relation to your inspection of that bottom</p> <p>19 layer of the bottom mat, there is no record of that</p> <p>20 inspection?</p> <p>21 A. I did the routine inspection myself, so based on my</p> <p>22 routine inspections, then I was able to sign on the cast</p> <p>23 in situ checklist. So it's based on the inspections</p> <p>24 I had done, and that's why I was confident enough to</p> <p>25 sign on the cast in situ checklist, that is the pre-pour</p>	<p>1 After all the top layers were completed, there would be</p> <p>2 another formal inspection focusing on the top layer,</p> <p>3 because at that time the bottom layer had already been</p> <p>4 checked. The top and bottom layers were inspected</p> <p>5 because the slab was 3 metres thick. If it was not done</p> <p>6 on two occasions, you would not have identified any</p> <p>7 problems, should there be any, at the bottom. So there</p> <p>8 was one rebar fixing RISC form but there were two dates.</p> <p>9 Q. Right. That comes back to a point which I think</p> <p>10 Prof Hansford raised with a witness some time ago now,</p> <p>11 that once you've got the bottom mat of rebar in and</p> <p>12 you've got the top mat of rebar in, is it practical to</p> <p>13 actually inspect the bottom mat? I mean, can you get</p> <p>14 inside, as it were, underneath the top mat, and actually</p> <p>15 get in, with your torch no doubt and other equipment, to</p> <p>16 actually check the connections, or does it have to be</p> <p>17 done in this two-stage process that you've just</p> <p>18 described?</p> <p>19 A. After we have completed the entire bottom mat rebar</p> <p>20 fixing, there was one inspection. After the inspection,</p> <p>21 there would be maybe some patch-up work. If MTRC agree</p> <p>22 that we could proceed, that means that the bottom mat</p> <p>23 was satisfactory, then we would allow Fang Sheung to</p> <p>24 start work towards the top.</p> <p>25 And in relation to each bay, each of the bays, there</p>
Page 22	Page 24
<p>1 checklist.</p> <p>2 Q. Okay. So, as I understand it, your evidence is yes,</p> <p>3 it's correct there are no specific records in relation</p> <p>4 to the individual layer-by-layer inspections, but you</p> <p>5 say that's all swept up when the RISC form is issued and</p> <p>6 then a formal inspection is carried out?</p> <p>7 A. Correct.</p> <p>8 Q. In your statement, you say that once the bottom mat of</p> <p>9 rebar -- so let's just concentrate on the bottom layers,</p> <p>10 five or six layers of rebar, the bottom mat -- does</p> <p>11 a formal -- I know there's no RISC in relation to</p> <p>12 inspecting that bottom mat, but you describe the</p> <p>13 inspection of those bottom layers, the bottom mat, as</p> <p>14 a formal inspection; is that right?</p> <p>15 A. Actually, in relation to rebar fixing RISC form, it</p> <p>16 specified top and bottom layers.</p> <p>17 For that RISC form -- let me put it this way. In</p> <p>18 relation to specific mention of formal inspection, it</p> <p>19 was done with the MTRC. It was one form, but there were</p> <p>20 two inspection dates. In order to simplify workload on</p> <p>21 documents, the two inspections were combined onto one</p> <p>22 form. When the bottom layer, all of the bottom layer,</p> <p>23 was completed, we would, together with engineers of the</p> <p>24 MTRCL, inspect it and accept the work.</p> <p>25 Afterwards, Fang Sheung would work on the top layer.</p>	<p>1 would be some manhole openings. It was about 1.5 by</p> <p>2 1.5 metres. At the end, China Technology would leave</p> <p>3 an opening, because apart from rebar fixing, before</p> <p>4 concrete pouring, there was a process under which there</p> <p>5 would be some general cleaning. We would inspect the</p> <p>6 general cleanliness of the area, and at that time</p> <p>7 China Tech staff could gain access through these</p> <p>8 openings to pick up rubbish.</p> <p>9 In relation to whether we had to go with</p> <p>10 representatives of MTRCL and Leighton to inspect the</p> <p>11 condition of the rebars, I think there was no need</p> <p>12 because there was already one inspection.</p> <p>13 Well, we wanted to get a close and detailed look</p> <p>14 before work could proceed towards the top.</p> <p>15 CHAIRMAN: Could I ask --</p> <p>16 MR PENNICOTT: Of course.</p> <p>17 CHAIRMAN: -- thank you -- just one thing.</p> <p>18 When the rebar laying began -- shall we take the</p> <p>19 bottom mat of rebars -- you would come, perhaps at the</p> <p>20 end of the day, when the work had been finished on that</p> <p>21 bottom mat or the beginning of the new day to check it;</p> <p>22 is that right?</p> <p>23 A. In the morning, every day, and also in the afternoon,</p> <p>24 I would go to the site. In the morning, it was between</p> <p>25 9 and 11. In the afternoon, it was about between 2 and</p>

Page 25	Page 27
<p>1 4 pm. So I would spend about four hours in the 2 construction site. So it wasn't necessarily at the 3 completion of the entire bottom mat when I inspected the 4 location. 5 As part of my routine inspection, I would walk past 6 that loop, by the workforce. 7 CHAIRMAN: So you were there for about four hours a day, to 8 the best of your memory, just keeping a general eye on 9 how things were proceeding? 10 A. Let me put it this way. I would spend about four hours 11 at the site. Apart from rebar fixing work, I was also 12 responsible for other work, say for example 13 a coordination of work with foremen of China Tech, and 14 in relation to the time I spent, about 70 per cent of 15 the four hours would be spent on rebar fixing because it 16 was at a critical time. 17 CHAIRMAN: Yes. Then, when the bottom mat was completed, 18 you and engineers from MTRC would come along and do 19 a final formal inspection? 20 A. Right, that is after the bottom mat. 21 CHAIRMAN: Thank you. And if -- I may be wrong here; you 22 can correct me -- if, shall we say, that bottom section 23 required, shall we say, four levels of rebar fixing, you 24 would check the bottom one formally and the top one 25 formally. What would happen to the two in between? You</p>	<p>1 MR SHIEH: -- that would make it clearer. 2 I wouldn't want to put words into the witness's 3 mouth. I know where this is going, that's why -- 4 CHAIRMAN: That's good, otherwise we would have sparred with 5 each other for the next 15 minutes. 6 MR SHIEH: That's why I jump up now, without actually 7 pointing anything in any particular direction. 8 CHAIRMAN: Thank you very much. 9 COMMISSIONER HANSFORD: I think that's very helpful. So if 10 we can use the terminology about "layers" for a single 11 layer of bars and "mat" for a combination of layers of 12 bars, and then we've got the "slab" comprising two mats? 13 MR SHIEH: That's correct. 14 COMMISSIONER HANSFORD: A bottom mat and a top mat? 15 MR SHIEH: Yes. 16 COMMISSIONER HANSFORD: And the RISC, which is the formal 17 inspection for completion of reinforcement is for both 18 mats together, the bottom mat with all of its layers and 19 the top mat and all of its layers as one RISC? 20 I'm getting nods from the front bench. 21 MR SHIEH: I wouldn't want to put words into the witness's 22 mouth. Perhaps the witness can be asked to confirm that 23 understanding. 24 MR PENNICOTT: That is right, but as I understand it, and we 25 can get Mr Mok to confirm it, what he's saying is that</p>
Page 26	Page 28
<p>1 may answer by saying there were never two in between, in 2 which case I withdraw the question. 3 A. Right. Well, the bottom layer -- there were four 4 layers. In relation to formal inspection, there was 5 only one. In relation to the bottom mat, there was only 6 one formal inspection. The first of the bottom layer, 7 we had a chance to inspect it, because every day we 8 would walk past it and we would look at it, look at the 9 first layer, the second layer and the third layer. It 10 was just that after the entire bottom mat was completed, 11 there was a formal inspection with engineers of MTRC. 12 CHAIRMAN: Yes. I'm just interested -- because I'm 13 a layperson, I need to be educated by you -- assuming 14 that there are four, I understand that you inspect the 15 bottom one and the top one formally. I'm just wondering 16 about the two in the middle. There's no actual formal 17 inspection there; is that right? 18 MR SHIEH: I suspect the issue could well arise out of 19 a mismatch in terminology. 20 CHAIRMAN: Ah. 21 MR SHIEH: Because if we could distinguish clearly between 22 layers, which is single bars across, one layer, and 23 a mat, which is a combination of, let's say, four 24 layers -- 25 CHAIRMAN: Thank you very much.</p>	<p>1 whilst that is correct, there was only one RISC form for 2 the top mat and the bottom mat combined. 3 COMMISSIONER HANSFORD: Yes. 4 CHAIRMAN: Yes. 5 MR PENNICOTT: In practical terms, what actually happened 6 was that the formal inspection of the bottom mat had to 7 take place before the top mat was built, otherwise it 8 was simply going to be impractical to carry out that 9 inspection. I think that's what he's saying. 10 CHAIRMAN: Yes, and the one document took into account the 11 top mat and the bottom mat. 12 MR PENNICOTT: Correct. 13 CHAIRMAN: My concern was simply let's look at the bottom 14 mat, there are certain number of layers, and how were 15 they checked? 16 MR PENNICOTT: Sir, that was the purpose of my earlier 17 questions. 18 CHAIRMAN: Thank you. 19 MR PENNICOTT: I was trying to focus on the layers, one by 20 one, forming a mat. 21 CHAIRMAN: Yes. 22 MR PENNICOTT: And my understanding -- again, Mr Mok can 23 confirm this -- is that the layer-by-layer inspection 24 would be seen as a routine inspection, when he was doing 25 his rounds, as I think he describes --</p>

Page 29	Page 31
<p>1 COMMISSIONER HANSFORD: Otherwise called informal 2 inspections. 3 A. (In English) Informal, yes. 4 MR PENNICOTT: Otherwise called routine/informal 5 inspections, that's right. 6 CHAIRMAN: I understand that, and thank you, that helps me 7 a lot, thank you. Can I just ask, would there, in 8 addition to yourself, be any other people from any other 9 organisation conducting any form of informal checking or 10 inspection of these individual layers as they went in? 11 A. Yes. Representatives of Leighton and I, Man Sze Ho -- 12 well, actually, for frontline foremen/supervisors would 13 be at the scene, we would see the work process of 14 couplers. On and on, as part of my routine inspection, 15 I would see inspectors of MTRC. That means I would see 16 inspectors more. I would also see engineers but not as 17 often. That is in relation to my informal routine 18 inspection. 19 There were occasions when I saw them, when they were 20 carrying out their own routine inspections. There were 21 other occasions that I saw them that there were some 22 minor problems and we were asked to immediately rectify 23 them. 24 CHAIRMAN: All right. Just one final question -- and thank 25 you so much -- this is purely a question, not a comment</p>	<p>1 modifications, could have been used -- could have been 2 used -- to record the inspection of each connection of 3 rebar to each coupler. 4 Do you follow? 5 A. You mean for EWL slab? 6 Q. For the slab, yes. 7 A. No, not at that time. 8 Q. I know it wasn't done, but in theory do you accept it 9 could have been done? You could have identified each of 10 the couplers by location on a drawing, which we know you 11 had, and a form/sheet such this could have been produced 12 whereby there would have been a contemporary record of 13 each connection having been inspected by you or somebody 14 else? 15 A. No, there's not an exactly identical form. For me, at 16 the time, I looked at the RISC form combined with the 17 cast in situ checklist. So together the forms would 18 serve this purpose. But, you know, if it's exactly or 19 similar to this format, no, there wasn't such one such 20 form. 21 Q. I appreciate there wasn't. All right. 22 COMMISSIONER HANSFORD: Can I ask, Mr Mok -- you came from 23 the diaphragm walls where there was a form of this 24 nature, and every coupler was checked -- did it feel 25 strange to you that on the slabs there was no such form?</p>
Page 30	Page 32
<p>1 in any way whatsoever. Would it be correct to say that 2 when you were there, conducting your professional 3 duties, to your understanding there was not any routine 4 whereby there was an inspection of each rebar being put 5 into each and every coupler? 6 A. Could you please repeat your question? 7 CHAIRMAN: To your knowledge, it wasn't necessary to have 8 either you or somebody else standing by, watching the 9 rebar fixers put rebars into each and every coupler? 10 A. Right. It wasn't done 100 per cent, but on and off 11 I would walk past the location but there was no one 12 assigned to station at that location to watch every one 13 being connected. 14 CHAIRMAN: Yes. Thank you. 15 Thank you, Mr Pennicott. Sorry I've kept you. 16 MR PENNICOTT: Not at all. 17 CHAIRMAN: That's actually helped us because I didn't really 18 appreciate the difference between layers and mats. 19 I now do. Thank you. 20 MR PENNICOTT: Yes. 21 One point that may arise, Mr Mok, is that it might 22 be suggested that this form that we were looking at 23 earlier, in bundle G17, 1261.250, which we were looking 24 at in the context of the diaphragm wall, the couplers, 25 is that a form similar to this, with perhaps slight</p>	<p>1 Was that surprising? 2 A. At the time, I had just about two years of experience. 3 My personal view was that these were two separate tasks. 4 For the D-wall, there was a list of documents. This 5 form was included in that list. But when I moved on to 6 the slab, it was like -- it was agreed with the MTRCL on 7 the hold points and the formats. So it was agreed. And 8 when I moved from the diaphragm wall to the EWL slab 9 team, for the first pour of concrete, there was not 10 a problem and there was no request for additional check 11 forms. So I assumed, therefore, that was the 12 requirement, so we worked like this for every bay 13 thereafter. 14 We all focused on the coupler connection here. As 15 I said before, it would be reflected in the RISC form, 16 it would be recorded in the RISC form, that there was 17 inspection together with the MTRCL engineers, and the 18 cast in situ checklist would have recorded my routine 19 inspection. So I would therefore sign the cast in situ 20 checklist. 21 COMMISSIONER HANSFORD: I see. 22 MR PENNICOTT: Sir, that's the point that I was going to get 23 to, but thank you very much for putting the question. 24 COMMISSIONER HANSFORD: Forgive me for accelerating. 25 MR PENNICOTT: Not at all. It's very helpful.</p>



Page 33	Page 35
<p>1 Can I just ask you this, though, before we move on 2 to a slightly different topic, Mr Mok. If you come to 3 do the formal inspection of, let's say, the top mat, so 4 we've got three or four individual layers of rebar in 5 that top mat, if you -- I assume you're looking from 6 above and you're looking down, you are standing on the 7 top layer of rebar -- spot a problem, a connection 8 problem, a connection defect, on the second or third 9 layer down, does that pose difficulties in terms of 10 rectification work? 11 A. Yes, there would be difficulties, but it could be done. 12 Q. Right. Did it ever happen? 13 A. Yes, there were one or two occasions, but it may not 14 necessarily be what you are all very concerned about, 15 that is, the cutting of threaded bars. There could be 16 other incidents, for example some missing cast-in items. 17 For every bay, there were cast-in items that needed to 18 be reserved, maybe some were left out, therefore we need 19 to remove those areas and leave in the cast-in items and 20 we had to replace some of the bars, and so and so. This 21 did happen. 22 Q. Right, because if you look at paragraph 21 of your 23 witness statement, just to try to clarify that last 24 answer -- that's in C12/8110 -- under the heading 25 "Routine inspections", Mr Mok, you say:</p>	<p>1 it, yes. 2 MR PENNICOTT: So, when something like that happened -- and 3 you've given an example -- you would just instruct 4 Fang Sheung workers to get on with it and fix it and put 5 it right? 6 A. Yes. Fang Sheung, yes. 7 Q. You go on to say in paragraph 21: 8 "On other occasions, they may call their supervisor, 9 Joe Cheung [from whom we have heard], to come to the 10 location for discussion. In that case, Joe Cheung and 11 I (sometimes with MTRC's engineers) would discuss and 12 agree the required rectification which would be done 13 immediately." 14 You seem to be suggesting there, Mr Mok, that there 15 were certain occasions where a rather more than minor 16 problem occurred which required the input of Mr Cheung, 17 MTRC's engineers and yourself. Can you give us 18 an example of what that type of problem might be? 19 A. It's not that the problem would be more serious or 20 minor. For every bay, Joe Cheung of Fang Sheung, he may 21 not be stationed at the workfront all the time, but 22 there would be a ganger of Fang Sheung stationed at that 23 bay all the time. 24 Sometimes I might be carrying the drawing with me 25 and I went down and I saw there's a problem at that</p>
<p>Page 34</p> <p>1 "In a complex project ... there are frequent minor 2 issues that need to be addressed. In the case of rebar 3 fixing, when I discovered a defect (for example missing 4 layer for rebars) ..." 5 I don't think you really mean a missing layer, do 6 you? Perhaps a missing rebar, but a layer might be 7 regarded as rather more than "minor", I would have 8 thought. 9 Sorry, what do you mean by that, Mr Mok? 10 A. Well, let's say for one bay of EWL slab, you might have 11 the mindset that there may be just four layers of 12 rebars, but actually, say right next to the opening, 13 there may be the fifth layer of rebars. Maybe it's 14 within 1 metre or 1.5 metres, there maybe ten or so 15 rebars for the fifth layer. 16 It's not like the whole layer would be missing, it 17 won't be that serious, but maybe there's a need to 18 extend the area by 5 or 6 metres but they only provided 19 bars for 4 metres -- I would have to check that -- and 20 then they may have to put in another rebar to comply 21 with the drawings. 22 So it's not as serious as a whole layer missing. 23 It's not what I imagined. 24 Q. It wasn't what I imagined, actually, but I understand. 25 CHAIRMAN: We were just worried that you may have imagined</p>	<p>Page 36</p> <p>1 location, then I would get hold of a ganger and I would 2 tell him that maybe we need a few more bars. 3 Sometimes, a ganger may not listen to me. He may 4 think he is doing it right. Under the circumstances, 5 then I would have to ask Joe Cheung to come over, then 6 we could all look at the drawings and we might confirm 7 that's the case. Because I might make a mistake too 8 because sometimes I might read the drawings wrong too; 9 it's possible. So we would all agree indeed there was 10 something missing and then Joe Cheung would instruct the 11 ganger and the ganger would instruct his team of workers 12 to do the work. 13 So that's what I meant by this sentence. It is 14 sometimes the ganger would listen to me so I would have 15 to ask Joe Cheung to come over. 16 Q. It appears from the last couple of answers you have 17 given, very helpfully, that really what you are talking 18 about in general terms is missing elements of rebar; 19 both of those answers really focus on rebar that's 20 missing, by reference to the drawings? 21 A. Now, maybe it's not that the rebar has been missing, as 22 I said, it's just that the extent was not long enough, 23 because in a drawing it might be certified that within 24 the area of 3 by 6 metres, there should be another 25 layer, maybe. They just provided 3 by 4 metres so</p>

Page 37	Page 39
<p>1 there's a bit missing and that's why we would ask them 2 to put that in. 3 Q. Understood. 4 Can I ask you this, Mr Mok. We know -- I'm not 5 going into any detail with you on this particular topic; 6 that's for others to come -- that in around mid-2015, as 7 it happens about when you were in your transition 8 period, coming on to the EWL slab, that the detail of 9 the rebar at the top of the east diaphragm wall was 10 changed, and the top of the diaphragm wall was reduced 11 in height by something slightly less than half a metre. 12 A. Yes, correct. 13 Q. And something called through-bars were utilised rather 14 than the coupler connections. Do you understand? 15 A. Yes. 16 Q. Did you have occasion to inspect that through-bar work? 17 A. Yes, I did. 18 Q. What did you check that against? Did you have any 19 drawings? Did you have any working drawings? Did you 20 have any agreed drawings? What documentation did you 21 have in order to carry out that inspection? 22 A. At the time, I knew that our design team issued 23 technical queries, TQs. So it was Leighton who put the 24 TQs to Atkins, and there was a reply. That's what 25 I heard from the design team colleagues.</p>	<p>1 drawings with you but you knew what was happening, you 2 knew what the instructions were, and you were still able 3 to check? 4 A. Right. To continue from what I said, yes, it might be 5 reflected from the drawings, but I would need to read 6 that with other supporting documents, to read adjacent 7 with the drawings, to combine all the information, to 8 get the full picture to find out the exact requirement. 9 You just asked about through-bar, spacing and other 10 things. Basically, we followed the working drawing 11 coupler arrangement in relation to the spacing. If we 12 were to check the number, well, at the scene, when we 13 check for acceptance with MTR engineering, we would 14 measure the spacing. Lap length has been specified in 15 the general remarks. That is in relation to the actual 16 length. 17 So we base on a number of drawings before we check 18 for acceptance. 19 Q. Right. But the point is, is it not, Mr Mok, that when 20 that change of detail took place, you weren't given, by 21 your design team, the Leighton design team or anybody 22 else, a new set of drawings saying, "Right, here's the 23 new design" or "Here's the new detail; please check 24 against these drawings"? 25 A. No. That did not take place. But there was discussion</p>
Page 38	Page 40
<p>1 So, for some locations, there could be change to 2 through-bars. I think what you meant was, on the 3 drawings, maybe there's indication of couplers, how come 4 on site it became through-bars? 5 Now, the way I see it, if it's based on 6 an engineering judgment, that instead of wasting so much 7 time to screw in couplers because there were so many 8 problems, then maybe this was a better approach, and 9 there were design team colleagues who confirmed that. 10 Q. What I was driving at, Mr Mok, is that you've told us 11 and you've explained to us that you had drawings that 12 showed the rebar, which you were checking to make sure 13 that Fang Sheung had complied with the drawings, and I'm 14 just wondering what you had in order to inspect the 15 through-bars and whether they were in the right place, 16 in the right number, and so forth. What did you have, 17 if anything? 18 A. At the time, as I mentioned, the design team mentioned 19 a TQ and there was an Atkins reply. I think for every 20 site, I believe -- and works drawings have had been 21 issued but maybe on and off and on site there might be 22 various constraints, so it may not be possible for us to 23 reflect everything on the drawing. 24 CHAIRMAN: Sorry, are you saying that there would be 25 occasions when you wouldn't actually have a set of</p>	<p>1 and I heard from my senior and did my work accordingly. 2 I understand or I understood that a drawing was being 3 worked on but in the end there was no drawing, but as to 4 why I did not know. 5 COMMISSIONER HANSFORD: Can I ask, Mr Mok, were you given 6 a copy of the TQs and responses to the TQs? 7 A. At that time, when I was working on it, I did not open 8 those to read them. I only heard from my senior about 9 the precise location, that it would not be coupler 10 connection, the D-wall would be dismantled. It wasn't 11 in detail because it was my senior who gave me the 12 information about what was to be done at that particular 13 location. 14 COMMISSIONER HANSFORD: And that was given to you word of 15 mouth, it was given to you orally; is that right? 16 A. Right. 17 COMMISSIONER HANSFORD: Okay. Thank you. 18 MR PENNICOTT: Mr Mok, a slightly different topic. We have 19 heard some evidence from a few witnesses about remedial 20 works that would be carried out in circumstances where 21 there was a damaged and irreplaceable coupler, and the 22 type of evidence that we've heard about or the nature of 23 the evidence we've heard about is something called 24 a dowel bar. Is that something you're familiar with? 25 A. Within the scope of my work, rarely. But they were used</p>

Page 41	Page 43
<p>1 but not as rectification work or remedial work.</p> <p>2 Q. Not as rectification or remedial work? In what respect</p> <p>3 were they used, to your way of thinking?</p> <p>4 A. Within the scope of my work, we have used dowel bars.</p> <p>5 These dowel bars and the locations where they were</p> <p>6 installed, they would be in the diaphragm wall. Under</p> <p>7 the design of the D-wall, there was a chimney, a tremie</p> <p>8 pipe. It was between the different panels, there was</p> <p>9 a stop end for waterproofing work, so there was a wider</p> <p>10 spacing. In the area of tremie pipe, we asked Atkins</p> <p>11 using TQs. They replied that there would be 20 T25</p> <p>12 dowel bars in the bigger spacing. That would be</p> <p>13 a change to T25 dowel bars. It wasn't rectification</p> <p>14 work relating to couplers.</p> <p>15 You can call it remedial work but they were not used</p> <p>16 to replace damaged couplers.</p> <p>17 Q. Okay. I understand that.</p> <p>18 Can I just show you a passage in a document that</p> <p>19 you may or may not have seen. Can we go to C27,</p> <p>20 C27/20242, please.</p> <p>21 Mr Mok, I'm not sure whether you were aware of this,</p> <p>22 but in January 2017, Mr Stephen Lumb, head of</p> <p>23 engineering at Leighton, carried out a review,</p> <p>24 an investigation, into certain allegations that rebar</p> <p>25 had been cut on this project.</p>	<p>1 2. Coupler misaligned in level (resulting in</p> <p>2 starter bar clashing with other rebar)."</p> <p>3 Mr Mok, that seems to be, unless I've misunderstood</p> <p>4 your previous answer, to be contrary to what you were</p> <p>5 telling us a moment ago. I mean, do you accept that</p> <p>6 remedial works were required in the two conditions that</p> <p>7 are described there?</p> <p>8 A. It says here about misaligned coupler. If we focus on</p> <p>9 EWL area C, that did not happen, because in relation to</p> <p>10 the east side of D-wall, well, a number of them were</p> <p>11 removed and there were missing couplers. For the west</p> <p>12 side, there was another shear key designer, the entire</p> <p>13 top portion was done afterwards. For area C, EWL, I did</p> <p>14 not come across any of these.</p> <p>15 Q. Right. So you didn't have yourself any experience of</p> <p>16 these types of problems in area C?</p> <p>17 A. (In English) In area C?</p> <p>18 (Via interpreter) EWL area C, that's right.</p> <p>19 Q. All right. That's fair enough.</p> <p>20 Sir, I'm about to go to the various incidents</p> <p>21 leading up to the NCR that Mr Mok was involved in, so</p> <p>22 perhaps that would be a convenient moment to take</p> <p>23 15 minutes.</p> <p>24 CHAIRMAN: Yes, certainly.</p> <p>25 Can I ask just one question before we go. You</p>
Page 42	Page 44
<p>1 Were you aware of that review or investigation?</p> <p>2 A. No, I wasn't aware of it. It was only when it was</p> <p>3 mentioned last week, in the COI here, that I was aware</p> <p>4 of it.</p> <p>5 Q. Okay, thank you for that, because certainly Mr Lumb</p> <p>6 doesn't suggest that he spoke to you about any of this.</p> <p>7 You weren't one of the interviewees, one might suggest</p> <p>8 surprisingly.</p> <p>9 But can you go to, please, section 8.</p> <p>10 COMMISSIONER HANSFORD: I've got 20254.</p> <p>11 MR PENNICOTT: Yes. The page is missing in my bundle, for</p> <p>12 some reason which I can't explain, but we can look at it</p> <p>13 on the screen; that's fine.</p> <p>14 The section of this report -- I appreciate that you</p> <p>15 won't have seen it before, at least perhaps not unless</p> <p>16 you've read it in the last week or so -- it's headed</p> <p>17 "Remedial measures"; do you see that?</p> <p>18 A. (In English) Yes.</p> <p>19 Q. What is recorded here is that:</p> <p>20 "During the investigation [that's Mr Lumb's</p> <p>21 investigation], it was advised that remedial works were</p> <p>22 required to the coupled starter bars in several</p> <p>23 conditions:</p> <p>24 1. Coupler misaligned in level (resulting starter</p> <p>25 bar with inadequate cover).</p>	<p>1 yourself in your statement very helpfully talk about</p> <p>2 coming across certain rebars that had been cut, and my</p> <p>3 question relates to this. Assuming for a second we have</p> <p>4 a worker, working for the rebar fixers or for the casual</p> <p>5 labourers who were helping remedial work, you're up</p> <p>6 against a bit of pressure and maybe you've got a very</p> <p>7 difficult coupler -- it's either got concrete in it or</p> <p>8 it's got bent or something like that, and you want to</p> <p>9 just get on with it and you decide you want to cut some</p> <p>10 of the threads off, okay, so you can make it look as if</p> <p>11 it's there, you can put it against the coupler and then</p> <p>12 you can get on. Everything is fine for the last 20,</p> <p>13 everything looks fine for the next 20; this one is</p> <p>14 causing trouble.</p> <p>15 In your view, being as frank as you can, if the</p> <p>16 worker decided he wanted to do that, and if he looked</p> <p>17 around him a little, do you think he would have been</p> <p>18 able to use a cutter, which takes about a minute and</p> <p>19 a half, maybe two minutes, I'm not quite sure, to make</p> <p>20 that cut without anybody seeing? I know there's a risk</p> <p>21 but do you think it would have been possible, if he was</p> <p>22 determined to do it?</p> <p>23 A. If the worker pre-planned it, of course it could be</p> <p>24 done, but I believe that the time available for taking</p> <p>25 that action would be little. As I mentioned previously,</p>

Page 45	Page 47
<p>1 I carried out routine inspections and there were routine 2 inspections by the MTR. There were also those by our 3 frontline officers. On top of that, if there were 4 a person not exactly standing right next to the worker 5 but from a distance watching, it would look rather 6 strange, because when they work on every layer they 7 would start off with the coupler connection. If, while 8 doing that, they went away to use a tool to cut the end, 9 it would look rather strange.</p> <p>10 CHAIRMAN: All right. That leads me to something else -- 11 thank you very much, this might help me also -- and that 12 is, which I haven't thought about, I'm sure every else 13 has, but I haven't: the process by which the actual 14 insertion of rebars into couplers take place, is it what 15 you do at the beginning? Is it what you do halfway 16 through? Do you see what I mean?</p> <p>17 In other words, if the very first thing you do, once 18 you start a layer, is you get your long reinforced bar, 19 you go to the coupler and you insert the coupler -- is 20 that the opening work that is done?</p> <p>21 A. Well, for the bottom mat, there might be four layers, 22 say for example. They would start off with the first 23 layer. To begin with, they would use threaded bars for 24 the middle section and scatter them in the middle. The 25 rebar fixers would screw on all the coupler connections</p>	<p>1 statement, at C12/8114.</p> <p>2 A. Yes.</p> <p>3 Q. Mr Mok, this is where you start to deal with the three 4 occasions on which you discovered defective rebar, and 5 at paragraph 29 you deal with the first occasion, which 6 you say was around September 2015. You say you cannot 7 recall precisely but you believe it was during a formal 8 inspection.</p> <p>9 So this would have been, as I understand it, 10 an inspection taking place after an RISC form had been 11 issued; is that right?</p> <p>12 A. Yes. Let me put it this way. We have issued the RISC 13 form intending to arrange for an inspection, that is 14 an inspection the next day. The RISC was to record the 15 inspection.</p> <p>16 Q. Right. The first question I'd like to address with you 17 is this. You tell us that you cannot recall the area, 18 the precise area, where this incident occurred; is that 19 right?</p> <p>20 A. Right.</p> <p>21 Q. Can you recall whether this incident occurred to the top 22 mat of rebar or the bottom mat of rebar?</p> <p>23 A. I can't recall exactly whether it was the top mat or the 24 bottom mat.</p> <p>25 Q. No recollection at all?</p>
Page 46	Page 48
<p>1 first. So there would be a period of time when they 2 would squat down to screw on the coupler connections, 3 and then they would move on to have some longer bars 4 lifted down to work on the lap bars. Then they would 5 move on to the next layer, first starting off with 6 coupler connections and then have lap bars lifted down 7 to work on them.</p> <p>8 CHAIRMAN: And they would proceed to try to insert all the 9 reinforcing bars into the couplers in one exercise?</p> <p>10 A. (In English) Yes. 11 (Via interpreter) They would first do all the 12 coupler connections.</p> <p>13 CHAIRMAN: Yes. So you could tell, right, they are putting 14 in the couplers, this is going to take them probably 15 a few hours, and you knew that's the way we would work 16 because that's the most efficient way to do it?</p> <p>17 A. Yes, right.</p> <p>18 CHAIRMAN: Thank you very much. Quarter of an hour?</p> <p>19 MR PENNICOTT: Yes, sir. Thank you. 20 (11.32 am) 21 (A short adjournment) 22 (11.55 am)</p> <p>23 MR PENNICOTT: Thank you, sir. 24 Mr Mok, let's continue. What I'd like to do now, 25 please, is take you to paragraph 29 of your witness</p>	<p>1 A. No, because I only remember it was around September, but 2 when I checked the records there were three bays of 3 concrete poured in September. Well, for us, all bays 4 were similar, so I cannot remember the exact location, 5 but I remember it was in around September.</p> <p>6 Q. Yes. You're entirely right that in September the 7 concrete was poured in relation to C1-3 on 7 September, 8 C2-5 on 14 September, and C1-4 right at the end of 9 September, 29 September. So it could have been any one 10 of those three areas; I think that's what you're telling 11 us?</p> <p>12 A. Right.</p> <p>13 Q. And it could have been the top mat or the bottom mat --</p> <p>14 A. Yes.</p> <p>15 Q. -- of any of those three areas?</p> <p>16 A. Right.</p> <p>17 COMMISSIONER HANSFORD: Sorry, Mr Mok, I need to understand 18 this. How could it have been the bottom mat? Because 19 presumably this inspection -- was this inspection done 20 from the top?</p> <p>21 MR PENNICOTT: Sir, can I interject at that point, because 22 of course, given the explanation that Mr Mok gave 23 earlier, I was going to explore with him to what extent 24 in fact a RISC form had been issued, because in theory, 25 given his evidence earlier, I suppose it might be the</p>

Page 49	Page 51
<p>1 case that if it was the bottom mat, a RISC form need not 2 necessarily have been issued when he discovered it, if 3 you see what I mean, given the evidence he gave earlier 4 this morning. 5 COMMISSIONER HANSFORD: Yes. I'll leave it with you and 6 we'll get there. 7 MR PENNICOTT: But I understand -- have you got the point, 8 Mr Mok, that given your evidence this morning, if it was 9 the bottom mat, it didn't necessarily follow that a RISC 10 form would have been issued, but I think you told me 11 earlier -- perhaps it was the way I put the question, 12 I'm not sure -- that your recollection is that a RISC 13 form had been issued in relation to this first occasion, 14 in which case the professor's question is obviously 15 relevant, presumably this must have been the top? 16 A. Right. Perhaps let me explain. It may not necessarily 17 be the top. Let me put it this way. When we read RISC 18 form, it was -- in relation to rebar fixing RISC form, 19 there was a date stating that Leighton arranged with MTR 20 for inspection and acceptance. If you look at the date, 21 it may be four to five days before concrete pouring. 22 The date was put because the RISC form has incorporated 23 two formal inspections. The date put on the RISC form 24 was only one date. It was the inspection date of the 25 bottom mat.</p>	<p>1 COMMISSIONER HANSFORD: Okay. So the form would be 2 submitted, then a formal inspection would be done of the 3 bottom mat, is that correct, before then moving on to 4 the top mat, and then a formal inspection of the top 5 mat, and then a formal inspection, a hold point 6 inspection, of the completed assembly? Have 7 I understood the correct sequence there? 8 A. Yes, correct. 9 MR PENNICOTT: Could we just test that a little bit 10 further -- 11 COMMISSIONER HANSFORD: Please. 12 MR PENNICOTT: -- because I'm a little bit surprised about 13 that. I'm not saying you are wrong; I'm just a bit 14 surprised. 15 But could we look, by way of example, at H1/142. 16 This is the RISC form, I hope, in relation to C1-3. 17 A. Yes. 18 Q. It is dated, I believe, 4 September, although I don't -- 19 CHAIRMAN: The 5th. 20 MR PENNICOTT: No, that's the date upon which it will be 21 ready for inspection, the 5th. 22 Could we go to the bottom, please. That doesn't 23 help me either. It's signed by you -- that's helpful. 24 Could we go back to the top, please. 25 MR SHIEH: That's the 4th, next to the signature.</p>
Page 50	Page 52
<p>1 Before -- well, when I saw that bar fixing was 2 almost completed for the bottom mat, I would submit the 3 form, and then there was a joint inspection on the 4 bottom mat. The form actually was put on hold by the 5 MTRCL. We inspected the bottom mat. When it was found 6 to be satisfactory, we would send a signal to 7 Fang Sheung for them to work up to the top mat. After 8 the top mat has been completed, we would arrange with 9 MTRCL for another inspection. So there would be two 10 formal inspections. 11 It was until after the top mat was inspected by 12 MTRCL, everything was satisfactory, then one RISC form 13 was signed off. 14 There may be one RISC form, it covers two formal 15 inspections, one on the bottom mat, the other one on the 16 top mat. 17 COMMISSIONER HANSFORD: So the question arises: when is the 18 RISC form submitted? Are you saying the RISC form, the 19 form requesting an inspection by MTR, is submitted 20 before the top mat has even been fixed? Is that what 21 you're telling us? 22 A. Yes, right. When the bottom mat was about to be 23 finished, then we would fill in the form. 24 COMMISSIONER HANSFORD: Right. 25 A. And at the time the top mat was still not done.</p>	<p>1 MR PENNICOTT: Yes, if you look -- is that Man Sze Ho's 2 signature, and then to the right -- 3 A. Yes. Well, this is actually my signature. 4 Q. Oh, is it? 5 A. (In English) Yes. 6 Q. You were signing on his behalf. Right. 7 So it's dated the 4th. It's saying that the 8 inspection can take place the following day, 9 5 September. 10 A. Yes, right. So, on 5 September, it was to inspect the 11 bottom mat. 5 September, it was to inspect the bottom 12 mat. 13 Q. Are you sure about that? How do we know that from this 14 document, Mr Mok? 15 A. You could cross-check it with the concreting date of 16 C1-3, bay C1-3. 17 Q. Well, I have, and the concreting date is 7 September. 18 A. (In English) Oh. 19 Q. That's my problem. You've got a situation where you 20 give notice on the 4th; you inspect, according to you, 21 the bottom on the 5th; and yet the concrete is poured 22 two days later, on the 7th. 23 COMMISSIONER HANSFORD: And indeed at item 2, it says, "Work 24 to be inspected ... (top and bottom steel)". 25 MR PENNICOTT: Yes.</p>

Page 53	Page 55
<p>1 A. Yes. What I said just now -- actually, you would be 2 able to find some examples in relation to what I said 3 earlier, that example I gave. Maybe in some cases, 4 because we were too busy, but definitely we would 5 complete formal -- the bottom mat and there would 6 definitely be a formal inspection. 7 How come we did not submit two RISC forms for two 8 formal inspections, because that would be the ideal 9 case, one form for the bottom mat, one form for the top 10 mat? Because we wanted to simplify the process. At the 11 time we agreed with the MTRCL that we wanted to record 12 that we did inspect top and bottom mat, the whole 13 section that is. So to save on paperwork we used one 14 form to record two formal inspections. 15 Q. All right. But I think you would accept from me, in 16 this particular instance, this RISC form was dated more 17 or less when both the top -- sorry, the bottom and top 18 rebar was essentially within one day of being completed, 19 so that it could all be inspected on the 5th, and it's 20 possible, from what you said earlier, that the bottom 21 rebar may well have already been inspected, albeit not 22 by reference to this RISC form? 23 A. Yes, it's possible that before 5 September a formal 24 inspection was already done for the bottom mat, and it's 25 just that in the course of working on the matter we</p>	<p>1 a situation where this incident could have been in any 2 one of three areas which I mentioned earlier and could 3 have been at the bottom mat or the top mat of any of 4 those three areas? 5 A. Yes, correct. 6 Q. Okay. As I understand it, you say that the rebar was 7 not screwed -- sorry, you say: 8 "I identified that the threaded end of one rebar had 9 been cut off." 10 Pausing there, was the entirety of the thread cut 11 off or just part of the thread; do you recall? 12 A. No, there should be one or two threads that were still 13 visible. 14 Q. Right. As I understand it, on this occasion, you didn't 15 take any photographs of that threaded bar, cut bar? 16 A. From what I recall, I did not take pictures. 17 Q. Right. You say: 18 "The rebar was not screwed into the coupler and 19 there was a gap of several millimetres between the bar 20 and the coupler." 21 As I understand it, Mr Mok, this was the first time 22 that you had ever seen something of this nature; is that 23 correct? 24 A. Yes, correct. For that gap, how big it was, maybe 1mm 25 to 2mm. In other words, it could be visually seen that</p>
<p>1 submitted a form. 2 Q. Yes. We can analyse this separately, Mr Mok -- 3 A. Yes. 4 Q. -- but there are many, many instances when the RISC form 5 date is very proximate to the concrete pour date, such 6 as this one, just within three days. I mean, some of 7 the others -- or one day. Some of the others are, 8 I accept, perhaps five or six days, but it varies, and 9 so the situation may be changeable, depending upon 10 precisely which area you are in and the way in which the 11 rebar is being fixed? 12 A. In general, for the EWL slab, when the bottom mat was 13 done -- now, the bottom mat would take about four to 14 five days to complete, and then for the top mat it would 15 also take about four to five days to complete. 16 So, in ideal cases where there were no problems, 17 then the form was submitted on time and then we could 18 record the first date for checking the bottom mat on the 19 form at the top there. If we look at this form as 20 an example, there was arrangement for inspection, it's 21 just that the form was submitted a few days late, but 22 the form was submitted before the concrete pour. 23 Q. Of course. All right. Anyway, let's go back -- after 24 that brief excursion, could we go back to paragraph 29 25 of your statement. I think, Mr Mok, we've arrived at</p>	<p>1 there's a gap of 1mm or 2mm. 2 Q. Well, there are two things here, Mr Mok. One is the cut 3 bar and the other is the gap. So, as I understand it, 4 it's the first time that you have witnessed a threaded 5 rebar having been cut; is that correct? 6 A. Correct, yes. 7 Q. Was it also the first time that you had seen a gap 8 between the rebar and the coupler? 9 A. Yes. 10 Q. Given that that was your first experience of those two 11 points, Mr Mok, were you not extremely surprised? 12 A. Well, at the time, I was a little surprised. A little 13 surprised. But for a bay, whether it's the bottom mat 14 or just the top mat, there was a large number of 15 couplers, maybe we're talking about a few hundred 16 couplers for each mat. 17 In September I saw for the first time but there was 18 just one bar. Yes, I would say I was surprised. But 19 whether it was serious, well, I didn't see a big problem 20 there. And probably you will ask this later, but at the 21 time my view was I asked Fang Sheung people to rectify 22 it immediately, and very soon they did the 23 rectification, because often on site there could be such 24 incidents; they are rather common. 25 I'm not talking about cutting bars. I'm not saying</p>

<p style="text-align: right;">Page 57</p> <p>1 that there are many similar incidents of bars being cut, 2 but maybe for formwork, there could be minor problems 3 and there could be minor problems with many other 4 processes and rectification work would be required. 5 Q. But, Mr Mok, this was your first encounter with 6 a threaded rebar that had evidently been cut. I have to 7 be careful what language I use in this room, but didn't 8 you say to yourself, "What on earth is going on? What 9 has happened?" 10 A. Yes, I did. Yes, I did. I would ask why would that 11 have happened. 12 Q. And did you take any steps to find out why it had 13 happened? 14 A. At that time, I did not really want to find out the 15 reason, not really, because it was right after the 16 inspection and acceptance, there was another work to 17 be -- another step to be done. It was a standardised 18 process of different jobs one after another. As soon as 19 I found that there was a problem with the threaded 20 rebar, that the threaded end was cut off, the first 21 action I took was to find someone to rectify it. 22 Afterwards, I checked it and found that there was no 23 similar incidents, so I proceeded to the next step. 24 In parallel, I informed on that day Joe Cheung of 25 Fang Sheung, and I also mentioned it to my senior.</p>	<p style="text-align: right;">Page 59</p> <p>1 a normal procedure. It was a normal chat about what we 2 have done or whether there was anything special that 3 happened. 4 Q. All right. You tell us that the remedial works were 5 carried out immediately by Fang Sheung workers, it took 6 about 15 minutes. So what happened; they just needed to 7 replace a piece of rebar, did they? 8 A. Right. Right. 9 Q. Okay. And it must have been relatively straightforward? 10 Perhaps it was on the top layer, it probably wasn't in 11 a lower level, would that be right, or a lower layer, 12 because that presumably would have taken a lot more time 13 and been a lot more difficult? 14 A. Right. 15 Q. All right. Let's move to the second occasion, which you 16 deal with in paragraph 32 of your statement. You say: 17 "The second occasion was around one month later in 18 October or November. Again, it was discovered during 19 a formal inspection with a MTRC engineer." 20 Again, as I understand it, Mr Mok, you are unable to 21 identify the specific area where this incident took 22 place; is that right? 23 A. Right. 24 Q. And again, are you able to say whether this incident 25 occurred in respect of the bottom mat of reinforcement</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. Okay. As I understand it, you say that an MTRC engineer 2 was with you at the time, although you can't remember 3 who it was; is that correct? 4 A. Right. 5 Q. It appears, from the MTR's witness statements -- I think 6 you've had a chance of looking at them -- that it may 7 have been Kobe Wong. Does that ring a bell with you? 8 A. I can't confirm. Well, in relation to rebar fixing 9 formal inspection, it was done by a representative of 10 engineers of MTRCL. Kobe Wong was an inspector of 11 works, an inspector as we call it. He would inspect it 12 in relation to coupler connections. However, inspector 13 of works focused more on cleanliness and similar works. 14 Engineers of MTR would specifically look at the 15 arrangement of rebar fixing. 16 As a result, I can't exactly say that whether I was 17 with Kobe or other engineers of the MTR. 18 Q. All right. That's okay. 19 You did, however, think that this incident was 20 sufficiently important to mention it to your colleagues, 21 Man Sze Ho and Sasa Leung, you say; is that right? 22 A. Right. Every day, just before we finished work, we 23 would be in the office. On and off, my senior, whether 24 it was Andy Ip or Joe Leung, would ask about the day's 25 progress and whether there were any problems. It was</p>	<p style="text-align: right;">Page 60</p> <p>1 or rebar or the top mat? 2 A. I can't exactly confirm that. 3 Q. And again you say an MTRC engineer was with you when 4 this second occasion occurred, and again it appears from 5 Mr Kobe Wong's witness statement that it was him, but 6 again I imagine your answer to that question is the same 7 as you gave to me just now? 8 A. Right. 9 Q. So it may or may not have been Mr Wong; you're not sure? 10 A. Right. 11 Q. This time, on this occasion, you say: 12 "I recall that I ... identified one or two (I cannot 13 remember exactly, but it was no more than two) defective 14 rebars during the inspection. Again, the threaded ends 15 of the rebar(s) had been cut off ..." 16 Again, partially cut off; is that right, Mr Mok? 17 A. Right. 18 Q. "... and there was an obvious gap between the rebar(s) 19 and the coupler(s)." 20 So, essentially, a repeat of what had happened on 21 the first occasion, but this time two pieces of rebar? 22 A. Well, I can't recall whether it was exactly one or two, 23 at most two, rebars. 24 Q. Okay. So, again, you asked the Fang Sheung workers to 25 remove the defective rebars and replace them with new</p>

Page 61	Page 63
<p>1 bars, and you also recall that it was necessary to 2 replace the coupler for one of the bars. 3 Do you recall why it was necessary to replace one of 4 the couplers? 5 A. Well, actually, I had recollection that it was done. 6 Regarding replacement of coupler, it's under the 7 responsibility of Leighton. It was not under the scope 8 of work of Fang Sheung. I can recall that because I had 9 to inform my frontline, ask someone from Leighton to 10 trim the concrete so as to unscrew the coupler. Since 11 it involves this process, I could recall that. 12 Well, that means Leighton will have to coordinate 13 with Fang Sheung to complete the entire rectification 14 work. 15 Q. Right. I think implicit in your answer is that there 16 was some damage to this coupler which required its 17 replacement? 18 A. Right. 19 Q. But, nonetheless, the entire process of remedying this 20 problem, you say, took between 15 and 30 minutes; is 21 that right? 22 A. Right. 23 Q. So there was clearly some very swift liaison between 24 Fang Sheung and Leighton, and no doubt they had to 25 obtain the coupler as well to replace it, and it was all</p>	<p>1 each layer work would start with coupler connection. 2 The threaded bars were on the ground, so we could see 3 instantly whether any threaded bars would have been cut 4 off, and at that time we saw none of such things. 5 In my routine inspection, we would look at the 6 workers when they screw on the couplers, whether they 7 would spend too much time or too short a time on it, 8 because one would take more or less the same time to 9 work on each connection, so I thought if it was cut 10 short, that means they would spend a shorter time on 11 each bar. It would be -- normally, it would take about 12 30 seconds to one minute. If they spend just about 8 to 13 10 seconds on each one before they move on to the next 14 one, that would look fishy. 15 I also spoke to my senior, saying that this was the 16 second time. Of course I told him about the first time 17 and I also told the senior of Leighton, on top of 18 telling Fang Sheung, Joe Cheung. 19 Q. You say that you either spoke to Joe Leung or Andy Ip 20 about this second occasion? 21 A. Right. 22 Q. What was their reaction when you talked to them about 23 it? 24 A. I couldn't recall what their reaction was, because every 25 day there would be what we call minor issues that took</p>
Page 62	Page 64
<p>1 done in that time; that's your recollection? 2 A. Right. 3 Q. Okay. 4 Mr Mok, again -- this is the second time this has 5 happened, possibly two pieces of rebar this time having 6 been cut -- again, did you not ask yourself what was 7 going on, why was this being done? It's happened again. 8 Didn't you think this justified finding out, 9 investigating, what Fang Sheung or somebody else was 10 doing? 11 A. At that time, well, when the second incident occurred, 12 it was after the first incident that the second 13 happened, I called Joe Cheung, a supervisor of 14 Fang Sheung. On the second occasion, I would say that 15 I used a stronger tone, because the first occasion might 16 be an isolated incident, but for the second occasion 17 I would need to find out what happened. 18 As to what I had done, well, when you were at the 19 scene and there were about eight or ten rebar fixers, 20 and if I asked who cut the rebar, I believe that no one 21 would admit to it. After I had found the first 22 incident, I would spend more time and effort to find out 23 whether there were any signs or any information about 24 screwing in the rebar into the coupler. 25 Just before the break, we were talking about for</p>	<p>1 place. As long as it's not an unresolved matter, 2 usually they wouldn't -- or I can put it this way. When 3 there were issues that I could not resolve, there would 4 be a detailed discussion, but when an issue is resolved, 5 it's just a form of reporting. 6 Q. Did you regard this as a minor issue, Mr Mok, this 7 cutting of the threaded rebar? 8 A. Well, perhaps I could put it this way. For cutting 9 rebars, it itself is a serious matter. But at the time 10 I considered the number. If I found two bars -- because 11 in my routine inspection I would check each layer, and 12 then when it's a formal inspection then we found two 13 bars, but then these were immediately rectified. If you 14 look at the whole picture, what is most important is 15 that there was immediate rectification, and as long as 16 that was done then I don't see it as a problem. 17 Q. Right. Can we then look at the photographs that you 18 refer to in paragraph 36 of your witness statement. 19 C12/8123. 20 Before we ask you to describe this, my understanding 21 of your evidence, Mr Mok, paragraph 36 of your witness 22 statement, is that what we're looking at here, I think 23 also on the next page, are photographs that are 24 likely -- likely -- to have been photographs that are 25 two defective rebars from the second occasion, but</p>



Page 65	Page 67
<p>1 you're not 100 per cent sure about that. Have 2 I encapsulated your evidence about these photographs in 3 that way correctly? 4 A. Yes, because when I checked the records, in the soft 5 copy of this photo I couldn't see which date the photo 6 was taken, so there was no information on the date 7 taken. That's why I could not confirm whether it is 8 related to the second discovery of mine. 9 Q. Right. Anyway, the photograph at 8123, one can see -- 10 well, you describe what we can see there. We can 11 obviously see one bar with thread but not inserted into 12 the coupler, and then to the right of that, it looks 13 like another piece of rebar, without any thread, but you 14 tell me if I'm wrong. 15 A. Well, let's talk about the one in the middle first. 16 Q. Yes. 17 A. The middle one is the defective rebar, that is the 18 threaded end was cut short, and here you can see the 19 coupler, and between the coupler and the rebar there was 20 a gap. Just now you referred to one coupler not screwed 21 in. I believe you are talking about the one on the 22 left, or which one? 23 Q. Well, the middle one is clearly -- 24 A. Yes, yes, that is not connected. 25 Q. It's got cut thread and is not connected?</p>	<p>1 correct? 2 A. Yes, correct. 3 COMMISSIONER HANSFORD: Thank you. That helps me. 4 MR PENNICOTT: I think there's one more photograph. 8125, 5 there it is. 6 Mr Mok, you tell us, is that a different piece of 7 rebar than the one we were looking at in the previous 8 photograph, or is it just from a different angle, or 9 what? 10 A. I'm quite sure it is not the same rebar. 11 Q. Agreed. Right. Is it, do you think, in the same area? 12 A. Well, when -- I checked the record, because I couldn't 13 recall exactly what happened then, but I checked the 14 record. Based on the name of the file, my guess is it's 15 within the same area. 16 Q. Okay. 17 A. Because the number of the two photos, they were 18 sequential. 19 Q. Yes. And this appears to show, again, the thread having 20 been shortened and not connected into the coupler, the 21 gap? 22 A. Yes, correct. 23 Q. All right. 24 Now, Mr Mok, before we move to the third occasion, 25 can I ask you this. As a general question, when you</p>
Page 66	Page 68
<p>1 A. Yes, right, correct. 2 Q. The one on the left appears to be screwed in to the 3 coupler, but one can see perhaps two, possibly three, 4 threads, certainly two threads; yes? 5 A. If I -- well, looking at this photo, it should be two 6 threads. 7 Q. Yes, okay. But what is the situation on the right, 8 where you see the wire that's obviously around the cut 9 rebar and what appears to be another piece of rebar on 10 the right; what's the situation there? Is that just 11 a lapping bar? 12 A. Yes, correct. It's probably the lapping bar. 13 Q. Right, so we are not concerned with that. All we're 14 concerned about is the one in the middle; is that right? 15 A. Correct. 16 Q. Could we look at, please -- 17 COMMISSIONER HANSFORD: Sorry, before we move on -- 18 MR PENNICOTT: Yes, sir. 19 COMMISSIONER HANSFORD: -- are we looking down on something 20 here? Are those bars actually horizontal? 21 A. Yes. We looked from above and then you see them 22 horizontal. 23 COMMISSIONER HANSFORD: So the couplers are horizontal -- so 24 the couplers and the threaded bars are actually 25 horizontal in this photograph; is that correct? That is</p>	<p>1 started work for Leightons in 2013 and onwards, were you 2 informed about the non-conformance report process, in 3 general terms? 4 A. No, not -- there's not a standard guidelines or anything 5 of the sort. But our understanding at the time was if 6 there was anything that did not conform with the 7 drawings or maybe there were situations where it did not 8 involve permanent works or maybe just that for the 9 temporary structure it was not done properly, so 10 anything we found that needed to be rectified, we could 11 issue NCR. That was my understanding at the time. 12 Q. But were you not given any guidance by Mr Ip or Mr Leung 13 or anybody else as to the criteria that should apply 14 when you were considering whether or not to issue 15 a non-conformance report? 16 A. No. Not in detail. 17 Q. Were you given any guidance at all, or did you, rather, 18 see this as a matter that if you thought something was 19 serious enough that it ought to be reported, you saw 20 your role as informing one or more of your senior 21 colleagues, discuss it with them, and let them decide 22 whether a non-conformance report should be issued? 23 A. Yes. As I mentioned earlier, every day, before we 24 finish work, we would have discussions. So I would 25 leave it to the seniors to decide on the next step of</p>

Page 69	Page 71
<p>1 action to take. So I would just inform them there was 2 such an incident. 3 Q. Yes. I ask you that, Mr Mok, because in paragraph 35 of 4 your witness statement, dealing with the second occasion 5 which we've just been looking at, you say: 6 "At the time, I considered whether to issue 7 a non-conformance report. On balance, I took the view 8 that it was not necessary." 9 That strikes me as you making the decision and it 10 not being a more collective decision with your senior 11 colleagues. 12 A. Well, actually, before we finished work, I would mention 13 this incident, and then together with the seniors we 14 would discuss the matter. I couldn't say exactly who 15 first suggested whether there was need to issue an NCR. 16 There was a discussion on whether to issue an NCR. At 17 that time, the outcome of the discussion was that 18 because the matter was immediately rectified and there 19 was no need for any long-term rectification works in 20 future, so that's why the NCR was not issued. So it 21 wouldn't be just me to decide whether to issue an NCR. 22 Q. All right. Understood. 23 Now, let's move on to the third occasion, which, as 24 we all know, gave rise to the issue of non-conformance 25 report no. 157. This time we obviously have a lot more</p>	<p>1 relating to quality, definitely it would have to go 2 through him; he had to sign off the form. So definitely 3 he would know about such a case. 4 Q. Right. I think it's right to say, isn't it, Mr Mok, 5 that you personally were not involved in all the 6 paperwork, but you were obviously involved in 7 discovering the problem in the first place and then 8 discussing as to whether an NCR should be issued? 9 A. Right. What I personally have done was the same as on 10 the first and second occasion. This occasion, I was 11 involved in the discussion. We agreed that an NCR was 12 to be issued. I gave background information to prepare 13 the NCR, but I did not issue the NCR myself. 14 Q. Okay. And, Mr Mok, is it right that after this 15 particular third incident and the issue of the NCR, you 16 personally did not witness any further cutting of 17 threaded rebar? 18 A. Right. 19 CHAIRMAN: Did you have any discussion with Mr Leung, the 20 foreman of the rebar cutting company, as to why this was 21 happening? 22 MR PENNICOTT: Mr Cheung, Joe Cheung. 23 CHAIRMAN: I'm sorry, Cheung, not Leung. 24 A. For the first, second and the third time, once the 25 problem was identified, I informed Joe Cheung. On the</p>
Page 70	Page 72
<p>1 detail -- 2 A. (In English) Yes. 3 Q. -- because of the fact that the non-conformance report 4 was issued. So we know that you identified, perhaps 5 together with Andy Wong of MTR, on 15 December 2015, 6 that essentially five bars/rebars/threaded rebars had 7 been cut; yes? 8 A. Yes, correct. 9 Q. This, as I understand it, unlike the first two 10 occasions, was picked up during a routine inspection or 11 informal inspection; is that correct? 12 A. Yes, correct. 13 Q. This time, without going into any detail which we all 14 know about, Mr Mok, a decision was taken to issue this 15 non-conformance report? 16 A. Yes. 17 Q. You discussed the matter with, you say, Andy Ip or 18 Joe Leung -- you don't remember which one -- "and we 19 agreed that it was necessary to issue an NCR", and MTR 20 also agreed with your approach. 21 I think Mr Ip told us, Mr Mok, that Mr Harman was 22 also involved in the decision to issue the NCR. Were 23 you aware of that? 24 A. Yes, right. At the time, Kevin Harman was the quality 25 manager, was our quality manager. So, for issues</p>	<p>1 third occasion, it was done in greater details, 2 because -- well, for the first two occasions, we had the 3 same conversation, to the effect that there was rebar 4 with threaded end cut and together with this one, this 5 third occasion, with as many as five rebars, an NCR will 6 be sent to you. As a result, in relation to the third 7 conversation, there were more details. 8 CHAIRMAN: All right. Let me put it this way. Why did you 9 think these occasions were taking place when the workmen 10 would decide that rather than just going ahead and 11 trying to put in a rebar, it was easier to cut them? 12 A. First of all, let me make clear that I did not know 13 exactly what the worker had in mind, but for me I would 14 think that they wanted to save time, because just before 15 each handover to Fang Sheung we would check coupler 16 connection conditions. There may be one or two that 17 could not be visually identified, of all these 18 connections, but I said that the worker might want to 19 save time because when the worker wanted to screw in the 20 coupler, it wasn't easy but they did not want to wait 21 for us to replace a coupler because it would be trouble. 22 As a result, he would rather cut it. That's my personal 23 view, if you ask me why it happened. 24 CHAIRMAN: And did you discuss with any of the rebar 25 officers -- and we're talking here about Mr --</p>

Page 73	Page 75
<p>1 MR PENNICOTT: Joe Cheung.</p> <p>2 CHAIRMAN: -- Cheung, yes, thank you -- did you discuss with</p> <p>3 him, "This is obviously a short-cut measure, you're</p> <p>4 under pressure, we appreciate that, but this mustn't be</p> <p>5 done", or something like that?</p> <p>6 You see, it seems to me that once you start to see</p> <p>7 it happening on several occasions, common sense really</p> <p>8 dictates you should try to find out the cause?</p> <p>9 A. At that time, I did not really get to the bottom of it</p> <p>10 with him. Instead of trying to find out the reason, the</p> <p>11 view at that time was that we would prefer to agree on</p> <p>12 an approach to prevent further happenings, because we</p> <p>13 did not want the same thing to happen again. I mainly</p> <p>14 said to Joe Cheung, "You should talk to your workers</p> <p>15 that they should not try to save the little time.</p> <p>16 Should you run into any problems, come to Leighton and</p> <p>17 we will solve it for you immediately. Whatever the</p> <p>18 reason, we would be able to explain it, because it's the</p> <p>19 responsibility of Leighton, not Fang Sheung."</p> <p>20 My thinking at that time was we did not want the</p> <p>21 same thing to happen again.</p> <p>22 MR PENNICOTT: Thank you, Mr Mok. Just a couple of other</p> <p>23 topics.</p> <p>24 In your second witness statement -- C32/24090,</p> <p>25 I think -- you deal with photographs, most of which</p>	<p>1 well, Leighton workers would not appear at that location</p> <p>2 under that circumstance, and if you look at the attire,</p> <p>3 well, there should be dirt, say for example rust. If</p> <p>4 you ask me, I would think that these two were</p> <p>5 Fang Sheung workers.</p> <p>6 MR PENNICOTT: If you could be taken, please, to 227 -- you</p> <p>7 deal with this photograph in paragraph 23(c) of your</p> <p>8 second witness statement you make reference to the</p> <p>9 cutting tool that we can see in the photograph, and you</p> <p>10 say that type of cutting tool was used by Fang Sheung</p> <p>11 workers for legitimate reasons such as cutting rebar, ie</p> <p>12 not threaded rebar, and to ensure it was the correct</p> <p>13 length to be installed into openings in the slab, ie</p> <p>14 a point you made earlier, such as manholes; do you see</p> <p>15 that, Mr Mok?</p> <p>16 A. Right.</p> <p>17 Q. Did you actually personally see, in your inspections and</p> <p>18 doing your rounds, as it were, Fang Sheung workers using</p> <p>19 that machine to cut rebar for those purposes?</p> <p>20 A. I did.</p> <p>21 Q. Would that be on a regular basis or irregular basis?</p> <p>22 A. Let me put it this way. If necessary, that would be</p> <p>23 done. That means if there was an opening at that</p> <p>24 location, the dozens of rebars would be cut to the right</p> <p>25 dimension for it to be inserted, because the opening</p>
Page 74	Page 76
<p>1 we're quite familiar with, and I just wanted to ask you</p> <p>2 one or two questions about a couple of the photographs.</p> <p>3 In paragraph 23 of your second witness statement,</p> <p>4 you're responding to a paragraph in the witness</p> <p>5 statement of Mr Jason Poon, and you are dealing</p> <p>6 specifically with a number of the photographs that are</p> <p>7 attached to that statement. I expect you remember that,</p> <p>8 Mr Mok.</p> <p>9 If we could then go, please, to D1/225 to 232 -- 225</p> <p>10 to start with, please -- and go to 226. Mr Mok, you say</p> <p>11 in paragraph 23(a) of your second witness statement that</p> <p>12 the workers shown in this photograph that we're looking</p> <p>13 at, and indeed all the photographs up to 232, were not</p> <p>14 Leighton workers. Is that right?</p> <p>15 A. This one and 232 -- can you show me 232 as well?</p> <p>16 Q. Of course. There we are.</p> <p>17 A. Right. They are not Leighton workers. Can't be.</p> <p>18 Q. Right. My understanding is you think they are</p> <p>19 Fang Sheung workers?</p> <p>20 A. Right.</p> <p>21 CHAIRMAN: Sorry, you said they can't be. Can you explain</p> <p>22 why, in your opinion, they can't be?</p> <p>23 A. Leighton workers would wear Leighton's reflective vest,</p> <p>24 and you can see a different logo, a logo of Leighton and</p> <p>25 a different pattern. When they work on rebar fixing,</p>	<p>1 would be covered by rebars. But as to whether it was</p> <p>2 often, no, but it took place from time to time.</p> <p>3 Q. Right. That's very helpful. I think we also heard some</p> <p>4 evidence that they might use the cutting machine for</p> <p>5 cutting "sifu" bars. Is that something you're aware of?</p> <p>6 A. Yes. In this photo, we call it a -- well, it's</p> <p>7 a portable tool, it's a cutting machine. And as to</p> <p>8 other rebar cutting work by Fang Sheung, they would use</p> <p>9 their machine to cut rebars by shearing. For the spacer</p> <p>10 bar, they would use the same machine to do it. It's</p> <p>11 rather large in size and it's stationed at a certain</p> <p>12 place and cannot be used in a hand-held way.</p> <p>13 Q. Okay. But, in relation to this photograph, you say that</p> <p>14 you think these workers were from Wai Kei; is that</p> <p>15 right?</p> <p>16 A. Right. Well, actually, they were direct labourers of</p> <p>17 Leighton, but the actual contract was Wai Kei but they</p> <p>18 were under the direct supervision of Leighton.</p> <p>19 Q. Right. And you say they were trimming or appear to be</p> <p>20 trimming the excess lengths of vertical reinforcement</p> <p>21 installed in the diaphragm wall?</p> <p>22 A. Right.</p> <p>23 Q. Which you say was an appropriate and legitimate task to</p> <p>24 be doing?</p> <p>25 A. Right.</p>

Page 77	Page 79
<p>1 Q. Okay. Now, lastly from me, can I just ask you to be 2 shown C13/8648. 3 Mr Mok, you will recall earlier this morning I asked 4 you a question about whether or not you were requested 5 by Leighton to come back earlier this year to assist in 6 the compilation and collation of documentation that 7 various parties were pressing Leighton to provide. Do 8 you remember that? And you agreed that you did come 9 back and assist? 10 A. Right. 11 Q. Can I ask you to look at 8648 in bundle C13. Is this 12 a document that you're familiar with, Mr Mok? 13 A. I have seen it. 14 Q. Right. Did you have a hand or did you participate in 15 preparing it? 16 A. I did. Well, the part that I have participated in was 17 the biggest box. That is, the diagram of diaphragm 18 wall, that box, within that box was my contribution. 19 Q. Right. So the panels, the diagram of the three panels, 20 EH75, EH74 and EH73? 21 A. Right, and on the side: 22 "EWL slab top bars: 23 T1. 14T40". 24 Those two rows were my contributions. 25 Q. So the identification of the bars?</p>	<p>1 A. Yes, yes, yes. 2 Q. You will see, in the top right-hand corner of that 3 document, it relates to "C1-1 East"; do you see that, 4 Mr Mok? 5 A. Yes, I see it. 6 Q. Then go over two pages to 8650. 7 A. Yes, I see it. 8 Q. You will see it says, "C1-1 (East) R1", which I imagine 9 stands for revision 1; do you see that? 10 A. Yes, I see it. 11 Q. And it's "Revised on 31 July 2018"; do you see that? 12 A. Yes, I see it. 13 Q. Again, were you involved in the preparation of this 14 document, the revised document? 15 A. Yes, I was involved. 16 Q. What parts of it did you assist with? 17 A. It's mainly the D-wall drawings, the diagram there, and 18 also to find out how many coupler connections there were 19 in each bay. So it's again within the biggest box. 20 Q. Right. We can see the actual number of rebar, T1, T3 21 and T5, has changed from the previous drawing? 22 A. Yes. 23 Q. So can you remember now why there was that change? 24 A. Because in June, I was asked by the seniors to go back 25 to the head office to prepare the summary for the first</p>
Page 78	Page 80
<p>1 A. Mmm. 2 Q. I see. Did you know why you were being asked to prepare 3 this document? 4 A. At the time, I think it was June, probably, the 5 engineers of the different areas all went back -- at the 6 time, the information that was given was that we had to 7 identify or summarise in each bay how many coupler 8 connections there were. So that was the instruction at 9 the time. 10 Q. All right. And who did that instruction come from? 11 A. I can't recall exactly, because at that time there were 12 several seniors there. I couldn't recall exactly which 13 one initiated this exercise. 14 Q. Right. Who are the possibilities? 15 A. Which ones? At the time -- well, perhaps I could put it 16 this way. We had the format of this form -- we didn't 17 prepare the format of the form. At the time, the format 18 of the form was from Leighton's design team, and 19 on site, at the time, there was Guntung from the design 20 team there. He's the Leighton's design team, and he 21 gave us the format of this form. It was a blank form 22 that he gave us, and then based on this form, then we 23 summarised the information in the form. 24 Q. Right. So you were given this by Guntung this year to 25 carry out this exercise, your part of it, I mean?</p>	<p>1 time. It was a bit rushed. So we just looked at the 2 D-wall shop drawings and copied the information from 3 there and put it here. But then, later on, I could 4 recall more information and there should be -- actually, 5 not "should be" but "rather", at the time, through-bar 6 connection was done instead, so that's why we changed 7 the quantity of the couplers. Because in the process we 8 found there were problems so we had to reflect the 9 on site position in the latest document. That's what we 10 did. 11 Q. And we can see on this revised sheet at 8650 a reference 12 to "additional T25 drill-in bars"; do you see that, 13 Mr Mok? Were you responsible for putting that detail 14 onto this document? 15 A. Yes, right. 16 Q. What information did you look at in order to be able to 17 put that on this drawing? 18 A. The first thing was -- well, I mentioned this morning -- 19 there was a TQ covering the drill-in bars detail, and at 20 the time I was responsible for this area, I recall we 21 did do the T25 dowel bars. That's what I said this 22 morning, the dowel bars. So we did install the drill-in 23 bars and that's why I included it here, just to reflect 24 that drill-in bars were installed. So that's the dowel 25 bars I mentioned this morning, at the tremie location.</p>

Page 81	Page 83
<p>1 Q. Right, as a consequence of a TQ?</p> <p>2 A. Yes. It's based on the TQ, and from what I did on site</p> <p>3 at the time.</p> <p>4 MR PENNICOTT: All right. Thank you very much, Mr Mok.</p> <p>5 I'm sorry I've gone on a bit longer. At least I've</p> <p>6 finished.</p> <p>7 CHAIRMAN: That's all right. Yes.</p> <p>8 MR PENNICOTT: I suppose we can break for lunch.</p> <p>9 CHAIRMAN: Yes, certainly.</p> <p>10 Mr Mok, we are going to break for lunch now. You</p> <p>11 haven't completed your evidence yet, so you are not</p> <p>12 permitted to discuss any aspect of your evidence with</p> <p>13 anybody while you are still in the witness box, so to</p> <p>14 speak. Do you understand?</p> <p>15 WITNESS: (In English) Yes.</p> <p>16 CHAIRMAN: Only when you have completed your evidence fully</p> <p>17 can you then, if you wish, discuss it with other people.</p> <p>18 WITNESS: (In English) Okay.</p> <p>19 CHAIRMAN: So we will return at --</p> <p>20 MR PENNICOTT: 20 past?</p> <p>21 CHAIRMAN: -- 2.20. Thank you.</p> <p>22 (1.10 pm)</p> <p>23 (The luncheon adjournment)</p> <p>24 (2.22 pm)</p> <p>25 Questioning by THE COMMISSIONERS</p>	<p>1 reinforced steel bars; do you see that? In other words,</p> <p>2 he does not appear to be hiding from anybody. Or, put</p> <p>3 another way, it appears to be an act which he is doing</p> <p>4 openly. Would you accept that, on the appearance of the</p> <p>5 photograph?</p> <p>6 A. Yes, as it appears on the photograph, it appears to be</p> <p>7 the case.</p> <p>8 CHAIRMAN: It's just that it struck me, as a basis for</p> <p>9 a question, that you speak quite properly of there being</p> <p>10 a number of legitimate reasons why cutters would be used</p> <p>11 to actually trim reinforced bars; right? For example,</p> <p>12 there's a photograph which you looked at which showed</p> <p>13 a rebar protruding vertically and you would want to cut</p> <p>14 that so that the concrete pour, you wouldn't have this</p> <p>15 bar sticking out of the concrete. You've also spoken</p> <p>16 about other reasons, for example, trying to -- or</p> <p>17 ensuring that a manhole was properly fashioned.</p> <p>18 And it seems to me, therefore, that on a fairly busy</p> <p>19 building site such as this, it might be quite easy to</p> <p>20 just undertake this type of trimming of rebar threads</p> <p>21 without anybody paying particular attention, because it</p> <p>22 was not uncommon to see people cutting reinforced bars</p> <p>23 and things of that kind. I may be wrong; I'm seeking</p> <p>24 your comment.</p> <p>25 A. Previously, as I mentioned, before they began each</p>
Page 82	Page 84
<p>1 CHAIRMAN: I'm sorry, just before we move on, I have</p> <p>2 a question or two, if I may. Thank you very much.</p> <p>3 Could we go to that photograph which I think is</p> <p>4 D228, the notorious one that shows somebody cutting</p> <p>5 a bar.</p> <p>6 If you have a look at that photograph, Mr Jason Poon</p> <p>7 said that he took that photograph, and he said -- that</p> <p>8 was his evidence, that he took that photograph because</p> <p>9 it showed a somebody cutting the thread at the end of</p> <p>10 a rebar.</p> <p>11 I appreciate it's very difficult because</p> <p>12 a photograph is simply an instant in history, it's not</p> <p>13 extended like a video, but would you agree that it looks</p> <p>14 as if the thread is going to be shortened or cut in some</p> <p>15 way?</p> <p>16 A. Agree.</p> <p>17 CHAIRMAN: And, to your knowledge, would there be any reason</p> <p>18 why that would be done legitimately?</p> <p>19 A. No reason that it could be done legitimately, and that</p> <p>20 is to cut a threaded section of a rebar.</p> <p>21 CHAIRMAN: Yes. It's just that if you then take the</p> <p>22 photograph out of its zoom and put it at wide angle</p> <p>23 insofar as you can -- there we are -- what that</p> <p>24 photograph seems to show is that this worker is actually</p> <p>25 crouched on the open matting, or the mat, of the</p>	<p>1 layer, they would make the coupler connection first, for</p> <p>2 the connection. And that's right, chairman, you</p> <p>3 mentioned that in such a complicated area -- with slight</p> <p>4 differences among the different bays, and as I mentioned</p> <p>5 before on and off we would see Fang Sheung working with</p> <p>6 this machine, but it depends on the circumstances and</p> <p>7 the time. Say, if they were making the connections,</p> <p>8 they shouldn't be using this equipment, because when</p> <p>9 they made the coupler connections, all the workers</p> <p>10 should be doing the same thing at the same time.</p> <p>11 So, as far as we could see, they should be all</p> <p>12 squatting, doing this motion of screwing couplers,</p> <p>13 instead of screwing couplers and went away and then</p> <p>14 coming back to do some more.</p> <p>15 CHAIRMAN: In fact, if you look at another photograph, which</p> <p>16 is either the one before or the one after, you will see</p> <p>17 two men -- not that one, no.</p> <p>18 MR PENNICOTT: 232.</p> <p>19 CHAIRMAN: There we go. If we can turn it.</p> <p>20 Now, on the left-hand side of this photograph,</p> <p>21 there's a yellow pipe, and in fact that yellow pipe is</p> <p>22 behind the man you have just seen cutting the threads,</p> <p>23 and when one ties that in with the fact that the two</p> <p>24 photographs were taken within a matter of a couple of</p> <p>25 seconds of each other, it tends to suggest that this man</p>

Page 85	Page 87
<p>1 was cutting the threads off a rebar while very close 2 behind him other workers were actually threading rebars. 3 So it tends to show that in fact there wasn't, as 4 you suggested -- this is not a criticism -- this 5 entirely concerted set of actions, that what we appear 6 to have here is two men threading the rebars in and one 7 man perhaps trimming the threads off. Would you agree 8 that that may be the case? 9 A. As far as I could see, this photo together with the 10 previous one, on the right-hand side this man in long 11 sleeves should be the same worker, and he was -- 12 CHAIRMAN: The same worker? 13 A. (In English) Should be. 14 CHAIRMAN: Okay. That makes it even worse, actually, 15 because what you're suggesting is that he's trimmed the 16 thread off and then he's taken the rebar across and he's 17 now putting it in. 18 COMMISSIONER HANSFORD: Would the time have allowed that? 19 What's the time difference in those two photos? 20 MR PENNICOTT: A minute. 21 CHAIRMAN: A minute. Yes, might have done. All right. 22 So I think this is the problem that I face and where 23 I need your assistance here. It seems to us, at the 24 moment, subject to everything that may be said, 25 including your evidence, that in fact, if you really</p>	<p>1 made by other senior engineers of Leightons, who told 2 you what the result was and told you what to look out 3 for or anything like that? 4 A. Well, at that time, there wasn't, but as I mentioned 5 before, after all, it was quite busy at the time, and my 6 view was that instead of finding fault we should find 7 ways to prevent such things from happening again. 8 CHAIRMAN: No, I appreciate that, and I don't want to labour 9 the point too much, but, you see, perhaps as 10 a manager -- and it's easy for me to sit here; I don't 11 have to work as you do, I don't have to have all the 12 trials and tribulations and everything else and trying 13 to manage lots of people -- but I had already seen two 14 instances where this happened, I've now seen an instance 15 where it's happened five times, all in one little go. 16 That's quite a thing to do. They haven't taken one, 17 they've taken a whole little picnic basket of it, 18 haven't they, and cut them all, and got away with it, 19 almost. I would be thinking to myself: why are they 20 doing this? We've got to find some way to stop it. Not 21 by simply saying, "Don't do it again", and it's 22 a backward-looking thing, it's a historical thing too, 23 because if you've caught them now five times doing it, 24 how many more times have they done it without you seeing 25 it? And unless you know why they may be tempted to do</p>
Page 86	Page 88
<p>1 wanted to cut the thread off a rebar, on this particular 2 busy site, if you were pushed for time or you wanted to 3 take a short-cut, or for any number of reasons why 4 people would do this kind of thing, you could actually 5 do it and probably get away with it, although there 6 would obviously be a risk. 7 A. Yes, it is possible, but I think that this would rarely 8 happen. As far as I personally could see, I would have 9 definitely stopped him. 10 CHAIRMAN: Yes. Of course, I'm not suggesting that because 11 it seemed to happen once, that by logical deduction it 12 must have happened all the time. The two do not link 13 together at all, I appreciate that. 14 But thank you very much. You've been of great 15 assistance, thank you. 16 Sorry, one further question that falls from that. 17 You were -- and this is said without any disrespect -- 18 but you were a fairly junior engineer on site, and I can 19 appreciate that it's not for you, as a junior engineer, 20 to assume the role of a senior and much more experienced 21 engineer, and you've already said that you yourself 22 didn't ask the foreman of Fang Sheung why it was that 23 these people were cutting the rebars because they had 24 now done it on three different occasions with eight 25 rebars. But, to your knowledge, was there any enquiry</p>	<p>1 it, you can really gain no intelligence as to whether 2 perhaps they have been doing it more than you have 3 noticed. 4 Would you agree with that? 5 A. Yes. But let me elaborate. 6 CHAIRMAN: Yes, of course. 7 A. It's not the case that we did nothing at all. In fact, 8 after the incident was revealed, each time before the 9 site was handed over to Fang Sheung, the couplers' 10 condition would be checked. So perhaps initially, from 11 Leighton's perspective, we perhaps did not check each 12 and every one in such meticulous detail. But after the 13 first or even the second incident happened, and as far 14 as I was concerned, I would do it in a very precise 15 manner. I would not just conduct visual inspection. 16 Because if you only look with the naked eye, you need to 17 be very careful to look at the details. 18 Let me give you one example. Say, for a coupler, 19 you might have observed that there was no debris, no 20 concrete residue inside, but once you saw Fang Sheung 21 did the trimming, of course there would be some problem, 22 so you would look in greater detail whether there was 23 a dent or some sort of a scratch on one of the threads 24 on the coupler. 25 So, at first glance, you may find that it was all</p>

Page 89	Page 91
<p>1 right, but that was without very detailed check. So, 2 for these few numbers of couplers, we would check in 3 greater detail. 4 My view is that Fang Sheung had to cut the threads 5 to complete the work, because of course there was 6 a problem. If the couplers could be screwed in very 7 smoothly, there would not have been any need to cut the 8 threads. So that was before we handed over the site to 9 Fang Sheung, we would make sure that the condition was 10 all right, to make sure that the coupler problem would 11 not occur again. 12 CHAIRMAN: All right. So you did this after the discovery 13 of these cut rebars? 14 A. (In English) Yes. 15 CHAIRMAN: This is not a critical question, and you checked 16 the reinforced bars afterwards, to -- you did so on 17 a sample basis, I take it? So you wouldn't go and turn 18 every single rebar and take it out. You might as well 19 have then done the whole thing yourself. I mean, is it 20 correct that once you realised that you had a potential 21 problem, you did check the rebars to make sure they were 22 properly installed into the couplers, but you would have 23 done so on a sample basis? 24 A. After the third incident with the NCR, we conducted 25 sampling. We conducted random sampling at that time.</p>	<p>1 a little bit and watch the screwing of couplers, and if 2 rebars were not cut, at that time, I would have 3 convinced myself that the coupler connections were not 4 made after the threads were cut. So that is how 5 I convinced myself. 6 CHAIRMAN: All right. Thank you. And there would have been 7 quite a bit of concrete already poured, am I right, by 8 15 December 2015? I don't expect you to remember how 9 many bays had been poured, but there would have been 10 a fair amount? 11 A. Yes. 12 CHAIRMAN: Thank you very much for your help. 13 MR PENNICOTT: Sir, I have finished my questioning. I don't 14 know who else has some questions for Mr Mok. 15 MR TO: China Technology does not have any questions. 16 CHAIRMAN: Thank you. 17 Cross-examination by MR KHAW 18 MR KHAW: Just a few questions. Mr Mok, I am acting for the 19 government. In light of the detailed discussion that 20 Mr Pennicott had with you, I only have a few questions 21 for you. 22 You just told us, in response to Mr Chairman's 23 question in relation to the sample check which was done 24 after the third bar cutting incident -- do you remember 25 that?</p>
Page 90	Page 92
<p>1 So we chose a few rebars randomly and unscrewed them and 2 checked their conditions. As to why we did not do the 3 same on other occasions, as I said, before the coupler 4 connections were made, I checked the conditions of the 5 threaded bars ahead of installation. 6 CHAIRMAN: Good. Just one final question. As far as the 7 commencement of checking is concerned, the type of 8 checking you've just referred to, this was after the 9 discovery of the five cut rebars, and that would have 10 been late in 2015? I'm trying to remember the date. 11 MR PENNICOTT: 15 December. 12 CHAIRMAN: 15 December. So, just so that we have the 13 chronology right, it would be correct then that, to your 14 knowledge, sampling inspections took place after 15 15 December 2015? 16 A. We did not conduct sampling checks after that date. 17 Let me put it this way. Random sampling checks were 18 only conducted on 15 December but not after. 19 CHAIRMAN: Why was that? Because you had a problem? 20 I mean, it's like if you know they're stealing hub caps 21 from your car factory, you can go and say, "Don't steal 22 any more hub caps", but you're going to go and check the 23 stock inventory, not just once but several times? 24 A. Yes, but as I've said before, if I saw that before 25 installation the rebars were not cut, I would stand back</p>	<p>1 A. After I knew about the third incident of cut rebars, 2 there was -- I was at the site when the rectification 3 works were conducted, and myself and the inspector were 4 there and we had some time. That's why we asked the 5 workers to conduct random sampling checks, but the 6 checks were not done after the incident. We had time at 7 that time to conduct the checks. That is why we 8 performed them. 9 Q. So the sampling check was actually conducted during the 10 course of the rectification works being carried out by 11 the workers for the third incident; right? 12 A. Yes, correct. 13 Q. Do you recall who initiated or raised the idea of doing 14 the sample check? Is it your own idea or is it your 15 superior's idea? 16 A. Probably the MTRC's inspector of works. 17 Q. So, as far as you understand the situation, nobody from 18 Leighton ever discussed with you regarding the need to 19 carry out any sampling check; is that right? 20 A. No one raised that idea of a sampling check. We merely 21 followed our normal procedures. 22 Q. I would like to just bring your memory back to the first 23 bar cutting incident that you discovered in 2015. Now, 24 at that time, you were doing inspection with MTR 25 inspector?</p>

Page 93	Page 95
<p>1 A. From my recollection, I was with the MTRC's engineer. 2 Q. Do you remember who first identified the problem, you or 3 the MTR engineer? 4 A. I can't remember who identified the problem first. 5 Every time during inspection we would patrol the areas 6 and they might have discovered the issue and then we 7 would look at them. We did not specifically recall who 8 found out about the problem first. 9 Q. The problem was identified when somebody found out that 10 there was a gap between the threaded rebar and the 11 coupler; is that correct? 12 A. Yes, correct. 13 Q. And after this incident, you said in your witness 14 statement that you then tried your best to check whether 15 other coupler installations were properly done or not. 16 Do you remember that? 17 A. Yes. 18 Q. So, at the time when you are trying to check whether the 19 other coupler installations were properly done or not, 20 did you pay particular attention to whether there was 21 any further gap between the threaded rebar and the 22 coupler? 23 A. Of course we would pay more attention to that, but at 24 the end we would follow our normal procedures. 25 Q. Would you agree that at that time, if you did not carry</p>	<p>1 because this machine was deployed at that time. 2 COMMISSIONER HANSFORD: Sorry, I don't understand the 3 answer. This photograph was attached to what? 4 A. I suppose, in my recollection, in the NCR. 5 COMMISSIONER HANSFORD: And you say, "If a torch was used, 6 it would probably leave a black mark." What does that 7 mean? 8 A. Because the NCR showed that threaded sections of rebars 9 were cut, and then from the way the bars were cut we can 10 exclude the possibility. I mean, if we looked at the 11 cut end, the torch would not have been used. It was 12 probably used by such a machine, and that is why this 13 photograph was attached to the NCR, showing that this 14 machine was used for the purpose. 15 COMMISSIONER HANSFORD: Okay. And what do you mean by 16 a torch? 17 A. Because for bar cutting involving temporary works, or 18 perhaps sometimes for safety reasons at the site, with 19 bars protruding, it was possible that an oxyacetylene 20 torch should be used for cutting, but such a torch could 21 not be used here. 22 COMMISSIONER HANSFORD: Now I understand. You are talking 23 here about a cutting oxyacetylene torch, whereas 24 elsewhere you are talking about a torch that you point 25 to look at things.</p>
Page 94	Page 96
<p>1 out any further checks, for example sample check, by 2 unscrewing the threaded rebar from the installation 3 point, from the connection point, it would be impossible 4 to exclude the possibility that there would be other 5 threaded rebars having been cut? Would you agree? 6 A. Yes, there is such a possibility. 7 Q. After the third incident, you told us about the sample 8 check which was probably initiated by MTR, et cetera. 9 Did anyone from Leighton make any decision or ever 10 discuss with you as to whether further steps should be 11 taken to tighten the inspection process? 12 A. The process was not further enhanced. But as I said, 13 I spent more time looking at the coupler connections. 14 Q. Thank you. Perhaps one final question regarding the 15 third bar cutting incident. If we can take a look at 16 C27. First of all, if we can have a look at 20227, 17 which is a photograph showing the bar cutting machine. 18 A. Yes. 19 Q. Yes. Now, in relation to the third bar cutting 20 incident, were you ever told as to why a photograph of 21 this machine was taken? 22 A. This photograph was attached, and as far as trimming was 23 concerned, the bars were probably trimmed with this 24 machine. If a torch was used, it would probably leave 25 a black mark. So I feel that the photo was attached</p>	<p>1 A. (In English) Yes. 2 COMMISSIONER HANSFORD: I was getting confused about the two 3 uses of the word "torch" but now I understand. Thank 4 you. 5 MR KHAW: You just told us that from your understanding, 6 this machine was more likely to be the machine used for 7 the bar cutting incident. 8 A. Right. 9 Q. Did anyone actually confirm with you or did you hear 10 from anybody that this machine was identified to be the 11 machine that was actually used for the bar cutting 12 incident? 13 A. Nobody told me. 14 Q. Were you ever able to identify who was the worker or who 15 were the workers who were actually responsible for 16 cutting the threaded rebar in relation to the third 17 incident? 18 A. No. 19 Q. You told us before lunch this morning that you yourself 20 were not aware of the actual reason for the bar cutting 21 incident, but you thought that it happened possibly 22 because the workers had experienced difficulties in 23 trying to screw in the threaded rebars; do you remember 24 that? 25 A. Yes, correct.</p>



<p style="text-align: right;">Page 97</p> <p>1 Q. While you were working on the site, did you ever hear 2 from anybody -- either a worker, your colleague or other 3 sub-contractors -- that the bar fixing workers or any 4 worker actually experienced difficulty in trying to 5 screw in the threaded rebar for coupler installation? 6 A. In fact, yes. Joe Cheung from Fang Sheung, most of the 7 time he would approach the frontline staff to resolve 8 the issue, because if there was a faulty coupler 9 requiring replacement the direct labourer of our 10 frontline staff would be approached. In case the 11 supervisor or the foreman could not be contacted, he did 12 ring me, telling me that in a certain area certain 13 numbers of couplers so and so, and he would do that via 14 WhatsApp and then he would say that "in that area 15 several couplers need replacement and you'd better do 16 that as quickly as possible." Yes, it happened. 17 Q. When you talk about the incidents where Joe Cheung of 18 Fang Sheung actually informed you or somebody in 19 Leighton in relation to the problems encountered in 20 coupler installations, were those problems actually 21 caused by the design of the coupler or were they caused 22 by anything else? 23 A. Let me put it this way. The design ideally should be 24 that it should be done layer after layer, but after 25 completing the D-wall, when we exposed the coupler by</p>	<p style="text-align: right;">Page 99</p> <p>1 done? Because here we cannot find any of these 2 pictures. 3 A. No, because in each bay, for properly done couplers, if 4 you took a close shot, regardless of the area in which 5 it was taken, they would look pretty much the same. We 6 did not taking pictures of those properly installed 7 couplers because it wasn't necessary. 8 Q. I would like to just further explore a bit with you in 9 relation to some of the records that Mr Pennicott showed 10 you before lunch. 11 If we can go back to the record that Mr Pennicott -- 12 or one of the records that Mr Pennicott showed you. 13 It's at C13/8648. Do you remember this one we saw this 14 morning? 15 A. Yes. 16 Q. If I can -- now, this record in fact shows "C1-1 17 (East)", and then there are three -- 18 A. (In English) Drawings. 19 Q. -- bays in question, EH75, EH74 and EH73; do you see 20 that? 21 A. Yes. 22 Q. Perhaps I will just for the purpose of illustration take 23 you to see another similar record. If we can go to 24 G12/9883. 25 This is, I'm sure you would be able to tell us,</p>
<p style="text-align: right;">Page 98</p> <p>1 breaking the concrete up, the situation may not be as 2 ideal. There might be slight misalignment instead of 3 perfect layering, leading to these problems. 4 Q. So, according to your recollection, all the problems 5 regarding coupler installation that Joe Cheung actually 6 discussed with you related to the alignments of the 7 couplers after the couplers were exposed? 8 A. Apart from misalignment, there were circumstances in 9 which visually he was of the view that the couplers 10 might be rusty or might be scratched. He would ask us 11 to replace it in advance, because right before we handed 12 over the site to him, he would personally check the site 13 before he asked his workers to start screwing them in, 14 and when he found problems by visual checks he would ask 15 us to replace them. 16 Perhaps that had never happened before, but if he 17 thought that there would be a problem he would ask us to 18 replace them. 19 Q. If we can take a look at the same bundle, C27, C20234. 20 There were some pictures which were apparently taken at 21 the time when the rectification works were carried out. 22 Were you there at that time? 23 A. Yes. 24 Q. Did anyone take any photograph which actually shows the 25 condition after all the rectification works had been</p>	<p style="text-align: right;">Page 100</p> <p>1 a similar record to the one we've just seen, but it 2 shows a different area, "C3-3 (East)", and then there 3 are four bays involved; do you see that? 4 A. Yes, correct. 5 Q. You told us this morning that you were asked to supply 6 information regarding the box at the top of this 7 particular document, ie the box on top of the table 8 which has "Item", "Description", et cetera. So you are 9 responsible for the diagrams regarding the four bays; 10 right? 11 A. Correct, yes, and also those entries in the boxes, and 12 the drawing reference. 13 Q. And the drawing references? 14 A. Yes. 15 Q. Then we also see some numbers in this particular box, 16 under "EWL slab", you see T1, this particular number, 17 59T40. I think those are the numbers in relation to the 18 number of couplers in relation to a particular model, 19 say 59 -- T1: 59T40, does it mean 50 couplers of T40 -- 20 59 couplers of T40? 21 A. That's right. Yes, for the T1 layer, if you look at 22 these four bays and the drawings, you will see the black 23 dots. Altogether, there should be 59. That's why, for 24 T1 layer, there should be 59 T40 connections. 25 Q. If we can let this particular document stay on the</p>

Page 101	Page 103
<p>1 screen for the time being, and if we can take a look at 2 another document, H14/35067.</p> <p>3 Yes, we will see whether we can put this side by 4 side together with the last document that we have just 5 seen.</p> <p>6 If we take a look at 35067, you can take it from me 7 that this is one of the inspection records that the 8 officer of a government department, the Highways 9 Department, were shown at a visit to the MTR office on 10 6 June this year.</p> <p>11 A. (In English) Okay.</p> <p>12 Q. You can take it from me that this was shown, and in fact 13 that is why they managed to take a photograph of this 14 particular record.</p> <p>15 A. Mmm.</p> <p>16 Q. Now, if we can blow up the one on the right a bit, we 17 can see that this also relates to the same bays: EH106, 18 105, 104 and 103; do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. And this is also in relation to the same area, "C3-3 21 (East)"; do you see that?</p> <p>22 A. Yes, correct.</p> <p>23 Q. One obvious difference between the two, as we can see, 24 is that the heading or the title of these two documents 25 was different, because the one we saw previously is</p>	<p>1 A. They did not precisely point out EH105, EH106, 2 et cetera, but the instruction I received at that 3 time -- well, taking this example, it was C3-3 slab. In 4 other words, I have to advise the number of connections 5 to the east and west of the bay. No specific bay was 6 mentioned.</p> <p>7 Q. So, when you were given this particular document, 8 whichever one you are referring to -- for example, if we 9 look at the title of the document on the right, 10 "Interfacing structure: EH106, E105, EM104, EH103", were 11 these particulars already filled in when you were given 12 this particular document?</p> <p>13 A. No. Perhaps I did not explain the issue clearly before. 14 My main input was the part in the middle, and the line 15 "Interfacing structure" already existed, but I would 16 fill in the numbers.</p> <p>17 The format was already set but there were some 18 blanks.</p> <p>19 Q. Apparently there was quite a large volume of similar 20 documents that were provided to you so that you could 21 fill in the details regarding different bays; is that 22 right?</p> <p>23 A. I was responsible for the work. I was responsible for 24 the area C of EWL myself and Andy had input in the 25 matter.</p>
Page 102	Page 104
<p>1 called "As-built for on-site assembly of EWL slab wall", 2 et cetera, and the one on the right is entitled simply, 3 "Checklist for on-site assembly of EWL slab to 4 D-wall/slab couplers".</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. First of all, I would like to just see whether you have 8 any recollection of this. You told us this morning that 9 you were given this document by Guntung; do you remember 10 that?</p> <p>11 A. Yes, the design team gave me.</p> <p>12 Q. Do you recall which particular version were you provided 13 with?</p> <p>14 A. I don't know what version it was. To me, it would be 15 the same anyway, so I did not pay particular attention.</p> <p>16 Q. Obviously, you can't tell us why there was such 17 a difference; right?</p> <p>18 A. Correct. I do not know the reason.</p> <p>19 Q. You can also take it from me we have checked the other 20 contents of these two documents and they are basically 21 the same.</p> <p>22 When you were given either one of these two 23 documents by Guntung, you were obviously aware of the 24 fact that you were asked to provide information 25 regarding the four bays; is that correct?</p>	<p>1 Q. If we can scroll down both documents a bit. Further 2 down. Maybe move each document to the right a bit. The 3 same for the one on the left. Yes.</p> <p>4 We can see that they all relate to one particular 5 date, 19 December 2015; you can see that?</p> <p>6 A. Yes.</p> <p>7 Q. This was not put in by you; correct?</p> <p>8 A. Correct. I did not add such information.</p> <p>9 Q. You also told us this morning that you were not 10 responsible for filling in the information regarding 11 this particular table, ie the table consisting of 12 different rows, different bar numbers, regarding bottom 13 bars and top bars; you were not responsible for filling 14 in the information, by putting a circle "S"? It was not 15 done by you; right?</p> <p>16 A. Precisely the information on the bars and rows were 17 within my responsibility, because it was only a summary 18 of the numbers before them. I typed the information, in 19 other words all the handwritten information was not 20 filled by myself.</p> <p>21 Q. I take it, for example, that the boxes, say with "S/NS", 22 these were provided at the time when you were given this 23 particular document; correct?</p> <p>24 A. Yes. The "S/NS" was already provided, but nothing was 25 circled at that time.</p>

Page 105	Page 107
<p>1 Q. Do you know who actually put down the circle for "S", 2 for example, in the various boxes? 3 A. I do not know. 4 Q. Would you agree that perhaps only you and Man Sze Ho 5 would be in a position to fill in these boxes by putting 6 down a circle for "S" or "NS"? Would you agree? 7 A. You can put it that way, but in my opinion, if certain 8 words were to be circled, it must be done 9 contemporaneously at that time. 10 Q. But would you agree that the "S" or "NS" could only be 11 put by those people who actually carried out the 12 inspection? 13 A. Yes, I agree. 14 Q. And the people who actually carried out the inspection 15 would be you and Man Sze Ho; is that right? 16 A. Yes, for EWL slab area C. For other areas, other 17 engineers would be responsible. 18 COMMISSIONER HANSFORD: Before we leave this page, if you 19 are about to move on -- Mr Mok -- 20 A. (In English) Yes. 21 COMMISSIONER HANSFORD: -- I can see, if I look at the 22 right-hand side of this screen, within the box that you 23 completed, I can see a manuscript, "Plus 10T25 24 additional" or something. Firstly, do you know what 25 that means, and secondly did you complete that?</p>	<p>1 locations there were confirmed designs to add the T25 2 post-drill bars. So that is my deduction. 3 So I deduced that someone added the information. 4 COMMISSIONER HANSFORD: Right. Okay. 5 MR KHAW: If we can just move both documents slightly to the 6 left, I would like to see this table. Yes. 7 The first item, "Couplers fully screwed &amp; fitted" -- 8 so assuming that you were asked to put "S" or "NS" for 9 this particular item, you could only do it on the basis 10 of your memory as to what you saw two or three years 11 ago; is that right? 12 A. Yes, if you ask me now, yes. 13 Q. Perhaps a follow-up question on this. You told us this 14 morning that -- in relation to the diaphragm wall, we 15 all know that there are detailed checklists in relation 16 to a particular rebar in a particular area, but for 17 platform slabs we do not have that kind of detailed 18 checklist. We all accept that. 19 A. Yes. 20 Q. And you told us that insofar as records regarding 21 coupler installations are concerned, for the slabs you 22 would be relying first on the RISC form and secondly the 23 concrete in situ form; do you remember? 24 A. Yes. To be more specific, for the RISC form, there were 25 two forms, one for rebar fixing, and there was one</p>
Page 106	Page 108
<p>1 A. I did not add that information, but having read the 2 document, I see that it was referring to the T25 bars or 3 post-drill drills. It referred to the T25 post-drill 4 bars. 5 COMMISSIONER HANSFORD: How would anyone know that? How 6 would anyone know that 10 T25s were added? Where would 7 that information have been obtained? 8 A. As I said before, it was based on the TQ -- Atkins; for 9 every tremie position, there must be two T25 post-drill 10 bars, and I added this based on such information. 11 COMMISSIONER HANSFORD: Sorry, you added this? 12 A. I did not write these words. 13 COMMISSIONER HANSFORD: Okay. I think I'm still unclear as 14 to where the information was derived, but maybe I'll 15 wait and that will emerge a little bit later. 16 Mr Pennicott is shaking his head so perhaps it won't. 17 Do you know how that information that on B3, the 59 18 T40s, there was 10 T25s added -- do you know where this 19 information could be obtained? 20 A. Let me first of all talk about "59T40". It was based on 21 the diagram. Of the four bays, and when we look at the 22 B3 layer we counted the number of couplers, and together 23 with all four bays there were 59 couplers. 24 As for "Plus 10T25", it was not my writing and I did 25 not write that, but as far as I know, at tremie</p>	<p>1 procedural checklist. 2 Q. Regarding the RISC form -- well, we know that the 3 purpose of the RISC form is to inform MTR that 4 inspection by Leighton had been done for a particular 5 kind of works, so that MTR could start inspection; 6 right? 7 A. Correct. 8 Q. And presumably, in order to fill in the RISC form in 9 relation to a general statement that inspection had been 10 done by Leighton, you also had to rely on your own 11 memory as to what you saw and inspected at the material 12 time; is that correct? 13 A. Let me put it this way. The RISC form carries this 14 purpose, and that is to arrange for an inspection with 15 the MTR, and it was possible that when I issued the RISC 16 form that day the works had not yet been completed. 17 I may estimate that it would take another half-day to 18 complete the works but I would prepare the form in 19 advance. 20 So, to be precise, by the time I submitted the form, 21 whether works had been totally completed and inspection 22 had been done, that might not be the case. I just 23 predicted that the following day the work would have 24 been completed. 25 Q. But as far as the work that you in fact had inspected,</p>

Page 109	Page 111
<p>1 and then you put on the RISC form that things were 2 inspected, then obviously that would depend on your 3 recollection as to what had been inspected; is that 4 correct? 5 A. Correct. At the time when I submitted the form, the 6 works might not have been completed. Perhaps it was the 7 following day. Before the MTRC received it, I would 8 check again to see if the condition was okay before 9 I would ring the MTR representative to come to the site. 10 Q. Perhaps the last issue that I wish to explore with you 11 is the design change that you mentioned briefly this 12 morning. 13 You told us that in relation to design change, the 14 information that you gathered was from some verbal 15 instructions regarding the technical queries; do you 16 remember that? 17 A. Yes, correct. 18 Q. So, at the time when works were carried out in 19 accordance with the design change, you were never given 20 any particular drawings on site; is that correct? 21 A. Correct. But it was based on the information combined 22 with that drawing, yes. 23 Q. Am I correct to say that without the drawings, you were 24 unable to have the exact specifications in relation to 25 the design change, for example the particular location</p>	<p>1 Q. Can I take it that this was put in by you, or by anyone 2 else? 3 A. I suppose it was by me, but at the time Andy Ip and 4 myself also took part in looking up the summary. So it 5 could be either him or me. 6 Q. So particular piece of information was based on the 7 drawings that you saw at that time? 8 A. In fact, it was based on the TQ issued. Well, technical 9 queries were issued, and according to Atkins, additional 10 T25 drill-in bars were needed at that location. As for 11 whether it was stated in the original drawing, I am not 12 sure. But as a backup document it was suggested that 13 bars should be added there. 14 Q. So, when you put in this piece of information, whether 15 such information is actually consistent with the 16 drawings, with the final design drawings, or not, you 17 couldn't be sure; right? 18 A. Can you repeat the question? 19 Q. So, when you put in this information for this revised 20 record, ie additional T25 drill-in bars, and then 21 I think you also put down some markings there, when you 22 provided this piece of information you could not be sure 23 as to whether this piece of information is actually -- 24 first of all, you could not be sure whether this was 25 something which was actually done; would that be right?</p>
<p>Page 110</p> <p>1 for installation of through-bars, et cetera; would you 2 agree? 3 A. Because if you are talking about that drawing, I think 4 it's a working drawing. It was combined with the verbal 5 confirmation I received, and the difference between the 6 two was just that two couplers were missing. Well, in 7 the original drawing, the near face and far face of the 8 D-wall would have coupler connections. Then I got the 9 information that with that through-bar, there would not 10 be couplers on both ends. So, in terms of what I saw 11 on site, the difference was the missing couplers. In 12 terms of the bar size and spacing, they were the same. 13 Q. But on the site, when the works were being carried out 14 in relation to that particular design change, you were 15 not even given any working drawing; is that right? 16 A. At the time, there were sketches, but, right, no working 17 drawing. 18 Q. If we can then take a look at document C15/10250. You 19 can take it from me that this shows a revised record in 20 relation to the same area, as specified in the other two 21 records that we have just seen, also "C3-3 (East)" and 22 the four bays. 23 If we take a look at the additional T25 drill-in 24 bars in red colour -- do you see that? 25 A. Yes.</p>	<p>Page 112</p> <p>1 A. In my recollection, it was done, because it was under -- 2 for the areas that I was responsible for, it was done. 3 Q. Okay. You could not be sure as to whether this piece of 4 information is consistent with the final drawings? 5 A. That's right. If we look at the drawing at the time, 6 I can't be sure whether this information could be 7 located. But then there was the technical queries which 8 mentioned this in its reply, yes. 9 Q. According to the inspection and test plan, would you 10 agree that you are required to check the working 11 drawings for the inspection of rebar fixing? 12 A. Yes, yes, I had to. 13 However, I would like to add -- perhaps before the 14 lunch break I did mention the working drawing having 15 some minor ad hoc issues on a case-by-case basis, and in 16 such a situation the main contractor would raise a TQ 17 for Atkins, and according to Atkins, we would prepare 18 the working drawing according to the reply and then it 19 would be combined with the TQ to facilitate 20 understanding so as to know what to do on site. 21 Q. But when you provided this particular piece of 22 information for this revised record, at that time you 23 agree with me that you were not given any final drawings 24 of the change in design; is that right? 25 A. That's right. Only the TQ and the reply.</p>

Page 113	Page 115
<p>1 Q. And you were not aware of whether or what drawings had 2 been submitted for acceptance or approval; would that be 3 correct? 4 MR SHIEH: For acceptance or approval by whom? 5 MR KHAW: By the government. 6 A. According to my understanding, we needed MTR's approval 7 and that would suffice. Whether there was any onward 8 submission to the government, I'm not sure. At the 9 time, we asked MTR, and the MTR said "okay" and then we 10 proceeded. 11 Q. But were you actually aware of what drawings were 12 approved by the MTR? 13 A. According to the understanding at the time, all the 14 working drawings were approved. As for the exact 15 condition and the exact approval status of the drawing, 16 I'm really not sure. 17 Q. So if I can ask you to take a look at your first witness 18 statement, the last paragraph, C8118: 19 "In my personal opinion, the EWL slab and NSL slab 20 are safe and properly constructed base on agreed or 21 approved drawings and methods." 22 Is it fair to say that this sentence may not be 23 entirely correct because you don't really know the 24 status of the approved or agreed drawings? 25 A. Well, I put down "agreed or approved drawings" here,</p>	<p>1 CHAIRMAN: Thank you. 2 Re-examination by MR SHIEH 3 MR SHIEH: Mr Mok, a few questions in re-examination. 4 First of all, it all relates to certain questions 5 asked of you this morning, and we don't have the hard 6 copy or the finalised transcript so have we have to look 7 at -- I don't know whether or not the transcript for 8 this morning can be shown on the screen. It cannot? 9 Oh, dear. That's fine. 10 Can I just read out from what I can see from my own 11 screen. 12 This morning and for the record, it is somewhere at 13 page 46, line 8. I will just read it into the record, 14 because there I think Mr Chairman was asking: 15 "... if the very first thing you do, once you start 16 a layer, is you get your long reinforced bar, you go to 17 the coupler and you insert the coupler -- is that the 18 opening work that is done? 19 Then you answered: 20 "Well, for the bottom mat, there might be four 21 layers, say for example. They would start off with the 22 first layer. To begin with, they would use threaded 23 bars for the middle section and scatter them in the 24 middle. The rebar fixers would screw on all the coupler 25 connections first. So there would be a period of time</p>
Page 114	Page 116
<p>1 I was referring to working drawings. According to the 2 contractor's understanding, as for agreed drawings, 3 whenever we make changes or when we carry out 4 rectification or remedial works, we would discuss with 5 the MTRCL, and probably we would discuss with the 6 inspector or the engineer as to what the next step 7 should be. 8 So as for agreed or approved drawings, we meant that 9 on and off there would be a lot of happenings at the 10 site and at the particular location there could be 11 a hiccup, and then we would agree with the MTRCL on 12 a particular matter to proceed. 13 MR KHAW: I have no further questions. 14 MR BOULDING: No questions from MTR, sir. 15 CHAIRMAN: Thank you very much. 16 MS CHONG: No questions from Fang Sheung. 17 MR PENNICOTT: Sir, before Mr Shieh re-examines, if he does 18 could I just prevail upon the Secretariat to put up one 19 document on the screen for me to check, because I don't 20 have all the hard copies here. 21 Could you please put up C15/10248. I just want to 22 double-check that that's the same document that Mr Khaw 23 took us to at G12/9883, and it certainly looks as though 24 it is the same document, which is fine. Yes. 25 Thank you very much.</p>	<p>1 when they would squat down to screw on the coupler 2 connections ..." 3 Then you went on to talk about the lap bars. It's 4 quite a long passage; I hope it's been translated. Do 5 you follow that? 6 A. (In English) Yes. 7 Q. This is what you said this morning. 8 A. (In English) Yes. 9 Q. Right. You mentioned this image of using threaded bars 10 and scatter them in the middle. I don't know whether 11 it's something to do with the translation or what. Can 12 you just describe this image, this scene, of threaded 13 bars being scattered in the middle: are they just 14 scattered randomly or are you saying they were placed in 15 a particular way, or what? Can you just explain to us 16 step by step how these bars are placed and how people 17 then go about fixing them, because I think that's what 18 the chairman wanted to know, the precise sequence of 19 events leading to people commencing the screwing in. 20 A. For each bay, from the first layer of the bottom mat -- 21 well, we are looking at a very spacious area with no 22 rebars. Then we would use a crane and we would 23 transport threaded rebars with different lengths of 24 threads. We would transport these threads to the middle 25 of the bay.</p>

Page 117	Page 119
<p>1 Q. Slow down a bit, let me translate it. Yes, go on. 2 A. So, after the threads are taken to the bay -- well, 3 since they are placed in the middle, the coupler 4 connections might be scattered on both sides. 5 Q. Pause. When you say "the coupler connections", you mean 6 the threads? 7 A. I was referring to the left-in couplers, the couplers on 8 the D-wall. 9 Q. Okay. The actual couplers? 10 A. (In English) Yes. 11 (Via interpreter) The steel fixers would then go to 12 the area in the middle and retrieve suitable threaded 13 bars, and then they would go to the area where the 14 threads are screwed in. They would start off with 15 coupler connections; in other words, they would screw in 16 all the threads before they work on the lap bars. 17 Q. Right. So the reinforcement bars of different lengths 18 would be lowered by some kind of a crane onto that open 19 area and laid out? 20 A. Yes. 21 Q. Would you seeing that process during your routine 22 patrolling duties? 23 A. I would see them but I might not witness the process 24 every single time. 25 Q. All right. Good. During that process, would you be</p>	<p>1 threaded ends being cut, you were asked whether you 2 thought you had to find out or investigate what 3 Fang Sheung or someone else was doing, and your answer 4 at [draft] page 63, line 3, was: 5 "At that time, well, when the second incident 6 occurred, it was after the first incident that the 7 second happened, I called Joe Cheung, a supervisor of 8 Fang Sheung. On the second occasion, I would say that 9 I used a stronger tone, because the first occasion might 10 be an isolated incident, but for the second occasion 11 I would need to find out what happened. 12 As to what I had done, well, when you were at the 13 scene and there were about eight or ten rebar fixers, 14 and if I asked who cut the rebar, I believe that no one 15 would admit to it. After I had found the first 16 incident, I would spend more time and effort to find out 17 whether there were any signs or any information about 18 screwing in the rebar into the coupler. 19 Just before the break, we were talking about for 20 each layer work would start with coupler connection. 21 The threaded bars were on the ground, so we could see 22 instantly whether any threaded bars would have been cut 23 off, and at that time we saw none of such [findings]." 24 I pause here and wait until it has all come out. 25 Now, you remember giving this answer shortly after</p>
Page 118	Page 120
<p>1 able to see the state of the threaded ends of the 2 rebars? 3 A. Yes. I can see the conditions of the threads. 4 Q. Now, next -- 5 COMMISSIONER HANSFORD: Sorry, before we leave it, just so 6 that I can fully understand -- you mentioned about bars 7 being delivered with threads of different length. Why 8 would there be threads of different length? 9 A. No. 10 (In English) Different lengths of the threads but 11 the bar itself. 12 (Via interpreter) More specifically, the drawings 13 required staggered lengths, so the threads were of the 14 same length but the rebars were not. 15 COMMISSIONER HANSFORD: Right. 16 A. (In English) Just to facilitate staggered lapping. 17 COMMISSIONER HANSFORD: I understand. So the threads are 18 the same length but the lengths of the bars vary? 19 A. (Nodded head). 20 COMMISSIONER HANSFORD: I understand. Thank you. 21 MR SHIEH: I am going to read out something again from the 22 transcript this morning, around about [draft] page 63, 23 line 20. In fact, it starts at [draft] page 63, line 3. 24 You said -- and this was after Mr Pennicott had asked 25 you, after the second incident where you had noticed</p>	<p>1 the lunch break; do you remember that? 2 A. Yes, I remember. 3 Q. My question is, here you said, "The threaded bars were 4 on the ground, so we could see instantly whether any 5 threaded bars would have been cut off" -- can you 6 explain what you meant by "the threaded bars were on the 7 ground"? You also referred back to what you said in the 8 morning, so can I just ask you to explain what you meant 9 by "the threaded bars would be on the ground"? 10 A. For each layer, the works would start with the coupler 11 connections, and a few minutes ago I explained that for 12 the coupler connections we have to transport the 13 threaded bars to the area in the middle, and that is why 14 I described the scattered threaded bars in the middle. 15 Q. Thank you. So you were referring to the same setting 16 before screwing in, where threaded bars were lowered 17 onto that open area and laid out? That was the setting 18 you were referring to in this answer? 19 A. Yes, correct. 20 Q. Finally, on this question about looking at the threaded 21 ends, page 91, can I just read out -- it's around about 22 [draft] line 7 of page 91, this afternoon. It's line 23 [draft] 1 of page 91, actually. Your answer was: 24 "After the third incident with the NCR, we conducted 25 sampling. We conducted random sampling at that time.</p>

Page 121	Page 123
<p>1 So we chose a few rebars randomly and unscrewed them and</p> <p>2 checked their conditions. As to why we did not do the</p> <p>3 same on other occasions, as I said, before the coupler</p> <p>4 connections were made, I checked the conditions of the</p> <p>5 threaded bars ahead of installation."</p> <p>6 This was what you said earlier, again this</p> <p>7 afternoon.</p> <p>8 A. Yes.</p> <p>9 Q. Just to clarify, what was the occasion, what was the</p> <p>10 setting, when you said in your evidence, before the</p> <p>11 coupler connections were made, you checked the</p> <p>12 conditions of the threaded bars ahead of installation?</p> <p>13 A. When I perform routine inspection, I will do that. The</p> <p>14 coupler connections are not made at the same time every</p> <p>15 day, but I would make visits both in the morning and in</p> <p>16 the afternoon, so I would see the commencement of the</p> <p>17 coupler connection works and I would see the conditions</p> <p>18 of the threaded bars.</p> <p>19 Q. Thank you. So it's not a fixed ritualistic --</p> <p>20 A. (In English) Yes.</p> <p>21 Q. -- occasion on one day; it's all part of an ongoing --</p> <p>22 A. Yes.</p> <p>23 Q. You kept mentioning "on and off process"?</p> <p>24 A. Yes.</p> <p>25 Q. Thank you.</p>	<p>1 a wrench, lock the wrench onto the bar, and he would</p> <p>2 then use a wrench with his hands to screw it. Up to</p> <p>3 a point when it was not fully screwed in, maybe the</p> <p>4 wrench was becoming a bit difficult to use, he would</p> <p>5 then use a water pipe to connect it to the wrench so</p> <p>6 that with a bigger circumference he could continue to</p> <p>7 wrench it. Until what point would they stop? I think</p> <p>8 they would try their best to screw the whole bar in.</p> <p>9 Q. At the distance you mentioned -- you standing, they are</p> <p>10 squatting -- did you regard there to be any impediment</p> <p>11 in your observing the way they have done it?</p> <p>12 A. Perhaps for the final movements -- because they would</p> <p>13 not have any idea whether it had been screwed in fully,</p> <p>14 they just did their best until they could not screw it</p> <p>15 any longer, and then they would walk closer to see if it</p> <p>16 had been screwed in fully. They would just do their</p> <p>17 best. For every thread, they would use the wrench and</p> <p>18 then the water pipe.</p> <p>19 Q. There might have been a misunderstanding as to my</p> <p>20 question. Did you regard there to be any obstruction in</p> <p>21 your ability to see what they are doing?</p> <p>22 A. No. For them, no impediment.</p> <p>23 COMMISSIONER HANSFORD: I'm sorry, it wasn't for them was</p> <p>24 there any impediment. The question was: was there any</p> <p>25 impediment for you to see what was happening?</p>
Page 122	Page 124
<p>1 This morning you were asked a question how far would</p> <p>2 you be when you observed the workers screwing in the</p> <p>3 threaded ends onto a coupler, and you said you would be</p> <p>4 standing; remember that?</p> <p>5 A. Yes.</p> <p>6 Q. And the workers would be squatting?</p> <p>7 A. Yes.</p> <p>8 Q. So you said about 1 metre to 1.5 metres?</p> <p>9 A. Right. Coming up quite close. Where they were working,</p> <p>10 of course I would not be physically attached to them.</p> <p>11 We would keep a distance, but it was very close.</p> <p>12 Q. Were they screwing in with hands or were they using</p> <p>13 tools or -- I just want to have a view as to -- I want</p> <p>14 you to put the Commission in the scene, because we've</p> <p>15 heard a lot about it's not breathing down someone's</p> <p>16 neck, it's not 100 per cent. Just by way of describing</p> <p>17 it in an animated way, how it would happen, you would</p> <p>18 stand and they would squat and then were you moving or</p> <p>19 would you be standing?</p> <p>20 A. Well, earlier I explained how it was done. When we talk</p> <p>21 about precisely how a connection was made, the bar fixer</p> <p>22 would use a threaded bar, I mean would take a threaded</p> <p>23 bar to the coupler, and then the screwing would begin,</p> <p>24 and then he would start by screwing it with his hands.</p> <p>25 Once the bar was fixed to a position, he would then use</p>	<p>1 A. No.</p> <p>2 MR SHIEH: Thank you. Now, we talked about -- you remember</p> <p>3 there was a line of questions about whom you were</p> <p>4 walking with when the incident leading to the NCR was</p> <p>5 discovered. Do you remember that?</p> <p>6 A. Yes.</p> <p>7 Q. And specifically I think you mentioned that apart from</p> <p>8 formal inspections with the engineers of MTR, there</p> <p>9 would also be formal inspections with inspector of works</p> <p>10 of MTR?</p> <p>11 A. Right. But for the informal inspection, it could be</p> <p>12 inspectors together with engineers.</p> <p>13 Q. I mean formal.</p> <p>14 A. Formal?</p> <p>15 Q. Formal, yes.</p> <p>16 A. For the acceptance, we would do it with the MTR</p> <p>17 engineers.</p> <p>18 Q. Right. But what about any occasion with the inspector</p> <p>19 of works of MTR, what kind of inspection would those be?</p> <p>20 A. For pre-pour check, once the rebar fixing check was</p> <p>21 completed, we would skip to the hold point, that is</p> <p>22 pre-pour check. It would be done with inspector of</p> <p>23 works of MTR. The check would be done together with the</p> <p>24 inspector of MTR, and at that time they would also pay</p> <p>25 attention to the coupler connections, not just about bar</p>

Page 125	Page 127
<p>1 fixing.</p> <p>2 Q. Pause there first. It is at this juncture that I wish</p> <p>3 you to clarify certain steps and terminologies, because</p> <p>4 I could spot that there might be some difficulties with</p> <p>5 the terminology.</p> <p>6 We have heard evidence that upon completion of the</p> <p>7 lower mat, there would be formal inspection, with MTR;</p> <p>8 correct? That's what you said?</p> <p>9 A. Yes, correct.</p> <p>10 Q. That would be with MTR engineers; correct?</p> <p>11 A. Yes.</p> <p>12 Q. That would be called a rebar fixing formal inspection;</p> <p>13 correct?</p> <p>14 A. Yes, correct.</p> <p>15 Q. Then, upon completion of the upper mat, there would be</p> <p>16 another inspection with MTR engineer; correct?</p> <p>17 A. Yes, correct.</p> <p>18 Q. And a RISC, R-I-S-C, form would be involved in these two</p> <p>19 rebar formal inspections; correct?</p> <p>20 COMMISSIONER HANSFORD: Sorry, but as I understand it, it's</p> <p>21 one form for the two; is that correct?</p> <p>22 MR SHIEH: Yes. He said ideally you can have two, but for</p> <p>23 the sake of -- there's one. Fine.</p> <p>24 You just mentioned pre-pour, there's something</p> <p>25 called a pre-pour inspection.</p>	<p>1 upper mat formal inspection, and the pre-pour formal</p> <p>2 inspection -- which of these would be what you regard</p> <p>3 to -- sorry, it's not a matter of what you regard. I'll</p> <p>4 start again.</p> <p>5 Which of these are hold point inspections; one of</p> <p>6 them, some of them or all of them?</p> <p>7 A. All three were hold point inspections.</p> <p>8 Q. All three are hold points?</p> <p>9 A. Yes.</p> <p>10 Q. Thank you.</p> <p>11 This morning, a question was asked about the</p> <p>12 possible need to enter or climb inside the cage for the</p> <p>13 purpose of doing inspection of rebars?</p> <p>14 A. Yes.</p> <p>15 Q. In that context, I think you mentioned that, oh, in</p> <p>16 fact, for inspecting the lower mat, they would in fact</p> <p>17 be inspected before the upper mat was done. Do you</p> <p>18 remember saying that?</p> <p>19 A. Yes.</p> <p>20 Q. But you then also mentioned that for each cage there</p> <p>21 would be manholes, either on top or at the end?</p> <p>22 A. Yes.</p> <p>23 Q. But you mentioned those manholes were to allow people to</p> <p>24 enter the cage for clearing the debris, for example.</p> <p>25 A. Well, I suppose -- let me clarify. They are not</p>
Page 126	Page 128
<p>1 A. Yes.</p> <p>2 Q. As a matter of timing, this pre-pour formal inspection</p> <p>3 takes place when? By reference to the rebar formal</p> <p>4 inspections that we have been talking about just now.</p> <p>5 A. Depends on the circumstances. It could be that after</p> <p>6 inspecting the top mat, immediately afterwards this</p> <p>7 would be done. It could also be possible that it be</p> <p>8 done the following day.</p> <p>9 Q. Thank you.</p> <p>10 COMMISSIONER HANSFORD: Sorry, but it's always done after</p> <p>11 the reinforcement is inspected; is that correct?</p> <p>12 A. Yes. It could happen on the same day, but definitely</p> <p>13 this would be done after the reinforcement bar</p> <p>14 inspection had been done.</p> <p>15 COMMISSIONER HANSFORD: Yes. Yes.</p> <p>16 MR SHIEH: Thank you. That's called a pre-pour formal</p> <p>17 inspection; right?</p> <p>18 A. Yes.</p> <p>19 Q. That would be done with MTR but with a different type of</p> <p>20 people from the MTR, called inspector of works; right?</p> <p>21 A. Yes, correct.</p> <p>22 Q. We have heard reference to this idea called a hold</p> <p>23 point, an important step in the process. I just wish</p> <p>24 you to clarify, of the types of inspections that we have</p> <p>25 just been talking about -- lower mat formal inspection,</p>	<p>1 designed for access, but because there were drainage</p> <p>2 works and there was a designated manhole at that</p> <p>3 location, we just made use of that hole, so that we</p> <p>4 could have access down there, to the bottom mat.</p> <p>5 Q. Because you brought up this idea of a manhole, I just</p> <p>6 wish you to clarify something for the benefit of the</p> <p>7 Commission.</p> <p>8 First of all, inside the cage -- I think we may have</p> <p>9 heard evidence before -- it's not a complete void or</p> <p>10 empty space; correct?</p> <p>11 A. Right.</p> <p>12 Q. In other words, beneath the upper mat and the lower mat,</p> <p>13 it's not empty space, there's stuff inside; correct?</p> <p>14 A. That's right, mainly some shear lengths.</p> <p>15 Q. So when somebody were to go down to that space between</p> <p>16 the upper mat and the lower mat, let's say for cleaning,</p> <p>17 it's not as if he could move around freely? He would</p> <p>18 have to manoeuvre his body a bit; correct?</p> <p>19 A. Right, correct.</p> <p>20 Q. In the context of inspecting the lower mat, my first</p> <p>21 question is: could people physically use the manhole to</p> <p>22 enter that space for the purpose of inspecting rebars?</p> <p>23 A. Well, if you insist in doing it, it would be possible.</p> <p>24 But as I mentioned just now, the bar had been accepted.</p> <p>25 Q. In your experience, did people actually utilise that</p>



<p style="text-align: right;">Page 129</p> <p>1 manhole to enter that space for inspecting rebars? 2 A. Mostly workers from Chinat, because they were 3 responsible for the final, that is general, cleaning. 4 That is clearing before concrete was poured. So before 5 pouring concrete, their workers would really go in to 6 clear the debris, or to wash it a bit. 7 Q. Thank you. You gave some evidence about rectification 8 work, and you remember a question was asked about 9 possibly remedying a missing layer of rebars, and then 10 there was a series of questions about how can a whole 11 layer be missing? Do you remember that line of 12 questions? 13 A. Yes. 14 Q. Forgetting about the details of what might have gone 15 wrong with the rebars at the level below the top, at the 16 layer below the top layer -- in terms of broad 17 principle, if someone were to spot a defect not at the 18 top level but at the level just below the top level, 19 something has to be fixed, just briefly describe to us: 20 do you have to dismantle the entire upper level or how 21 would things be done, on a high level of generality? Do 22 you have to remove every rebar on the top level before 23 you could access the defective bar in the next level, or 24 are there other ways to do it? 25 A. Let's say if there is a defect, and I'm referring to the</p>	<p style="text-align: right;">Page 131</p> <p>1 correct? 2 A. Yes, correct. 3 Q. Thank you. 4 You were shown a document at H1, page 142. You were 5 shown this document I think in the context of discussing 6 at what point in time would an RISC form be submitted to 7 the MTR. Do you remember that? 8 A. Yes. 9 Q. Because you said that normally, when the bottom mat was 10 ready or almost ready for inspection, an RISC form would 11 be submitted to the MTR; do you remember that? 12 A. Yes, correct. 13 Q. Then this document was shown to you as an example 14 whereby, hang on, this seemed to be very close to the 15 pour and therefore it seemed to be around about the time 16 when the upper mat was ready to be inspected. Do you 17 remember that line of questioning? 18 A. Yes. 19 Q. Can you move down a little bit, because we can actually 20 see your signature, your name and signature; yes? Do 21 you see your name there, "Mok Edward" on the left? 22 A. Yes. 23 Q. Move up. You can see "Part C". Above "Part C", can you 24 see some written words? 25 A. Yes, "Late submission".</p>
<p style="text-align: right;">Page 130</p> <p>1 top mat, say at the T2 level, that is the second layer 2 from the top, if there is a defect regarding 3 a particular bar that needs replacement, say if the 4 coupler had not been screwed in fully, then within the 5 2 to 3 metre area the bars would have to be loosened 6 until there is space for this bar to be taken out, 7 because if it is to be replaced it has to be taken out. 8 So we need to free up the space so that we can take out 9 that defective bar and for it to be replaced by screwing 10 it in. That is, if we take a threaded bar as 11 an example. 12 Q. Just to clarify, when you say "within the 2 to 3 metre 13 area the bars would have to be loosened", you mean the 14 bars on the first level, on the top level, the top 15 layer? 16 A. Yes. It depends on the case, but normally speaking -- 17 perhaps I shouldn't say 2 or 3 metres. From my 18 observation, five or six rebars within the vicinity must 19 be either removed or hacked out. For lap bars, the 20 wires could be loosened and then space could be freed 21 up. We might not necessarily have to physically remove 22 the bars. 23 Q. So you either remove or loosen enough bars on the top 24 layer to make space for you to take out the defective 25 bar in the next level? That's the way to put it;</p>	<p style="text-align: right;">Page 132</p> <p>1 Q. Yes, read out the words, please. It says "Late 2 submission". 3 A. (In English) Yes. 4 Q. Help us: what do these words "Late submission" mean in 5 the context of this RISC form? 6 A. I think I have to talk about the procedures for 7 submitting a form. For each RISC form, Leighton 8 would -- after Leighton generates the form from our 9 system, the form would be printed out and the printed 10 form would be submitted or taken to the MTR Corporation, 11 and the MTRC's administrators would have to digitalise 12 the form in their system before their senior inspector 13 of works would send this form to the responsible 14 inspector of works. 15 Sometimes, we might submit the form one day early, 16 but at times the administrative work would take two or 17 three days, so there could be a time gap or delay 18 between submission of the form and the receipt of the 19 form from the other party. So the form might be 20 backdated one or two days. 21 After the inspection the responsible inspector from 22 the MTRC might receive it after some time, so they might 23 label "Late submission". 24 Q. All right. Finally, I think at various places in your 25 evidence you talked about Leighton's reflective vest,</p>

<p style="text-align: right;">Page 133</p> <p>1 the reflective vest worn by Leighton staff. 2 A. Yes. 3 Q. Just to make sure we know what you are talking about, 4 can you look at D1, page 227. I'm not sure whether I've 5 got the correct picture. Did anyone in this picture 6 where the Leighton standard vest, reflective vest? 7 A. Yes. The person with the red cap on the right, he was 8 wearing Leighton's reflective vest. It was blurry but 9 you can see Leighton's logo on the vest. For the worker 10 who was squatting and cutting rebars, he was also 11 Leighton's worker. He was wearing a red shirt and he 12 was a designated banksman. That was why he was bearing 13 that shirt or vest. Only Leighton staff would wear that 14 vest. 15 MR SHIEH: Thank you. Can I just have a moment? 16 CHAIRMAN: Of course. 17 MR SHIEH: I have no further questions. 18 CHAIRMAN: Thank you very much, Mr Shieh. 19 We had a reasonably late break this afternoon, but 20 would you like ten minutes? 21 MR PENNICOTT: Sir, I understood that we actually have 22 a meeting in about five minutes' time. 23 CHAIRMAN: I had forgotten entirely. Thank you, yes, at 24 what time? 25 MR PENNICOTT: I was told it was at 4.15.</p>	<p style="text-align: right;">Page 135</p> <p>1 do it that way. I don't wish to impose a day on you 2 which is unnecessary. It's as simple as that. 3 MR PENNICOTT: Sir, yes. I will obviously -- I have been 4 talking to certain of my learned friends and I will 5 continue to do so, and we will try to reach some view. 6 There may be other questions that are related to that 7 particular topic which may be forthcoming as well and 8 I'll let you know what those questions are. 9 CHAIRMAN: Of course, I appreciate that. 10 MR PENNICOTT: That's obviously the question of where we go 11 after 21 December, but that's a related topic but 12 obviously needs to be addressed at some point. 13 CHAIRMAN: Well, a great deal of course depends not on us 14 but on those who have given us our mandate, and that is 15 the Chief Executive. 16 MR PENNICOTT: Indeed, sir, understood. 17 CHAIRMAN: But what we would hope to be the case would be 18 that we could finish the factual evidence by the 21st, 19 we would then return, I think as everybody is aware, and 20 commence again on 9 January -- that's correct, I think? 21 Yes. 22 Then we would hope to have the opinion evidence 23 completed by 25 January, and then we would hope to have 24 all the oral submissions made so that we can be 25 completed by the end of January.</p>
<p style="text-align: right;">Page 134</p> <p>1 CHAIRMAN: That's perfect. 2 MR PENNICOTT: Perfect timing. I apologise to everybody 3 else for not letting them know. 4 CHAIRMAN: I had forgotten. My apologies. It was mentioned 5 this morning. 6 There is the question of the way forward. We are 7 going to break on 21 December for the Christmas break. 8 We were hoping that we would be able to finish all the 9 factual evidence by close of business on that day. 10 I had also indicated that we would begin sitting on 11 Saturday. I don't wish to cause a drop in everybody's 12 sense of humour by pushing Saturday, if in fact there's 13 no need to do it. 14 So what I would ask, if I may, is if counsel are 15 able to speak to you, Mr Pennicott, and if you come back 16 to me and say, "Look, we may have to sit a bit later on 17 the odd afternoon, et cetera, but we believe we can get 18 through the factual evidence by the 21st without any 19 Saturdays", then that's how we will proceed, because 20 there will have been a consensus. 21 If, however, you've got concerns and you think you 22 may need, say, one or two Saturdays, then that's what we 23 will do. All right? 24 So I'm not passing the buck, although of course 25 I am. I'm asking you, absolutely, if you think you can</p>	<p style="text-align: right;">Page 136</p> <p>1 COMMISSIONER HANSFORD: No, we intend to be completed by 2 Tuesday the 29th. 3 CHAIRMAN: Sorry, I'm being assisted here. 4 COMMISSIONER HANSFORD: Consequently, we may need to move 5 back slightly in order to get all the closing 6 submissions by Tuesday the 29th. 7 MR PENNICOTT: Yes. 8 CHAIRMAN: We had discussed it very briefly, so that's why 9 I was a little vague about the actual specific dates, 10 although my learned friend wasn't. As far as that is 11 concerned, that is at the moment of course provisional, 12 but that's how we would like to see it. 13 As far as final submissions are concerned, we would 14 be greatly assisted if you could make those in writing, 15 and the way we would intend to proceed would be to get 16 an indication from each counsel as to how long they 17 think they would like, and we will ask them then to take 18 us through their written submissions by way of a guide, 19 without necessarily arguing each and every point, and 20 then to argue what they consider to be their most 21 important points. 22 That will do two things: (a), we will know what your 23 most important parts are, and we will have had the 24 benefit of oral argument, and (b) we will have had 25 a guide as to the rest of your submissions so we know</p>

Page 137

1 where to find what within the writing.  
2 MR PENNICOTT: Yes.  
3 CHAIRMAN: Okay?  
4 MR PENNICOTT: Sir, I think the unknown in all of that, if  
5 I may say so -- and of course if anybody else wants to  
6 make any observations, I imagine they can -- is the  
7 likely ambit, scope and length of the opinion evidence.  
8 CHAIRMAN: Of course.  
9 MR PENNICOTT: Because at the moment that seems to be  
10 a little bit up in the air, for a whole host of reasons.  
11 If we resume on 9 January, that presupposes -- I imagine  
12 it presupposes -- that expert opinion evidence in  
13 writing has been submitted in order for due  
14 consideration to be given to that material, for purposes  
15 of, if anything else, cross-examination, if it be  
16 required. Then it's a question of how long that will  
17 take from 9 January.  
18 I also would like to take some soundings from all  
19 the parties, to what extent they are proposing perhaps  
20 to put in expert evidence, and obviously then to discuss  
21 with the Commission and the parties the dates upon which  
22 that should all happen.  
23 CHAIRMAN: Yes. We mention this -- this is aspirational on  
24 our part --  
25 MR PENNICOTT: Absolutely.

Page 138

1 CHAIRMAN: -- and on a one-sided basis, in the sense that we  
2 haven't had an opportunity to receive through  
3 Mr Pennicott your own views, but hopefully at least it  
4 gives you some indication of how we anticipate, subject  
5 in all respects to what you have to say, we would like  
6 to try to see the way forward. Okay? And the dates are  
7 now there in the transcript. They are provisional, let  
8 me emphasise that again.  
9 MR PENNICOTT: Yes.  
10 CHAIRMAN: It's just an indication to try to help you.  
11 MR PENNICOTT: Of course the critical date, the first  
12 critical date, is 21 December, and we need to do our  
13 very best to try to complete the factual evidence by  
14 then.  
15 Sir, as I think you may be aware, over the break  
16 some work has been done by the Commission's legal team  
17 to try to bring about a situation where at least eight  
18 of the government witnesses will not need to be called  
19 as witnesses.  
20 CHAIRMAN: Yes.  
21 MR PENNICOTT: That's not, I have to say, going to save  
22 a huge amount of time, because I doubt they would have  
23 been that long in any event, but at least it's a start.  
24 We will certainly be saving some time.  
25 CHAIRMAN: Yes.

Page 139

1 MR PENNICOTT: I know the government are agreeable to the  
2 proposal that's been made. I think one or two parties  
3 have indicated they have no problem with it and we are  
4 waiting to hear perhaps from two or three other parties  
5 that they are content with our proposal regarding those  
6 eight witnesses. So that's a start.  
7 CHAIRMAN: Yes.  
8 MR PENNICOTT: And it may be there will be others that we  
9 can indicate we don't need necessarily to cross-examine.  
10 But that's part of the story, anyway.  
11 CHAIRMAN: Thank you. I'd also mention to counsel that  
12 obviously I haven't been deaf to indications that have  
13 been conducted in previous inquiries, for example  
14 allowing counsel a particular period of time each. The  
15 problem with that is it tilts the balance rather,  
16 because I had not put any restrictions on counsel so  
17 far. I don't know what's coming up yet. I don't know  
18 what's important. I can make estimates but I don't know  
19 fully. And to suddenly, halfway through, start imposing  
20 arbitrary time limits, I'm concerned that it may  
21 prejudice what the aim of this Inquiry is, which is to  
22 get to the truth of the matter.  
23 MR PENNICOTT: Yes.  
24 CHAIRMAN: So I don't intend to do that, absent there being  
25 any really good reason and absent counsel themselves

Page 140

1 putting it to me. All right?  
2 MR PENNICOTT: Thank you very much. So 10 o'clock in the  
3 morning?  
4 CHAIRMAN: Yes, please.  
5 MR PENNICOTT: Sorry, Mr Mok --  
6 CHAIRMAN: The witness has finished. Thank you very much.  
7 Thank you very much, Mr Mok.  
8 (The witness was released)  
9 (4.21 pm)  
10 (The hearing adjourned until 10.00 am the following day)  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

	INDEX	PAGE
1		
2		
3	MR EDWARD MOK (affirmed in Punti) .....	2
4	Examination-in-chief by MR SHIEH .....	2
5	Examination by MR PENNICOTT .....	6
6	Questioning by THE COMMISSIONERS .....	81
7	Cross-examination by MR KHAW .....	91
8	Re-examination by MR SHIEH .....	115
9	(The witness was released) .....	140
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		