

Page 1	Page 3
<p>1 Friday, 7 December 2018</p> <p>2 (10.06 am)</p> <p>3 MR WONG CHI CHIU, KOBE (on former affirmation in Punt)</p> <p>4 (All answers given via simultaneous interpreter</p> <p>5 except where otherwise specified)</p> <p>6 Examination by MR PENNICOTT (continued)</p> <p>7 MR PENNICOTT: Good morning, sir. Good morning, Professor.</p> <p>8 Apologies for the slight delayed start. I had something</p> <p>9 administrative that cropped up right at the last minute</p> <p>10 that I had to deal with.</p> <p>11 Mr Wong, good morning.</p> <p>12 A. (In English) Good morning.</p> <p>13 Q. When we finished last night, I indicated I had one more</p> <p>14 topic to cover with you, and that's what I'm going to do</p> <p>15 now. It relates to the retrospective records that you</p> <p>16 were involved with, or the preparation of those records</p> <p>17 you were involved with, this year.</p> <p>18 However, the starting point is the internal review</p> <p>19 that was carried out by MTR, by Mr Carl Wu, in</p> <p>20 January/February 2017. I'd like to go to that review,</p> <p>21 please, at B7/4516.</p> <p>22 Mr Wong, we can see from page 4516 that the review</p> <p>23 was to examine the construction records to confirm that</p> <p>24 the steel reinforcement and coupler for the EWL track</p> <p>25 slab had been installed in accordance with the</p>	<p>1 says:</p> <p>2 "Leighton's quality control supervisors to carry out</p> <p>3 full-time supervision of splicing assemblies on site and</p> <p>4 maintain inspection records ..."</p> <p>5 Then there's a cross-reference to appendix C of the</p> <p>6 QSP, and then the third bullet point:</p> <p>7 "MTR's quality control supervisors to carry out ...</p> <p>8 20 per cent supervision of splicing assemblies on site</p> <p>9 and maintain records ..."</p> <p>10 And another cross-reference to appendix C of the</p> <p>11 QSP.</p> <p>12 Mr Wong, I think we're agreed that it's those</p> <p>13 records that are referred to there that are missing?</p> <p>14 A. Correct.</p> <p>15 Q. In your witness statement, at paragraphs 47 and 48 -- if</p> <p>16 you go to that, please; it's B1/432 -- you say:</p> <p>17 "During the course of the internal review in 2017,</p> <p>18 Mr James Ho asked me and Mr Jeff Cheung if there were</p> <p>19 any records as per the QSP, including record sheets for</p> <p>20 the coupler installation in the EWL slab. After Mr Ho's</p> <p>21 enquiry, I proceeded to ask Leighton to obtain the</p> <p>22 relevant records, which were not in MTR's possession."</p> <p>23 Pausing there, did you make that enquiry of Leighton</p> <p>24 in order to assist Mr Wu in preparing the report, or did</p> <p>25 you make that enquiry after the report had been prepared</p>
Page 2	Page 4
<p>1 requirements of relevant quality assurance and quality</p> <p>2 control regimes.</p> <p>3 We can see from item 2 that you were interviewed for</p> <p>4 the purposes of the preparation of this report. Do you</p> <p>5 recall being interviewed?</p> <p>6 A. Correct.</p> <p>7 Q. Did you see a copy of this report back in 2017, early</p> <p>8 2017, Mr Wong, after it had been prepared?</p> <p>9 A. Yes, I did see, but I did not read it in detail.</p> <p>10 Q. Right. Paragraph 5 of the review on page 4518 deals</p> <p>11 with the quality assurance scheme of couplers; do you</p> <p>12 see that?</p> <p>13 A. Yes, I see it.</p> <p>14 Q. And there's a reference to the QSP, and then there's</p> <p>15 a reference further down to the key requirements of the</p> <p>16 QSP, that is:</p> <p>17 "Leighton to provide full-time supervision of</p> <p>18 mechanical coupler works by a T3;</p> <p>19 MTR to provide ... 20 per cent supervision of the</p> <p>20 splicing assemblies by a T3".</p> <p>21 I just pause there.</p> <p>22 Then over the page, at 4519, there's the heading,</p> <p>23 "Review of quality assurance and quality control of</p> <p>24 steel reinforcement and coupler installation", then</p> <p>25 a series of bullet points, and the second bullet point</p>	<p>1 as a follow-up action?</p> <p>2 A. Mr Wu conducted an internal review, and during the</p> <p>3 course of that he asked to collect one of the records.</p> <p>4 After the interview I asked personally Leighton for the</p> <p>5 relevant records, and then there was a follow-up action</p> <p>6 later.</p> <p>7 Mr Wu suggested that we sort out with Leighton on</p> <p>8 the records, and after that I asked Leighton again</p> <p>9 whether they ever prepared these records.</p> <p>10 Q. Right.</p> <p>11 CHAIRMAN: Sorry, could I just get that clear in my head,</p> <p>12 and thank you very much. It was put to you that your</p> <p>13 obligation under the QSP to conduct a 20 per cent</p> <p>14 supervision of splicing and to maintain records, there</p> <p>15 was a failure in the sense that the records were not</p> <p>16 maintained by you; is that right?</p> <p>17 A. Perhaps let me say a bit more. During the construction</p> <p>18 of the EWL slab, my supervisor did not assign me to</p> <p>19 supervise the coupler installation. So, if you extend</p> <p>20 that to the diaphragm wall, the records were prepared</p> <p>21 and provided by the contractor, and these records would</p> <p>22 be countersigned by the MTRCL colleague. So, therefore,</p> <p>23 the record should have been prepared by the contractor.</p> <p>24 During the internal review, Mr Wu mentioned it, and so</p> <p>25 I asked Leighton for the records.</p>

Page 5	Page 7
<p>1 CHAIRMAN: So you had joint records, is that -- sorry.</p> <p>2 MR PENNICOTT: But the point is, is it, Mr Wong, that during</p> <p>3 the course of the carrying out of the work and your</p> <p>4 inspections, you had no document to countersign at that</p> <p>5 point in time?</p> <p>6 A. You mean every day when I conducted site inspection,</p> <p>7 whether there were any documents to be signed? Now, the</p> <p>8 site surveillance was to make sure there's proper</p> <p>9 quality, and at that time there were no documents for</p> <p>10 signing.</p> <p>11 I must stress again, at the start of the EWL slab</p> <p>12 construction, my seniors told me that for steel fixing</p> <p>13 inspection, it's the responsibility of the ConE team,</p> <p>14 that is our engineering team, and then my senior did not</p> <p>15 assign me to carry out acceptance of coupler</p> <p>16 inspection -- installation. That's why I did not have</p> <p>17 any records and I did not ask Leighton further for</p> <p>18 records for countersigning.</p> <p>19 So it's during routine inspection that I made sure</p> <p>20 there's quality control and assurance.</p> <p>21 CHAIRMAN: All right. Sorry, again, I do apologise, but I'm</p> <p>22 falling behind again. It strikes me as quite plain.</p> <p>23 MTR is to have 20 per cent supervision of the splicing</p> <p>24 operations, and to maintain records. Now, question one,</p> <p>25 did you maintain records in that regard? You don't have</p>	<p>1 and Intrafor were finished, there were two lots of</p> <p>2 splicing operations still to be done: into the diaphragm</p> <p>3 walls, and within the slab itself, at the joints?</p> <p>4 A. Correct.</p> <p>5 CHAIRMAN: Now, were records, to your knowledge, kept of</p> <p>6 either of those two operations, by MTR?</p> <p>7 A. MTRC, no. Perhaps I should supplement a little bit.</p> <p>8 MTRC did not create or keep appendix B of QSP. When</p> <p>9 Intrafor was carrying out the diaphragm wall, the</p> <p>10 appendix B of QSP was prepared by Intrafor, and they had</p> <p>11 to carry out 100 per cent supervision. Then MTRC staff</p> <p>12 would countersign their report --</p> <p>13 CHAIRMAN: I understand that.</p> <p>14 A. On records, we do not sign more than 20 per cent.</p> <p>15 Therefore, my understanding was that for EWL slab, the</p> <p>16 appendix B of QSP was to be prepared by Leighton.</p> <p>17 Therefore, in relation to your question whether MTRC had</p> <p>18 prepared appendix B of QSP, we did not, but I had taken</p> <p>19 some record photos.</p> <p>20 CHAIRMAN: All right. But Leighton did, and presumably you</p> <p>21 had to sign 20 per cent --</p> <p>22 MR PENNICOTT: No, Leighton didn't. That's the point.</p> <p>23 CHAIRMAN: I know, but in theory --</p> <p>24 MR PENNICOTT: Had they done.</p> <p>25 CHAIRMAN: Yes -- that's what you were meant to do? If you</p>
Page 6	Page 8
<p>1 to explain around it. Answer -- it's quite simple --</p> <p>2 you did or you didn't.</p> <p>3 A. We have taken photos, photo records, but not the type as</p> <p>4 specified in appendix B of QSP.</p> <p>5 CHAIRMAN: All right. Did anybody else, to your knowledge,</p> <p>6 working with you, maintain the sort of records required</p> <p>7 by the QSP?</p> <p>8 A. In diaphragm wall, yes. By the time we moved on to EWL</p> <p>9 slab, according to my knowledge, no.</p> <p>10 CHAIRMAN: All right. Who maintained the records in respect</p> <p>11 of the diaphragm walls?</p> <p>12 A. At that time, it's Intrafor.</p> <p>13 CHAIRMAN: All right. And you countersigned those records?</p> <p>14 A. Correct. Correct.</p> <p>15 CHAIRMAN: You're talking now about the actual couplers in</p> <p>16 the diaphragm walls, in the cages? Because once the</p> <p>17 diaphragm walls were actually embedded, then Intrafor</p> <p>18 didn't have anything more to do with it?</p> <p>19 A. Correct.</p> <p>20 CHAIRMAN: So, once Intrafor were out of the picture, as</p> <p>21 I understand it, there were two lots of couplings to be</p> <p>22 dealt with: the splicing, into the diaphragm wall, and</p> <p>23 at the joints, within the slab itself; right?</p> <p>24 A. Could you repeat the question?</p> <p>25 CHAIRMAN: Once the diaphragm walls were properly embedded</p>	<p>1 say Leighton were meant to keep the records, you had</p> <p>2 an obligation to be able to do 20 per cent supervision</p> <p>3 and to demonstrate that fact by way of records?</p> <p>4 A. Correct. I understand.</p> <p>5 CHAIRMAN: So did you do that?</p> <p>6 A. Because I was not assigned to continue with the</p> <p>7 surveillance of couplers installation in EWL slab and</p> <p>8 acceptance of it.</p> <p>9 CHAIRMAN: All right. When you were doing it, did you do</p> <p>10 that?</p> <p>11 A. When EWL slab was being carried out, when I carried out</p> <p>12 the daily routine surveillance, I would pay attention</p> <p>13 and look at how they carry out coupler installation.</p> <p>14 But my supervisor did not assign me to do a formal</p> <p>15 inspection, because under the QSP a T3 staff should have</p> <p>16 been assigned.</p> <p>17 So, in the case of diaphragm wall, I was assigned to</p> <p>18 be responsible for coupler installation of the rebar</p> <p>19 cages. As for EWL slab, I was not assigned to be doing</p> <p>20 that job. Therefore, I did not carry out a formal</p> <p>21 inspection.</p> <p>22 MR PENNICOTT: But you see, Mr Wong, where we've got to is</p> <p>23 this. As I understand it, you accept that you carried</p> <p>24 out routine surveillance of, amongst other things, the</p> <p>25 coupler -- the installation of the rebar into the</p>

<p style="text-align: right;">Page 9</p> <p>1 couplers, on a routine basis, but kept no records, other 2 than the photographs; right so far? 3 A. Correct. 4 Q. Mr Louis Kwan has told us that when he did the formal 5 inspections, consequent upon the RISC forms, he didn't 6 formally inspect the coupler connections. So there is 7 a question as to who was formally inspecting the rebar 8 into the coupler installations, and you say, as 9 I understand it, a T3 was responsible for that type of 10 inspection. 11 A. Correct. 12 Q. The question is: who are the candidates for that T3 13 position? Can you identify them? I mean, Mr Kwan was 14 a T3, as I understand it, but he told us that he wasn't 15 formally inspecting the couplers on his formal 16 inspections. So who was doing it? 17 A. Perhaps my interpretation of the QSP is that the T3 18 grade staff should be a person assigned to do that. At 19 that time, most of our colleagues have T3 grade, or T3 20 quality or qualifications, and there should be a senior 21 officer assigning that person to do that. And my 22 senior, the SIO, Mr Dick Kung, for the case of 23 a diaphragm wall, he did assign me to carry out 24 inspection in respect of coupler installations for rebar 25 cages.</p>	<p style="text-align: right;">Page 11</p> <p>1 CHAIRMAN: All right. So your routine supervision, when you 2 were doing it, was not part of the 20 per cent 3 supervision; that was more of a formal type of checking, 4 is that right, the 20 per cent, and that was to be done 5 by a T3 officer, and you're not quite sure of the 6 identities or identity of that or those officers? 7 A. Correct. Agreed. 8 CHAIRMAN: Thank you. 9 COMMISSIONER HANSFORD: Sorry, Mr Wong -- would it have been 10 possible for a T3 officer to attend the site to do those 11 inspections without you knowing about it? Would that 12 have been even possible? 13 A. Possible. 14 COMMISSIONER HANSFORD: Without you knowing who he or she 15 was, without you knowing the identity of that T3 16 officer; would that have been possible, given that you 17 were on site all the time? 18 A. Perhaps I should put it this way. Among our colleagues, 19 most of them bear T3 qualification. Whether a person 20 had been assigned by his or her superior as a T3 person 21 responsible for coupler inspection, I did not ask each 22 and every one of them. 23 Therefore, for my colleagues, for example Mr Kwan or 24 other inspectors, or SConE, they went to the site to do 25 inspections from time to time and I did not particularly</p>
<p style="text-align: right;">Page 10</p> <p>1 Therefore, in the case of D-wall, I did inspect the 2 coupler installation and to fulfil the 20 per cent 3 supervision requirements or countersigning requirements 4 as per appendix B of QSP. 5 However, when it came to the EWL slab, my supervisor 6 expressly told me that for EWL slab, for the acceptance 7 of rebars, it was the responsibility of our colleagues 8 from the ConE team, and he did not ask me to carry out 9 acceptance of coupler installation. 10 Therefore, I did not know whether my supervisor or 11 superior had other arrangements. 12 Q. So your expectation was that you would be doing the 13 day-to-day routine inspection and surveillance of the 14 coupler connections on the EWL slab, but you believed 15 that a T3, at some point, presumably later, would carry 16 out a formal inspection of those connections? That was 17 your expectation and belief? 18 A. Correct. 19 Q. And, at that stage, assuming that were to happen, 20 prepare the necessary records, pursuant to the QSP? 21 A. Correct. 22 CHAIRMAN: And the 20 per cent supervision would be recorded 23 by who? 24 A. It should be the T3 officer that was responsible at the 25 time.</p>	<p style="text-align: right;">Page 12</p> <p>1 ask the purpose of their inspection. Therefore, I did 2 not know, for example, if a certain person has been 3 assigned to do this, whether he was carrying out 4 a coupler installation inspection and acceptance at the 5 time. 6 CHAIRMAN: You see, the difficulty that I have at the moment 7 is that Mr Louis Kwan, I think, has said that he was 8 never given the job of formally inspecting the coupler 9 installations when he was completing the RISC forms; 10 right? He thought somebody else had been given that 11 obligation, and I think you're saying, effectively, the 12 same thing; that you did routine, you did not do 13 a formal inspection of the coupler installation, because 14 you also imagine that there was somebody else who was 15 assigned. 16 Now, who would have been the person responsible for 17 assigning that T3 officer? 18 A. Chairman, you mean who assigned the T3 officer? 19 CHAIRMAN: Yes. 20 A. I believe it was the CP. 21 CHAIRMAN: And who was the CP? 22 MR PENNICOTT: Jason Wong. 23 A. Jason Wong, or the senior of the T3, that is a T5. At 24 that time, James Ho was the T5, but I could not be sure. 25 CHAIRMAN: Thank you.</p>

Page 13	Page 15
<p>1 MR PENNICOTT: Mr Wong, as we are going to see in a moment 2 one of the problems is, as you've said to the Chairman 3 just a moment ago, the 20 per cent 4 inspection/supervision should have been done by a T3 5 officer -- that's what you said in answer to the 6 Chairman's question just a moment ago -- but we will see 7 in a moment, won't we, that when it came to prepare the 8 retrospective records, it was your inspections that were 9 relied upon to achieve the 20 per cent? 10 A. Yes. 11 Q. So that takes us neatly to the next part of the story. 12 Please could you look at H14/35070. 13 I understand, Mr Wong, this is a document that you 14 prepared; is that right? 15 A. Correct. 16 Q. And a document you prepared, I believe, in late May or 17 early June of this year; is that correct? 18 A. Correct. 19 Q. In your witness statement, as I understand it, you say 20 about this document the following. Sorry, just one 21 moment. 22 You say at paragraph 54 -- you need to keep that 23 document to hand, please, if you can: 24 "Mr James Ho later followed up on this issue and 25 asked if MTR had any internal records of our site</p>	<p>1 not? If it's not immediately apparent, Mr Wong, just 2 tell us. 3 A. For the photos I had, they were more than the ones here. 4 Q. Yes. You see, I think this is a document -- this is 5 a photograph somebody has taken of your document. In 6 fact one of the government officers, as I understand it, 7 who inspected some documents back in June, took 8 a photograph of this document. Do you understand? 9 A. You mean a government officer took a photo of this 10 summary? 11 Q. That's my understanding. That's why it looks as it 12 looks. 13 A. In my reply -- when I prepared my reply statement, it's 14 only then that I knew there was a government officer who 15 took this photo. 16 Q. Right. But, in its original form, this document, 17 Mr Wong, was the spreadsheet accompanied by the 18 photographs that you looked at? 19 A. Perhaps -- after I prepared this form, I just submitted 20 this form to Mr Ho, James Ho. 21 Q. With or without the photographs? 22 A. No, I think -- I don't think I included the photos at 23 the time. 24 Q. All right. Did you keep yourself a copy of the sheet, 25 a hard copy of the sheet that you prepared, together</p>
Page 14	Page 16
<p>1 surveillance in respect of the couplers in the EWL slab. 2 I confirmed that I had conducted routine site 3 surveillance in respect of more than 50 per cent of the 4 couplers in the EWL slab, but there were no written 5 records as such. There was, however, a collection of 6 site photos of the rebar fixing and coupler installation 7 works taken during our routine site surveillance of the 8 EWL slab works." 9 And 55: 10 "Having reviewed those site photos (which had been 11 uploaded to the SCL project server contemporaneously), 12 I then compiled an Excel spreadsheet summarising the 13 dates and locations of the photographs taken." 14 Mr Wong, the document that we're looking at, or we 15 were just looking at, is this the Excel spreadsheet that 16 you're referring to in paragraph 55? 17 A. Yes, correct. 18 Q. I don't know if you can be given a hard copy, the bundle 19 from which this -- can you actually be given the bundle, 20 sorry. (Handed). 21 I just want to make sure that we don't miss 22 something here, Mr Wong. 23 The photographs that you say you looked at to assist 24 you in preparing this spreadsheet -- just look in the 25 bundle -- can you identify the photographs at all or</p>	<p>1 with the photographs, or indeed a soft copy of the 2 spreadsheet, with the photographs? 3 A. Hard copies, I probably don't have them, but for soft 4 copies, they should be in the site office of Hung Hom 5 1112. 6 Q. Right. 7 Sir, the reason I'm slightly belabouring this point 8 is that despite the search that we've carried out, this 9 appears to be the only copy of this document that we 10 have in the files, and it's obviously been disclosed by 11 the government as part of an exhibit to one of the 12 witness statements. 13 We are not aware that it has been disclosed by the 14 MTRC, with or without the photographs, and that's why 15 I was just exploring that point with Mr Wong. 16 Now, Mr Wong, just looking at this sheet, it says at 17 the bottom "more than 60 per cent of the installed 18 couplers were inspected in the mentioned areas". 19 How does one derive the 60 per cent figure? How 20 have you calculated the 60 per cent? 21 A. For the 60 per cent figure, I think it's broken down 22 area by area. That means the number of bays. It's by 23 the number of bays. 24 Q. I'm still not quite there, Mr Wong. What you've listed 25 there, by reference to a series of dates, are various</p>

Page 17	Page 19
<p>1 areas on the EWL slab, one on the South Approach Tunnel, 2 and a small number on the NSL, slab I assume that is. 3 I just don't get, from that information, how you 4 calculated 60 per cent. And sorry, I should say, some 5 are on the western wall, and I assume but I don't know, 6 where it doesn't say "western D-wall" it perhaps means 7 "eastern", but I'm really not sure. Can you explain? 8 A. Let me explain this form. The first column is the date. 9 That means the date when the photo was taken. 10 Q. Right. 11 A. Then the "Area", EWL area C, bay number, that's the bay 12 number. The first row is "C1-2". "Location" is "bottom 13 layer", that means the bottom mat. 14 Q. Right. Pausing there, is that the East Wall or the 15 West Wall? On the first one, sorry. 16 A. Yes, understood. Sorry, you mean the first row? Which 17 first row? 18 Q. Where it says "C1-2", to the right of that you've got 19 "bottom layer" under the heading "Location". Is that 20 the East Wall or the West Wall? 21 A. That should include all East Wall, West Wall, and the 22 construction joints. 23 Q. Right. So pause there. If that is right, that the 24 C1-2, the first item on this list, is the bottom layer 25 of east, west and construction joints, how many</p>	<p>1 60 per cent as well. That is of course an approximate 2 figure. 3 This is because, when I prepared this summary, there 4 was a pressing timetable. I could not be very exact in 5 calculating how many couplers installation, for example 6 how many coupler installations there were in total. 7 Therefore, the percentage was just a rough estimation. 8 Q. Right. 9 CHAIRMAN: Sorry, again, but the percentage then of 10 60 per cent, from what you're telling me, if it was done 11 by taking the number of bays, might suggest that there 12 were certain bays which you didn't inspect at all? 13 A. For the photos that I took personally, I did not take 14 some photos in some areas, but it doesn't mean that 15 I did not inspect and check those areas, because there 16 were other colleagues who were responsible for other 17 locations. 18 CHAIRMAN: I understand that. It's just you said that the 19 60 per cent as a rough figure might be done by taking 20 the number of bays. So, if you had ten bays, on your 21 basis, you would have inspected, say, six, that would 22 have given you 60 per cent, but that would have left 23 four bays where perhaps there was no record of any 24 inspection? 25 It's probably an overly simplistic question. I'm</p>
Page 18	Page 20
<p>1 photographs did you look at to establish that? 2 A. I would have to look at the number of photos in the 3 server at the site office. I would say approximately 4 five to six photos, from my recollection. 5 Q. Right. And the next one down is the EWL slab, area C, 6 C1-3, but this time specifically the western D-wall? 7 A. Yes. For the western D-wall, I specified this because 8 there's a vertical installation for the couplers, as 9 shown in the photo that we saw yesterday. I also saw 10 this photo in other pages from this folder. So here 11 we're talking about the vertical coupler installation 12 for the western D-wall. 13 Q. Right. Now, as a general question, where we see "bottom 14 layer" on this sheet, as per the first item, can we 15 assume that you're talking about the eastern wall, the 16 western wall and the construction joints? 17 A. Correct. 18 Q. And so, in order to arrive at the conclusion that all of 19 these areas constituted more than 60 per cent of the 20 installed couplers, or areas where the installed 21 couplers were to be found, presumably you must have 22 calculated the total number of couplers? 23 A. Agreed. However, if we calculate it by area -- for 24 example, I have ten bays, I have finished six bays -- 25 I have inspected six bays, that would be equivalent to</p>	<p>1 just trying to understand how you worked out percentage. 2 A. The 60 per cent was based on my record photos. It 3 doesn't mean that for the remaining 40 per cent I did 4 not go or I did not go to the other four areas, because 5 sometimes, when I went there, I may not have taken any 6 photos. 7 CHAIRMAN: All right. Then the other final question -- 8 again, it's probably overly simplistic and forgive me -- 9 is how does a photograph prove that you inspected 10 a particular percentage of the individual couplers? 11 A. Some of the photos I took were very clear. For example, 12 there was one photo that you saw yesterday, I actually 13 put a ruler next to the coupler. So that would prove 14 that I had checked, and there was some general view or 15 some overview showing that the workers were carrying out 16 coupler installation or actually have finished steel 17 fixing. That would mean that I had inspected those 18 areas, I had seen the installation of the couplers in 19 that area, because for the training given by BOSA to us 20 for -- under the QSP, when inspectors went to see -- 21 went to check whether the coupler installation passed or 22 not, we would check whether there was a maximum 23 tolerance of 1 to 1.5 pitch of the thread. 24 CHAIRMAN: I appreciate all of that. I'm just looking at 25 accuracy of records, I suppose, and perhaps, because I'm</p>

Page 21	Page 23
<p>1 from the age of just writing stuff down, I find it a bit 2 difficult. I imagine myself, by way of analogy, going 3 to the front of a renaissance cathedral in Europe and 4 looking at all the saints, the statues. The fact that 5 I take a photograph of one statue at the front of that 6 cathedral doesn't mean that I have necessarily inspected 7 60 per cent of the statues. Do you see the point I'm 8 making? And if I then go to my photographic book two 9 years later and people say, "How many statues did you 10 look at?", I'd probably have difficulty trying to 11 remember. And it seems to me, in principle, this is the 12 same sort of situation, you see.</p> <p>13 A. I understand. Therefore, I would check the photos that 14 we had taken, and then, from those photos, together with 15 the time we spent on inspection on site by myself and my 16 colleagues, and apart from the five incidents that 17 I mentioned in my witness statement, which were all 18 rectified immediately, and then I deduced that -- and 19 I was confident that, for those records that I signed, 20 there was no problem and they were okay.</p> <p>21 CHAIRMAN: All right. So you kept, did you, a record each 22 day of how long you had actually spent on site?</p> <p>23 A. Perhaps I'll elaborate a little bit more. For entry and 24 exit time from the site, for myself, when I was the 25 inspector of works, there were three types of documents</p>	<p>1 A. Yes, I saw it.</p> <p>2 Q. The reason I'm interested in that is that bay 4/5 3 doesn't have a top layer of rebar, because it has 4 through-bars and there are no couplers there. Hence my 5 interest to see the photographs that you looked at.</p> <p>6 A. There should be a construction joint requiring coupler 7 installation. There should be four areas, there should 8 be construction joints in all four faces. So, for the 9 EWL slab, area C1 or area B3, there should be couplers.</p> <p>10 Q. That's why I'm interested to see the photographs, 11 precisely what it is you're referring to.</p> <p>12 So you're saying, as I understand, this has got 13 nothing to do with the D-walls; this is just to do with 14 the construction joints, is it?</p> <p>15 A. If you are talking about the east side, there was no 16 coupler. Of course I definitely have to check the 17 photos. Perhaps in area B, bay 3, or area C1-5.</p> <p>18 Q. I don't doubt what you're telling us, Mr Wong, but the 19 point is that -- that sort of point illustrates the fact 20 that unless you've got the photographs and you can 21 identify what it is you've looked at, it's impossible to 22 work out, without the photographs, how you've arrived at 23 that 60 per cent. It's just impossible, because we 24 don't know whether we're looking at the D-wall east 25 side, the D-wall west side, the construction joints,</p>
Page 22	Page 24
<p>1 that I had to be stationed in the office to carry out: 2 first the site diary, progress summary, and then record 3 photos. For these three documentary evidence, they are 4 derived from the information I collected when I went 5 on site.</p> <p>6 So, for myself, I spent a large proportion of my 7 time on site doing surveillance, and according to my 8 practice my normal working hours were from 8.30 am up to 9 4 pm, and I usually would spend time on site from 10 9.30 am to 5 pm, apart from one hour for lunch.</p> <p>11 So, actually, I spent a large proportion of my time 12 to carry out site surveillance.</p> <p>13 MR PENNICOTT: All right. Mr Wong, how easy would it be for 14 you to identify the photographs that you looked at in 15 preparing this schedule, if I asked you to go and do it 16 now?</p> <p>17 A. If I have to do so, I have to go back to the Hung Hom 18 office. There was a folder which I should have kept all 19 these photos.</p> <p>20 Q. Right. One reason I ask you that question is this. 21 I would be interested to know what photographs you 22 looked at in relation to the last item on this schedule, 23 the photograph or photographs taken on 11 January 2016, 24 in relation to the EWL slab, area B, bay 4/5, top layer; 25 do you see that?</p>	<p>1 whether it's one side or both sides. We simply don't 2 know, without the photographs, do we?</p> <p>3 A. Indeed, I have to look at the photos.</p> <p>4 Q. Well, don't do the exercise unless asked.</p> <p>5 Can we move on, please. Could I ask you now to go 6 to page B7 --</p> <p>7 MR BOULDING: Sir, I hesitate to intervene. I'm just trying 8 to be helpful. I've just been told that all of the 9 photographs are in bundle B17, pages 24203 to 24373.</p> <p>10 CHAIRMAN: Thank you very much.</p> <p>11 MR PENNICOTT: Sorry, is that all the photographs that 12 relate to this sheet, the spreadsheet?</p> <p>13 MR BOULDING: That's the understanding of the note I've just 14 been passed.</p> <p>15 MR PENNICOTT: All right. So that will be 70-odd 16 photographs. Let's have a look. B17.</p> <p>17 CHAIRMAN: Sorry, could I, Mr Wong, just -- we have 18 discussed this and I don't wish to belabour it, but 19 would you agree that it's perhaps not the most accurate 20 system that you've explained to us, for recording things 21 some time later?</p> <p>22 A. If you are talking about a very detailed record, 23 of course it would be best for the record to be done 24 contemporaneously rather than retrospectively.</p> <p>25 CHAIRMAN: But even retrospectively, this is not exactly</p>

Page 25	Page 27
<p>1 high-tech, absolute record-keeping, is it? It's a bit 2 vague. I don't mean that in a condescending way at all. 3 I'm just saying, looking at the way you've explained it, 4 for example, how long you spent on the site in a day, 5 where you were, things like that, it seems to me that, 6 at best, what we're looking at is a sort of estimate. 7 Would you agree with that? 8 A. Agreed, Chairman. For myself, in 2018, when I signed 9 these record sheets, my main consideration was whether 10 there were any major problems that had happened, without 11 following up. According to my recollection -- 12 CHAIRMAN: I appreciate that, absolutely. Sorry, I may have 13 interrupted the interpreter. 14 INTERPRETER: We are finished, Mr Chairman. 15 CHAIRMAN: Apparently not. Thank you. 16 MR PENNICOTT: Sir, I'm inclined, if that's the right 17 reference that Mr Boulding has given to us, to leave it 18 for re-examination, because I've looked at the first six 19 photographs, I've looked at the dates, and the dates 20 don't appear on that schedule. So, as I say, if that's 21 the right reference, no doubt it can be dealt with in 22 some other way, but I'm afraid I can't struggle through 23 all those 70 photographs, trying to match up the dates, 24 and certainly the first six don't appear on the 25 schedule.</p>	<p>1 I think we now need to look at the next document that 2 you at least signed. Could we please go to B7/4537. 3 We can see that on this page, 4537 -- Mr Wong, 4 you've signed this document? 5 A. Yes, correct. 6 Q. Did you prepare it? 7 A. I think it was Derek Ma who prepared it, my colleague. 8 I don't think I prepared this document. 9 Q. All right. As I understand it, this is essentially 10 an index, or summary, of the various sheets that follow 11 this document in the file. If you just flick over the 12 page, you will see the individual sheets for different 13 areas. Do you see that? So one starts with A1, A2, and 14 so forth. 15 A. Yes, I see them. 16 Q. Right. You can confirm that that sheet at the front is 17 essentially a summary or an index of the following 18 sheets? 19 A. Yes, correct. 20 Q. Mr Ma has explained to us -- that's Derek Ma has 21 explained to us -- that he received a soft copy of 22 a template from Leighton, that he modified the document. 23 Following discussions with Michael Fu he added the 24 words -- if you look at the first sheet, at 4538, he 25 added, or rather Mr Ma added, the words:</p>
<p>Page 26</p> <p>1 MR BOULDING: Sir, I'm happy to consider that, but I just 2 point out my understanding is that these are the 3 photographs which are referred to in paragraph 59 of 4 Mr Kobe Wong's witness statement on page B435. 5 MR PENNICOTT: I'm happy to ask him the general question of 6 whether that's right. 7 Mr Wong, I'm going to give you a file containing 8 some photographs, with dates but without any 9 annotations, without any indication what area we're in, 10 and ask you to confirm. (Handed). 11 Do you see that photograph? Flick through them, 12 Mr Wong, please, if you would. 13 I don't know if you've seen enough yet, Mr Wong, but 14 the general question is this: are these the photographs 15 that you looked at to prepare the Excel spreadsheet that 16 we have been looking at? 17 A. Roughly, yes. 18 Yes, this is the batch of photos. 19 Q. Right. I'm not going to pursue that any further at this 20 stage, because there's obviously a huge amount of 21 information there. There's no indication on the 22 photographs as to the areas, but obviously Mr Wong 23 presumably must have been able to work it all out from 24 the exercise he carried out. 25 Mr Wong, can we move on in time, as it were, because</p>	<p>Page 28</p> <p>1 "This form serves a retrospective record of coupler 2 installation." 3 Do you see that, at the bottom of the page? Do you 4 see that, Mr Wong? 5 A. Yes, I see it. I understand it. 6 Q. All right. Then he handed the document to you, but 7 without any of the manuscript on the documents that we 8 can see on page, by way of example, 4538. 9 So, pausing there, are the manuscript annotations 10 that we see on these sheets, from 4538 and onwards, 11 yours, Mr Wong? 12 A. Correct. 13 Q. Just taking -- let's look at 4539, a slightly better 14 example. We're in area A2; do you see that, Mr Wong? 15 A. It should be area A, bay 2. 16 Q. Yes, area A, bay 2, yes, that's right. 17 And area A was an area that you were responsible for 18 inspecting, Mr Wong? 19 A. Correct. 20 Q. You have, we can see, struck through the letters "NS" in 21 relation to the top rebar and the bottom rebar on this 22 page? 23 A. Correct. 24 Q. And in making, as it were, that striking-through, what 25 did you rely upon? What was your thinking? What</p>

Page 29	Page 31
<p>1 allowed you to delete the letters "NS"?</p> <p>2 A. I looked at the record photos, and then there were</p> <p>3 photos taken by other colleagues. For this area, there</p> <p>4 were never any problems with coupler installation, and</p> <p>5 then I myself and my colleagues, when carrying out</p> <p>6 a site inspection, in the time we did so, I think it</p> <p>7 could more than cover the assembly process. That's why</p> <p>8 I was confident to strike out "NS".</p> <p>9 Q. Did you also delete items 5 and 6 on page 4539?</p> <p>10 A. I can't recall whether it was me or Derek who deleted</p> <p>11 these items, because for area A, bay 2, for items 5</p> <p>12 and 6, they never appeared. That's why they were</p> <p>13 deleted.</p> <p>14 Q. All right. Sorry, sir.</p> <p>15 CHAIRMAN: Sorry, I do apologise again. So your handwritten</p> <p>16 deletion of "Not satisfactory" then is based on memory,</p> <p>17 essentially, is that right, together with the</p> <p>18 photographs?</p> <p>19 A. Correct.</p> <p>20 CHAIRMAN: Because you're saying, "We didn't remember any</p> <p>21 problem with the coupler installation." That's to quote</p> <p>22 what you said a couple of minutes ago. So basically,</p> <p>23 a lot of these records were based on recollection going</p> <p>24 back a good many months?</p> <p>25 A. Correct.</p>	<p>1 morning?</p> <p>2 A. Correct.</p> <p>3 CHAIRMAN: So would you agree what you were attempting to do</p> <p>4 was to make it look as if these documents had been</p> <p>5 compiled in February 2017, at or about the time that the</p> <p>6 internal review came out?</p> <p>7 A. Agreed.</p> <p>8 MR PENNICOTT: In paragraph 64 of your witness statement --</p> <p>9 but don't lose the sheets -- you say this:</p> <p>10 "As mentioned earlier, at the time of signing the</p> <p>11 checklists, I did not check them in great detail, given</p> <p>12 the limited time available. I am now aware that the</p> <p>13 coupler checklists are not entirely accurate, as some of</p> <p>14 the diaphragm walls covered by the checklists did not in</p> <p>15 fact have any couplers in the top layer rebars as</p> <p>16 a result of a change in detailing from the use of</p> <p>17 couplers to through-bar lapping. Although I was</p> <p>18 definitely aware of this change in detailing at the time</p> <p>19 of the works, I unfortunately did not notice the</p> <p>20 inaccuracies within the checklists when signing them,</p> <p>21 until it was instructed to find and collate all site</p> <p>22 photos showing construction details of the east</p> <p>23 diaphragm wall, and was subsequently told that this was</p> <p>24 for the purpose of identifying parts of the diaphragm</p> <p>25 wall and cast-in couplers which had been trimmed away."</p>
Page 30	Page 32
<p>1 CHAIRMAN: Okay.</p> <p>2 MR PENNICOTT: Having made the manuscript additions to the</p> <p>3 various sheets, Mr Wong, my understanding is that there</p> <p>4 was a discussion between yourself and your colleagues,</p> <p>5 including Mr Ma, that the document should all be</p> <p>6 backdated to 10 February 2017; is that correct?</p> <p>7 A. Correct.</p> <p>8 Q. And, in your own words, Mr Wong, what was the thinking</p> <p>9 behind that?</p> <p>10 A. You mean about the date?</p> <p>11 Q. Yes.</p> <p>12 A. In June 2018, I was already relocated to another</p> <p>13 section, a property project, and my title was no longer</p> <p>14 inspector of works; it was site representative at the</p> <p>15 time. And since this is a retrospective record, and it</p> <p>16 was the first time I had this arrangement, I had to ask</p> <p>17 which date I should put in.</p> <p>18 At that time, I was certain that the date would not</p> <p>19 be in 2015, because this is a retrospective record, and</p> <p>20 after some discussion it was concluded that 10 February</p> <p>21 2017, because that was the date we had to respond to the</p> <p>22 internal review -- therefore, the date was inserted as</p> <p>23 10 February 2017.</p> <p>24 Q. So there was an attempt to tie it back to the internal</p> <p>25 review that we were looking at at the outset this</p>	<p>1 So if we go back to B7 and the sheet at 4561, just</p> <p>2 to illustrate the point that you have made, on the sheet</p> <p>3 that we see at 4561, it relates to area C1, bay 3; do</p> <p>4 you see that? So it's C1-3.</p> <p>5 A. I saw that.</p> <p>6 Q. On the sheet we see references to T1, T3 and T5.</p> <p>7 A. Yes.</p> <p>8 Q. Denoting rebar with couplers.</p> <p>9 A. Yes.</p> <p>10 Q. And in fact there are no couplers in the top part of</p> <p>11 C1-3 because through-bars were adopted.</p> <p>12 A. When we checked the photo records, yes, indeed that was</p> <p>13 the case, there was no.</p> <p>14 Q. Yes. And so you were showing, on this sheet at least,</p> <p>15 having recorded inspections of couplers which you could</p> <p>16 not have inspected because they weren't there?</p> <p>17 A. When I checked the photo record, I realised that there</p> <p>18 was none, because there were no couplers. So, for this</p> <p>19 form, I didn't pay enough attention or pay detailed</p> <p>20 attention. That's why I signed it wrongly.</p> <p>21 Q. So, Mr Wong, just to round this off, having completed</p> <p>22 these sheets, as I understand it, you handed them back</p> <p>23 to Derek Ma; is that right?</p> <p>24 A. Correct.</p> <p>25 MR PENNICOTT: Then, obviously, we know what happened</p>

Page 33	Page 35
<p>1 subsequently.</p> <p>2 Thank you very much, Mr Wong. I've got no further</p> <p>3 questions. Thank you very much.</p> <p>4 MR TO: No questions from China Technology.</p> <p>5 MR CHANG: No questions from Leighton.</p> <p>6 MR CHOW: Mr Chairman, there are some questions from the</p> <p>7 government, but I see that we are at 11.23. Perhaps</p> <p>8 it's a convenient moment for us to take the morning</p> <p>9 break, so that I can start after the break.</p> <p>10 CHAIRMAN: Yes, certainly. 15 minutes. Thank you.</p> <p>11 (11.22 am)</p> <p>12 (A short adjournment)</p> <p>13 (11.43 am)</p> <p>14 CHAIRMAN: Sorry, I just want to ask one thing, Mr Wong.</p> <p>15 Over the tea break, just looking back at the records</p> <p>16 that you prepared and to which you put your name, would</p> <p>17 you agree that, essentially, they were based on fallible</p> <p>18 memory and records that were not highly specific?</p> <p>19 A. I did do the records based on memory but not fallible or</p> <p>20 vague.</p> <p>21 CHAIRMAN: All right. Were you quite happy to sign these</p> <p>22 records?</p> <p>23 A. When you say happy or satisfactory --</p> <p>24 CHAIRMAN: No, my question is quite clear, I think. When</p> <p>25 you were asked to sign these template records which</p>	<p>1 Q. Can you tell us the name of your superior who said this</p> <p>2 to you, who was it?</p> <p>3 A. Mr Dick Kung.</p> <p>4 Q. Thank you.</p> <p>5 This morning, when you were asked by Mr Chairman as</p> <p>6 to who would be the responsible officer in the position</p> <p>7 to appoint the specific T3 to be in charge of the</p> <p>8 inspection of the coupling works, and you mentioned two</p> <p>9 possible positions. One is the CP; do you recall that?</p> <p>10 A. Yes, correct.</p> <p>11 Q. You also mentioned the name Mr Jason Wong; do you recall</p> <p>12 that part of your evidence?</p> <p>13 A. Yes, I remember that.</p> <p>14 Q. An alternative would be a T5, and at that stage you</p> <p>15 mentioned the name James Ho?</p> <p>16 A. Yes, correct.</p> <p>17 Q. We have received evidence from the construction manager,</p> <p>18 Mr Kit Chan, who told us that you were the person</p> <p>19 supposed to carry out the duty of the quality control</p> <p>20 supervisor for inspecting the couplers installation</p> <p>21 work.</p> <p>22 To be fair to you, may I refer you to that</p> <p>23 particular part of the transcript: Day 26, page 105,</p> <p>24 line 5, when I asked Mr Chan:</p> <p>25 "So you are telling us that for the purpose of the</p>
Page 34	Page 36
<p>1 you've been shown, were you happy to do so, and to</p> <p>2 backdate them?</p> <p>3 A. This was because my superior, Mr James Ho, requested me</p> <p>4 to do so.</p> <p>5 CHAIRMAN: That's a different question. My question is not</p> <p>6 who asked you to sign. My question is: were you -- as</p> <p>7 an individual, at that moment in time, with the</p> <p>8 knowledge that you had of the nature of these records --</p> <p>9 you happy to sign them?</p> <p>10 A. To myself, I have no problem.</p> <p>11 CHAIRMAN: All right. So you were happy to sign?</p> <p>12 A. Yes.</p> <p>13 CHAIRMAN: Thank you.</p> <p>14 Cross-examination by MR CHOW</p> <p>15 MR CHOW: Good morning, Mr Wong. My name is Anthony Chow</p> <p>16 and I represent the government. The government has some</p> <p>17 questions for you in relation to the evidence that you</p> <p>18 have given so far.</p> <p>19 Mr Wong, my first question is that I recall that</p> <p>20 this morning you mentioned that you were told by your</p> <p>21 superior that the steel fixing work will be inspected by</p> <p>22 the construction engineer, and you also told that it is</p> <p>23 not your job to look at the couplers installation. Do</p> <p>24 you still recall that?</p> <p>25 A. Yes, correct, I remember that.</p>	<p>1 QSP, the quality control supervisor designated to take</p> <p>2 care of the supervision of the ductile couplers</p> <p>3 installation was Kobe Wong?</p> <p>4 Answer: Yes.</p> <p>5 Question: So it's not Derek Ma?</p> <p>6 Answer: No. Derek Ma is an engineer who's</p> <p>7 responsible for rebar checking. The coupler</p> <p>8 installation checking, based on the arrangement at that</p> <p>9 time, material time, are the inspectors."</p> <p>10 So our understanding of Mr Kit Chan's evidence is</p> <p>11 that, to him, it was quite clear that you were the</p> <p>12 person who was supposed to carry out that duty.</p> <p>13 Am I right in thinking that, at the time, he never let</p> <p>14 you know you should be discharging that duty; is that</p> <p>15 correct?</p> <p>16 A. Correct. He did not assign me to do this inspection or</p> <p>17 checking.</p> <p>18 Q. For the purpose of the record, can I also refer you to</p> <p>19 the site supervision plan, at bundle B6/4081. This is</p> <p>20 part of the site supervision plan dated November 2015.</p> <p>21 This shows the various personnel under the CP stream,</p> <p>22 and Mr Kit Chan, at that point, first of all, was</p> <p>23 qualified as a T5 TCP, and at the same time he was also</p> <p>24 the CP representative; do you see that?</p> <p>25 A. Yes.</p>

Page 37	Page 39
<p>1 Q. So, as far as you are concerned, based on what you have 2 told us this morning, he would have the authority to 3 appoint the candidate for taking up the position of the 4 quality control supervisor; is that correct? 5 A. Yes, correct. 6 Q. Now, I would like to move on to the retrospective 7 records. Can I refer you to paragraph 49 of your 8 statement, at bundle B1, page 433, please. If I may, 9 I would like to remind you what you have said in those 10 paragraphs, 49 and 50: 11 "After the first media report in late May 2018 12 regarding allegations of defective steel works under 13 contract 1112, various MTRCL members of staff (including 14 Mr James Ho, Mr Derek Ma, Mr Louis Kwan, Mr Arthur Wang 15 and myself) began to gather evidence in response to what 16 has been alleged in the media report, and I assisted 17 with collecting and collating the relevant site photos 18 from MTRC's project server. Other than collating and 19 providing some relevant site photos, I had no 20 involvement at all in the preparation and drafting of 21 the MTRC report dated 15 June 2018. 22 Shortly thereafter, in or around early June 2018, 23 I ran into LCAL's Mr Edward Mok and Ms Mini Lo and 24 learned that they were preparing the record sheets for 25 the EWL slab at that time. I naturally asked if they</p>	<p>1 what you yourself have admitted. 2 A. I understand. This was because, in 2018, my position 3 and title was different. I was in longer inspector of 4 works. So, therefore, I had to enquire what date 5 I should put in for these retrospective records. 6 Of course I understand that I should not say that these 7 records were made in 2015. 8 MR CHOW: Is it your evidence now, so long as it is put on 9 the face of the document, telling people that this is 10 a retrospective record, it would be okay for you; is 11 that right? 12 A. If it is a retrospective document and it is expressly 13 stated that it was retrospective, I think it's okay. 14 Q. Okay. Now, paragraphs 52 and 53 of your witness 15 statement, bundle B1, page 433, where you said: 16 "Afterwards, Mr James Ho told me that Leighton had 17 by then retrospectively prepared a set of record sheets 18 for the EWL slab, although I had not actually seen 19 a physical copy at the time. He asked me whether I was 20 willing to countersign those record sheets, and 21 I vehemently said that I was not willing to do so in 22 these circumstances when Leighton had failed to keep any 23 contemporaneous record sheets as required by the QSP. 24 Furthermore, I distinctly remember raising the 25 concern that I was only a T3 site supervisor for the ELS</p>
Page 38	Page 40
<p>1 were willing to sign those record sheets, but they were 2 adamant that they were not prepared to sign any 3 retrospective record sheets after the event." 4 May I ask why would you ask them whether they were 5 willing to sign the retrospective record sheets at that 6 point? 7 A. This is because these record sheets were supposed to 8 have been signed by them first, so that's why 9 subconsciously I asked them whether they were going to 10 sign them. 11 Q. So am I right in thinking that, as far as you are 12 concerned, it wouldn't be right for them to sign on the 13 record sheets which were prepared retrospectively? 14 A. Could you repeat the question? 15 Q. As far as you are concerned, would it be right for 16 someone to sign on record sheets which were prepared 17 retrospectively? 18 A. If the records were specified to be retrospective 19 records, there should be no problem, because it was made 20 clear that these records were retrospectively made. 21 There was no concealment that these records were 22 retrospective. 23 CHAIRMAN: Well, with respect, there was. You yourself have 24 said that it was dated 2017 in order to give the 25 appearance that they were made at that time. That's</p>	<p>1 [slab], such that I did not consider myself to be the 2 competent or appropriate person to sign the so-called 3 record sheets retrospectively prepared and provided by 4 LCAL." 5 Now, what you said in paragraph 53 is not entirely 6 clear to me as to your concern. Your concern, am I -- 7 which one is it? You thought it would be wrong to 8 create inspection records retrospectively, or your 9 concern is you consider yourself not an appropriate 10 person or not competent to sign on the record sheet? 11 Which one is your real concern, the former or the 12 latter? 13 A. My concern was that I was not the T3 site supervisor 14 assigned to do the formal acceptance. 15 Q. Okay. Perhaps, at this point, can I ask you to go to 16 look at a document: bundle H14, page 35067. 17 Right. Do you have any -- at the time when Mr James 18 Ho asked you whether you were prepared to sign on the 19 set of record sheets, did he show you similar document 20 as we see now on the screen? 21 A. I did not see those documents. 22 Q. How about the other document, at bundle G12/9883, 23 please? How about this one? 24 A. Not at that time. 25 Q. So, basically, your conversation -- on that occasion,</p>

Page 41	Page 43
<p>1 Mr James Ho simply asked you whether you were prepared 2 to sign something called a record sheet, without showing 3 you what documents he had in mind; is that right? 4 A. Correct. 5 Q. Now, this morning Mr Pennicott has already taken you to 6 a summary table that you prepared, at bundle H14, 7 page 35070. 8 CHAIRMAN: Sorry, just before we move on there -- in 9 an affidavit or an affirmation, you have said that there 10 was a time when you were very strongly opposed to 11 signing these record sheets, but this morning, to me, 12 you have said that in fact, in contemplation, looking 13 back on everything you have said this morning, and 14 reassessing the situation, you were happy to sign; is 15 that right? 16 A. Sorry, Chairman, could you repeat your question, please? 17 CHAIRMAN: All right. In this affirmation, you've said you 18 were strongly opposed to signing at that time; yes? 19 A. Now I understand. I was strongly opposed. 20 CHAIRMAN: You have said to me, after we have debated the 21 issue for a good period of time this morning, that 22 looking back on everything, yes, you were happy to sign 23 at that time. 24 A. Chairman, what I meant was I was strongly opposed 25 against signing the records provided by Leighton, but</p>	<p>1 actually mentioned he was asked by Mr James Ho to sign 2 them. 3 CHAIRMAN: I know. I'm just wanting to see where there's 4 consistency or not, if you see what I mean. 5 MR CHOW: Sorry. 6 CHAIRMAN: Thank you very much. 7 Thank you. Yes, Mr Chow. 8 MR CHOW: Mr Wong, you recognise this document that 9 Mr Pennicott took you to this morning? 10 A. Yes. 11 Q. You yourself prepared this document; correct? 12 A. Yes. 13 Q. So everything that we see on this document was, to 14 a certain extent, typed up by you; is that right? 15 A. Yes. 16 Q. At the bottom of the page, it was your signature as 17 well? 18 A. Yes. 19 Q. Now, based on what you have just told us, that so long 20 as we put on the face of the document telling people 21 that this is a retrospective record, it will be okay; do 22 you recall that part of your evidence? 23 A. Yes, I did say so. 24 Q. Do you agree with me that there is no indication on this 25 document telling people that this document was actually</p>
Page 42	Page 44
<p>1 I was happy to sign our own internal records. 2 CHAIRMAN: All right. Thank you. So you thought that these 3 were Leighton records you were signing? 4 A. The Leighton records I would not sign. 5 CHAIRMAN: Were you asked to sign the Leighton records? 6 A. Just now, it was mentioned -- I was asked if Mr So asked 7 me whether I would sign the records, and I indicated 8 that I would not sign the Leighton records, when Mr Ho 9 asked me. 10 CHAIRMAN: My question is a simple one: were you, at any 11 time, asked to countersign Leighton records? 12 A. Chairman, you mean countersigning the retrospective 13 records of Leighton, or any records? 14 CHAIRMAN: No. Please listen to my questions. I do try to 15 make them simple, and my apologies if I am being 16 overcomplicated. Were you at any time asked to sign or 17 countersign Leighton records of a similar kind to the 18 records which you in fact signed? 19 A. I wouldn't sign them. The Leighton records, I wouldn't 20 sign them. 21 CHAIRMAN: So you were asked to sign, were you, or did you 22 merely make a statement to that general effect, that if 23 you were asked you wouldn't? 24 A. Mr Ho did ask me to sign them. 25 MR CHOW: Mr Chairman, actually, in paragraph 52, he</p>	<p>1 prepared in early June this year? 2 A. Yes, correct. 3 Q. And as a matter of fact, this document was prepared by 4 you not until June this year; correct? 5 A. Yes, correct, because it's a summary. 6 Q. Fair enough. 7 Now, can you tell me why, at that point, in June 8 2018, a few months earlier, you still put your job title 9 as IoW? 10 A. I think that's a typo. 11 Q. You told this Commission that since November 2015, you 12 have been promoted to the position of a senior IoW; do 13 you recall that? 14 A. Correct. 15 Q. Now, if I can refer you to one of the emails that you 16 issued shortly after you had been promoted -- 17 bundle C12, page 8127 -- on 15 December 2015, when you 18 talk about the incident of bar cutting. 19 Now, that happened shortly after you had been 20 promoted. We can see that you have not been slow in 21 telling people that your new position is senior 22 inspector of works II-civil; am I correct? 23 A. You mean I didn't tell people or did I tell people? 24 Because here the title does say inspector of works II. 25 Q. Yes, we can all see that.</p>

Page 45	Page 47
<p>1 Then can you tell me, once again, after more than 2 two and a half years you have been promoted to a new 3 position, you would make a mistake, as you described 4 earlier, by claiming yourself to be an IoW when you 5 prepared the summary table, using your title more than 6 two and a half years ago and during the time when you 7 were looking after the EWL slab? 8 A. When I prepared the summary table, I believe it was just 9 a typo, so I typed my title wrong. 10 Q. Can you also tell us -- if you can go back to the 11 summary table that we have just looked at -- bundle H14, 12 page 35070 -- can you also tell us why you did not date 13 this document when you signed it? 14 A. Well, this is just a summary. It's a summary. So my 15 understanding is there is no need to put a date on it. 16 Q. Let me give you some background of how the government 17 got to look at this document. This document was shown 18 to the government inspector in early June this year, to 19 look at the records, the contemporaneous records, in 20 relation to the inspection of the couplers installation, 21 and this document was shown by people in the MTRC office 22 to the government inspector, and at the same time the 23 government was informed that in relation to the couplers 24 installation, it was sensitive at the moment and that's 25 why copies could not be made for the government, and in</p>	<p>1 not to mislead people into believing that this is 2 a document made contemporaneously, you would have put in 3 some note on the document to make sure that whoever 4 would come across this document would not be misled? Do 5 you agree with me? 6 A. I agree. 7 Q. Now, regarding the supporting documents for compiling 8 this summary, you refer to a set of photos saved in the 9 company's server; do you recall that? 10 A. Yes, I did. 11 Q. Part of the photos, as I understand your evidence this 12 morning, were taken by you yourself? 13 A. Yes, correct. 14 Q. There were also other photos taken by other inspectors 15 or colleagues of MTRC; is that correct? 16 A. Correct. 17 Q. So, when you prepared this summary, had you exhausted 18 all the photos available to you in the company's server 19 for compiling this table? 20 A. If you're just referring to this form, this summary 21 form, I only looked at my own photos. 22 Q. I see. Can I now -- we will come back to this later on, 23 but at the moment I would like to refer you to the 24 checklist that you have signed. Can I just remind you 25 what you said in paragraph 55 onwards, in relation to</p>
Page 46	Page 48
<p>1 those circumstances an inspector took out his phone and 2 then took a photo, and that is how we got possession of 3 this document. So this is the background; right? Do 4 you follow me? 5 A. Yes, I understand. 6 Q. At the time when you prepared this summary table, do you 7 know whether this document would be shown to the 8 government or not? 9 A. I didn't know that. 10 Q. This document was prepared by you. Was it under the 11 instructions from James Ho? 12 A. Yes, correct. 13 Q. What did Mr James Ho tell you when he gave you the 14 instruction to prepare this summary? 15 A. He said that the MTR should prepare an internal record. 16 Q. So do you expect that what you are going to prepare 17 would be shown to persons other than Mr James Ho? 18 A. At that time, I did not know. 19 Q. Then did you ask Mr James Ho as to what information that 20 you were supposed to include in the document that he 21 asked you to prepare? 22 A. He did not say in detail what should be included in the 23 document. So I just looked at the record photos and 24 then I put the information here. 25 Q. Do you agree with me that, given that it is your concern</p>	<p>1 this set of retrospective records. 2 Now, paragraph 55: 3 "Having reviewed those site photos (which had been 4 uploaded to the SCL project server contemporaneously), 5 I then compiled an Excel spreadsheet summarising the 6 dates and locations of the photos taken. A hard copy of 7 that spreadsheet was provided to Mr James Ho for 8 consideration, but he considered that the summary was 9 not sufficiently detailed, and he asked if I was willing 10 to prepare and sign a more detailed set of records. At 11 that point, I was assured by Mr Ho that the proposed set 12 of records would only act as an internal record. 13 I understood this to mean that it was only for the use 14 of myself, Mr Ho, Mr Derek Ma, Mr Louis Kwan and 15 Mr Arthur Wang, and would not be circulated to any other 16 parties. 17 Thereafter, I understand that Mr James Ho instructed 18 Mr Derek Ma to prepare a first set of checklists 19 entitled 'Checklist for on-site assembly of EWL slab to 20 D-wall/slab couplers', a hard copy of which was printed 21 out and handed to me at the Hung Hom site office. 22 During the discussions with Mr Ho and Mr Ma, 23 I understood from Mr Ma that the checklists prepared by 24 him covered around 20 per cent of the rebars/couplers 25 installed on site. Above all, Mr Ma assured me once</p>

Page 49	Page 51
<p>1 again that these checklists would only act as 2 an internal retrospective record of my recollection not 3 to be circulated to any parties outside our team of 4 Mr Ho, Mr Ma, Mr Louis Kwan and Mr Arthur Wang. 5 During the same discussions, it was decided that the 6 checklists should be dated with a date after the 7 internal review, ie 10 February 2017, as these 8 checklists were prepared with the intention of 9 responding to and addressing the recommendations 10 therein. As far as I was concerned, I was sure that 11 those checklists could not and should not be dated back 12 to 2015, as they were merely a retrospective internal 13 record for the purpose of satisfying myself that we had 14 carried out sufficient site surveillance in respect of 15 the coupler installations." 16 Further, in paragraph 59, you said: 17 "Based on my memory of my site surveillance 18 activities at the time, and having previously reviewed 19 the site photos taken by myself and other ... 20 supervisors, I was satisfied that we did carry out more 21 than enough site surveillance covering the coupler 22 installation works, and I proceeded to fill in those 23 checklists. I did not check the numbers or drawings 24 referred to in the checklists in detail, as Mr Derek Ma 25 prepared the checklists and I relied on the information</p>	<p>1 A. That was a requirement of Mr James Ho. 2 CHAIRMAN: All right. You didn't think it a bit strange, 3 especially when you had to date it as well, because it 4 seems to give a certain formality to documents which 5 you've said you were assured were only for internal 6 records, to be seen by just four or five people? 7 A. At that time, that were lot of documents -- information 8 that needed to be collected. I didn't have time to 9 think things carefully. I only knew that this should be 10 an internal document. 11 CHAIRMAN: All right. Thank you. 12 MR CHOW: Now, Mr Wong, in paragraph 57, when you talk 13 about -- when you try to explain why the document was 14 backdated to 10 February 2017, you refer to an internal 15 review and you said the intention was to respond to and 16 address to the recommendations therein. 17 Now, this is the problem that I have, and with due 18 respect, I don't quite follow it. What happened, at 19 that stage, in early -- from the end of May up to early 20 June, as you and Mr Derek Ma have described what 21 actually happened, if I may gather, sort of give you 22 a summary -- it's that at the end of May, there were 23 widespread reports regarding problems with couplers in 24 the Hung Hom Station, and because of that, you were 25 asked by James Ho as to whether you were prepared to</p>
<p>Page 50</p> <p>1 he had incorporated therein. Moreover, I was under the 2 impression from Mr James Ho that he urgently required 3 those checklists." 4 Now, may I first ask you what did Mr James Ho say to 5 you, to give you an impression that he was urgently in 6 need of that set of checklists? What did he tell you, 7 insofar as you can recollect? 8 A. I can no longer recollect the actual or exact 9 conversation. I remember that he needed the records 10 urgently. 11 Q. Did he tell you why he was in need of it urgently? 12 A. I didn't ask. 13 Q. All right. 14 CHAIRMAN: Sorry, could I just ask one thing which puzzles 15 me. You have said in this affirmation that you were 16 assured that the records were only intended for a very 17 small group of people who worked with you; correct? 18 A. Correct. 19 CHAIRMAN: If that was the case, and they were purely 20 internal records, why would anybody have to sign them? 21 Why would anybody have to date them? They're just 22 internal records for you and three or four other 23 co-engineers to be able to assure yourself of whatever 24 it was you wished to be assured of. Why were you, in 25 particular, required to sign?</p>	<p>Page 52</p> <p>1 sign on a set of record sheets, which you refused. Do 2 you recall that? 3 A. Yes, I remember that. 4 Q. Then you refused to do so, you were asked to prepare 5 a summary sheet by Mr James Ho, you have just told us; 6 right? 7 A. Correct. 8 Q. And Mr James Ho found that a summary sheet in such form 9 was not sufficient, and therefore he asked you whether 10 you are ready to prepare a more detailed set of records. 11 Do you recall that? 12 A. Correct. 13 Q. Then you have Mr Derek Ma, all of a sudden, prepared 14 a detailed set of records for you; do you recall that? 15 A. Yes, I remember that. 16 Q. And asked you to sign; right? 17 A. Yes. 18 Q. All right. Then you also mentioned to us that Mr James 19 Ho somehow gave you the impression he was urgently in 20 need of that set of documents. Do you recall that? 21 A. Yes, I remember that. 22 Q. How would a person believe that the purpose of signing 23 that set of documents was to address a report which was 24 published more than one and a half years ago, the 25 internal review report, in such circumstances?</p>

Page 53	Page 55
<p>1 A. You mean believing the date 10 February 2017? Could you 2 repeat the question?</p> <p>3 Q. Given that a serious event happened from the end of May 4 up to the moment you were asked to sign on a set of 5 detailed records prepared by Derek Ma, my suggestion is 6 that a reasonable person would not honestly believe that 7 the purpose of signing that set of documents was to 8 address a report that was published more than one and 9 a half years ago. Do you agree with me?</p> <p>10 A. This is because, when these record sheets were prepared, 11 as I said, I was already relocated to another section, 12 the project division, and to my understanding these 13 retrospective records would not put the date 2015. 14 After some discussion, we concluded that 10 February 15 2017 was a more appropriate date. I also mention that 16 this was an internal document, so only for reference by 17 the few of us.</p> <p>18 Q. Now, this morning, Mr Pennicott also showed you details 19 of the relevant part of the internal review report; do 20 you recall that?</p> <p>21 A. I remember that.</p> <p>22 Q. The specific part that has been shown to you includes 23 a recommendation section; do you recall that?</p> <p>24 A. I remember.</p> <p>25 Q. If I may call up the same document -- bundle B7,</p>	<p>1 an attempt to address this particular recommendation set 2 out in the internal review report; right?</p> <p>3 A. Yes.</p> <p>4 Q. At that point, shortly after the report was published?</p> <p>5 A. Correct.</p> <p>6 Q. And upon being informed by Leighton that no such record 7 existed, the matter was put at rest, at that point, and 8 no further action was taken by MTRC or your team?</p> <p>9 A. That's correct.</p> <p>10 Q. Can you think of any justification that all of a sudden, 11 one and a half years later, in early June 2018, there 12 was a need to prepare a whole set of inspection records 13 just to address this particular recommendation?</p> <p>14 A. Concerning the date, it was arrived at after some 15 discussion among the colleagues. This is because, at 16 that time, the general direction was that the report or 17 the record would not be backdated to 2015, therefore it 18 was decided to use 2017.</p> <p>19 CHAIRMAN: No, I think the question is: can you think of any 20 reason why, in June 2018, when no action had been taken 21 for over a year or so in respect of the recommendation 22 in this report, you would then suddenly be asked to 23 prepare records which apparently were to meet 24 a recommendation in the report?</p> <p>25 MR CHOW: Thank you, Mr Chairman.</p>
Page 54	Page 56
<p>1 page 4519 -- now, under section 5.1, "Recommended 2 follow-up actions", the second bullet point requires you 3 to: 4 "Confirm the frequency of Leighton and MTRC 5 supervision were in compliance with the requirement of 6 the QSP, and were recorded on the record sheet ..." 7 Do you see that?</p> <p>8 A. Yes, I saw that.</p> <p>9 Q. Do you agree with me that what is recommended in this 10 report is to ask you or the MTRC staff to go away and 11 confirm that proper supervision has been provided and 12 there were records recording the supervision provided? 13 It never asked you to go away and prepare a new set of 14 records to cover that?</p> <p>15 A. Could you repeat the question?</p> <p>16 CHAIRMAN: I agree, it's a little ambiguous.</p> <p>17 MR CHOW: All right. Okay. Then I will move on.</p> <p>18 CHAIRMAN: All right.</p> <p>19 MR CHOW: Now, earlier, in relation to this recommendation, 20 you also told us that actually, action was taken at that 21 time. Somebody went to ask Leighton as to whether they 22 had kept a contemporaneous record, and they were told by 23 Leighton that it did not exist; do you recall that?</p> <p>24 A. I remember that.</p> <p>25 Q. So action was actually taken in response or in</p>	<p>1 A. I didn't think too much about this, or along this line.</p> <p>2 Q. In paragraph 57 of your statement, you actually go on to 3 say a second reason: 4 "... I was sure that those checklists could not and 5 should not be dated back to 2015, as they were merely 6 a retrospective internal record for the purpose of 7 satisfying [yourself] ..." 8 This is where I would like you to explain to us. 9 Why would there be a need, after so many years, to put 10 so much effort in creating this set of documents for the 11 mere purpose of satisfying yourself?</p> <p>12 A. Sorry, please let me take a look first. 13 I believe what this sentence means is that I was 14 clear that these records would certainly not be dated 15 back to 2015, because it was a set of internal and 16 retrospective records. 17 Also, these documents were based on sufficient site 18 surveillance and then there were satisfactory outcome. 19 I think that's what it should mean; "satisfying" means 20 satisfied about the coupler -- being satisfactory about 21 the coupler installations.</p> <p>22 Q. Am I right to say that what is more appropriate would 23 be -- perhaps you can disagree with me; right? -- what 24 you should have put is "as they were merely 25 a retrospective internal record for the purpose of</p>

<p style="text-align: right;">Page 57</p> <p>1 satisfying the government that we had carried out 2 sufficient site surveillance in respect of the coupler 3 installations"; would it be more appropriate for you to 4 put that, as opposed to satisfying yourself? 5 A. Perhaps I can put it this way. When these records were 6 prepared, they were meant to be an internal document. 7 I did not expect them to be made public or to be passed 8 on to people outside of my team. 9 CHAIRMAN: Sorry, could I ask: if you had been told that 10 they may be used externally, that is perhaps to be 11 considered by government, what would have been your 12 reaction, as to the request for you to put your 13 signature onto these records, that signature, in the 14 normal course of events, certifying that you saw them as 15 being accurate and good faith documents? 16 A. I understand. If the documents were to be passed on to 17 other parties such as the government, then I believe it 18 should be the relevant T3 person to sign the forms. 19 CHAIRMAN: But you didn't know who that was? 20 A. Yes, I did not ask who was responsible for this. 21 MR CHOW: We know that the set of documents that you have 22 signed, the checklist that you have signed and backdated 23 to 10 February 2017 was subsequently submitted by MTRC 24 to the government on 15 June 2018, this year. Are you 25 aware of that fact?</p>	<p style="text-align: right;">Page 59</p> <p>1 15 June? 2 A. On that occasion, when I went back to the office, I did 3 not see the original copy. There was a scanned copy. 4 Q. Yes. So you realised that on that day; is that right? 5 A. Yes. 6 Q. So did you ask Mr James Ho what has become of the 7 original set of documents that you signed, why it 8 disappeared? 9 A. I did not ask him on that day, I suppose, I believe, 10 because I thought they might just have taken it for 11 a look. 12 Q. Right. Let's go to have a detailed look at the 13 documents that you have signed. Perhaps bundle B7, 14 page 4555, please. 15 Right. So this is one of the checklists that you 16 have signed. We see that at the lower part of the 17 document, there are six items, which suggest to the 18 reader that those are the items that you have checked in 19 particular; do you agree with me? 20 A. Yes, I agree, but for items 5 and 6, they shouldn't be 21 there, so I just omitted to delete them. 22 Q. Yes, I know that. Now, do you agree with me that based 23 on the description of the first four items -- well, 24 perhaps you can take a look at the description first and 25 then I will ask my question.</p>
<p style="text-align: right;">Page 58</p> <p>1 A. I was not aware that my internal documents would be 2 attached to the report. 3 Q. So are you saying that before today you were not aware 4 of this fact? So I just told you; is that the position? 5 A. I meant, for the report submitted to the government in 6 June, when the report was given to the government, I did 7 not know that that document was attached to it, because 8 I was not involved in the drafting of the report. 9 Q. At any stage before today, were you aware of the fact 10 that the documents that you have signed were submitted 11 to the government? 12 A. Yes, I know about that. When I gave the witness 13 statement for this Commission, I knew about it. 14 Q. Okay. In paragraph 63 of your witness statement, you 15 mention that at one point you returned to the site 16 office and you couldn't find the hard copy of the 17 checklists that you had left on your desk. Do you 18 recall that? Paragraph 63, page -- 19 A. Yes, I remember. 20 Q. Can you tell us what was the purpose of your visit on 21 15 June this year? 22 A. James Ho asked me to go back to continue with the 23 collection of information. 24 Q. And as at that point you realised that the set of 25 documents you signed disappeared, is that correct, as on</p>	<p style="text-align: right;">Page 60</p> <p>1 A. (In English) Okay. 2 Q. All right. Do you agree that on the basis of the 3 description, it is quite clear that what you were 4 expected to do is to supervise and look at the coupling 5 installation process? 6 A. Agreed. 7 Q. You agree? 8 A. Agree. 9 Q. So am I right to say that you have not supervised or 10 inspected such process for all the coupling installation 11 works? 12 A. Perhaps I could say a bit more here. How could I look 13 at all four items in one go? The first item, "Couplers 14 fully screwed & fitted", that means the couplers are 15 properly screwed with the threaded rebar. And items 2 16 and 3, they just refer to the threads. One is the 17 thread inside the coupler, the other is the thread on 18 the rebar. And the fourth item is about successful 19 installation. 20 During our day-to-day site surveillance, I would 21 just stand at a distance not too far away, perhaps just 22 where you are, that's the distance, and then I would 23 look at the bar benders doing their work. So they would 24 take a bar from a certain location. 25 Now, these are threaded rebars produced by BOSA.</p>

Page 61	Page 63
<p>1 There would be a red plastic protective cap -- usually 2 it's red -- I would see the worker take out the rebar 3 and then he would break away the protective cap. That 4 means it would meet the requirements of item 3, that is 5 there are threads on the rebar, so that's not a problem. 6 Then usually there would be one or two workers, so 7 at least two workers, because the rebars is of a certain 8 length, maybe 1.8 metres or 2 metres, so it's not 9 possible for just one worker to do the installation. 10 Now, the worker would remove the plastic protective 11 cap and for this rebar without the cap, then the worker 12 would try to fix it. One worker would be at the front 13 end, the other worker at the other end of the rebar, 14 because the rebar is rather heavy. 15 I can give you an example. Let's say you want to 16 screw in the plastic cap of a bottle, and when you do 17 the screwing you don't need to concentrate and look at 18 it and then the cap would have been screwed on to the 19 bottle, and if that's the case, because the threads are 20 proper, that's why you could screw the cap onto the 21 bottle. So, at that point, I would watch the two bar 22 benders successfully screwing the rebar into the 23 coupler. I would also check at the time, for two 24 workers, how long it took to screw in a rebar into the 25 coupler, and then I would know how many layers there</p>	<p>1 Q. Okay. That's enough for my question. What I'm trying 2 to get at is -- sorry. 3 Do you recall that at one stage you signed on 4 a number of checklists which you considered represent 5 20 per cent of the total number of couplers, and later 6 on, when your team realised that 20 per cent was just 7 not good enough because the EWL slab required 8 50 per cent, then you signed a further checklist? Do 9 you recall that process? 10 A. Yes, I recall that. 11 Q. And those checklists were not prepared by you, they were 12 prepared by Derek Ma; is that correct? 13 A. Correct. 14 Q. Now, if you have not inspected 100 per cent of all the 15 couplers, how can you be sure there's no checklists 16 which are location-specific, prepared by Mr Derek Ma, 17 were the locations that you actually inspected? 18 A. Because I checked the record photos. When Mr Ma 19 prepared the record, before he did so, he talked to me, 20 and I gave him a general direction, based on all the 21 record photos taken by myself and my team, and these 22 photos would cover the 50 per cent that I had signed in 23 the internal records. 24 Q. While we are on this checklist, you mentioned to us that 25 this checklist was actually prepared by Derek Ma, and --</p>
<p>Page 62</p> <p>1 were, how many bars there were initially, and then 2 I could work out how much time it would take, 3 approximately. 4 Then, after the installation was done, the workers 5 would walk away and I would approach and do inspection 6 on item 4. 7 As for the footnotes here, the maximum, only 1 to 8 1.5 threads could be exposed, so I would check at that 9 point whether more than 1 to 1.5 threads were exposed, 10 and if, from my observation, there was no problem with 11 that, then I could say confidently, for all four items, 12 they were completed satisfactorily. 13 Q. Mr Wong, believe it or not, I knew you were going to say 14 that, but I'm not going to investigate with you at this 15 stage. I will come back to it. 16 But you haven't answered my question. My question 17 was you have not supervised the coupling installation 18 work for all the couplers in the EWL slab. Can you give 19 a simple answer to that? You have not? 20 A. 100 per cent no, and it was not necessary. 21 Now, under the QSP requirement, it's 20 per cent or 22 50 per cent. I believe I and my team have most 23 definitely met that requirement. In reality, it's not 24 possible to do 100 per cent supervision, I could confirm 25 that.</p>	<p>Page 64</p> <p>1 do you recall that? 2 A. I remember. 3 Q. Can you give us an explanation why Mr Derek Ma made the 4 same mistake as you did, by referring to you as an IoW, 5 instead of a senior IoW? 6 A. This is because, at that time, there was a pressing 7 timetable and we had to do it hurriedly, and we didn't 8 pay too much attention on the title, and there was 9 a typo. 10 Q. So you are suggesting that two separate persons making 11 the same inadvertent mistake was a coincidence? 12 A. I agree. 13 Q. Do you agree with me that that would give an impression 14 to people reading your report that those are at least 15 documents prepared close to the time when the works were 16 carried out when you were an inspector of works? 17 A. This is why it's said it's a retrospective record. 18 CHAIRMAN: Sorry, what rank did you hold in February 2017? 19 A. (In English) A senior inspector of works II. 20 CHAIRMAN: Okay. Now, you've said that you backdated it to 21 2017 to give the impression that that's when it was 22 prepared, as a retrospective document at that time, and 23 would it not follow that you would then give the rank 24 that you had at that time? 25 A. I agree. That's why I said it was wrongly put there.</p>

Page 65	Page 67
<p>1 In 2017, I should have put in SIOw-II, senior inspector 2 of works II. 3 CHAIRMAN: All right. 4 MR CHOW: Now, I would like to look at another summary sheet 5 that you prepared. Actually, we have already looked at 6 it this morning. I wonder whether we can put the two 7 documents side by side. The first one is the first 8 version of the summary sheet, bundle H14, page 35070. 9 While we keep this document on the screen, if we can 10 then call up another document, at bundle B7, page 4537. 11 These two documents we have looked at already this 12 morning. The one on the left, if we can scroll down to 13 the bottom, again, this document was not dated by you 14 when you signed, and again your position was somehow 15 wrongly described. So this is again a coincidence; 16 right, is that your evidence? 17 A. For the document to the right-hand side of the screen, 18 this was prepared at the very early stage. I think 19 Mr Derek Ma made use of this document to prepare the 20 document to the left, and therefore he may have 21 misunderstood that my title at the time was IoW. And 22 when I signed the document, I didn't pay attention to 23 the title put down in the document, whether it was IoW 24 or SIOw. But those documents were wrong and I did not 25 rectify them.</p>	<p>1 Professor, you got a hard copy of that document 2 yesterday. Yes. 3 Do you have a hard copy of the layout plan? 4 Could Mr Wong be given a copy, please. (Handed). 5 According to the hard copy of the document 24199, 6 the rebar fixing works for C1, bay 3, did not commence 7 until 22 August 2015? 8 A. Yes, I can see that. 9 Q. Right. This is one of the entries in your earlier 10 version of the summary which is apparently wrong; do you 11 see that? Do you agree? 12 A. For the date on the summary table, it was actually the 13 date of the photo, and for the photo for the western 14 D-wall, maybe the coupler installation in western D-wall 15 had commenced. 16 But, for this summary table, for C1 the rebar fixing 17 only started on 22 August 2015, so perhaps they would 18 first install the couplers in the western D-wall before 19 they formally commenced the rebar fixing at the bottom 20 layer. So that's why there was a difference or 21 discrepancy between this date and the other date. 22 Perhaps we could look at the photo dated 4 August 23 2015 and you would understand. Maybe they had done 24 coupler installation on 4 August 2015 and stopped for 25 a while, and that's why there was a difference in the</p>
<p>Page 66</p> <p>1 Q. Mr Wong, I want to ensure that I clearly hear what you 2 said. You said Mr Derek Ma has mistaken your position 3 even in June this year. Is that your evidence just now? 4 A. You mean whether he had mistaken my position? You have 5 to ask him. 6 Q. Well, this -- I thought that's what your answer was just 7 now. 8 A. No. When we were preparing this document, we were under 9 a pressing timetable. Perhaps he did not pay attention 10 to this area. 11 Q. Now, if we compare the entries in these two summary 12 sheets -- now, the one on the right is an earlier 13 version -- or perhaps I should ask you: is the one on 14 the right an earlier version of the other summary sheet 15 on the left? 16 A. Yes, correct. The document to the right was an earlier 17 version. 18 Q. Right. Now, first of all, what we have noticed from the 19 earlier version is that, first of all, some of the dates 20 were wrong. For example, for area C1, bay 3, you 21 indicated that the date of your couplers inspection was 22 on 4 August 2015; do you see that? 23 A. Yes. 24 Q. If we look at the layout plan where we have set out all 25 the dates of concreting -- I understand, Mr Chairman and</p>	<p>Page 68</p> <p>1 two dates. You may have misunderstood it to mean 2 there's a problem. 3 MR BOULDING: Sir, if you want to look at the photo, I'm 4 told it's at B24216. 5 CHAIRMAN: Thank you. 6 MR CHOW: Yes, Mr Wong. What can we see from this photo, 7 which shows the commencement of the reinforcement for 8 the slab? 9 A. Now, we are all looking at this photo, you can see here 10 this is obviously the western D-wall, because you can 11 see at the back there was the white bit, that's the 12 waterproofing membrane and it's only for the western 13 D-wall where there's the waterproofing membrane. 14 Then you see the vertical couplers installation. In 15 my summary, on 4 August, I mention a photo; this is 16 exactly the one. Also it says here "western D-wall", in 17 terms of location on the summary. Then at the bottom 18 you see a few rows of coupler marked red here. 19 I mentioned the plastic protective cap, and that's the 20 protection for the rebar. 21 So it's obvious that on 4 August they did not start 22 the bottom layer rebar fixing yet. So it says that the 23 rebar fixing date commencement was 22 August on the 24 layout plan, and you might therefore misunderstand that 25 the fixing hasn't started, but maybe it's just that</p>

Page 69	Page 71
<p>1 they've already started the installation of the vertical 2 couplers. 3 Q. Mr Wong, are you saying that the way we should read your 4 summary table, when you put an entry of 4 August 2015 5 for bay C1-3, it should not be interpreted as the date 6 when you carry out the couplers installation check for 7 the slab, but simply the couplers on the west diaphragm 8 wall has been exposed; is that right? Is that how we 9 should read your summary table? 10 A. Well, actually, let me describe this once again. In 11 this photo, you see rather new rebars and couplers. 12 This is already in the structure of the EWL slab. So 13 that's why I put an annotation "western diaphragm wall". 14 So the location is the western diaphragm wall, but it's 15 still for EWL slab. 16 Q. Can I ask one more question before the lunch break. So 17 4 August, the second entry in the summary table, 18 4 August 2015, you put this date for that area was based 19 on the photo that we are looking at; is that right? 20 A. Correct. 21 Q. So 4 August 2015 is not the date when you carried out 22 the alleged inspection of the couplers connection works 23 between the reinforcement of the slab and the diaphragm 24 wall. So it's not the date when you carried out the 25 inspection; is that right?</p>	<p>1 the lunch break. 2 CHAIRMAN: Yes, certainly. Thank you. 2.15. Thank you. 3 (1.03 pm) 4 (The luncheon adjournment) 5 (2.21 pm) 6 MR CHOW: Good afternoon, Mr Wong. 7 A. (In English) Good afternoon. 8 Q. Before the lunch break, we were looking at the two 9 versions of summary table that have been produced. 10 Can I have the two versions put back on the screen, 11 side by side, please. Bundle H14, page 35070, and the 12 next one is bundle B7, page 4537, please. 13 Mr Wong, the version on the left is an earlier 14 version that you compiled yourself; right? 15 A. Correct. 16 Q. And the one on the right was compiled by Mr Derek Ma; 17 correct? 18 A. Should be. 19 Q. For compiling the second version, before Derek Ma 20 produced this table, have you had any input into the 21 compilation of this second version? 22 A. I provided some record photos. 23 Q. The photos that you now mention, were they not the same 24 set of photos that you referred to earlier, when we 25 talked about the first version -- it's the same set of</p>
Page 70	Page 72
<p>1 A. Sorry, can you repeat your question? 2 Q. What we see from this photo are just exposed couplers, 3 exposed horizontal couplers, on the diaphragm wall; is 4 that right? 5 A. Okay, now I get it. Now I get it. 6 Q. Let's -- 7 A. Do you want me to continue to explain that? 8 Q. Yes, please. 9 A. This summary, 4 August, and this photo of 4 August, for 10 the western diaphragm wall of the EWL slab, I checked 11 the installation of the vertical rebar and coupler. 12 It's not what you are concerned about, that is the 13 bottom layer, the few red dots at the bottom of the 14 photo. These are vertical bars, the western diaphragm 15 wall. The details of the western and eastern diaphragm 16 walls are different. 17 Q. Oh, sorry, that must be my fault -- 18 A. (Chinese spoken). 19 Q. -- because for the second entry -- 20 A. That's fine, because it's really complicated. 21 Q. -- what you put under the location is the western 22 diaphragm wall. 23 A. Yes, yes. 24 MR CHOW: It's my fault, sorry. 25 Mr Chairman, perhaps it's a convenient moment for</p>	<p>1 photos that you relied on in producing the first summary 2 table; is that right? 3 A. When I prepared the first version, all those record 4 photos I used were taken by me, but for the second 5 version, those photos were taken both by me and my 6 inspectorate colleagues. 7 Q. Okay. Now, this morning my learned friend Mr Boulding 8 informed or indicated to us that the set of relevant 9 photos can be found at bundle B17 from page 24303 to 10 24373. So the set of photos comprising more than -- 11 well, roughly 70 photos are the full set of photos that 12 Mr Derek Ma relied on in producing the second summary 13 table; is that right? 14 A. Correct. 15 Q. Before I move on to another topic, I'm just trying to 16 understand some of the entries in the second version. 17 If we take area C1, bay 2 as an example, if we look 18 at the version on the left, C1, bay 2, the first entry 19 shows the date of inspection of the bottom layer of the 20 EWL slab on 3 August 2015; is that right? 21 A. Correct. 22 Q. And the third entry on the same table shows a date of 23 inspection of the top mat of the same day, right, on 24 14 August 2015? 25 A. Correct.</p>

Page 73	Page 75
<p>1 Q. But if you look at the second table on the right, for 2 the same area, C1-2 -- now, Mr Derek Ma, looking at the 3 set of photos, produced two different dates, 7 August 4 2015 and 13 August 2015. Can you explain why there was 5 such a change on the dates, when both of you were 6 supposed to be working on the same set of photos? 7 A. For the first version, the one on the left, those photos 8 were taken by me. When Derek Ma did this, compiled this 9 table, there were some photos dated 7 August. Maybe 10 some of those photos were taken by my colleagues; that 11 explains the difference. But we're looking at the same 12 thing. Maybe the dates are not the same. 13 Q. Perhaps if we look at another area, area C2, bay 3. In 14 the earlier version, for this area, C2-3, which is about 15 the ninth entry, shows the bottom layer on 14 September, 16 and then further down, about the sixth entry from the 17 bottom -- no, that one is for western diaphragm wall. 18 So there is only one entry showing the inspection date 19 of the bottom layer on 14 September. 20 If we now look at the later version for the same 21 area, C2-3, so now it's indicated in the later version 22 as on 29 September. So are you saying that Mr Derek Ma 23 works on -- while going through the set of photos, 24 realised that the dates that you had put were probably 25 incorrect, and therefore he inserted a new date? Is</p>	<p>1 CHAIRMAN: Yes, but C2-3, as far as I can see, you've got 2 14 September and then the 29th; is that right? 3 MR CHOW: Yes. 4 CHAIRMAN: So you've got inspections quite different in 5 time. 6 A. The time was based on the rebar fixing and installation 7 time. If it took 20 days for C2-3, that meant that 8 every day someone would be conducting site surveillance 9 and people taking photographs, looking at the 10 installation of couplers. So it wouldn't be one day. 11 As you know, there are many layers to the bottom mat, so 12 it can't be. 13 CHAIRMAN: Thank you very much. I appreciate that. In 14 which case, we are obviously at odds then. What you are 15 saying to me is that these photographs are not of 16 a particular inspection date, a formal inspection; they 17 are just of the work as it progresses. That must be the 18 case then; is that right? 19 A. I agree. 20 CHAIRMAN: Okay. So what were these documents being held 21 out as? On this basis, this document is a summary of 22 shots of work in progress; that's right, isn't it? Not 23 of any particular special inspection time, for example 24 when the RISC document was asked for, but just shots of 25 work in progress?</p>
Page 74	Page 76
<p>1 that what you reckon to be the case? 2 A. The date is not incorrect for the first version. These 3 dates on the left-hand side are based on the record 4 photos. If we look at C2-3, on 14 September, there's 5 a photo dated 14 September, which shows that I inspected 6 the bottom layer at C2-3. 7 Mr Ma might have seen another photo showing the date 8 of 29 September. Can I take a look at the photo that he 9 saw? 10 CHAIRMAN: Sorry to interrupt. Weren't these meant to be 11 photographs of inspections, or have I got that wrong? 12 Sorry, Mr Chow -- 13 MR CHOW: I think this question has never been asked. 14 The set of photos that you are now telling us you 15 relied on showed the time of inspection of the couplers 16 at those locations? 17 A. Correct. 18 CHAIRMAN: Well, on that basis, are you saying that there 19 were two different inspections? Because the one 20 photograph shows an inspection on one date and the other 21 photograph shows an inspection some considerable time 22 later; would that be right? 23 A. That's possible, because after I have done my 24 inspections, my colleagues might, around the same time, 25 conduct another inspection.</p>	<p>1 A. I agree. 2 CHAIRMAN: All right. 3 A. Because for coupler inspections, it was done based on 4 site surveillance. 5 CHAIRMAN: Okay. So if one photograph is two weeks ahead of 6 another one, then presumably the coupling of reinforced 7 bars into the couplers would have been at different 8 stages too? 9 A. That's right. 10 CHAIRMAN: So if you say this is a checklist to confirm that 11 they've all been properly installed, that can't be 12 right, because one set may show it when it's only just 13 started the installation process; another may show it 14 later. In other words, they are shots of work in 15 progress. They are not confirmations of the completion 16 of work satisfactorily. That must follow, mustn't it? 17 A. We conducted daily site surveillance to ensure quality. 18 So, during the daily site surveillance, we would 19 ensure -- say, for example, in relation to coupler 20 installations, we would ensure that the coupler 21 installations were satisfactory, albeit there was no 22 official inspection. 23 CHAIRMAN: All right. Please forgive me. I know I sound as 24 if I'm labouring all this, but I'm obviously just not 25 smart enough to really follow this, but if you've got</p>

Page 77	Page 79
<p>1 a checklist, the coupler installation in bay C1-2 has 2 been dealt with correctly, then you can't have one 3 photograph taken one week and another taken three weeks 4 later, because by then, either in the beginning or the 5 end, it's all covered with concrete, or the work hasn't 6 been completed. Do you see what I mean? 7 A. I understand what you mean, but the work of steel fixing 8 would take time to complete. So even when it's the 9 bottom mat, it would take a week or two to complete. 10 So, during the period of two weeks, during our daily 11 surveillance, we would look at the coupler installation 12 to see if they were up to standard. Based on the 13 photos, there would be different dates of inspections, 14 because it took place every day and we conducted 15 surveillance every day. 16 CHAIRMAN: All right. So what you're saying, for example, 17 then is one photograph may look at the bottom layer or 18 the bottom mat, another at another date may look the top 19 mat? 20 A. Right. 21 COMMISSIONER HANSFORD: If I can just take that one step 22 forward, Mr Wong. So, really, what these photographs 23 are showing, in your view -- tell me if I've got this 24 right -- is that surveillance activities took place on 25 couplers on these dates, that's what they show, and</p>	<p>1 Q. All right. Can I then refer you to one of the photos 2 that you relied on, in bundle B17, page 24228, please. 3 Can you tell us, by looking at these photos, how can 4 one say where the location was? 5 A. The photo's file name contains the location. So, if you 6 look at the photo itself, you will have to match the 7 time and the date with the work being done, to find out 8 where the particular location was. 9 Q. I see. 10 MR PENNICOTT: Sir, could I also point out that if you look 11 at the soft copy that's on the system in relation to 12 this, in B17, as disclosed by the MTR, it tells you 13 which area is by a series of annotations. 14 MR CHOW: I'm grateful. 15 MR PENNICOTT: It has just not, I'm afraid, come out on the 16 photographs that we've got here. 17 CHAIRMAN: Thank you very much. 18 MR BOULDING: I agree with that, sir. It's the photos file 19 in B17. 20 CHAIRMAN: Thank you. 21 MR CHOW: Thank you. 22 Now, without the benefit of seeing what is shown on 23 the soft copy, can you advise us which -- what are we 24 looking at? Are we looking at the slab reinforcement or 25 what, in this photo, when we look at this photo?</p>
Page 78	Page 80
<p>1 that's all that they show; is that right? 2 A. Right. 3 COMMISSIONER HANSFORD: Thank you. 4 MR CHOW: So, in other words, the dates shown on this 5 checklist by reference to photos cannot represent the 6 actual date of the coupling installation or the 7 completion of the coupling installation at that 8 location; right? 9 CHAIRMAN: Well, that's two different -- I think you've put 10 two alternatives there. 11 MR CHOW: What I'm trying to say -- a particular photo shows 12 certain couplers or certain splicing assembly; right? 13 Now, the date of the photos does not represent the date 14 when you inspect and you were satisfied with the 15 coupling works at that location; am I right? 16 A. Let me emphasise that every day we would conduct 17 surveillance. The installation of couplers would be 18 covered. We would inspect to see if they were up to 19 standard. And there were also record photos, say for 20 example those covered by these two lists -- every day, 21 we would check and inspect to see if they were up to 22 standard in relation to the installations. We would 23 also use record photos as a form of record. When we 24 prepare these documents afterwards, they were generated 25 from the record photos.</p>	<p>1 A. This photo, on the left-hand side, I think is a D-wall. 2 On the left, at the bottom, is a construction joint. 3 Q. Okay. When you say on the left side, what -- are you 4 orienting the photo up -- 5 A. If you look at the screen -- 6 Q. All right. 7 A. -- the left-hand side of that photo on the screen is the 8 top of the D-wall. You see at the top there are five 9 coupler installations. 10 Q. Right. And the reinforcement that we see on the right 11 side of the photo are part of the slab reinforcement; is 12 that right? 13 A. Correct. 14 Q. So it shows the slab reinforcement being screwed or 15 having been screwed into the couplers embedded in the 16 diaphragm wall; right? 17 A. Correct. 18 Q. Now, we also see some of the small diameters 19 reinforcement -- well, as I can tell from the photos, 20 the U-shaped -- this is a U-shaped kind of 21 reinforcement, vertically; do you see that? 22 A. Yes. 23 Q. Am I right to say that those are part of the stirrups, 24 or can you tell? Or vertical shear link, perhaps? 25 A. (In English) Shear link.</p>

<p style="text-align: right;">Page 81</p> <p>1 Q. So you would no doubt agree with me, if we see shear 2 link having been installed, as far as the horizontal 3 reinforcement is concerned, it was considered as having 4 been properly screwed into the coupler; right? 5 A. Correct. 6 Q. If I can now refer you to another photo, just the 7 page before, 24227. Would you be able to tell us 8 whether the photo in 24227 is a blown-up part of the 9 same photo of 24228? 10 A. Right. 11 Q. Now, the couplers -- the splicing assembly at the very 12 bottom, left-hand side of this photo, does it appear to 13 be satisfactory to you? 14 A. At the very bottom rebar, you mean, the one with some 15 threads exposed? 16 Q. Yes. 17 A. There is a chance that it's a type B combination. The 18 length of the thread of type B equals to the length of 19 the coupler, so if a type B threaded rebar was used 20 after the assembly, you can still see something like 21 what is depicted in the photograph, that is still 22 some -- about half of the threads exposed. 23 Q. Mr Wong, can you confirm to us, other than the one at 24 the bottom, all the rest of the couplers are type A 25 couplers?</p>	<p style="text-align: right;">Page 83</p> <p>1 CHAIRMAN: Well, you say "not the best way" -- we are going 2 to get an expert giving evidence as to oversight and 3 procedures, and he will no doubt look at this, and do 4 you expect him to be impressed? 5 A. I was trying to say that it could have been done in 6 a better way. 7 CHAIRMAN: Yes. Thank you. 8 MR CHOW: Mr Wong, I would like to move on to the five 9 incidents -- although this subject matter has been 10 thoroughly dealt with at various stages, but I won't be 11 long on this topic. 12 Can I refer you to the relevant part of your witness 13 statement. The first incident, paragraphs 69 to 73. In 14 paragraph 70, you say: 15 "During this first incident, I noticed one or two 16 non-compliant threaded rebars (which I suspect had been 17 cut by a portable wire cutter, such that they were 18 shorter than the rebar length required by BOSA) on the 19 ground, at a time when there were rebar fixing works in 20 progress in the area. The threaded ends of the 21 non-compliant rebars (which were intended to be used 22 with 86 millimetre long couplers for type A connections) 23 were shortened by half, compared to the length they 24 should have been. I do not know who was responsible for 25 cutting the threaded ends.</p>
<p style="text-align: right;">Page 82</p> <p>1 A. If we take a look at this photo, we are talking about 2 the top layer, one, two, three, four, five, or one to 3 four, they are type A. The fifth one is type B. 4 COMMISSIONER HANSFORD: Sorry, Mr Wong, how do you know it's 5 a type B? 6 A. Well, actually, I had the same query like you. 7 Therefore, I asked to unscrew it to prove that it was 8 type B. There was a photo in my statement saying that 9 I did that during that time. 10 MR CHOW: Are you telling us that you remember this 11 particular piece of reinforcement and that is what 12 happened? 13 A. Yes, I remember that was what happened. When I did the 14 inspection, I did have this query. They had used type A 15 all the time, and therefore there was no way that half 16 of the threaded portion was exposed. Therefore, I asked 17 the people there to unscrew it to prove that it was 18 type B. 19 CHAIRMAN: Sorry, can I just -- I would like your 20 professional assessment, with the benefit of hindsight. 21 This doesn't seem to me to be a particularly good method 22 of record-keeping. Your memory, trying to be reminded 23 of particular photographs -- would you agree, it's a bit 24 unsatisfactory as a method of record-keeping? 25 A. I agree, this is certainly not the best way to do it.</p>	<p style="text-align: right;">Page 84</p> <p>1 I immediately contacted Leighton's site supervisor, 2 Mr Chan Chi Yip, and asked what was the deal with the 3 threaded rebars. Mr Chan Chi Yip assured me that he 4 would resolve the problem immediately." 5 The question I would like to ask you is, when you 6 informed Mr Chan Chi Yip, did he sound surprised, when 7 you informed him of what happened? 8 CHAIRMAN: After a couple of years, though, I don't know 9 that we're assisted by a very, very subjective memory 10 test there. I'm not saying the question is improper. 11 I just don't know the degree to which it will assist us. 12 MR CHOW: I will move on. 13 CHAIRMAN: Thank you. 14 MR CHOW: Now, this incident, when you put down what you 15 said in paragraph 70, you seem to suggest that the bar, 16 of which the threaded part has been cut, although it was 17 lying on the ground, you seem to suggest that they were 18 intended to be used and screwed into couplers. Is that 19 what you intended to tell us, because you further 20 mentioned that "when there were rebar fixing works in 21 progress in the area"? 22 A. That's correct. 23 Q. So you would no doubt agree with me that, in those 24 circumstances, it is a clear case that someone intended 25 to cheat?</p>

Page 85	Page 87
<p>1 A. I agree.</p> <p>2 Q. So that does not occur to you that it is a serious</p> <p>3 matter and has to be dealt with seriously by a more</p> <p>4 senior level within the MTRC organisation?</p> <p>5 A. When this happened, it occurred during my daily</p> <p>6 surveillance, and the contractor, Leighton, immediately</p> <p>7 resolved the problem in this incident, and rebar fixing</p> <p>8 was still in progress, it was not yet completed, so</p> <p>9 I didn't report the case to my supervisor.</p> <p>10 Q. Now, for the second incident, you said -- perhaps before</p> <p>11 that, what was your understanding at the time as to the</p> <p>12 reason why the threaded bar has to be cut on this first</p> <p>13 incident?</p> <p>14 A. I didn't ask for the exact reason.</p> <p>15 Q. You didn't ask, but did you have an idea as to the</p> <p>16 reason why?</p> <p>17 A. I cannot remember whether I gave any thought to that,</p> <p>18 but if you ask me for my personal view, I think usually</p> <p>19 it's done for the purpose of speeding things up.</p> <p>20 Q. Okay. Perhaps I can remind you -- now, in paragraph 72</p> <p>21 you said:</p> <p>22 "Shortly thereafter, Leighton notified me that the</p> <p>23 workers would start rectifying the rebars, and</p> <p>24 I personally went down to site to oversee the</p> <p>25 rectification process -- the workers used an electric</p>	<p>1 Q. Can I ask you, when Mr James Ho gave evidence in this</p> <p>2 Commission, were you listening to his evidence outside</p> <p>3 this courtroom?</p> <p>4 A. Yes, roughly so.</p> <p>5 Q. May I remind you of Mr James Ho's evidence given in</p> <p>6 re-examination then? Day 27, page 50, when Mr James Ho</p> <p>7 was re-examined by Mr Boulding.</p> <p>8 At line 23, Mr Boulding asked:</p> <p>9 "You were taken to a document -- I think it's</p> <p>10 B7/4538, and if that could be blown up a little bit</p> <p>11 there; thank you -- do you remember being asked about</p> <p>12 items I think 1, 2 and 4?</p> <p>13 Answer: Yes.</p> <p>14 Question: You can see that the first item is,</p> <p>15 'Couplers fully screwed and fitted'?</p> <p>16 Answer: Yes.</p> <p>17 Question: Am I right in thinking that you can only</p> <p>18 check that when the rebar has been properly screwed into</p> <p>19 the coupler?</p> <p>20 Answer: Yes, correct.</p> <p>21 Question: And if we were to look at 4, 'Complete</p> <p>22 splice between coupler/rebar', again would I be right in</p> <p>23 thinking that you can only check that that's been done</p> <p>24 properly after the rebar has been properly screwed into</p> <p>25 the coupler?</p>
Page 86	Page 88
<p>1 concrete breaker to hack off the concrete around the</p> <p>2 couplers concerned, and then installed new couplers and</p> <p>3 compliant rebars (new couplers had to be used because it</p> <p>4 was impossible to install a compliant rebar into the</p> <p>5 original couplers)."</p> <p>6 Do you see that?</p> <p>7 A. You are correct.</p> <p>8 Q. So am I right to say that the reason for cutting part of</p> <p>9 the threaded rebar was because there was a problem with</p> <p>10 the couplers in question, and a compliant rebar could</p> <p>11 not be screwed into the couplers, and that must be the</p> <p>12 reason on that occasion?</p> <p>13 A. I agree.</p> <p>14 Q. So it also implies that having cut away part of the</p> <p>15 threaded rebar, notwithstanding the coupler in question</p> <p>16 was defective, the cut bar could have been screwed into</p> <p>17 the defective couplers, otherwise the steel fixers would</p> <p>18 not have cut the threaded rebar; do you agree with me?</p> <p>19 A. That's possible.</p> <p>20 Q. Now we can go back to the checklist that we have looked</p> <p>21 at. I promised you this morning I would come back to</p> <p>22 it. Bundle B7, page 4555.</p> <p>23 The first four items, in the lower part of the</p> <p>24 checklist -- you remember we had some discussion on it?</p> <p>25 A. Yes.</p>	<p>1 Answer: Yes.</p> <p>2 Question: Now, let's have a look at 3, together,</p> <p>3 for example, 'Has thread been cleared of foreign</p> <p>4 materials (for example concrete gels)'; do you see that?</p> <p>5 Answer: Yes.</p> <p>6 Question: Now, just assume, will you, that the</p> <p>7 thread had foreign materials on it, for example concrete</p> <p>8 gels. Do you have a view as to whether or not that</p> <p>9 rebar could have been properly screwed into the coupler?</p> <p>10 Answer: It cannot.</p> <p>11 Question: Similarly, looking at 2, 'Has coupler</p> <p>12 been cleared of foreign materials (for example concrete</p> <p>13 gels)', if it had not been cleared of those materials,</p> <p>14 do you have a view as to whether or not the rebar could</p> <p>15 have been properly screwed into the coupler?</p> <p>16 Answer: Again, it cannot be properly screwed."</p> <p>17 Now, this morning, when I asked you to look at the</p> <p>18 several items set out in the lower half of the</p> <p>19 checklist, and my question, my original question, was</p> <p>20 whether on the basis of the description here you were</p> <p>21 supposed to monitor or supervise the couplers</p> <p>22 installation process. Your original answer was "yes",</p> <p>23 but subsequently you went on to say something along the</p> <p>24 line as Mr James Ho said in re-examination. Do you</p> <p>25 recall that?</p>

Page 89	Page 91
<p>1 A. I can recall that.</p> <p>2 Q. We have just now looked at the first incident, and you</p> <p>3 agreed with me that as far as you were concerned, the</p> <p>4 problem in the first incident is because of the</p> <p>5 defective couplers, and if the threaded bar has been</p> <p>6 cut, notwithstanding the defective couplers, the cut bar</p> <p>7 can still be screwed into the couplers; do you recall</p> <p>8 that?</p> <p>9 A. It was possible that it could be screwed.</p> <p>10 Q. So am I right in thinking that the reason why you were</p> <p>11 specifically -- or those four items were separately set</p> <p>12 out in the checklist, one of the reasons is to avoid</p> <p>13 exactly the kind of situation that happened in the first</p> <p>14 incident, which is to monitor and supervise the</p> <p>15 installation process, to avoid the possibility that any</p> <p>16 cut rebar could have been screwed into defective</p> <p>17 couplers? Do you agree with me?</p> <p>18 A. I agree.</p> <p>19 Q. In the third incident, and the fourth and fifth</p> <p>20 incidents, your evidence set out in your witness</p> <p>21 statement suggest that they are of a similar nature; do</p> <p>22 you recall that?</p> <p>23 A. I do.</p> <p>24 Q. It would suggest to you that someone who intended to</p> <p>25 cheat on the first incident, similar intention to cheat</p>	<p>1 "So you would no doubt agree with me that, in those</p> <p>2 circumstances, it is a clear case that someone intended</p> <p>3 to cheat?</p> <p>4 Answer: I agree."</p> <p>5 Wasn't it your answer?</p> <p>6 A. Well, the motive of the worker was something that I did</p> <p>7 not ask about. So whether it was intentional cheating</p> <p>8 or whether it was done inadvertently, I did not know, so</p> <p>9 I cannot comment on the motive of the worker who cut the</p> <p>10 rebar.</p> <p>11 Q. Right. Let's go on. Now, do you agree with me that</p> <p>12 Leighton's inspectors or supervisors would have spent</p> <p>13 more time on site supervising the work than the staff of</p> <p>14 MTRC?</p> <p>15 A. You can say that.</p> <p>16 Q. From what you describe as to what happened in the five</p> <p>17 incidents, it appears to me, at least, on each occasion</p> <p>18 it was your team who discovered the non-compliances. It</p> <p>19 was never Leighton's on-site supervisors; is that</p> <p>20 correct?</p> <p>21 A. Let me supplement. I myself discovered five incidents.</p> <p>22 Leighton supervisors, whether they discovered anything,</p> <p>23 I did not ask. And whether they require rectification</p> <p>24 upon discovery, I did not ask, because they are not</p> <p>25 obliged to tell me that they have discovered these</p>
Page 90	Page 92
<p>1 actually did not stop; it continued?</p> <p>2 A. Could you please repeat?</p> <p>3 Q. In the first incident -- you agreed with me already --</p> <p>4 the conduct by whoever it was actually has an element of</p> <p>5 deception, trying to cheat MTRC or Leighton, we don't</p> <p>6 know, so -- do you agree with me?</p> <p>7 A. In the first occasion, I did not ask for the real</p> <p>8 reason. The first incident was definitely</p> <p>9 an unsatisfactory and substandard installation, but</p> <p>10 I don't know whether there was any element of deception.</p> <p>11 Q. Mr Wong, we are just normal human beings. Given the</p> <p>12 fact someone cut short part of the threaded end with</p> <p>13 an intention to use it and screw into a defective</p> <p>14 coupler -- well, it appears to me it won't be difficult</p> <p>15 for somebody to form an opinion that that person,</p> <p>16 whoever it was, intended to cheat.</p> <p>17 A. Perhaps let me talk about the first incident.</p> <p>18 I discovered non-compliant threaded rebar being put at</p> <p>19 the site, where there was rebar fixing work being</p> <p>20 conducted. I did not see someone using the</p> <p>21 non-compliant rebar in the installation. I immediately</p> <p>22 informed frontline staff of Leighton.</p> <p>23 Q. Now, Mr Wong, if I may recall to you what you just said,</p> <p>24 the transcript of today at [draft] page 68, line 1 -- my</p> <p>25 question was:</p>	<p>1 incidents and they have them resolved.</p> <p>2 Q. In relation to these five incidents that you mention,</p> <p>3 they were discovered by you or your team members; right?</p> <p>4 A. Correct.</p> <p>5 Q. Since Leighton's staff spent more time on site than your</p> <p>6 team, and further given that for these five incidents</p> <p>7 that we know of, each and every time it was you or your</p> <p>8 team member that discovered it, has it ever occurred to</p> <p>9 you that the problem might be much more widespread</p> <p>10 on site, not isolated incidents?</p> <p>11 A. At that time, I did not ask Leighton whether they have</p> <p>12 discovered similar incidents.</p> <p>13 Q. Right. Let's move on.</p> <p>14 Am I right to say that you managed to spot these</p> <p>15 five incidents of non-compliance, it's because every</p> <p>16 time you either discover there is a gap between the cut</p> <p>17 ends of the bar at the couplers, or you see a cut bar</p> <p>18 lying on the floor?</p> <p>19 A. Right.</p> <p>20 Q. So am I right in thinking that if any cut bars had been</p> <p>21 screwed into couplers, you would not have been able to</p> <p>22 spot those non-compliant splicing assemblies?</p> <p>23 A. If it's after the installation, if the exposed thread is</p> <p>24 less than 1 to 1.5, then it's still up to standard or</p> <p>25 compliant. But as to whether there was any prior</p>

Page 93	Page 95
<p>1 treatment done to it, it depended on whether someone was 2 supervising the entire process before one could spot any 3 irregularity. 4 Q. Now, this morning you mentioned to us your normal 5 working hours; do you recall that? 6 A. Yes, I do. 7 Q. You said from 9.30 to 5 pm; right? 8 A. Right. 9 Q. Now, we have evidence that occasionally the steel fixers 10 may work overtime; you were aware of that too, right? 11 A. Yes. 12 Q. Can I assume that on those occasions, you were not 13 required to stay behind to look at their work; right? 14 A. I myself did not do overtime, but I have made 15 arrangements for other colleagues to conduct overnight 16 surveillance. 17 Q. There is evidence from Mr Jason Poon who told this 18 Commission, under paragraph 42 of his statement -- for 19 the purposes of the record, it's bundle D1, page 22 -- 20 he said after September these activities, namely cutting 21 the threaded part of the bar, were carried out at night. 22 Do you think this was possible, for this kind of 23 activity being carried out at night and not noticed? 24 A. You mean you ask me whether I estimate that that 25 would -- well, personally speaking, if they meant to do</p>	<p>1 "Afterwards, Mr James Ho told me that Leighton had 2 by then retrospectively prepared a set of record sheets 3 for the EWL slab, although I had not actually seen 4 a physical copy at the time. He asked me whether I was 5 willing to countersign those record sheets, and 6 I vehemently said that I was not willing to do so in 7 these circumstances when Leighton had failed to keep any 8 contemporaneous record sheets as required by the QSP." 9 So the way I read what you said in this statement is 10 your particular objection is because Leighton failed to 11 keep any contemporaneous records as required by the QSP; 12 right? 13 A. Correct. 14 Q. So, from your point of view as a senior inspector of 15 works, you will agree with me, no doubt, proper keeping 16 of contemporaneous records is important for the purpose 17 of ensuring quality control/quality assurance; right? 18 A. I agree. 19 Q. And that's exactly why we need a proper record-keeping 20 requirement under the QSP; agree? 21 A. I agree. 22 Q. Right. But when you were asked to sign on the 23 retrospective records prepared by your company, MTRC, 24 you knew that they were prepared without the benefit 25 of relevant contemporaneous records; right?</p>
Page 94	Page 96
<p>1 something like that, they could do it any time. But if 2 there was a chance for them to do it at night, it would 3 be because there were less surveillance, because after 4 6 pm our inspectors would only include one person 5 surveilling the entire area, from A to C. There would 6 be less staff members on duty after 6 pm. 7 Q. Lastly, I would like simply to follow up on one of the 8 questions raised by Mr Chairman this morning. 9 Earlier on, when Mr Chairman asked you whether you 10 were happy to sign on the set of retrospective records, 11 when you were asked by your senior to do so, your answer 12 was you were happy. Do you recall that? 13 A. I understand, but I would like to supplement that when 14 I said I was happy to sign, I meant to sign the 15 retrospective internal record that we had. I wasn't 16 happy to sign the one supplied by Leighton. 17 Q. Now, if the retrospective record was prepared by 18 Leighton, you were unwilling to sign, but if it was 19 prepared by MTRC, you have no problem in signing; right? 20 Is that what you are telling us? 21 A. Because that was for internal use, and it's not 22 appendix B mentioned in QSP. That's why I wouldn't mind 23 preparing that record. 24 Q. I see. Can you take a look at paragraph 52 of your 25 witness statement, page 433, please, where you said:</p>	<p>1 A. At that time, when I was preparing the retrospective 2 record, I only had record photos. That's why I at that 3 time said very clearly to my superior that I wasn't T3 4 under the QSP and I could only provide relevant record 5 photo, and if I were to prepare documents, I believe 6 them to be internal documents. 7 Q. Am I right to say that you ought to have the same 8 concern when you signed on the set of checklists 9 prepared by Derek Ma, instead of happily signing on it; 10 right? Because those set of documents were not 11 contemporaneous records. Do you agree? 12 A. When this was provided to me by Mr Ma, he told me in no 13 uncertain terms that there was a retrospective internal 14 document. 15 Q. Ah. Actually, I recall what you said this morning is so 16 long as there is something on the face of the document 17 saying that it is retrospective, then you find it okay 18 to sign at some later date; do you recall that? 19 A. This morning, when I talked about retrospective records, 20 I said that Mr Ma assured me that the date would not be 21 put as 2015. 22 Q. Can I just ask my last question, I promise. When you 23 were asked by Mr James Ho as to whether you are willing 24 to sign on a set of retrospective records prepared by 25 Leighton, you told us that at that point Mr James Ho did</p>

Page 97	Page 99
<p>1 not show you the retrospective records that he was 2 talking about; right? Do you recall that? 3 A. Yes. 4 Q. So you never found out whether Leighton has put a kind 5 of note, just like what you have done, on the set of 6 retrospective records, telling the whole world that this 7 document was made retrospectively? You never bothered 8 to find out; right? You simply rejected to sign on it? 9 A. Well, I gave a direct answer to Mr Ho that I wouldn't 10 sign on Leighton's record. 11 Q. Why? 12 A. It's for the same reason, I'm not the T3 person 13 assigned. 14 Q. That is the only reason; right? 15 A. May I continue? 16 Q. Yes. 17 A. I said I would not countersign record provided by 18 Leighton, because that was not shown to me in 2015 and 19 I was not the T3 person under QSP. 20 MR CHOW: Thank you, Mr Wong. I have no more questions for 21 you. 22 Mr Chairman, I have no more questions. 23 CHAIRMAN: Thank you very much. 24 MR SO: Sir, I apologise, I do understand that China 25 Technology did indicate earlier that we have no</p>	<p>1 every rebar to check whether any threadings were being 2 cut? 3 CHAIRMAN: Well, that would be, would it not, sort of 4 self-defeating? You might as well then say why screw 5 them in if we've got to screw them out again? 6 MR SO: To check it. 7 CHAIRMAN: Just have somebody standing there watching all 8 the time I think would be the best, which again we 9 accept is impractical in the world. 10 MR SO: Thank you. That's the question. Thank you. 11 CHAIRMAN: Thank you. 12 MR CONNOR: I have no questions, sir. 13 CHAIRMAN: Thank you. 14 Yes, Mr Boulding. 15 Re-examination by MR BOULDING 16 MR BOULDING: Thank you very much, sir. Good afternoon, 17 Professor. 18 Good afternoon, Mr Wong. I just have one or two 19 matters that I'd like your further assistance on, 20 please. I'd like you to cast your mind back to 21 yesterday, I think it was, when you gave evidence about 22 the second rebar cutting incident. Do you remember 23 being questioned about that, Mr Wong? 24 A. I remember that. 25 Q. And the transcript records you saying that it was still</p>
Page 98	Page 100
<p>1 questions. I wonder if we may crave leave to ask just 2 two very brief questions arising out of the government's 3 cross-examination? 4 CHAIRMAN: Yes, certainly. 5 MR SO: Thank you. I do apologise. 6 Cross-examination by MR SO 7 Q. Mr Wong, I'm Simon So, I represent China Technology. 8 There are just two very short questions I wish to ask 9 you about. 10 Take the situation when you were inspecting the 11 coupler-to-coupler installations. When you saw that 12 there was one threading exposed in the rebar, could you 13 tell whether that particular rebar, the threadings had 14 been cut or whether the threadings had not been cut? 15 A. If it was already installed and that is affixed to the 16 coupler, then you can't tell by visual inspection. 17 Q. In the course of your inspection, would you unscrew 18 a particular thread in order to check whether any of the 19 threadings were being cut? 20 A. I wouldn't ask them to do this in all cases. That would 21 be done on a random selection basis. As we can see in 22 the photo that we saw, I would only do this for the 23 doubtful cases, for type B, because if we do this, we 24 will damage the threads. 25 Q. So the short answer is you would not unscrew each and</p>	<p>1 one or two rebars. Are you sure about that? 2 A. Yes. 3 Q. The transcript records that there was a debate by 4 reference to photographs produced by Mr Edward Mok as to 5 whether the second incident was the same incident as 6 Edward Mok was talking about. Do you remember being 7 questioned about that, Mr Wong? 8 A. Yes, I can remember that. 9 Q. Do you remember saying that you could not categorically 10 say that was the case as your recollection was not good 11 enough? 12 A. That's correct. For the second incident, I really don't 13 know whether it was the same incident as that referred 14 to by Mr Mok. 15 Q. Right. The transcript records you saying, at page 147, 16 line 6: 17 "For the first and second incidents, I think the 18 situation was very similar, so on the ground, I would 19 say. And I think in the vicinity of that, I think there 20 were some bar bending activities." 21 Do you remember giving that answer? 22 A. Yes. 23 Q. What did you mean by the phrase "on the ground"? 24 A. Maybe I can say something more about the incident. When 25 I did the inspection, I discovered cut threaded rebar</p>

Page 101	Page 103
<p>1 located in an area close to where bar bending was taking 2 place, so I asked Mr Chan Chi Ip of Leighton whether 3 there's a problem with that, and then he took immediate 4 action for rectification, and he informed me of the 5 rectification, and I was on the ground when they 6 replaced the coupler and also the threaded bar -- well, 7 it's similar in the two incidents. 8 I cannot recall whether it was fixed on the fixing 9 area or it's in one of the bundles, in a bundle, where 10 the bar fixing was taking place, because my memory 11 wasn't that clear. 12 Q. That's quite useful, but I don't think you've answered 13 my question as to what you actually meant by the phrase 14 "it was on the ground". What did you mean by "on the 15 ground"? 16 A. I think it's the bar, it's on the ground. 17 Q. Do you mean the cut bar was lying on the ground? 18 A. Was on the ground. 19 Q. Well, was the bar that had been cut lying on the ground; 20 is that what you mean? 21 A. Yes. 22 Q. Okay. You mention that they replaced the coupler. Do 23 you know why they had to replace the coupler? 24 A. I know that. 25 Q. Yes, but do you know why they had to replace it?</p>	<p>1 What does that tell us, Mr Wong? 2 A. Yes. 3 Q. What does it tell us, Mr Wong? 4 A. This -- let's say look at the first row, 3 August 2015, 5 area C, bay C1-2, it's the bottom layer, the coupler 6 installation passed. 7 Q. Okay. And the photographs which have the date in the 8 first column, are these the photographs that we can see 9 at bundle B17, starting at pages 24203? 10 A. Yes. 11 Q. Do I understand that these photos run through to 24373? 12 A. Yes. 13 Q. Did you take all of these photographs, Mr Wong? 14 A. For this group, they were taken by me and my inspector 15 colleagues. 16 Q. I see. Can we look, please, at bundle B17, but go into 17 the photo file, what's termed the photo file. Can we 18 open it? No, that's not the correct file. 19 Yes, that's the one. In this photo file, do we see 20 the specific area in which the photos were taken? 21 A. The file name clearly specifies that it's area C3-3. 22 So, using the first photo as an example, the location 23 depicted in this photo is area C3-3. The same applies 24 to the rest. 25 Q. I see. So if we go back to H35070 -- thank you -- and</p>
<p>Page 102</p> <p>1 A. I didn't ask why they had to replace it, but when they 2 did that, I could estimate that there was foreign object 3 there hindering the installation. 4 Q. I see. Let's move on and turn to a document that you've 5 been questioned on quite a lot. It's at H14, 6 page 35070. 7 Now, as I understand it, Mr Wong, this is the 8 spreadsheet which you refer to in paragraph 55 of your 9 witness statement; that's correct, isn't it? 10 A. Yes. 11 Q. Did you prepare this yourself, Mr Wong? 12 A. Correct. 13 Q. Across the top of the document, we've got a bar, and do 14 you see the first entry is "Date"? 15 A. Yes. 16 Q. What does that relate to, Mr Wong? 17 A. The date is related to the record photo, the same day. 18 Q. I see. 19 Then we've got the reference to the area, bay and 20 location, have we not? 21 A. Yes. 22 Q. Do I understand that that identifies the location in 23 which the photograph was taken? 24 A. Yes. 25 Q. Then, in the final column, we've got "Pass" or "Fail".</p>	<p>Page 104</p> <p>1 let's go down the left-hand side, and do you see that 2 you've got two entries for 2 October 2015? 3 A. Yes, I can see that. 4 Q. If we go to the second one, for the EWL C, C2-3 western 5 wall, am I right in thinking that that would be photo 6 B17/24211? It's the bottom right-hand corner. 7 Now, we can see the photo, but in order to establish 8 the area I fear we need to go back to the photo folder 9 in bundle B17. 10 MR PENNICOTT: It's on the screen. 11 MR BOULDING: I see. Can you see it relates to C2-3? 12 A. Yes, because if a photo is to show such detail, then we 13 will have to take a close up like this B24211. So, for 14 a close-up, one cannot see the background, so you can't 15 work out the location. As a result, in the file name, 16 we would type in the actual location. 17 If you think that the file name location is not to 18 be trusted, then you can try to work it out using the 19 date of the photo. Taking the two together, you will be 20 able to find the answer. 21 For close-ups showing details, then we would usually 22 take a wider shot so that one can work out using the 23 date and the information. 24 Q. Do I take it that you are satisfied that the photo at 25 B24211 is the photo that is referred to on H35070, the</p>

Page 105	Page 107
<p>1 second entry of 2 October 2015?</p> <p>2 A. Correct.</p> <p>3 Q. Now, do you know whose hand or fingers can be seen in</p> <p>4 that photo, Mr Wong?</p> <p>5 A. They are mine.</p> <p>6 Q. Can you tell me what you're doing there, Mr Wong?</p> <p>7 A. In this photo, the hand was holding a tape measure.</p> <p>8 It's a vertical rebar installation. It is to measure</p> <p>9 the length of thread exposed. It's a type B connection,</p> <p>10 so I can see that is about 50 millimetres. This action</p> <p>11 was to show that I have inspected it and found that the</p> <p>12 installation passed.</p> <p>13 Q. Does that explain why you have put the word "Pass" in</p> <p>14 the last column of H35070?</p> <p>15 A. Correct, that's right, because if you look at the</p> <p>16 vertical rebar in the photo, and then all the other</p> <p>17 exposed threads, they are of the same length, so you</p> <p>18 could draw a conclusion that in H35070, for EWL C2-3,</p> <p>19 the installation was passed.</p> <p>20 Q. I see. You tell us you carried out these inspections.</p> <p>21 Do I understand correctly that these inspections to</p> <p>22 check the couplers were carried out progressively, day</p> <p>23 by day, over a period of time?</p> <p>24 A. Correct.</p> <p>25 Q. Why did you carry out these inspections of the couplers</p>	<p>1 a close-up of the photo we looked at a couple of moments</p> <p>2 ago?</p> <p>3 A. Correct.</p> <p>4 Q. And again, on the basis of what you have recorded in</p> <p>5 that photograph, do I understand that you concluded that</p> <p>6 the word "Pass" should go in the far right-hand column</p> <p>7 of the document at H35070?</p> <p>8 A. Correct.</p> <p>9 Q. Just to try one more, if we look at the entry -- let's</p> <p>10 go up -- 35070 for a moment -- let's go up to the entry</p> <p>11 of 15 September 2015.</p> <p>12 Have you found that?</p> <p>13 A. Yes.</p> <p>14 Q. We can see that that relates to the EWL, area C,</p> <p>15 bay C1-4; correct?</p> <p>16 A. Yes.</p> <p>17 Q. But here do I understand that you are inspecting the</p> <p>18 eastern diaphragm wall bottom layer?</p> <p>19 A. Correct.</p> <p>20 Q. If we go to the photo folder in B17, and look for photo</p> <p>21 B24231 -- if we can just see the caption at the bottom,</p> <p>22 please. Can you move the photo up a bit, please. The</p> <p>23 other way, please. I want to see the area it relates</p> <p>24 to, please. It was on the earlier photo.</p> <p>25 MR PENNICOTT: That's it.</p>
Page 106	Page 108
<p>1 day by day, over a period of time? Can you explain to</p> <p>2 the Chairman and the professor why you adopted that</p> <p>3 approach, please?</p> <p>4 A. Because, in the process of rebar fixing, it wasn't</p> <p>5 done -- well, coupler installation wasn't done</p> <p>6 continuously. Say, for example, in the western wall,</p> <p>7 there was a vertical threaded bar installation.</p> <p>8 Sometimes, it would be two or three days later when they</p> <p>9 started the installation of the bottom layer. After the</p> <p>10 coupler installation of the bottom layer was completed,</p> <p>11 there would be steel fixing. When they were working on</p> <p>12 the bottom layer, there would no longer be the</p> <p>13 installation of threaded bar because they had to work on</p> <p>14 the through-bar. After B1, then they would go on to B2,</p> <p>15 and it was at the initial stage that there would be</p> <p>16 installation of threaded bar. After that, then they</p> <p>17 would have to wait until the rebar fixing was completed</p> <p>18 before they proceeded.</p> <p>19 So it would not be installation and connection</p> <p>20 taking place every single second or over a period of</p> <p>21 time. It would only take place at specific time, at</p> <p>22 certain time. So every day I would pay attention to the</p> <p>23 process of the installation.</p> <p>24 Q. If we were to stay with this entry for the time being</p> <p>25 and go to B24212, am I right in thinking that that's</p>	<p>1 MR BOULDING: Do you see there "C1-4"; do you see that</p> <p>2 caption there, Mr Wong?</p> <p>3 A. Right.</p> <p>4 Q. Does this show you that this photo, with a date of</p> <p>5 15 September 2015, is a photo which relates to the entry</p> <p>6 of the same date in document H35070?</p> <p>7 A. Right.</p> <p>8 Q. If we scroll through to photograph B24239, do we see</p> <p>9 a further seven photographs taken of the same area on</p> <p>10 the same day?</p> <p>11 A. Correct.</p> <p>12 Q. For present purposes, I'd like to go to photo B24232.</p> <p>13 A. Yes.</p> <p>14 Q. Can you describe to the Commissioners, Mr Wong, what</p> <p>15 we're looking at here?</p> <p>16 A. In this photo, it depicts rebar and coupler connection</p> <p>17 of a D-wall. If you look at the very bottom, on the</p> <p>18 right-hand side of the photograph is the D-wall. The</p> <p>19 connection is to the threaded rebar of EWL slab. At the</p> <p>20 bottom, there is a coupler with the installation; we</p> <p>21 call it B1. The one up is called B3, in terms of</p> <p>22 layers. So, in the photograph, the top one is B5. In</p> <p>23 this photograph, you can also see that they are</p> <p>24 compliant installations. You see that the thread</p> <p>25 exposed was less than one. In this photo, it shows that</p>

<p style="text-align: right;">Page 109</p> <p>1 the installation of threaded rebar was compliant. 2 Q. I see. 3 COMMISSIONER HANSFORD: Sorry, can I interrupt at this 4 point, because I'm trying to understand this photograph, 5 and it may help me, Mr Wong, if you can tell me what 6 those red strips and the blue strips are on the right; 7 what are those? 8 A. The red one is a hydrophilic strip. The blue one is 9 regroutable strip. 10 COMMISSIONER HANSFORD: Okay. So are they running 11 vertically or horizontally? 12 A. The red one and the blue one are horizontal. 13 COMMISSIONER HANSFORD: So therefore do we need to turn this 14 photo through 90 degrees -- that's better. Now 15 I understand. 16 A. Yes, this is the right rotation, when you look down. 17 COMMISSIONER HANSFORD: Okay. That's better and clearer for 18 me. Thank you very much. 19 MR BOULDING: Okay. Again we see, do we not, that you've 20 got a "Pass" against this particular area in the 21 document at H35070? 22 A. Yes. 23 Q. You were also asked questions about retrospective 24 records in the context of why they were dated February 25 2017. Do you remember being asked questions about that</p>	<p style="text-align: right;">Page 111</p> <p>1 A. I think I was saying that it shouldn't be backdated to 2 2015. The record was clearly not prepared in 2015. 3 Q. Okay. Thank you. 4 CHAIRMAN: Well, the record was not prepared in February 5 2017, was it? 6 A. Correct. Well, at that time, I was already transferred 7 out of the project division, and it was the first time 8 I signed such retrospective record, so I asked my 9 supervisor, Mr Ma, on what date should be put on the 10 document. So we concluded that should be put as the 11 date as the time of internal review, to tie in with that 12 review we put it as 2017. 13 CHAIRMAN: All right. So that was the intention, to make it 14 appear as if it had been prepared at about that time? 15 A. That's the result of the discussion we had then. 16 CHAIRMAN: Okay. Why didn't you just make it the date on 17 which you looked at the documents and agreed to sign 18 them? Because that was the date when you signed. That 19 would have been the straightforward way, would it not? 20 A. I understand that. Well, we had to deal with a lot of 21 documents. We didn't give very careful thought to the 22 right date. If you ask me now, of course naturally we 23 should put the date as it was. 24 CHAIRMAN: I mean, with the greatest of respect, Mr Wong, 25 a cynic might say -- and I'm not a cynic -- that</p>
<p style="text-align: right;">Page 110</p> <p>1 date? 2 A. Yes. 3 Q. And in answering various questions, including questions 4 to the Chairman, you said -- and this is, for example, 5 [draft] page 39 of the transcript -- that you understood 6 that you should not backdate the records to 2015. Do 7 you remember giving that answer? 8 A. Yes, I can remember that. 9 Q. Can you explain to me why you had that understanding, 10 namely that they shouldn't be backdated to 2015? 11 A. Because that document wasn't there in 2015. When we 12 prepared this document, we shouldn't backdate the 13 document. After the discussion, and we talked about the 14 date we put in this retrospective document, we decided 15 to put it as 2017. The thing is the date shouldn't be 16 2015 in this record. 17 CHAIRMAN: Sorry, can you help me: why not 2015? 18 A. It's a retrospective record. It's clearly something 19 that you prepared afterwards. So we shouldn't put the 20 date of the inspections on the retrospective record. 21 CHAIRMAN: Yes. 22 MR BOULDING: I think the transcript has misrecorded that 23 for the time being. Am I right in saying that you said 24 it's clearly something that you shouldn't prepare after 25 the works? Is that what you said?</p>	<p style="text-align: right;">Page 112</p> <p>1 backdating by a couple of years, that is something that 2 requires thought, but signing the current date is what 3 you do automatically. In other words, the backdating 4 was a deliberate, contemplated decision. 5 A. At that time, I didn't quite understand that it was 6 a retrospective document. At that time, I was already 7 working for another department. I was asked to go back 8 to prepare the document. So I asked my supervisor what 9 the date should be. 10 MR BOULDING: Then finally, Mr Wong, do you recall being 11 asked various questions about your qualifications to 12 undertake certain tasks on the project? 13 A. Yes. 14 Q. Am I right in thinking that you're qualified as a T3 15 under the RGE stream? 16 A. Correct. 17 MR BOULDING: Thank you very much, Mr Wong. 18 Chairman, Professor -- 19 CHAIRMAN: Thank you very much, Mr Boulding. 20 Questioning by THE COMMISSIONERS 21 COMMISSIONER HANSFORD: I just have one question, Mr Wong 22 On the spreadsheet, the summary spreadsheet that you 23 prepared -- could we just have it on the screen. What 24 document number is it? 25 MR BOULDING: H35070. I think that might be the one you are</p>

Page 113	Page 115
<p>1 after.</p> <p>2 COMMISSIONER HANSFORD: Let's have a look and I'll tell you</p> <p>3 if it is.</p> <p>4 MR PENNICOTT: The first one?</p> <p>5 COMMISSIONER HANSFORD: Yes, the first one, the one Mr Wong</p> <p>6 prepared. Put it on the screen and then I'll ask my</p> <p>7 question of Mr Wong, because I'm just puzzled by</p> <p>8 something.</p> <p>9 Got it. Very good.</p> <p>10 Can I ask, Mr Wong -- you prepared this sheet,</p> <p>11 didn't you? You told us you prepared this?</p> <p>12 A. Yes.</p> <p>13 COMMISSIONER HANSFORD: Why didn't you have a column that</p> <p>14 gave the photograph number for each entry?</p> <p>15 A. Well, it was a bit of a rush. We had very little time.</p> <p>16 So I just typed the date. With the dates we can always</p> <p>17 find in the photo.</p> <p>18 COMMISSIONER HANSFORD: No, but you told us that for each of</p> <p>19 these lines you looked at a photo. That's how you got</p> <p>20 this information. So you must have had the photograph</p> <p>21 number.</p> <p>22 If I were preparing a sheet like this, I think</p> <p>23 I would have put the photograph number. Isn't that</p> <p>24 sensible?</p> <p>25 A. I understand that. In the company's intranet,</p>	<p>1 A. Yes.</p> <p>2 CHAIRMAN: Because the photographs, unless you were using</p> <p>3 a wide-angle lens or a fish-eye lens, that would then</p> <p>4 distort -- I'm an amateur photographer -- absent that,</p> <p>5 you're only ever, at best, going to get a portion of the</p> <p>6 work that was being done, correct, at a particular</p> <p>7 moment in time?</p> <p>8 A. Correct. I will take something representative.</p> <p>9 CHAIRMAN: That's right. So did you think of perhaps</p> <p>10 putting down "photographs X and Y through until", and</p> <p>11 give the other numbers, so you can immediately see,</p> <p>12 "I've given a pass to this particular area because</p> <p>13 there's a series of 20 photographs which confirm it"?</p> <p>14 Because you give one photograph number or identification</p> <p>15 only.</p> <p>16 COMMISSIONER HANSFORD: There's none.</p> <p>17 CHAIRMAN: Oh, there's none.</p> <p>18 COMMISSIONER HANSFORD: Just the date.</p> <p>19 CHAIRMAN: Just the date, yes, which is the question from</p> <p>20 the professor. But it would help, don't you agree, if</p> <p>21 we could see how many photographs you had taken in order</p> <p>22 to reach your conclusion?</p> <p>23 A. I need to sort out the photographs, to tell which</p> <p>24 photographs would help us to judge that it was a pass.</p> <p>25 There were dates on the photos, and then we can also</p>
Page 114	Page 116
<p>1 I identified all the photos that I had taken, put them</p> <p>2 in my folder, and then I confirmed that the photos were</p> <p>3 related to coupler fixing. I didn't have time to give</p> <p>4 each and every photo a new serial number, but in the</p> <p>5 file names, you can tell the location. With the dates,</p> <p>6 I can locate the photos very easily. I didn't have</p> <p>7 sufficient time. I had to prepare this summary in</p> <p>8 a haste.</p> <p>9 COMMISSIONER HANSFORD: I understand. So you are telling us</p> <p>10 that the photograph numbers came later; at the time, the</p> <p>11 photographs didn't have a number?</p> <p>12 A. Correct.</p> <p>13 COMMISSIONER HANSFORD: Right.</p> <p>14 MR PENNICOTT: Sir, that's our understanding, that the</p> <p>15 photograph numbers, I'm afraid, were put on subsequently</p> <p>16 and I don't think they would have been around when this</p> <p>17 exercise was done.</p> <p>18 COMMISSIONER HANSFORD: Okay. That's a fair answer. Thank</p> <p>19 you very much. It was just puzzling me. That's fine.</p> <p>20 Thank you.</p> <p>21 CHAIRMAN: Can I ask just one question. From what</p> <p>22 I understand, in order to reach your "Pass" or "Fail",</p> <p>23 you would have had to have taken a series of photographs</p> <p>24 of each particular thing, such as the bottom mat or</p> <p>25 something like that; would that be correct?</p>	<p>1 find the location, the bay, in the file names. But</p> <p>2 I did not put the numbers on the photos, because I could</p> <p>3 find the photos with the dates. That I didn't do.</p> <p>4 CHAIRMAN: All right. Looking back on it now, and I've</p> <p>5 asked you in part this question before, and this is my</p> <p>6 last question -- it's a cumbersome procedure, isn't it?</p> <p>7 A. You mean cumbersome in that we have to find the</p> <p>8 photographs to verify the process?</p> <p>9 CHAIRMAN: Yes, it's a lot easier if you've got a written</p> <p>10 record, perhaps backed up by photographs, something you</p> <p>11 can just go to a book, or go to a computer, click, and</p> <p>12 there it all is, meeting the obligations of the</p> <p>13 quality --</p> <p>14 COMMISSIONER HANSFORD: Supervision.</p> <p>15 CHAIRMAN: -- supervision, yes.</p> <p>16 A. I agree, that would be ideal, with records and record</p> <p>17 photos or even video.</p> <p>18 CHAIRMAN: All right. I'm not suggesting we go into the</p> <p>19 realm of video, but I'm just talking about something</p> <p>20 written down or put onto a computer, with details, is</p> <p>21 readily and accurately sourced, and it's a good</p> <p>22 confirmation and, if you wish, photographs to back it</p> <p>23 up. Would you agree that that's a better system?</p> <p>24 A. I agree. In my description of the photos, I typed</p> <p>25 "random check of couplers" on some of them.</p>

Page 117	Page 119
<p>1 CHAIRMAN: Thank you. 2 Peter, any more? 3 COMMISSIONER HANSFORD: No, that's all from me. 4 CHAIRMAN: Thank you very much, Mr Wong. Thank you for your 5 assistance. Your evidence is now completed. 6 WITNESS: Thank you. 7 MR BOULDING: Sir, my next witness is Mr Andy Wong, I think. 8 Would it be convenient to take the afternoon tea break? 9 CHAIRMAN: Yes. We'll just have 15 minutes. Thank you. 10 (4.01 pm) 11 (A short adjournment) 12 (4.16 pm) 13 MR BOULDING: Chairman, Professor, my next witness is 14 Mr Andy Wong. 15 Mr Wong, good afternoon. 16 WITNESS: Good afternoon. 17 MR WONG KAI WING, ANDY (affirmed in Punt) (All answers given via simultaneous interpreter 18 except where otherwise specified) 19 Examination-in-chief by MR BOULDING 20 MR BOULDING: Thank you, Mr Wong. 21 It's correct, is it not, that your full name is Andy 22 Wong Kai Wing? 23 A. (In English) Okay. Yes. 24 Q. Splendid. Now, you have produced, have you not, two</p>	<p>1 if we can adopt the same procedure, please, starting off 2 at page B13672, there we can see, can we not, the first 3 page of your reply witness statement? 4 A. (In English) Yes. 5 Q. If we go on to B13673, which is the next page, I trust 6 we can see your signature, can we not, under the date of 7 12 October 2018? 8 A. Correct. 9 Q. Are the contents of that statement true to the best of 10 your knowledge and belief? 11 A. Yes. 12 Q. Now, Mr Wong, it's become conventional to try to locate 13 you in the MTR organisational hierarchy. For that 14 purpose, can we look first at B572. If we come in, the 15 third column from the left, and scroll down a bit, there 16 do we see your position in the MTR organisational chart 17 as at August 2015? 18 COMMISSIONER HANSFORD: Sorry, does it say "Effective 19 1 September"? 20 MR BOULDING: Yes. It says "Effective September", does it 21 not, under your name? 22 A. Correct. 23 Q. Then if we could just pick up one more reference -- we 24 move on eight or nine months, I think -- B576. If we go 25 down, this time you're in the second column in from the</p>
Page 118	Page 120
<p>1 witness statements for the assistance of the Commission 2 in this matter; correct? 3 A. There's a supplementary statement. 4 Q. Well, there's one witness statement and one reply 5 statement; correct? 6 We'll have a look at them. Let's go to B448, 7 please, do we there see the first page of your first 8 witness statement, on the monitor? 9 A. Yes. Can I see the whole page? 10 Q. Of course you can. So that's the first page of your 11 first witness statement, is it not? 12 A. Correct. 13 Q. Then if we could go down to page B461. There we see, do 14 we not -- the previous page, 460 -- your signature under 15 the date of 12 September 2018; correct? 16 A. Correct. 17 Q. But I understand there are one or two corrections you'd 18 like to make to this, so we'll pick those up, please, at 19 page B461.1. 20 A. Yes. 21 Q. Subject to that correction, are the contents of your 22 first witness statement true to the best of your 23 knowledge and belief? 24 A. Yes. 25 Q. Then you've also produced a reply witness statement, and</p>	<p>1 left, and do we see "Andy Wong, AIOw, concourse 2 modification (night shift)"? 3 A. Yes. 4 (In English) Concourse. 5 Q. If we go to the top left-hand of the document, we can 6 see that's the management organisation chart as of 7 31 March 2016; correct? 8 A. Yes. 9 MR BOULDING: Mr Wong, what's going to happen now is that 10 you'll be questioned first, I suspect, by Mr Pennicott, 11 who is the lawyer assisting the Commissioners. Then 12 various other lawyers in the room get the opportunity to 13 question you. The professor and the Chairman can 14 question you at any stage they consider it's 15 appropriate, and then it might be the case that I ask 16 you some questions at the end of your evidence. So 17 please stay there. 18 WITNESS: Thank you. 19 Examination by MR PENNICOTT 20 MR PENNICOTT: Mr Wong, good afternoon. Thank you very much 21 for coming to give evidence to the Commission this 22 afternoon, and as Mr Boulding has indicated, my name is 23 Pennicott and I'm going to ask you a few questions on 24 behalf of the Commission, and I'm hoping that there will 25 only be a few and that we can deal with this relatively</p>

Page 121	Page 123
<p>1 quickly.</p> <p>2 Mr Wong, for the period September 2015 to December</p> <p>3 2015, my understanding is you were the assistant</p> <p>4 inspector of works and your primary area of</p> <p>5 responsibility was areas C2 and C3?</p> <p>6 A. Correct.</p> <p>7 Q. You deal in your witness statement with two incidents,</p> <p>8 which you call the first incident and the second</p> <p>9 incident; yes?</p> <p>10 A. Yes.</p> <p>11 Q. The first incident is one which lots of people in this</p> <p>12 room are very familiar with. It's the one that gave</p> <p>13 rise ultimately to NCR157.</p> <p>14 A. (In English) Yes.</p> <p>15 Q. What you very helpfully do, in one of your attachments</p> <p>16 to your witness statement, is you identify for us where</p> <p>17 the incidents, the two incidents you talk about, two</p> <p>18 place.</p> <p>19 So could we go to B1/463, please. If we could blow</p> <p>20 the top right-hand corner up of this, please. Thank you</p> <p>21 very much.</p> <p>22 The first incident, Mr Wong, as I understand it, is</p> <p>23 the incident that --</p> <p>24 A. (In English) First incident.</p> <p>25 Q. Is the first incident, the one on the left, and it's the</p>	<p>1 Q. You say in your witness statement, at paragraph --</p> <p>2 there's no need to look at it; I'll read it out and we</p> <p>3 can focus on the photograph -- you say:</p> <p>4 "The 1st photograph shows two steel bars not</p> <p>5 properly screwed into the coupler."</p> <p>6 A. Yes.</p> <p>7 Q. Can you identify the two that you're talking about,</p> <p>8 please?</p> <p>9 A. (In English) (Indicating). You see?</p> <p>10 Q. If you can point there, the lady over there will put the</p> <p>11 hand on it for us on the screen.</p> <p>12 Yes, that's right. It's those two.</p> <p>13 A. I have highlighted them.</p> <p>14 Q. That's fine. All right. Thank you very much.</p> <p>15 Then, at 7460, you say in paragraph 25(2) of your</p> <p>16 witness statement -- again, no need to look at it; I'll</p> <p>17 read it out again:</p> <p>18 "The 2nd photograph shows a wire cutter lying on the</p> <p>19 fixed steel bars in area C3, bay 2. This was the</p> <p>20 location where I found one of the cut ends of the</p> <p>21 threaded steel bar."</p> <p>22 Is that right?</p> <p>23 A. When I discovered this, this wire cutter was put there,</p> <p>24 and additionally there were two cut threaded portions</p> <p>25 nearby.</p>
Page 122	Page 124
<p>1 one we know about; that's the NCR no. 157?</p> <p>2 A. (In English) Yes.</p> <p>3 Q. You identify essentially two separate locations for the</p> <p>4 incident?</p> <p>5 A. Well, it was so long ago, I can only remember the exact</p> <p>6 locations after reviewing the documents, but I did take</p> <p>7 photos.</p> <p>8 Q. Yes, indeed. And as I understand it we've got part of</p> <p>9 the incident happening on the diaphragm wall and the</p> <p>10 other part of the incident happening on the construction</p> <p>11 joints?</p> <p>12 A. (In English) Slab to slab.</p> <p>13 Q. Slab to slab, yes. Okay.</p> <p>14 Just so we can see in a moment when we come to the</p> <p>15 second incident, the second incident that you deal with</p> <p>16 in your witness statement, we can see, were two</p> <p>17 locations on the construction joint, slab to slab?</p> <p>18 A. Correct.</p> <p>19 Q. Now, dealing with the first incident, could I ask you to</p> <p>20 be shown the photographs, starting at B10/7457.</p> <p>21 Mr Wong, these are photographs that we've been</p> <p>22 looking at quite a few times during the course of the</p> <p>23 Inquiry so far and, as I understand it from your witness</p> <p>24 statement, these four photographs were taken by you?</p> <p>25 A. (In English) Yes, photo by me.</p>	<p>1 Q. All right. Indeed, if we go now to page 7458, back two</p> <p>2 pages, you say in your witness statement:</p> <p>3 "The 3rd photograph shows a cut end of a threaded</p> <p>4 steel bar resting on my hand."</p> <p>5 A. Correct.</p> <p>6 Q. We can see --</p> <p>7 A. (In English) Right-hand side.</p> <p>8 Q. We can see that very clearly.</p> <p>9 Then, lastly, so far as the photographs are</p> <p>10 concerned, 7459. You say:</p> <p>11 "The 4th photograph" -- this is paragraph 25(4) --</p> <p>12 "shows three shortened threaded steel bars not properly</p> <p>13 screwed into the couplers."</p> <p>14 A. Right.</p> <p>15 Q. Again, can you identify the three that you are referring</p> <p>16 to?</p> <p>17 A. (Indicating).</p> <p>18 Q. Can you hold that up so that we can --</p> <p>19 A. Can you see that?</p> <p>20 Q. We just want to get the hand.</p> <p>21 COMMISSIONER HANSFORD: Can we have it the same way up?</p> <p>22 Rotate it.</p> <p>23 A. Can you see? (Indicating).</p> <p>24 MR PENNICOTT: So it's the three at the back of the</p> <p>25 photograph that we're looking at. Yes, that's one, and</p>

Page 125	Page 127
<p>1 then to the left -- yes, that's the second one -- and 2 then to the left again -- 3 CHAIRMAN: That's it. 4 MR PENNICOTT: -- that's it. 5 A. Yes. 6 Q. Okay. Thank you very much. 7 Mr Wong, can I ask you this: when you took these 8 photographs, were there any workers in the vicinity? 9 A. There were, but no Leighton foremen or engineers. It 10 was -- 11 INTERPRETER: I can't hear. 12 A. At that time, I was by myself who was doing the 13 inspection. 14 MR PENNICOTT: Yes, but were there any steel bar fixers in 15 the area when you took these photographs? 16 A. Yes. Yes. 17 Q. Fang Sheung workers? 18 A. Right. 19 Q. Did you speak to them? 20 A. At that time, I did not. I called -- telephoned my 21 supervisor and WhatsApped my supervisor, that is my 22 superior, to inform them about this case. 23 Q. Right. That was Mr Kobe Wong? 24 A. Yes. 25 Q. Did you not feel it appropriate to speak to the</p>	<p>1 MR PENNICOTT: Sir, I wasn't going to go to the NCR again. 2 COMMISSIONER HANSFORD: I just wanted to check it's the same 3 incident. 4 MR PENNICOTT: It is the same, yes. 5 COMMISSIONER HANSFORD: Good. 6 MR PENNICOTT: But just to -- one point that perhaps hasn't 7 come out perhaps quite as clearly as it does with 8 Mr Wong's evidence is -- as I understand it, Mr Wong, 9 correct me if I'm wrong, in the plan that we had a look 10 at just a moment ago, there were two separate locations, 11 and as I understand it -- tell me if I'm wrong -- the 12 photograph we've got on the screen at the moment is the 13 one by the diaphragm wall? 14 A. Right. This is towards the D-wall, facing the D-wall. 15 Q. Yes, and the other photograph that we saw at 7457 is the 16 one on the slabs, the connection joints? 17 A. This is slab to slab. 18 Q. Slab to slab, yes, indeed. 19 COMMISSIONER HANSFORD: Again, so that I can understand it, 20 how many bars in total are we referring to as being cut 21 in this incident? How many bars? 22 A. Five. 23 COMMISSIONER HANSFORD: Five in total in both -- 24 A. (In English) Yes. 25 COMMISSIONER HANSFORD: Five in total, which is the</p>
Page 126	Page 128
<p>1 Fang Sheung workers? I appreciate that you wanted to 2 contact your superior, I understand that, but did you 3 not think it might be appropriate to have a word with 4 the Fang Sheung workers and ask them about the problem 5 that you had identified? 6 A. No. The procedure, I thought, was to inform my superior 7 to see if there was any arrangement for me to deal with 8 the situation. If I talked to the workers directly, 9 there might be conflict. 10 Q. All right, understood. I don't need to discuss it with 11 you, Mr Wong, in any detail, but we know that as 12 a consequence of you identifying these problems, they 13 were quickly rectified, as I understand it, on site, on 14 the same day, and indeed you took some photographs of 15 the rectification -- some photographs of the 16 rectification works as they were taking place? 17 A. Yes. 18 COMMISSIONER HANSFORD: Sorry, perhaps you were going to 19 take him to this, Mr Pennicott, so forgive me -- is this 20 the incident that led to the issue of an NCR? 21 MR PENNICOTT: Yes. 22 A. (Nodded head). 23 COMMISSIONER HANSFORD: It is? 24 A. Yes. 25 COMMISSIONER HANSFORD: I thought so.</p>	<p>1 combination of both areas; it was five bars in total? 2 A. Let me add that it's the same area, because at the 3 corner there was D-wall and this is the slab to slab in 4 the same bay, same area. 5 COMMISSIONER HANSFORD: Yes, okay. I understand. It's in 6 the same bay. Thank you. 7 MR PENNICOTT: As I understand it, looking at your plan, 8 just a little distance apart? 9 A. Right. 10 COMMISSIONER HANSFORD: Okay. I understand. 11 MR PENNICOTT: All right. Now, if anybody wants to ask you 12 about the first incident, they will in a moment. I'm 13 going to move on to your second incident, which you deal 14 with starting at paragraph 30 of your witness statement, 15 where you say: 16 "Sometime between 16 December 2015 and 31 December 17 2015, during regular site surveillance in area C1 bay 5 18 or area C3 bay 3, I saw that there were 5 or 6 threaded 19 steel bars that were not screwed into the couplers. 20 These steel bars were located at the slab-to-slab 21 (construction joint) connections." 22 Now, Mr Wong, first question: did you think to take 23 any photographs of these particular non-screwed-in 24 rebar? 25 A. I did, but let me add that from the photographs I have</p>

Page 129	Page 131
<p>1 looked at, it should be C1, bay 5, because on the day it 2 was concrete pouring, they were doing concrete pouring 3 when I took the photographs, but in 2016 my computer was 4 infected with a virus and I telephoned to inform my 5 superior and I asked a foreman to follow up on the 6 replacement of the screwing. There was record and there 7 were photographs, but I only verbally informed my 8 superior. And there was no report issued or anything 9 like that. 10 Q. Since your witness statement, as I understand it, you've 11 now narrowed it down and you think it is C1, bay 5? 12 A. (In English) Yes. 13 Q. And that's because you recall the concreting was being 14 done at that time? 15 A. Right. 16 Q. Okay. I think I'm right in saying -- but we can be 17 double-checked if I get this wrong -- that the 18 concreting in C1-5 took place on 23 December, so that's 19 within the period that you've mentioned in your witness 20 statement? 21 A. Right. 22 Q. All right. Again, you tell us that you informed Mr Kobe 23 Wong about this incident. 24 A. Right. 25 Q. And he instructed you to follow up with Leighton?</p>	<p>1 A. Right. 2 CHAIRMAN: Just briefly, tell us, what was the essential 3 purpose of your job? 4 A. My job covers documentation, to put documents and 5 photographs on the server. My working hours were 6 between 8.30 to 6 o'clock, and for one or two days every 7 week I would work overtime until 11 o'clock. 8 The scope of my duties, when I started work there 9 would be briefing from my superior to inform me about 10 the points that I had to pay attention to. Then I would 11 go to the site for surveillance. I would pay attention 12 to safety issues or pay attention to some particular job 13 types, say for example some kind of formwork, I would 14 have to conduct constant surveillance. 15 CHAIRMAN: And couplers? 16 A. For couplers, first of all, I wasn't assigned to be T3 17 of QSP, but I myself -- well, previously, on another 18 site, I was a T3. So I would pay attention to couplers. 19 During my surveillance, I would pay attention to 20 whether they were properly screwed on, and I would 21 physically touch them, push them, to see if they were 22 aligned or stable. I would do it very closely, very 23 close to the rebar, or I would conduct a visual 24 inspection on steel fixing work. 25 CHAIRMAN: Were you on site, other than going off for lunch</p>
Page 130	Page 132
<p>1 A. Right. 2 Q. You go on to tell us that you were or Leighton were able 3 to remedy two or three of the bars that you saw, because 4 they were sufficiently high up, as it were, towards the 5 top. 6 A. Yes, at the top. 7 Q. But there was nothing that could be done with the three 8 steel bars that were further down or beneath the top 9 layer? 10 A. Yes, because it was during concrete pouring; there was 11 no time for us to make any preparations. 12 Q. Right. So had the concrete pouring actually started, 13 Mr Wong, when you picked this up? 14 A. Right, because when there was a concrete pouring I would 15 be there 100 per cent supervising it. 16 Q. Understood. Okay. But the upshot was there was nothing 17 that could be done about three of the steel bars, and 18 the concrete therefore was poured and those bars were 19 left not quite properly connected? 20 A. Right. 21 MR PENNICOTT: Okay. Thank you very much, Mr Wong. I have 22 no further questions. 23 Questioning by THE COMMISSIONERS 24 CHAIRMAN: Sorry, can I just ask you, if I may, Mr Wong, 25 your job was as an assistant inspector; correct?</p>	<p>1 and things like that, the whole time? 2 A. Right. There would not be any teatime for me, so 3 I would be there full-time, that is before 6 o'clock. 4 CHAIRMAN: All right. How big an area would you normally 5 have to supervise? 6 A. As stated in my witness statement, C2 to C3, the area 7 would be within 100 metres. 8 CHAIRMAN: Okay. So you would patrol, if I can put it that 9 way, backwards and forwards, or stay in particular areas 10 that there was particular type of work being done? 11 A. Right. If there was nothing particular, I could conduct 12 patrols for surveillance. 13 CHAIRMAN: Prior to this first incident which you reported, 14 the one where we have a photograph of you holding a cut 15 thread in your hand, had you come across many incidents 16 of rebars not being properly put into couplers or there 17 being anything that worried you? 18 A. I've been working on different sites for more than 19 20 years. I've never seen cutting of a threaded bar 20 like that. I was shocked and I informed my superior to 21 handle that. 22 CHAIRMAN: Okay. But prior to that incident, which 23 understandably caused you some difficulty, had you seen 24 anything at all that you felt worthy of bringing to the 25 attention of anybody concerning rebar -- sorry,</p>

Page 133	Page 135
<p>1 concerning couplers, on this site?</p> <p>2 A. Yes. When the D-wall was trimmed, they need to use</p> <p>3 a shear key to do the cleaning to expose the couplers.</p> <p>4 There were two ways to do it, one hydraulic, using water</p> <p>5 jet, hydro-jetting, and the other one, it would be</p> <p>6 manually breaking by workers, and there's a chance that</p> <p>7 things will be broken up. The hydro-jetting was much</p> <p>8 more better; it would not hurt the concrete.</p> <p>9 If it's manually done and manual hacking, I would</p> <p>10 check the shear key, then I did not find the threads</p> <p>11 damaged.</p> <p>12 CHAIRMAN: Excellent. Thank you very much indeed. I just</p> <p>13 wanted to get an idea of your daily routine and the fact</p> <p>14 of what you were doing.</p> <p>15 A. As I've said, apart from safety and patrol inspections,</p> <p>16 I have to monitor the progress, to pay attention to what</p> <p>17 was being carried out, and if there's anything lacking</p> <p>18 I would report the matter to my superior.</p> <p>19 CHAIRMAN: Sorry, could I -- I do apologise -- then also ask</p> <p>20 you this. When you worked in C2 and C3, and you had</p> <p>21 this 100 metres to patrol during the day, would you be</p> <p>22 assisted by anybody else from MTR? Would you be</p> <p>23 assisted by another inspector, or was that your</p> <p>24 particular area?</p> <p>25 A. According to the chart, there was no one under me.</p>	<p>1 that I didn't go there earlier, otherwise I would have</p> <p>2 prevented this.</p> <p>3 CHAIRMAN: Thank you very much.</p> <p>4 MR CHANG: No questions from Leighton.</p> <p>5 MR SO: One question from China Technology.</p> <p>6 CHAIRMAN: Yes.</p> <p>7 Cross-examination by MR SO</p> <p>8 MR SO: Witness, you just told us that in the draft</p> <p>9 transcript, [draft] page 136, line 8, when you were</p> <p>10 answering Mr Chairman's question:</p> <p>11 "I won't speculate on the motive, but if we look at</p> <p>12 the photos provided by China Technology, and also my</p> <p>13 photo records, I know who those two people were on that</p> <p>14 particular day."</p> <p>15 Can you tell us who those two people were?</p> <p>16 CHAIRMAN: No, I don't think that's necessary. The purpose</p> <p>17 of this Inquiry is not to apportion blame for criminal</p> <p>18 conduct, or civil liability. I would be content if you</p> <p>19 were to ask: who did you think employed them? That</p> <p>20 question has been asked before and it's important</p> <p>21 because we have a number of organisations working</p> <p>22 on site and one should be differentiated from another,</p> <p>23 in the public interest. But I'm not interested in</p> <p>24 getting close to issues of criminal or public liability.</p> <p>25 MR SO: Of course, sir. In that case I will rephrase my</p>
Page 134	Page 136
<p>1 There's a Joe Wong. Sometimes we did some joint</p> <p>2 inspections. I did meet him from time to time.</p> <p>3 CHAIRMAN: All right. And Joe Wong was with who; MTR?</p> <p>4 A. MTR.</p> <p>5 CHAIRMAN: All right. And what about Leightons; would you</p> <p>6 see them on the site during the day?</p> <p>7 A. Yes, yes. There was also joint inspection done with</p> <p>8 them. When they submitted a RISC form, we would do</p> <p>9 inspection together. We would confine ourselves to</p> <p>10 shear key and connection of couplers -- or rather</p> <p>11 connection of couplers and steel fixing would not form</p> <p>12 part of these inspections.</p> <p>13 CHAIRMAN: Obviously, whoever cut these threads, and we have</p> <p>14 that photograph again of you holding one, that was</p> <p>15 a deliberate act and would have taken not a couple of</p> <p>16 seconds but would have taken probably a minute or two.</p> <p>17 How easily do you think the workers might have been able</p> <p>18 to do that, if they were intent on doing it? Was it</p> <p>19 easy to avoid detection, put it that way?</p> <p>20 A. I won't speculate on the motive, but if we look at the</p> <p>21 photos provided by China Technology, and also my photo</p> <p>22 records, I know who those two people were on that</p> <p>23 particular day. I was also on patrol.</p> <p>24 But it's a question of time. I was there at</p> <p>25 19:00 hours. The photos were taken at 18:18. I regret</p>	<p>1 question.</p> <p>2 CHAIRMAN: Thank you.</p> <p>3 MR SO: Regarding those two people -- as you said, you can</p> <p>4 recognise who they were -- can you tell us which</p> <p>5 organisation do they belong to?</p> <p>6 A. I also have photos. They both work for Fang Sheung.</p> <p>7 MR SO: Thank you. No further questions.</p> <p>8 CHAIRMAN: Thank you.</p> <p>9 MR CONNOR: No questions from me, sir. Thank you.</p> <p>10 MR CHOW: Mr Chairman, the government has a few questions,</p> <p>11 but I will try to finish before 5.00.</p> <p>12 CHAIRMAN: That's all right. If we have to go a bit after</p> <p>13 5.00, it's all right.</p> <p>14 Cross-examination by MR CHOW</p> <p>15 MR CHOW: Mr Wong, my name is Anthony Chow and I represent</p> <p>16 the government. The government has a few questions for</p> <p>17 you.</p> <p>18 In relation to the first incident, in your statement</p> <p>19 you mention:</p> <p>20 "Within an hour after my call with Leighton's site</p> <p>21 staff ..."</p> <p>22 Am I right to take it that on that occasion you have</p> <p>23 waited for quite some time before there's anyone from</p> <p>24 Leighton to come and attend to the problem; is that</p> <p>25 right?</p>

Page 137

1 A. Maybe it was not as long as an hour. I think it's half
2 an hour to an hour. But the procedure was like this.
3 I phoned my superior, the superior instructed me on how
4 to follow up the matter, and then he asked me to call
5 Leighton to verify the matter. It was not as long as
6 an hour.
7 When someone arrived, they had to ask the worker to
8 expose the relevant bar, because it was -- I would at
9 least try to find two bars. So there were at least two
10 bars which were cut, and they had to find some bars to
11 replace those ones, new ones to replace those ones. So
12 close to 6 pm the matter was already handled.
13 Q. For the second incident, in paragraph 33 you also
14 mentioned:
15 "After my phone call with Kobe Wong, I immediately
16 called Leighton's site staff ..."
17 Now, does it mean -- well, we understand on that
18 occasion they were about to start concreting; is that
19 correct? Or they have already started?
20 A. They have already begun concreting.
21 Q. You need to call Leighton staff -- does it mean there
22 was no supervisor from Leighton around, supervising the
23 concreting work?
24 A. That was a big area. I had to make a call. There were
25 tests, and there were concrete trucks that they had to

Page 138

1 manage. So the person might not be close to me.
2 Q. My last question is we have heard evidence about hold
3 point inspection and procedure, and our understanding is
4 that one could only proceed to the next step if the hold
5 point inspection was satisfactory.
6 Given that, in relation to the second incident,
7 Leighton was doing the concreting, and we can deduce
8 from that that they have passed at least two hold
9 points, one in relation to the rebar inspection and the
10 other one is pre-pour inspection; am I correct?
11 A. (Nodded head).
12 Q. The fact that a problem was --
13 COMMISSIONER HANSFORD: Sorry, what was the answer to that?
14 MR CHOW: Oh, he was nodding "yes".
15 COMMISSIONER HANSFORD: You have to speak, Mr Wong, because
16 otherwise it doesn't go on the transcript.
17 A. I was trying to hear out the question first.
18 COMMISSIONER HANSFORD: Ah.
19 A. I didn't want to interrupt.
20 COMMISSIONER HANSFORD: I fully understand, Mr Wong, and
21 I'm sorry, I've just interrupted you, but the transcript
22 said "nodding head", and that was taken as being a yes,
23 I think, by Mr Chow. So we may need to get "yes" or
24 "no" answers as a minimum.
25 A. (Chinese spoken).

Page 139

1 COMMISSIONER HANSFORD: I think you probably ought to pose
2 the question again, Mr Chow.
3 MR CHOW: Yes. On the second incident, when it happened,
4 Leighton was doing concreting; right?
5 A. Yes.
6 Q. Am I right to think that being able to start concreting,
7 Leighton had passed two hold point inspections, the
8 rebar fixing inspection and the pre-pour inspection; is
9 that correct?
10 A. Yes, but I want to add. Although they passed the
11 inspection, but in the course someone might expose the
12 rebars, such as someone responsible for manhole might
13 have touched those rebars. So it may be okay at the
14 point of inspection, but someone might have touched
15 these rebars afterwards, so I had to do the surveillance
16 whole time.
17 Q. On that particular occasion, do you think that was the
18 reason? Was there any manhole around? You mentioned
19 manhole; right?
20 A. No, no. It was not the reason. There was no one doing
21 that. I said that it could be that for some reasons
22 like that, some other people might have contacted the
23 rebars.
24 Q. Yes. Right.
25 A. Do I need to go further?

Page 140

1 Q. So, on that occasion, the possibility about having
2 someone doing work for manhole and because of that sort
3 of tampered with the reinforcement, that is not what
4 happened on that particular occasion; correct?
5 A. Correct. On that occasion, it was not due to some
6 manhole work. It might be due to the poor workmanship
7 of their workers.
8 Q. Right. After that incident --
9 A. I was transferred to concourse after that, so I was not
10 involved in the remedial work. It happened on the 23rd
11 and I was transferred out on the 31st.
12 Q. All right. I was going to ask you whether there was any
13 following up action on the part of Leighton in reviewing
14 the hold point inspection procedure, that sort of thing,
15 but perhaps you have no knowledge?
16 A. Yes, yes. For the first -- the top two layers, they
17 could be replaced, and they were, and there were some
18 that were on T2 or T3, that is behind the top layer that
19 couldn't be done. As a result ...
20 INTERPRETER: Sorry, I can't catch the rest.
21 MR CHOW: Sorry, it's a fault on my part. What I'm trying
22 to get to is -- given that the hold point inspection has
23 been passed, but yet we still find problem in the
24 reinforcement at the time of concreting -- in such
25 circumstances, I was just wondering whether there was

Page 141	Page 143
<p>1 any review on the part of the MTR on the hold point 2 inspection procedure, so as to avoid a similar incident 3 being happened in future? 4 A. I think that would be answered by my superior. That 5 would be better. 6 MR CHOW: Thank you very much, Mr Wong. 7 Chairman, I have no more questions. 8 CHAIRMAN: Thank you very much. 9 Re-examination by MR BOULDING 10 MR BOULDING: Mr Wong, good afternoon again. 11 You were asked about your duties, and do you 12 remember telling the Commissioners that you had a duty 13 of constant surveillance? 14 A. Yes. 15 Q. Can you just tell me what that duty of constant 16 surveillance would involve, please, Mr Wong? 17 A. First of all, I had to prepare something daily, to know 18 about the number of workers and their works. Prior to 19 that, there would be information given to me by my 20 superiors, say for example the progress of the bay, for 21 example, bar bending supervision, I had to see if they 22 have followed the progress. Then I would take down the 23 number of workers, look at safety issues, as well as 24 whether there was anything illegal or unsafe going on, 25 and then I would have to deal with them.</p>	<p>1 three teams of people. Say, for example, on that day, 2 on 22 September, that evening there were 18 people on 3 the night shift, so I can't say that I would have seen 4 everything, but I would do my best. 5 MR BOULDING: You did your best. Well done. 6 I have no further questions for you, Mr Wong. 7 I don't know whether the Chairman or the professor have. 8 CHAIRMAN: No. 9 COMMISSIONER HANSFORD: No. 10 CHAIRMAN: Thank you. 11 MR BOULDING: Thank you very much, Mr Wong. 12 CHAIRMAN: Mr Wong, thank you very much. 13 WITNESS: Thank you. 14 CHAIRMAN: Your evidence has been completed, and may I say 15 it's been a pleasure. 16 WITNESS: Thank you. 17 CHAIRMAN: So I think we are finished for the week. Thank 18 you very much indeed. We will resume on Monday morning 19 at 10 am. Thank you. 20 (The witness was released) 21 (5.05 pm) 22 (The hearing adjourned until 10.00 am 23 on Monday, 10 December 2018) 24 25</p>
Page 142	Page 144
<p>1 Q. Tell me this: what did that constant surveillance 2 involve, if anything, so far as the couplers were 3 concerned? 4 A. Concerning couplers, well, it wasn't my duty, but 5 because I'm a responsible person, I had to have 6 oversight of everything. I did not have any checklist, 7 but I would still check on compliance. Regarding 8 couplers, if it's within the area I was in, I would look 9 at them, because they were very important. 10 Q. Can you tell the Commissioners how you would check for 11 compliance? 12 A. First of all, as I said, I would do a visual inspection, 13 that is to see if there would be an over-exposure of 14 threads. The correct ones would be just one or two 15 threads. Then I would use my hand or use my leg to push 16 it, to see if they were steady. If there was too little 17 connection, then it would not be stable or not aligned. 18 Q. Did you ever watch the rebar being screwed into the 19 couplers? 20 A. Yes. Yes, I did. That is more or less part of my daily 21 duties. If there was the coupler connection, I would 22 watch it. 23 Q. I see. Is that something you did throughout the whole 24 of your 100 metres that you covered in C2/C3? 25 A. Yes. Well, at the same time, there would be two or</p>	<p>1 INDEX 2 PAGE 3 MR WONG CHI CHIU, KOBE (on former affirmation in1 Puntì) 4 Examination by MR PENNICOTT (continued)1 5 Cross-examination by MR CHOW34 6 Cross-examination by MR SO98 7 Re-examination by MR BOULDING99 8 Questioning by THE COMMISSIONERS112 9 MR WONG KAI WING, ANDY (affirmed in Puntì)117 10 Examination-in-chief by MR BOULDING117 11 Examination by MR PENNICOTT120 12 Questioning by THE COMMISSIONERS130 13 Cross-examination by MR SO135 14 Cross-examination by MR CHOW136 15 Re-examination by MR BOULDING141 16 (The witness was released)143 17 18 19 20 21 22 23 24 25</p>