

Page 1	Page 3
<p>1 Thursday, 5 February 2026</p> <p>2 (10.00 am)</p> <p>3 CHAIRMAN: Today is the direction conference of the</p> <p>4 Independent Committee in relation to the fire at</p> <p>5 Wang Fuk Court in Tai Po. Before we begin, I would like</p> <p>6 to ask you all to observe a minute of silence for</p> <p>7 everyone who has passed in the fire. Please rise.</p> <p>8 On 26 November last year at Wang Fuk Court in</p> <p>9 Tai Po, a fire started, taking away 168 lives. After</p> <p>10 the fire, on 2 December, the Chief Executive announced</p> <p>11 that an Independent Committee chaired by a judge is to</p> <p>12 be established to look into the fire, its rapid spread</p> <p>13 and the resulting issues arising from the fire.</p> <p>14 On 12 December, I was appointed by the Chief</p> <p>15 Executive as the Chairman of the Independent Committee</p> <p>16 with members being Mr Chan Kin-por and Dr Rex Auyeung.</p> <p>17 The Chief Executive has also set down the terms of</p> <p>18 reference of the Independent Committee. You may see</p> <p>19 here there are four points under items of reference.</p> <p>20 The first is regarding the fire broke out at Wang Fuk</p> <p>21 Court in Tai Po, its rapid spread and the resulting</p> <p>22 casualties and property damage; to examine the causes</p> <p>23 and circumstances that led to the fire; the fire service</p> <p>24 installations and equipment in the buildings; and the</p> <p>25 supervision and responsibility for their effective</p>	<p>1 So you see that there are two major areas covered by</p> <p>2 our investigation; namely, the first point, that is</p> <p>3 regarding the fire at Wang Fuk Court, we will look into</p> <p>4 the causes, the spread and issues relating to casualties</p> <p>5 and damages. The second major area is the second point;</p> <p>6 that is, in relation to issues relating to large-scale</p> <p>7 building maintenance and renovation works such as</p> <p>8 bid-rigging.</p> <p>9 The third point is that in relation to the two</p> <p>10 areas, whether there is sufficient regulation and</p> <p>11 supervision, and we are to make recommendations. So</p> <p>12 there are two major areas in our investigation.</p> <p>13 In the terms of reference there are two remarks.</p> <p>14 The first one is that issues concerning legal</p> <p>15 liabilities of those involved in the fire will be</p> <p>16 handled by law enforcement agencies and fall outside the</p> <p>17 scope of the Committee.</p> <p>18 Remark number (2) says that in the course of our</p> <p>19 review work, if, in relation to specific issues or</p> <p>20 aspects, we deem it necessary to be provided with the</p> <p>21 same statutory powers as those of a commission of</p> <p>22 inquiry established under Commissions of Inquiry</p> <p>23 Ordinance, Cap 86, we may make recommendations to the</p> <p>24 Chief Executive. The CE-in-Council may, upon</p> <p>25 consideration, decide to enable the Independent</p>
Page 2	Page 4
<p>1 operation; whether the construction safety requirements</p> <p>2 standards, supervision and day-to-day maintenance regime</p> <p>3 for the building maintenance and renovation works were</p> <p>4 adequate.</p> <p>5 Regarding the building maintenance and renovation</p> <p>6 works, whether the prevailing list of materials meeting</p> <p>7 safety standards is comprehensive and whether the</p> <p>8 related verification and testing systems are effective.</p> <p>9 The roles and responsibilities of personnel with</p> <p>10 supervisory roles across all stages, including</p> <p>11 government officials, authorised professionals,</p> <p>12 contractors and others, and the liabilities arising from</p> <p>13 the aforementioned issues.</p> <p>14 The second point is regarding large-scale building</p> <p>15 maintenance and renovation works. We are to examine</p> <p>16 whether there were systemic problems such as undue</p> <p>17 connected interests, conflicts of roles or collusion</p> <p>18 across all stages of the works and whether bid-rigging,</p> <p>19 corruption or irregularities were involved in the</p> <p>20 tendering process of these works.</p> <p>21 The third point is to examine whether regulation and</p> <p>22 penalties under relevant existing laws are adequate</p> <p>23 regarding the two matters.</p> <p>24 The fourth point is to make recommendations</p> <p>25 regarding items (1) to (3).</p>	<p>1 Committee to become a statutory Commission of Inquiry</p> <p>2 for matters relevant to those issues or aspects pursuant</p> <p>3 to the Commissions of Inquiry Ordinance to exercise</p> <p>4 those powers.</p> <p>5 After our establishment, we have lost no time to</p> <p>6 conduct our work, including preparation for the office</p> <p>7 in Immigration Tower in Wan Chai, appoint our legal</p> <p>8 team, including Lo & Lo.</p> <p>9 Messrs Lo & Lo has played a role of solicitors for</p> <p>10 the Committee or Commission in previous investigations.</p> <p>11 Our team are Victor Dawes, Senior Counsel; Mr SW Lee;</p> <p>12 Mr Jason Yu; Mr Brian Lee; Mr Jonathan Fung and</p> <p>13 Mr John Cheung. On 19 December, we have conducted our</p> <p>14 first meeting. On 23 December, we conducted a site</p> <p>15 visit at Wang Fuk Court. The legal team of the</p> <p>16 Independent Committee has sent letters to involved</p> <p>17 government departments and parties, as well as</p> <p>18 individuals, to inform them of the pending</p> <p>19 investigation, asking them to provide information and</p> <p>20 documents that are necessary for our investigation.</p> <p>21 Our investigation expands over a vast scope,</p> <p>22 involving complicated issues. Entities and individuals</p> <p>23 would need time to provide the materials and information</p> <p>24 needed. The Committee has been receiving information</p> <p>25 and documents sent by them. We are looking into them in</p>

Page 5	Page 7
<p>1 detail.</p> <p>2 On 15 January, the Committee has visited two sites</p> <p>3 using bamboo scaffolding and metal scaffolding, to learn</p> <p>4 about the difference of the two types and their uses.</p> <p>5 I would like to take the opportunity to explain to you</p> <p>6 the nature of the Committee.</p> <p>7 Every time a major incident has happened, the</p> <p>8 government may set up a Committee or a Commission to</p> <p>9 conduct a public inquiry. There are two types: the</p> <p>10 first is a Statutory Commission established under</p> <p>11 Cap 86, that is, Commissions of Inquiry Ordinance. They</p> <p>12 have the power to call witnesses and require parties to</p> <p>13 provide documents. However, under this Ordinance, all</p> <p>14 proceedings are legal ones. The witness will have to</p> <p>15 testify under oath. Such Commission has greater powers,</p> <p>16 but in the process, parties may put forward issues</p> <p>17 relating to various issues. It will take a longer time.</p> <p>18 Our experience tells us that if it is done in this way,</p> <p>19 the investigation will take years.</p> <p>20 The other type is an Independent Committee that is</p> <p>21 not a statutory body. They are both bodies of</p> <p>22 inquiries, one that is statutory, the other one that is</p> <p>23 not statutory. This time, we use the way that is not in</p> <p>24 a form of a statutory investigation body. We may not</p> <p>25 have a statutory power and our proceedings may not be a</p>	<p>1 commission, the hearing of evidence will be as open as</p> <p>2 possible. However, we may have the power to decide that</p> <p>3 certain parts may be in-camera. However, in general</p> <p>4 circumstances, the hearing of evidence will be as open</p> <p>5 as possible. However we conduct our investigations, the</p> <p>6 Committee has our own legal team providing us with legal</p> <p>7 advice. The main part of their work is to collect</p> <p>8 evidence, conduct systematic analyses of the evidence,</p> <p>9 ask questions of questions so that the committee will</p> <p>10 understand what is going on and find out the truth.</p> <p>11 Another principle is that we will be fair to all</p> <p>12 parties. They will be given the opportunity to provide</p> <p>13 evidence, information and ask questions of witnesses.</p> <p>14 They will be given a chance to reply to allegations.</p> <p>15 The fourth principle is that whether it is a</p> <p>16 statutory or non-statutory inquiry, the Committee will</p> <p>17 choose an appropriate way to invite members of the</p> <p>18 public to provide evidence or comments.</p> <p>19 I would like to also take this opportunity to</p> <p>20 explain to you all that, when it comes to major</p> <p>21 incidents, apart from the public inquires, there are</p> <p>22 also a number of legal proceedings being undertaken.</p> <p>23 There are three types: first, public inquiry, that is</p> <p>24 the one we are doing. We will look into causes of the</p> <p>25 incident, systemic review, the supervisory roles and</p>
Page 6	Page 8
<p>1 legal one. However, we have flexibility.</p> <p>2 The scope of investigation is extensive, involving</p> <p>3 complicated issues. The Chief Executive has decided to</p> <p>4 adopt this way. However, he has also said that if the</p> <p>5 Committee deems it necessary to have certain statutory</p> <p>6 powers, we may make recommendations to the Chief</p> <p>7 Executive. The Chief Executive in Council,</p> <p>8 CE-in-Council may, upon consideration, in relation to</p> <p>9 certain issues or aspects, enable the Independent</p> <p>10 Committee to become a statutory Commission of Inquiry to</p> <p>11 exercise those powers. This is a serious incident.</p> <p>12 The public has expectations for an expedited</p> <p>13 conclusion of the investigation and the reaching of</p> <p>14 conclusions. We are of the view that this is a suitable</p> <p>15 way that has never been used before to conduct our</p> <p>16 investigation, but we do not rule out the possibility</p> <p>17 that, in our collection of evidence if there are issues</p> <p>18 that cannot be resolved, we may make recommendations to</p> <p>19 the Chief Executive to turn us into a statutory</p> <p>20 Commission of Inquiry to continue our work.</p> <p>21 We may not be a statutory Commission of Inquiry;</p> <p>22 however, all proceedings and inquiries will have to</p> <p>23 follow certain principles under the common law. There</p> <p>24 are four points:</p> <p>25 First, whether we are a statutory or non-statutory</p>	<p>1 liabilities of various parties. However, we are not</p> <p>2 going to deal with legal liabilities of individuals or</p> <p>3 sanctions of government officials. These are matters</p> <p>4 for the Executive.</p> <p>5 The second legal proceeding is criminal and civil</p> <p>6 proceedings. These will deal with the liabilities of</p> <p>7 individuals covering criminal and civil liabilities.</p> <p>8 The liabilities will be decided in respective</p> <p>9 proceedings.</p> <p>10 The Committee will do our best to complete our</p> <p>11 investigation. We want to minimise the impact we have</p> <p>12 on other proceedings. Parties involved in litigations</p> <p>13 or other proceedings will have a fair trial or hearing.</p> <p>14 In other words, we do not want defendants or respondents</p> <p>15 to say that because of the investigation conducted by</p> <p>16 our Committee they are being prejudiced or being</p> <p>17 absolved.</p> <p>18 The fourth proceeding is in relation to the cause of</p> <p>19 death. Under our law, it will be done by a coroner in</p> <p>20 the Coroners Court. The coroner will decide whether to</p> <p>21 conduct a hearing. That is the decision of the coroner.</p> <p>22 These proceedings are independent, taken up by</p> <p>23 respective institutions. They won't have any influence</p> <p>24 of one another. Notwithstanding, we take into</p> <p>25 consideration that there will be other proceedings being</p>

Page 9	Page 11
<p>1 conducted in tandem. When we conduct our inquiry, we 2 want to minimise the impact on other proceedings. 3 This is a direction hearing of the Independent 4 Committee. We aim to issue directions based on our 5 hearings of the Independent Committee. This is the 6 first opportunity for all that are involved in the work 7 of the Independent Committee to appear in the Committee. 8 They appear on their own or they appear with their legal 9 counsel. We have the URA representatives, we also have 10 ISS EastPoint Properties Ltd. At the same time we have 11 the ICAC, as well as the Competition Commission as well 12 as other representatives. There are other individuals 13 as well but I'm not going to set out all their names. 14 Based on the documents and the directions on the 15 investigation, we need to finish the investigation in 16 nine months. This is a challenge. Before the hearing, 17 we need to collect a lot of evidence and we also need to 18 study whether we need to invite experts to give expert 19 opinions. At the same time, we need to take into 20 account the information and views provided by the public 21 and we believe that will be much of these works in our 22 hearings. However, we have discussed with the legal 23 team and we will start the evidentiary hearing as soon 24 as possible. We plan to hold the evidential hearing on 25 19 March.</p>	<p>1 information. Our legal team has been doing its level 2 best to analyse and consolidate all information. The 3 relevant work is underway and we will continue with our 4 work throughout the Independent Committee investigation. 5 We are confident that we will assist the Independent 6 Committee in its conduct of its work. 7 I would like to emphasise, from the evidence and 8 information we have received, we have already had a good 9 understanding of the incident based on the outbreak of 10 the fire, as well as the systemic issues. We have a 11 good understanding together. 12 Government departments as well as other 13 organisations have provided important documents to the 14 Independent Committee. Key information and clues were 15 included, and we may disclose the relevant information 16 and make explanations to the public. I appeal to all 17 government departments and organisations, as well as 18 individuals, to provide as much information to us. 19 Chairman, members of the Independent Committee, 20 today we are going to handle procedural matters, but at 21 the same time, now we'd like to give you information 22 about our initial analyses. We have identified systemic 23 issues. These issues are unacceptable, nor can they be 24 ignored. At this direction hearing today, we'd like to 25 focus on two matters.</p>
Page 10	Page 12
<p>1 Regarding the directions of the investigation or the 2 manner in which the evidentiary hearing will be 3 conducted, I would like to invite the leading counsel on 4 the Independent Committee, Mr Victor Dawes, Senior 5 Counsel, to set out their views on this matter. 6 Mr Dawes, senior counsel, please. 7 MR DAWES: On 26 November 2025, a fire broke out at Wang Fuk 8 Court in Tai Po. It was heartbreaking. On behalf of 9 the legal team of the Committee, I'd like to send my 10 condolences to all of the families and residents 11 affected. We understand we could not provide comfort to 12 them, no matter what condolences we send, but we aim to 13 set out the accountability of the incident. We have a 14 very solemn responsibility. 15 First of all, we need to investigate the causes and 16 the circumstances that led to the fire. We also need to 17 provide views to the Government, to make sure similar 18 tragedies will not happen again in the future in 19 Hong Kong. We understand the importance of our 20 responsibility and we will carry out our duties in a 21 cautious and independent and just manner. We aim to 22 assist the Independent Committee in its conduct of this 23 investigation. 24 Since the setup of the Independent Committee in a 25 short period of time, we have received a large amount of</p>	<p>1 First of all, the terms of reference of the 2 Independent Committee, especially in relation to the 3 work under (1) and (2) of the terms of reference. And, 4 two, regarding our work in the future, from now to the 5 evidential hearing, we need to have a roadmap. The 6 drafting of the rules of procedure will be explained by 7 the Chairman of the Independent Committee, so we will 8 save it for later. 9 Now please allow me to state the terms of reference 10 of the Independent Committee. It provides guidance to 11 the Independent Committee in relation to its work and 12 investigation. It is a starting point. As the Chairman 13 just now said, regarding the outbreak of the fire at 14 Wang Fuk Court in Tai Po, the Independent Committee is 15 required to investigate the causes and circumstances 16 that led to the fire, as well as its rapid spread and 17 the resulting casualties and property damage. We also 18 need to examine the fire service installations and 19 equipment, construction safety requirements, as well as 20 whether the relevant maintenance and renovation works 21 were adequate. We also need to look into the 22 responsibilities of the personnel involved, including 23 government officers, authorised professionals, 24 contractors and others. We need to look into their 25 relevant accountability and so on.</p>

Page 13	Page 15
<p>1 In other words, the focus of the first term of 2 reference is to focus on the incident itself, as well as 3 other factors that led to the incident. In comparison, 4 under the second terms of reference, which is more 5 macro, the second one doesn't just target the building 6 maintenance and renovation works of Wang Fuk Court. 7 Instead, it targets all the buildings in Hong Kong. 8 Under the second point, we can see the wording regarding 9 large-scale building maintenance and renovation works. 10 We are to examine whether there were systemic problems, 11 and we can see the word "systemic". 12 The Independent Committee needs to review and look 13 into different stages involved. We are to examine 14 whether there are any systemic problems in all these 15 works. We also need to consider whether we need to 16 improve and revise the process. We are also to examine 17 the tendering process as well as other conflict issues 18 in relation to the tendering process, such as 19 bid-rigging, corruption, irregularities, collusion, and 20 we don't just target any individual works; we target all 21 works that take place in Hong Kong. 22 In the meantime, Wang Fuk Court will be a concrete 23 example upon which we review large-scale building 24 maintenance and renovation works. We aim to identify 25 any systemic problems, as mentioned in the second point</p>	<p>1 involved in the incident. Please allow me to elaborate 2 further. 3 These are matters to be handled by the courts of 4 law. In the cases of other jurisdictions, as we can 5 see, public inquiries do not have the power to deal with 6 any matters in relation to civil or criminal 7 liabilities. The Independent Committee also needs to 8 make sure that its work will not cause any negative 9 impact on any possible future criminal or civil 10 hearings. The police force and the ICAC have been 11 conducting arrest operations. The Competition 12 Commission also took operations and conducted searches 13 earlier on. 14 In these operations, some individuals were arrested. 15 They were arrested on suspicion of the conduct of some 16 serious offences, such as manslaughter. For corruption, 17 collusion or bid-rigging, factual finding in relation to 18 the individuals involved in the Wang Fuk Court incident, 19 this may impact on the criminal investigation of this 20 incident. We believe the Independent Commission will 21 also agree, if the work of the Independent Committee 22 affects the criminal or civil liabilities of the 23 individuals involved in the fire, especially when it 24 will lead to the acquittal of the individuals in the 25 fire, this is definitely running counter to public</p>
Page 14	Page 16
<p>1 of the terms of reference. We aim to review the 2 large-scale building maintenance and renovation works in 3 Hong Kong and Wang Fuk Court is an example when it comes 4 to the actual implementation. We cannot separate the 5 Wang Fuk Court incident and the overall picture in 6 Hong Kong. 7 When we examine number (1) on the terms of 8 reference, the building itself, large-scale building 9 maintenance and renovation works as well as other 10 systematic issues, the relevant evidence may overlap one 11 another in the process, including the roles or the undue 12 connected interest, conflicts of roles in the tendering 13 process of the Wang Fuk Court incident. In our oral 14 evidence stage, the focus will be on the first point of 15 the terms of reference. The information to be tendered 16 to the Independent Committee will be directly related to 17 the fire that took place in Wang Fuk Court, as well as 18 its background. 19 Regarding the second point, it will not be ignored 20 just because it is not as prominent as the point raised 21 under number (1) of the terms of reference. We will 22 review all the evidence and documents and we will also 23 extensively look into all evidence and documents. We do 24 not make any criminal or civil decisions on the legal 25 liabilities of the individuals and organisations</p>	<p>1 interest. 2 We are confident that the Independent Committee, in 3 the handling of number (2) of the terms of reference, 4 will have sufficient information provided so that it 5 could conduct analyses sufficiently, including the 6 information and documents provided by organisations 7 alongside other evidence. This information will, first 8 of all, allow the Independent Committee to identify and 9 make conclusions on whether there are any systemic 10 problems. Structural witnesses' views on these issues 11 will be provided to the Government and recommendations 12 will also be made to the Government. 13 Overall, number (1) of the terms of reference 14 directs the Independent Committee to look into the 15 causes and circumstances that led to the fire, while the 16 second terms of reference directs the Independent 17 Committee to look into the large-scale building 18 maintenance and renovation works. We are to examine 19 whether there are any systemic problems in such works. 20 These two matters have everything to do with public 21 interest and we need to do so in a solemn and cautious 22 manner. We will also provide our greatest assistance to 23 the Independent Committee. 24 That concludes my submission. Thank you. 25 CHAIRMAN: Thank you, Mr Dawes. Before we invite other</p>

Page 17	Page 19
<p>1 legal representatives to speak, I would like to give you 2 information about the rules and procedures of the 3 Committee. There are certain inquiry rules to be 4 observed. This is a draft. We will hammer out the 5 final version after having heard from all the parties. 6 There will be the evidential hearing. The evidential 7 hearing will take place here, that is, the 3rd Floor, 8 City Gallery, Number 3, Edinburgh Place. It will begin 9 at 10 am on 19 March 2026. The evidential hearing will 10 continue, subject to any adjournments that we may think 11 fit, draw reference from past inquiries, then some 12 things may happen and we have to consider the 13 arrangements of witnesses, so the evidential hearing may 14 not take place every day. If necessary, we may consider 15 an adjournment. 16 Unless otherwise directed, the evidential hearing 17 will be conducted between 10 am to 1 pm and from 2.15 pm 18 to 4.30 pm every weekday. If need be, the Committee may 19 direct that during the period mentioned in paragraphs 20 (3) and (4) above, continue the evidential hearing on 21 Saturday mornings. Any parties who wish to participate 22 in the evidential hearing, call any witnesses and/or 23 adduce any witness statements and/or materials for the 24 purpose of the hearing, they shall, before 25 12 February 2026, on that day or before that, make an</p>	<p>1 evidential hearing will be open to the public, but as I 2 said, we reserve the possibility that if we think that 3 certain evidence has not been made public, that hearing 4 will not be made public. 5 10. Without the authorisation of the Committee, no 6 photographs or audio or video-recordings may be taken or 7 made of the hearing or within the precinct of City 8 Gallery, and the hearing transmission gallery to be set 9 up by the Committee for the duration of the hearing. 10 Hearing bundles will be prepared for the use at the 11 hearing by the Secretariat. The bundles will be made 12 available to the involved parties in electronic form 13 only and will only include those documents that we 14 consider to be relevant and appropriate for the 15 inclusion. We may also apply redactions as appropriate 16 to the documents in the hearing bundles. Like I said, 17 there is a large volume of documents involved, so we 18 will handle the documents in electronic form. You see 19 that there are a number of computers in front of you. 20 We will use the e-bundle, that is, the system used in 21 court proceedings. 22 Any party who wishes to include any further 23 documents in the hearing bundles should apply to the 24 Secretariat in writing with a copy to be sent to the 25 solicitors for the Committee at the same time. All</p>
Page 18	Page 20
<p>1 application in writing to the Committee, that is, 2 participation application stating the grounds of their 3 application. 4 The Committee may allow or disallow any 5 participation application and impose limitations on the 6 scope of the parties' participation and/or prescribe the 7 manner by which the parties' evidence is to be received. 8 7. Unless otherwise directed, any party who has 9 been permitted by us to participate, call witnesses or 10 adduce witness statements and/or materials at the 11 hearing, they shall, on or before 23 February this year, 12 provide the witness statements of the witnesses to be 13 called and/or such materials that they wish to adduce. 14 On or before 23 February 2026, they shall provide 15 the name, title, telephone number and email addresses of 16 a representative of their party to the Secretariat so 17 that will be the point of contact for receiving messages 18 disseminated. 19 Number 8. All applications, submissions, witness 20 statements or materials to be provided to the Committee 21 shall be addressed to the Secretariat and delivered by 22 email at the email address as stated here, by fax at 23 2333 1302, or by post to the 10th Floor of Immigration 24 Tower, 7 Gloucester Road, Wan Chai. 25 9. Unless otherwise directed by the Committee, the</p>	<p>1 materials supplied to the Committee or any other party 2 shall be used only for the purpose of the evidential 3 hearing. Without the authorisation in writing of the 4 Committee, public dissemination of these materials shall 5 not be allowed. The release and supply of any materials 6 by the Committee and/or its legal representatives to any 7 persons or entities, whether legally represented or not, 8 shall be deemed to be subject to an undertaking by those 9 persons and entities and their respective solicitors and 10 counsel that they shall not, under any circumstances, 11 disseminate and/or disclose such materials and 12 information, content, sources thereof to any other 13 parties. Of course, information disclosed in the 14 evidential hearing will be public information. 15 14. Counsel for the Committee may make written and 16 oral opening address. Any involved party who wishes to 17 make an oral opening address should make an application 18 to the Committee on or before 9 March. The application 19 should enclose a written opening address which should 20 not be longer than 20 pages in font size 14 and with 21 1-inch margins. So there is a limitation on the length 22 of the opening address. 23 We are mindful that the Inquiry should be completed 24 within as short a time as possible; hence, the 25 limitations. Subject to the Committee's discretion to</p>

Page 21	Page 23
<p>1 determine the sequence and length of such oral 2 addresses, any oral opening address by involved parties 3 shall not exceed 30 minutes and shall be made 4 immediately after the address of counsel for the 5 Committee. 6 Subject to the discretion of the Committee and any 7 redactions as the Committee considers appropriate, any 8 written opening submissions submitted shall be uploaded 9 to the Committee's website. 10 17. In relation to receipt of evidence. The 11 Committee shall not be bound by rules of evidence. We 12 may receive and consider any materials by way of oral 13 evidence, written statements, documents or otherwise, 14 notwithstanding that such material would not be 15 admissible as evidence in civil or criminal proceedings. 16 18. Witnesses may give their evidence in any 17 language or dialect of their own choice. But if a 18 witness wishes to give evidence at the evidential 19 hearing in any language or dialect other than Cantonese, 20 Putonghua, English or Punti, please inform the 21 Secretariat by 9 March this year so that we can arrange 22 for simultaneous interpretation services. 23 Let me say this: the Inquiry will be conducted 24 mainly in Chinese, but if English-speaking witnesses are 25 called, then that part will be conducted in English.</p>	<p>1 Where witnesses are tendered by any party, the legal 2 representative of the involved party may not, unless 3 otherwise permitted, lead the evidence-in-chief. 4 Counsel for the Committee will pose questions tendered 5 by other parties. Any other involved parties who wish 6 to pose questions will have first seek permission from 7 the Committee before they may do so. If any involved 8 parties wish to pose any questions, they should first 9 make an application to the Committee after the 10 conclusion of questions by the counsel for the 11 Committee, stating the intended scope of questions. The 12 legal representative of the involved party tendering the 13 witness may re-examine such witness. 14 Unless otherwise directed by the Committee, if a 15 witness wishes to adopt his or her witness statements as 16 evidence with or without modification or elaboration, 17 the content of the witness statement will not be 18 read out. In the course of a witness giving oral 19 evidence, the Committee may pose questions at any time. 20 The Committee may determine whether or not evidence 21 given by representatives of any involved parties' 22 questions are relevant. The Committee may also set time 23 limits for the giving of oral evidence of any witness. 24 When the Committee rules on applications by involved 25 parties to pose questions, we will have regard to the</p>
Page 22	Page 24
<p>1 All questions in English will be put. The Inquiry will 2 be conducted mainly in Cantonese, but if necessary, it 3 will be conducted in English. 4 Any witness shall, prior to giving their evidence, 5 declare that the evidence they shall give is true to the 6 best of their knowledge, information and belief. The 7 following is the procedure by which we receive oral 8 evidence. 9 First, the Committee shall determine the sequence in 10 which oral evidence shall be given and publish 11 timetables in the course of the evidential hearings. We 12 will, as far as practicable and possible, announce our 13 timetables; that is, who are the witnesses to be called 14 on that day, but that is subject to progress. We will 15 do our best. 16 Number (2). Counsel for the Committee will pose 17 questions to witnesses called by the Committee. Any 18 involved party that wishes to pose questions and who has 19 been permitted to do so by the Committee may pose 20 questions in a sequence determined by the Committee. 21 Any involved party who wishes to pose questions should 22 first make an application to the Committee, stating the 23 explanation of the intended scope of the questions. 24 They may pose questions if permitted after questions 25 have been asked by the counsel for the Committee.</p>	<p>1 relevance of the evidence, to the interests of the 2 relevant involved party to ensure that the conduct of 3 the hearing is fair and efficient. We may also have 4 regard to other factors as we deem fit. 5 The Committee may recall any person who has given 6 oral evidence to answer further questions. 7 Closing addresses: counsel for the Committee and the 8 involved parties may make written closing addresses. If 9 so directed by the Committee, they may make oral closing 10 addresses. The Committee may determine the format, 11 sequence and length of written and oral addresses. 12 Subject to the discretion of the Committee and any 13 redactions we think appropriate, any written closing 14 submissions given to the Committee shall be uploaded to 15 the website. 16 Lastly, transcripts: the Secretariat will arrange 17 live transcription services for the evidential hearing. 18 Any involved party wishing to subscribe to the live 19 transcription service shall make an application on or 20 before 27 February, stating how many subscriptions are 21 required and giving the undertaking to pay the costs. 22 To view the realtime transcript during the hearing, 23 subscribers will need to use their own laptops or 24 notebook computers and make arrangements with the 25 service provider directly. That is a live transcription</p>

Page 25	Page 27
<p>1 service.</p> <p>2 When the Committee has received the electronic</p> <p>3 copies of the transcript of the day, the electronic</p> <p>4 copies of the transcript shall be provided to the</p> <p>5 counsel of the Committee, legal representatives of the</p> <p>6 involved parties who are permitted to participate.</p> <p>7 Subject to the discretion of the Committee, the</p> <p>8 transcripts shall be uploaded to the website.</p> <p>9 There will be seating arrangements made. It will be</p> <p>10 determined by the Secretariat on a day-to-day basis.</p> <p>11 Seating for the counsel and solicitors for the Committee</p> <p>12 shall be fixed throughout the hearings. Legal</p> <p>13 representatives of the involved parties shall be</p> <p>14 allocated seats depending on the identity of the</p> <p>15 witnesses and those parties who have been granted leave</p> <p>16 to question the witness.</p> <p>17 The rules of procedure may be amended or</p> <p>18 supplemented by the Committee at any time as it</p> <p>19 considers appropriate. The rules of procedure are</p> <p>20 drafted by our legal team. At this stage I would like</p> <p>21 to ask the leading counsel in relation to the draft</p> <p>22 rules of procedure. Would you like to add anything?</p> <p>23 MR DAWES: Thank you, Chairman. The purpose of the rules of</p> <p>24 procedure is to set rules for the evidential hearing.</p> <p>25 Regarding the date, we will further discuss it, subject</p>	<p>1 The Independent Committee needs to make efficient</p> <p>2 and effective management. For instance, if there is any</p> <p>3 overlapping of evidence or document-comparing with the</p> <p>4 existing oral evidence and documents, they perhaps do</p> <p>5 not need to be called to testify. Simply put, we have</p> <p>6 this deadline because we want to give sufficient notice</p> <p>7 for those who would like to take part in the evidential</p> <p>8 hearing. We also lay down rules for the participation</p> <p>9 of the evidential hearings so that the hearings will be</p> <p>10 held in a fair, just and efficient manner.</p> <p>11 Following the direction conference, individuals will</p> <p>12 be notified whether they are allowed to take part in the</p> <p>13 evidential hearings. The applicants will also be</p> <p>14 informed of the relevant scope and extent to which they</p> <p>15 take part in the hearings. Where the Independent</p> <p>16 Committee cannot make full decisions based on some</p> <p>17 facts, applications will have to be made by a certain</p> <p>18 deadline so the Independent Committee does have the</p> <p>19 power to invite certain participants to take part in the</p> <p>20 direction hearing, in the evidential hearing.</p> <p>21 Based on the second point of the terms of reference</p> <p>22 or based on any terms of reference from the Independent</p> <p>23 Committee, if some applicants just want to sit in on the</p> <p>24 hearing or if no cross-examination will be conducted,</p> <p>25 this is allowed. You only need to set out clearly your</p>
Page 26	Page 28
<p>1 to the discussions among different parties today. As</p> <p>2 material days will be involved, on the grounds of public</p> <p>3 interest, please allow me to reiterate some important</p> <p>4 points.</p> <p>5 Before this direction conference, we have written to</p> <p>6 the relevant departments and organisations to seek their</p> <p>7 assistance without affecting the fairness and justness</p> <p>8 of the Independent Committee. Some parties are</p> <p>9 attending this direction conference, and they said that</p> <p>10 they would take part in the evidential hearings. They</p> <p>11 are from the Government, non-governmental organisations,</p> <p>12 as well as individuals, including the representative</p> <p>13 from the Owners' Cooperation of Wang Fuk Court, as well</p> <p>14 as the representative of the board of directors of the</p> <p>15 consultancy of the works of Wang Fuk Court. While other</p> <p>16 individuals and organisations are invited or make</p> <p>17 applications to take part in the evidential hearing,</p> <p>18 whether they can take part in the hearing will be</p> <p>19 subject to the final decision of the Independent</p> <p>20 Committee. For those who would like to render</p> <p>21 assistance to the work of the Independent Committee, we</p> <p>22 are grateful to them. Based on the information that</p> <p>23 needs to be analysed, a large volume of work is</p> <p>24 involved, and the Independent Committee will have to</p> <p>25 submit a report within nine months.</p>	<p>1 role and your participation in the evidential hearing.</p> <p>2 You need to make it known to the Independent Committee.</p> <p>3 Regarding the deadline of some meetings, documents</p> <p>4 and evidence, in accordance with number (7) of the rules</p> <p>5 of procedure, the deadline is 23 February 2026. This</p> <p>6 covers all individuals, save and except Government</p> <p>7 departments which have probably already submitted the</p> <p>8 documents to the Independent Committee. As for the</p> <p>9 submission of supplementary materials, they should</p> <p>10 comply with this rule.</p> <p>11 For materials that are deemed useful, they should be</p> <p>12 submitted by this date. Equally importantly, unless the</p> <p>13 Independent Committee agrees to the confidentiality of</p> <p>14 the relevant information and evidence, they could be</p> <p>15 disclosed to other relevant parties and they may even</p> <p>16 form part of the hearing bundle.</p> <p>17 The Independent Committee may invite the assistance</p> <p>18 of different parties, but then these parties will have</p> <p>19 to be mindful of the possible legal consequences of the</p> <p>20 submission of the relevant documents. They may be</p> <p>21 tendered in writing in the course of examination in the</p> <p>22 hearings. If some of the information is deemed not</p> <p>23 appropriate to be disclosed, please, on or before the</p> <p>24 same date, make this clear to the Secretariat. Please</p> <p>25 set out the reasons for not disclosing such information.</p>

Page 29	Page 31
<p>1 As there is a large volume of submitted documents 2 and information and probably sensitive information is 3 involved, as we said, not all information will appear in 4 the hearing bundle. Not all of them may be quoted in 5 the final report. As a matter of fact, it is not 6 possible to quote or adopt all information. We 7 understand the responsibility of the Independent 8 Committee. We need to conduct our work in a fair and 9 just manner. That's why we will abide by the principle 10 of procedural justice to conduct this hearing. If the 11 Committee receives information which may lead to 12 criticisms against any party during the evidential 13 hearings, this will be disclosed to the relevant parties 14 and sufficient time will be given for them to reply to 15 the allegations.</p> <p>16 This is not an ordinary court procedure. We don't 17 have any court documents. But I would like to 18 emphasise, based on procedural justice and natural 19 justice, before we make any allegations against you, you 20 have the opportunity to make explanations to the 21 Independent Committee.</p> <p>22 Regarding the third material date that is starting 23 from 19 March, the evidential hearings will take place. 24 At this stage, indeed, we can see uncertainties in the 25 future, and there were such uncertainties as well in our</p>	<p>1 they will make an opening address, but that is subject 2 to the positioning and rules. We are, however, the 3 counsel representing the Independent Committee. In 4 addition to our written submissions, we may make oral 5 opening address as well. We will give the public more 6 information in relation to the evidence to be adduced.</p> <p>7 Regarding receipt of evidence, as the Chairman 8 mentioned, this is a solemn process. Witnesses need to 9 state to the Committee that all the evidence they will 10 give is true to the best of their knowledge, information 11 and belief. While I have to emphasise this is not a 12 court procedure, however, I would like to once again 13 mention if someone deliberately provides misleading 14 information, they will face legal consequences.</p> <p>15 The involved parties may conduct cross-examination, 16 subject to the approval by the Independent Committee. 17 This is different from a court procedure. Not all 18 involved parties may conduct cross-examination. The 19 relevant applications will be considered by the 20 Independent Committee in due course. The calling of 21 witnesses need to be approved by the Independent 22 Committee. Following this process, there will be 23 evidence-in-chief, cross-examination, followed by the 24 re-examination by the party calling the witnesses. 25 There are many legal representatives today. There are</p>
Page 30	Page 32
<p>1 hearings in the past. It is difficult to decide which 2 parties or individuals will take part in the evidential 3 hearing. We understand the public wants to know more 4 about the evidential hearing, such as what information 5 to be included and which witnesses will be called upon, 6 but at this stage we are still collecting evidence and 7 we are in no position to disclose such information at 8 this stage. In due course, we will make such 9 directions, including the sequence in which witnesses 10 will testify, as well as the timeline of the hearings. 11 We will keep the public informed of these matters in 12 advance.</p> <p>13 As Chairman just now said, this hearing has a lot to 14 do with public interest. That is why this hearing will 15 be held open to the public. We will make sure the 16 investigation will be transparent and open. As Chairman 17 mentioned, however, in handling sensitive information, 18 the Independent Committee and the legal team will 19 consider whether there is a need to make other 20 arrangements in the conduct of the hearing. At the 21 start of the hearing, as the counsel for the Independent 22 Committee, we will make an opening submission. 23 According to our previous practice, we will upload our 24 opening addresses onto the website of the Independent 25 Committee. Of course, parties may decide whether or not</p>	<p>1 similar practices comparing with the practices in use by 2 the court, but we have more flexibility to handle the 3 hearings.</p> <p>4 Lastly, paragraph (23). After the Committee has 5 received evidence, the Committee will decide when the 6 involved parties will deliver their closing addresses. 7 We will make detailed arrangements after we have 8 received the evidence.</p> <p>9 There is another significant date, that is, the 10 publication of the report. I believe that the Committee 11 will, at an appropriate time, depending on the evidence 12 they have received, start the drafting of the report to 13 provide a report that is open and transparent in order 14 to prevent future occurrence of similar tragedies.</p> <p>15 Apart from my observations, I fully agree with what 16 the Chairman has suggested. Without having an impact on 17 other parties, we will hear further submissions. We 18 hope that the Chairperson will, within today, set down 19 the framework of the procedure of the hearings. That is 20 what we would like to say at this stage.</p> <p>21 CHAIRMAN: Thank you, Mr Dawes. Before we hear from the 22 involved parties in relation to the rules of procedure, 23 I would like to say this: just now Mr Dawes has 24 mentioned one point. I would like to elaborate, that if 25 anyone wants to participate in the Inquiry, if you are</p>

Page 33	Page 35
<p>1 involved or if you have an interest, even without legal 2 representatives, if you want to participate, be present 3 to any extent, please write to the Secretariat. We will 4 consider your application and make necessary 5 arrangements. If you think, "I have an interest in any 6 aspect, I would like to be present", you can apply 7 to us. 8 At this stage, legal representatives of the involved 9 parties: in relation to the rules of procedure, any 10 aspects, anything mentioned today, would you like to say 11 anything? First, Mr Jenkin Suen SC, counsel, for the 12 Government. We may have a break. Would you like to 13 speak after the break, having considered what is said or 14 not? 15 MR SUEN: Thank you. Chairman and leading counsel of the 16 Committee, if there is a break, perhaps we will make use 17 of the break to consider whether we would like to make a 18 submission in aid to the Committee. 19 CHAIRMAN: So we will give you time to ensure that 20 everything is covered. If we decide after the break 21 that involved parties are present and they have decided 22 to participate, we may not need to consider further 23 applications from certain parties. 24 Let's take a break of 15 minutes. 25 (11.04 am)</p>	<p>1 directions of the Independent Committee, we have no 2 further submissions to make. 3 MR HO: Regarding ISS EastPoint Properties Ltd, good 4 morning. I represent the ISS EastPoint Properties Ltd. 5 We would like to give our deepest condolences to the 6 affected families and residents. We thank the work of 7 the Independent Committee. Thank you for adopting the 8 rules of procedure. We are willing to give our best 9 assistance in relation to the submission of documents. 10 ISS EastPoint Properties Ltd will take part in the 11 hearings and we will also do our best. We have no 12 submissions to make based on the rules. 13 CHAIRMAN: Any other parties? 14 MR LESTER LEE: Good morning, Chairman. I represent the 15 Competition Commission. We have a short submission to 16 make. We would like to give our condolences to the 17 bereaved families and the victims. 18 The Competition Commission was set up about a decade 19 ago. Bid-rigging, as well as other misconduct, we 20 attach a lot of importance to these actions. We have 21 conducted studies, as well as investigations. In the 22 coming few months, the Competition Commission will fully 23 cooperate with the Independent Committee. At present, 24 we have identified a few areas in which we can help. 25 One, where possible, the Competition Commissioner</p>
Page 34	Page 36
<p>1 (A short adjournment) 2 (11.20 am) 3 CHAIRMAN: This morning we dealt with many matters, 4 including the direction of our investigation, as well as 5 the rules. As for involved parties who are present 6 today, do you have any submissions to make to the 7 Independent Committee? Mr Jenkin Suen SC. 8 MR SUEN: Thank you, Chairman. Thank you, members. I 9 represent the Government and the relevant policy 10 bureaus. We have submissions to make, which are short. 11 We represent the police force, the Fire Services 12 Department, the HAD, the Housing Bureau, as well as the 13 Labour Department. Apart from me, we have three 14 counsel, Mr Charlie Liu, Mr Michael Lok. I thank 15 Chairman and the two members as well as the legal team 16 representing the Independent Committee for the rules of 17 procedure, as well as other rules in relation to the 18 hearings. We have gone through the rules and we have no 19 further submissions to make. The Government attaches a 20 lot of importance to the investigation of this matter. 21 We will do our best to assist in the investigation and 22 the work of the Independent Committee. Thank you. 23 CHAIRMAN: Mr Lui, SC. On behalf of the URA, do you have 24 submissions to make? 25 MR LUI: Apart from me, we have Mr Ross Yuen. Based on the</p>	<p>1 will share our investigation experience with the 2 Independent Committee. Where it is allowed, we are 3 willing to share our academic research, as well as our 4 findings with the Independent Committee in relation to 5 competition law, as well as any efforts to clamp down on 6 such misconduct. We are willing to explore any room for 7 improvement. And of course, in relation to specific 8 matters that the Independent Committee wants the help 9 from the Competition Commission, we will definitely 10 endeavour to help. Based on the rules of procedure 11 drafted by the Independent Committee, we have a short 12 submission. 13 As Mr Victor Dawes, Senior Counsel, said, we, the 14 Commission, believe we will take part in points (2) to 15 (4) of the terms of reference and we will also 16 participate when assistance from the Commission is 17 required in relation to point number (1). We would be 18 grateful if we could make applications to be absent from 19 the hearings. Other than that, we have no further 20 submissions to make. 21 CHAIRMAN: Would any other party like to make submissions? 22 If no, regarding the participation application, the 23 representatives of the Government, the Urban Renewal 24 Authority, the management company, as well as the 25 Competition Commission, we do not require these parties</p>

<p style="text-align: right;">Page 37</p> <p>1 to make participation applications again. But, please, 2 you should liaise with the Secretariat. We will notify 3 you of the date of the hearings, and please indicate 4 your attendance. For all other parties in addition to 5 these few parties I mentioned, we are unsure of your 6 attendance yet. You will have to make applications to 7 the Secretariat for participating in the hearings. 8 Please let us know the extent of your attendance and 9 participation in the hearings. 10 Any other matter to be handled? No. 11 The Independent Committee will invite the public to 12 provide information to us. Based on the causes, 13 circumstances that led to the fire, as well as its rapid 14 spread, we have already made an announcement to require 15 the public to provide evidence and information and views 16 to us. It will take us much time to go through your 17 information, so we have set a deadline of 10 February. 18 We have a large volume of documents to go through, 19 indeed. If you can provide information and views to us, 20 this will help us a lot. As there are requirements and 21 restrictions in relation to the length of a document, as 22 I understand, some professional organisations and trade 23 associations will conduct independent studies on this 24 matter and they may not be able to submit these studies 25 and findings by 10 February, but you can always liaise</p>	
<p style="text-align: right;">Page 38</p> <p>1 with the Secretariat. 2 Please submit any document or information as soon as 3 possible. If it is not possible to submit all of them 4 by 10 February, you should provide them to us as soon as 5 possible, and we undertake for all members of the 6 public, including those involved in the Wang Fuk Court 7 fire, we will consider your information and views very 8 carefully. 9 Any information to be furnished by you will help us 10 analyse the causes and the circumstances that led to the 11 fire, as well as its rapid spread. That's why I appeal 12 to the public to provide information to us as soon as 13 possible. Even if you fail to provide to us by 14 10 February, please maintain communication with the 15 Secretariat. If there are no other matters to be 16 handled, I will adjourn the conference today. Thank 17 you. 18 (11.28 am) 19 (The direction conference adjourned) 20 21 22 23 24 25</p>	