

Independent Committee in relation to the fire at Wang Fuk Court in Tai Po

Evidential Hearing

**The Honourable Mr Justice David Lok
The Honourable Mr Chan Kin-por, GBS, JP
Dr Rex Auyeung Pak-kuen, GBS, JP**

**On:
Day 19
Friday, 24 April 2026**

**Mr Victor Dawes SC, Mr Jason Yu, Mr SW Lee and Mr Jonathan Fung
appeared on behalf of the Independent Committee**

**Mr Jenkin Suen SC, Mr Michael Lok, Mr Calvin Cheuk and Mr Charlie
Liu appeared on behalf of the Government**

Mr Solomon Lam appeared on behalf of Victory Fire Engineering Limited

Representatives of Department of Justice

Representatives of Competition Commission

Mr Ross Yuen appeared on behalf of the Urban Renewal Authority

Mr Cedric Yeung appeared on behalf of ISS EastPoint Properties Ltd.

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1 Friday, 24 April 2026
 2 (10.00 am)
 3 THE HON MR JUSTICE DAVID LOK: Mr Dawes.
 4 MR VICTOR DAWES: Good morning, chairman. The next witness
 5 is Mr Tang Wing Wah.
 6 Good morning, Mr Tang. Just like what your
 7 colleagues did, please read out the declaration before
 8 you.
 9 (10.00 am)
 10 MR TANG WING WAH (affirmed)
 11 Examination by MR VICTOR DAWES
 12 MR VICTOR DAWES: Thank you. Information shows that you
 13 joined the FSD in 1996.
 14 MR TANG WING WAH: Yes.
 15 MR VICTOR DAWES: And in 2025 you were promoted to the
 16 assistant director of New Territories North, NTN.
 17 MR TANG WING WAH: Thank you.
 18 MR VICTOR DAWES: You have given us three witness
 19 statements. On the day of the fire, at crucial times
 20 you were the general commander of the scene, and that's
 21 why you have given us a detailed description of the
 22 events in the statements. You can confirm they are true
 23 and correct; right?
 24 MR TANG WING WAH: Right.
 25 MR VICTOR DAWES: From the evidence, we see that between

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1 16:18 to 18:22 you were the general commander of the
 2 scene.
 3 MR TANG WING WAH: Yes.
 4 MR VICTOR DAWES: You have given us detailed information of
 5 the material times and a number of your colleagues have
 6 covered what happened on the day. So we will not going
 7 to cover areas that we have done already. However, when
 8 it comes to your understanding of what happened at that
 9 time, I would like to ask you questions.
 10 MR TANG WING WAH: Right.
 11 MR VICTOR DAWES: In your third witness statement you have
 12 provided us detailed records of the operations. At B10,
 13 page 5087, we can see your incident occurrence log.
 14 Let's refer to it. We have already looked at them
 15 before.
 16 In paragraph 8 -- this is a computer printout. I'd
 17 like to ask you, that's the computer record, how was it
 18 made?
 19 MR TANG WING WAH: We made use of MCU through radio or
 20 messaging service to record the information. The
 21 information was given to the FSCC to consolidate.
 22 MR VICTOR DAWES: So on that day you sent them information
 23 by radio to the FSCC and the colleagues there will
 24 record the situation at that time?
 25 MR TANG WING WAH: Well, I was at MCU and we made use of MCU

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1 to consolidate the information which was then forwarded
 2 to the FSCC.
 3 MR VICTOR DAWES: MCU is?
 4 MR TANG WING WAH: Mobile command unit.
 5 MR VICTOR DAWES: At 15:12, that is 20 minutes after the FSD
 6 had received the call, you were informed that there was
 7 a fire at Wang Fuk Court?
 8 MR TANG WING WAH: I agree.
 9 MR VICTOR DAWES: At 15:12 you went to the scene. Before
 10 you arrived, what information did you have?
 11 MR TANG WING WAH: Before I arrived, I was aware that it was
 12 a fire involving a scaffolding on the facade. At 15:12
 13 the fire was upgraded to No. 3 alarm. I sensed it was a
 14 serious situation. I knew that one of the blocks, Wang
 15 Cheong House, was involved. That's the basic
 16 information I had.
 17 MR VICTOR DAWES: Starting from 15:40 you proceeded to the
 18 scene. You arrived at 15:50, that is the record shown
 19 on page 5122. ARF.
 20 MR TANG WING WAH: It means arrive.
 21 MR VICTOR DAWES: Can I put it this way. When you arrived,
 22 two blocks were on fire.
 23 MR TANG WING WAH: Yes.
 24 MR VICTOR DAWES: The fire was intense. It was Wang Cheong
 25 and Wang Tai Houses. The fire had spread to four other

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1 blocks, but at that time it was not serious.
 2 MR TANG WING WAH: I agree.
 3 MR VICTOR DAWES: I believe you agree with this. It is
 4 something we have looked into with your colleagues. It
 5 was an unprecedented fire in terms of difficulty and
 6 scale. I believe the frontline officers will agree with
 7 that.
 8 MR TANG WING WAH: I agree.
 9 MR VICTOR DAWES: When you arrived, from the record, that is
 10 on B5, page 4329, that is terms of appliances and
 11 resources, I'd like you to explain this document to us
 12 because it's a comprehensive record.
 13 MR TANG WING WAH: This document talks about the time 18:22
 14 when it was upgraded to No. 5 alarm, it talks about the
 15 appliances dispatched and the time of dispatch.
 16 MR VICTOR DAWES: So we see that is at 18:22. We see the
 17 time of arrival of the appliances; right?
 18 MR TANG WING WAH: I agree.
 19 MR VICTOR DAWES: On the right-hand side we can see the
 20 personnel involved. The time of being engaged, that is
 21 when you were informed to handle the fire.
 22 MR TANG WING WAH: To get involved with a task, either front
 23 end or back end.
 24 MR VICTOR DAWES: Here "At incident scene", the second box,
 25 you're in the middle. You are in between Mr Wong King

Page 5	<p>1 Man and Derek Armstrong Chan.</p> <p>2 MR TANG WING WAH: That is the deputy director.</p> <p>3 MR VICTOR DAWES: You were in between these two names. You</p> <p>4 were the commander handling the fire at the scene.</p> <p>5 On the left-hand side we see information about the</p> <p>6 appliances. Seven to eight hydraulic platforms, seven</p> <p>7 major pumps, 11 rescue units and two turntable ladders</p> <p>8 were dispatched. I don't need you to count because we</p> <p>9 have done so, but that matches your recollection when</p> <p>10 you arrived at the scene; right?</p> <p>11 MR TANG WING WAH: When I arrived, it was a vast area.</p> <p>12 MR VICTOR DAWES: It's impossible for you to see everything.</p> <p>13 MR TANG WING WAH: It was impossible for me to see</p> <p>14 everything, but on the inner court, where there was</p> <p>15 a private road, I saw a number of appliances parked</p> <p>16 there.</p> <p>17 MR VICTOR DAWES: Paragraph 10 of your second witness</p> <p>18 statement, you said when you arrived you confirmed there</p> <p>19 was a mayday rescue operation in progress. What was the</p> <p>20 information you had when you arrived?</p> <p>21 MR TANG WING WAH: I arrived at 15:50. I spent about</p> <p>22 10 minutes. I used -- well, it took me about 10 minutes</p> <p>23 to go to the mobile command unit, MCU. My colleagues</p> <p>24 reported to me that Wai Ho of the FSD was in distress.</p> <p>25 I think at 15:55, around the time when I arrived, Wai Ho</p>	Page 7
Page 6	<p>1 was found outside, somewhere off Wang Tai House, from</p> <p>2 the mayday operation. When I became aware of the</p> <p>3 information, I told my colleagues to do a roll call.</p> <p>4 According to my colleagues, they in parallel were doing</p> <p>5 that. We wanted to confirm that no other colleagues</p> <p>6 have been separated from their team members or have been</p> <p>7 in the same situation.</p> <p>8 MR VICTOR DAWES: In addition to doing roll calls and to</p> <p>9 ensure safety of your colleagues, when you arrived at</p> <p>10 the scene you immediately took over as the incident</p> <p>11 commander, or shortly after that, that is at 16:18.</p> <p>12 MR TANG WING WAH: I agree.</p> <p>13 MR VICTOR DAWES: Let's go to B10, page 5137. At 16:18 is a</p> <p>14 record about what happened when you arrived. There's a</p> <p>15 message:</p> <p>16 "From ... CFO ... Tang Wing Wah ..."</p> <p>17 It says here, the information from you:</p> <p>18 "I took over command. Fire involved ..."</p> <p>19 Can you explain to us about the message? Because it</p> <p>20 involves some jargon.</p> <p>21 MR TANG WING WAH: I wanted to convey the message that at</p> <p>22 the scene there were seven blocks on fire. Each block</p> <p>23 had 31 storeys, with an area of about 30 metres by 25</p> <p>24 metres of each floor. Wang Cheong, Wang Tai, Wang</p> <p>25 Shing, Wang Sun and Wang Tao, for these houses we called</p>	Page 8
	<p>1 them "well alight", that means the fire was intense.</p> <p>2 For a general fire of a building, if the entire</p> <p>3 floor or the majority of one floor was ablaze and the</p> <p>4 fire was serious, we call it "well alight". If we can</p> <p>5 see the fire -- tonnes of fires from the outside of the</p> <p>6 house, we call it "well alight". For Wang Yan and Wang</p> <p>7 Kin, our assessment at that time was that compared to</p> <p>8 the other five blocks, the condition was not as serious.</p> <p>9 It was mostly our side. So I use the word "well</p> <p>10 alight". I also said that we use multiple jets and two</p> <p>11 turntable ladders to supply water in the firefighting</p> <p>12 operation.</p> <p>13 MR VICTOR DAWES: Can you further expound on "well alight".</p> <p>14 At different times, when your colleagues arrived at the</p> <p>15 scene, they used the same term. We know that this is</p> <p>16 a fire at the scaffolding. If, as you said, the scale</p> <p>17 was not like this, it would -- this term would not be</p> <p>18 used. Say, for example, a unit is on fire, will you use</p> <p>19 "well alight" or will you use a different jargon?</p> <p>20 MR TANG WING WAH: This term reflects the intensity or</p> <p>21 seriousness of the fire. There is no pre-determined</p> <p>22 hard and fast condition, say, for example, the size of</p> <p>23 the fire or how far it has spread. We are firefighting</p> <p>24 professionals. If we hear the word "well alight", we</p> <p>25 know that this fire is not not serious.</p>	

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<p>1 charge, a number of things happened. In your second 2 statement you mentioned that at 16:44 you asked the FSCC 3 to despatch four additional appliances and one turntable 4 ladder to assist in the fire. Can you explain to us why 5 at that time you asked for additional resources? 6 MR TANG WING WAH: I assessed the situation. At the inner 7 court we could position another turntable ladder. 8 That's why I made the request to do that. That's why 9 I asked for one turntable ladder further to be 10 despatched. I expect the appliance to arrive and 11 additional resources would be needed. For that 12 turntable ladder, we need a pump unit to supply water, 13 that's why I asked for additional appliances -- I asked 14 for one additional turntable ladder as a reserve. 15 MR VICTOR DAWES: Starting from 16:40, more rescue teams 16 were sent to carry out rescue operations. You said in 17 your statement, that is on page 5145 at 16:40:46: 18 "4 additional SAR teams required." 19 That is also an instruction given by you. 20 MR TANG WING WAH: That's an instruction given by the rescue 21 officer. 22 MR VICTOR DAWES: Mr Wong King Man? 23 MR TANG WING WAH: I believe so. Because it says LKGMCU. 24 That MCU was in charge of assisting calls for 25 assistance, that is the mobile command unit. At that</p>	<p>1 these two hours. We know there was a senior officer of 2 each block that is to be the commander sector by sector 3 at the scene. 4 B10/5150, at 16:52:09 hours, this is a message sent 5 by you. Please explain it to us. 6 MR TANG WING WAH: This message means that at that time I 7 reported, I instructed the senior officers who arrived 8 at the scene to go to different buildings to act as 9 commander. At that time I saw many scaffolding and 10 debris falling from height. They accumulated on the 11 ground. At the scene we were putting out the fire. 12 MR VICTOR DAWES: Next, moving on to page 5160 at 17:30 13 hours. Here we can see another message sent by you as 14 recorded. What does it mean? 15 MR TANG WING WAH: In this message a total of seven blocks 16 saw spread of fire and we used a lot of jets and a total 17 of five jets of turntable ladders to put out the fire. 18 We were also using drones to conduct monitoring up in 19 the air. 20 Just now, as I said, I sent senior officers to each 21 block of the scene and that part was completed. 22 MR VICTOR DAWES: In your third witness statement you add 23 details to the situation back then. Let us take a look 24 at this page, WS6/1866. Please refer to paragraph 17. 25 Please explain to us what this paragraph means. Take us</p>
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<p>1 time, Wong King Man, my aide, kept in close 2 communication with the personnel at the MCU. 3 MR VICTOR DAWES: There are different stages. At 16:40 4 there were four SAR teams; at 18:11, another four; and 5 at 18:51, another four. The decisions were made by the 6 incident commander. You were involved, or it was 7 Mr Wong King Man's decision? 8 MR TANG WING WAH: Let me emphasise, in a fire of this 9 scale, with many senior officers at the scene, we could 10 make decisions within our scope to ask for additional 11 resources. There was no order or guideline to stop a 12 colleague from asking for additional resources within 13 reason, because our colleague would be the best person 14 to make a decision. There is no need to duplicate the 15 procedure for such instructions. Of course there is 16 a flexibility built in for the personnel at the scene. 17 MR VICTOR DAWES: Just now you said that Mr Wong King Man on 18 the MCU was responsible for assisting in assistance 19 calls so he should be the most suitable commander about 20 this; is that correct? 21 MR TANG WING WAH: Well, we should take it this way. He 22 knew the best about how many resources were needed in 23 order to respond to the SAR operations at the scene. 24 MR VICTOR DAWES: Next, from 16:18 to 18:30, within these 25 two hours I'd like to ask about other planning within</p>	<p>1 through this paragraph. 2 MR TANG WING WAH: I'm going to explain it. What I mean by 3 this paragraph is that before the assumption of duties 4 by sector officers, the firefighting operations had 5 already begun. There were snatch rescues or rapid 6 rescues. I provided an example. There was one officer 7 who earlier on entered Wang Cheong House. At that time, 8 he wanted to conduct a snatch rescue or he wanted to 9 evacuate residents. That was why he entered the 10 building to take a look. However, halfway through that 11 staircase, he was affected by the fire. It was very 12 hot, smoke was very thick, so at that time he returned 13 to the lobby. But at that time scaffolding nets fell 14 down, the scaffolding fell down. In that poor 15 situation, he needed to come out of that situation, 16 otherwise he may have an accident. 17 MR VICTOR DAWES: In paragraphs 18 and 19 it explains the 18 difficulties faced by the colleague. You can walk us 19 through these two paragraphs. 20 MR TANG WING WAH: At that time, at Wang Cheong House, we 21 arrived at the scene. At Wang Cheong House the fire was 22 very intense. Scaffolding, bamboo sticks and 23 miscellaneous items were seen and we saw columns of 24 fire, we also saw debris. In the face of this 25 situation, we needed to put out the fire first. We also</p>

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1 needed to be mindful of our own safety while putting out
 2 the fire. At that time, we were also concerned that
 3 many residents were trapped inside the building and
 4 they couldn't get out of the building. Despite this,
 5 our colleagues kept putting out the fire and removing
 6 the bamboo sticks. We wanted to look for opportunities
 7 to enter the building. First of all, the lift lobby of
 8 the building: even if we could enter the lift lobby, it
 9 did not mean that we could go up to the building. As
 10 I mentioned, a colleague entered the building and the
 11 staircases up there forced that colleague to evacuate
 12 immediately. Otherwise, that colleague might have life
 13 danger.

14 Despite this, our colleagues wanted to enter the
 15 building as soon as possible. That was why at 15:40
 16 hours my colleague reported to me that they were seizing
 17 opportunities to remove the bamboo sticks and found
 18 a narrow corridor or a passageway to enter the building.
 19 And from 15:40 hours my colleague told me we had saved
 20 three people who were found unconscious in the lift
 21 lobby of Wang Cheong House. They were saved from the
 22 building.

23 MR VICTOR DAWES: In paragraphs 20 and 21 you continue to
 24 provide explanations. Please refer to these two
 25 paragraphs. You have already provided some details as

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1 set out in these two paragraphs, but please take us
 2 through these two paragraphs.

3 MR TANG WING WAH: To put it simply, in these two
 4 paragraphs, the fire was intense. However, our
 5 operations would not stop just because of the spread and
 6 intensity of the fire. As the deputy director said, the
 7 whole building was engulfed in flames and we needed to
 8 start from the very bottom of the building and then we
 9 tried to go up from the ground. Our colleagues also
 10 paid attention to the development of the fire at the
 11 scene. Whenever we could identify an opportunity -- the
 12 fire must still be very intense on the 2nd, 3rd or 4th
 13 floors, whenever we had any opportunity, our SAR teams
 14 would definitely try to go to the units where residents
 15 required assistance.

16 Here I provided two time points as examples. In
 17 Wang Tai House, on the 10th and the 14th floors, some
 18 colleagues seized rescue opportunities. Of course, they
 19 needed to be very brave and courageous to save residents
 20 there, on the 10th floor and the 14th floor, at these
 21 two time points. On the lower floors of Wang Tai House,
 22 the fire was still very intense.

23 MR VICTOR DAWES: In paragraph 21 you explain that you had
 24 tried to use turntable ladder to help firefighters to
 25 enter the building through the 10th floor.

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1 MR TANG WING WAH: In this unprecedented fire, beyond our
 2 imagination, as a matter of fact, our colleagues tried
 3 to exhaust all means to as soon as possible access
 4 higher floors of the buildings in order to put out the
 5 fire and conduct SAR operations.

6 The commander of Wang Tai House tried to have
 7 a bridgehead to use the turntable ladder to enter
 8 a particular unit on the 10th floor of Wang Tai House.
 9 They tried to send fire officers inside the building.
 10 However, while they were trying this method, that is
 11 using the turntable ladder to try to enter the unit,
 12 they found that the units nearby were seriously ablaze.
 13 On the 10th floor, smoke was thick and the blaze was
 14 very intense. It seemed that this method wasn't viable.
 15 That was why we adjusted our strategies once again.

16 Our colleagues tried different methods. They might
 17 not be viable but then we tried our best to use
 18 different methods.

19 MR VICTOR DAWES: You have described the situations on the
 20 day and you also used internal firefighting, to go from
 21 the ground up, not just floor by floor; you refer to the
 22 fact that you tried to access the building through
 23 different units.

24 MR TANG WING WAH: Well, the situation varied from one block
 25 to another. The commander of each block is a rather

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1 senior and well experienced commander. In each block
 2 different methods were used, different tactics were used
 3 but then we still adopted the tactic of floor by floor.
 4 In different buildings we tried different tactics. In
 5 some blocks, some firefighters tried to put out fires on
 6 the higher floors. They tried to access the higher
 7 floors to put out the fire. But then they found that
 8 the fire on the lower floors was very intense. That was
 9 why they could not use that tactic and they were forced
 10 to go downstairs.

11 Some fires on lower floors were put out and then our
 12 colleagues tried to go to higher floors to put out the
 13 fire, but then the fire on the lower floors reignited
 14 once again. It was a dynamic situation. We needed to
 15 assess to keep assessing the scene to decide which
 16 tactic we should use. We needed to use the tactic of
 17 internal firefighting and advance floor by floor. But
 18 whenever we had any other opportunities, we tried to add
 19 more tactics.

20 MR VICTOR DAWES: Just now you related the situation at that
 21 time. I'd like to explore some issues with you.
 22 The fire hydrant and the hose reel system were
 23 closed. I'd like you to tell us what difficulties were
 24 caused to you? What was the impact of this?

25 MR TANG WING WAH: I'd like to say something about the use

Page 17	<p>1 of the fire hydrant system. The fire hydrant system is</p> <p>2 for firefighters to draw water from the outlet, from the</p> <p>3 fire hydrant system to put out fire directly. In</p> <p>4 Wang Fuk Court, the damage of the systems was such that,</p> <p>5 first of all, in firefighting on higher floors, because</p> <p>6 the pump wasn't on, we needed to use portable pumps to</p> <p>7 add pressure or to pressurise the system. From the</p> <p>8 street main's hydrant to provide water to major pump to</p> <p>9 the fire hydrant system of the buildings without the</p> <p>10 pump of the building, if we only relied on the pressure</p> <p>11 of the major pump, it might not be sufficient for us to</p> <p>12 access higher floors to put out the fire. That's why,</p> <p>13 as I mentioned, we needed to use the portable pumps, and</p> <p>14 portable pumps had certain weight. We had portable</p> <p>15 pumps at the scene, a total of 80 kilograms. There were</p> <p>16 difficulties but they were not insurmountable.</p> <p>17 But you can imagine, for a pump as heavy as 80 kg,</p> <p>18 in a staircase that was 1 metre wide, it was pitch dark;</p> <p>19 in that situation we needed to move that heavy object.</p> <p>20 Was it easy? No, not at all. But we managed to</p> <p>21 overcome the difficulty.</p> <p>22 MR VICTOR DAWES: Let's give us a concept. To which unit</p> <p>23 did you need to move the pump or which floor?</p> <p>24 MR TANG WING WAH: There isn't any hard and fast rule as to</p> <p>25 where the pump should be placed. It is a pressuring</p>	Page 19
Page 18	<p>1 device. As long as water pressure could be increased,</p> <p>2 the pump could be placed in a higher or a lower</p> <p>3 position.</p> <p>4 Put it this way: if we only rely on the major pump</p> <p>5 or the water pressure of the major pump, if we only rely</p> <p>6 on the fire hose, my preliminary assessment is that the</p> <p>7 fire hose could still produce water up to the 20th</p> <p>8 floor. So for floors above the 20th floor, we needed to</p> <p>9 use portable pumps to pressurised the system so that the</p> <p>10 water could be used to put out the fire on floors above</p> <p>11 the 20th floor.</p> <p>12 MR VICTOR DAWES: So it means that the portable pumps needed</p> <p>13 to be transported about 10-odd floors?</p> <p>14 MR TANG WING WAH: Yes, correct.</p> <p>15 MR VICTOR DAWES: So the deactivation of the system caused</p> <p>16 quite much of an impact to your operation; is that</p> <p>17 correct?</p> <p>18 MR TANG WING WAH: There was an impact, but it could be</p> <p>19 overcome. Yes. An impact that could be overcome.</p> <p>20 MR VICTOR DAWES: Your colleagues needed to transport the</p> <p>21 portable pump as heavy as 80 kg to 10-odd floors and you</p> <p>22 needed to walk up the staircases; is that correct?</p> <p>23 MR TANG WING WAH: Agreed.</p> <p>24 MR VICTOR DAWES: Do you have any information how many</p> <p>25 portable pumps were used to put out the fire at the</p>	Page 20
	<p>1 scene?</p> <p>2 MR TANG WING WAH: I don't have information at hand right</p> <p>3 now, but in most cases, yes.</p> <p>4 MR VICTOR DAWES: I'd like to talk about the turntable</p> <p>5 ladder. That is the platform of the turntable ladder.</p> <p>6 We just call it ladder. In paragraph 35 of your witness</p> <p>7 statement you told us about the purpose of the turntable</p> <p>8 ladder; it was to put out the fire. Can you please walk</p> <p>9 us through the purpose of the ladder? What was its</p> <p>10 effect in this fire?</p> <p>11 MR TANG WING WAH: Let me call it the ladder, it's easier to</p> <p>12 understand. In the Wang Fuk Court fire turntable ladder</p> <p>13 played the role of preventing the spread of the fire.</p> <p>14 There are two main functions of a turntable ladder.</p> <p>15 One, for external rescue and external firefighting. As</p> <p>16 you can see, in the Wang Fuk Court fire, fire entered</p> <p>17 the building from outside. So, as we could see,</p> <p>18 residents required assistance from inside the building.</p> <p>19 That was why we needed turntable ladders. We only</p> <p>20 conducted one rescue operation with the turntable</p> <p>21 ladder.</p> <p>22 Unit 203, I'd like to talk about this. That rescue</p> <p>23 operation was not as easy as expected because of the</p> <p>24 location. We put up one turntable ladder outside Wang</p> <p>25 Cheong House on a road that's not an EVA and it's also</p>	
	<p>1 very close to Wang Cheong House, and that particular TL,</p> <p>2 when it arrived, there were tremendous risks in</p> <p>3 operating it because the bamboo sticks and the debris</p> <p>4 were falling and therefore, in undertaking this rescue</p> <p>5 operation, they would also have to extend the arm of the</p> <p>6 ladder horizontally within a certain distance so that it</p> <p>7 could get close to the unit.</p> <p>8 According to the feedback afterwards, I understand</p> <p>9 that there were three residents that we needed to rescue</p> <p>10 and therefore we needed to rescue them one by one so</p> <p>11 that they would be brought down to the ground. So at</p> <p>12 the time of the SAR operation -- we tried to extend the</p> <p>13 arm all the way to the unit, and by the time when the</p> <p>14 resident was embarking or alighting the platform, the</p> <p>15 alarm set off -- because you would have to know exactly</p> <p>16 how you will have to get close to that unit. So that's</p> <p>17 room 203.</p> <p>18 MR VICTOR DAWES: Mr Chau Chi Wai did give evidence. So</p> <p>19 when you meant is it's not because of the lower floor of</p> <p>20 that unit and that would make things easier, but then</p> <p>21 because of --</p> <p>22 THE HON MR JUSTICE DAVID LOK: You would have to calculate</p> <p>23 the velocity and so on.</p> <p>24 MR TANG WING WAH: Because you have to extend it</p> <p>25 horizontally to a very long distance because the TL was</p>	

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<p>1 quite a distance from the unit, and therefore the arm 2 would have to extend horizontally to quite a distance. 3 The red light was already on. 4 MR VICTOR DAWES: So that's because of the loading? 5 MR TANG WING WAH: Yes, the warning was set off. And 6 therefore, it would have to rescue them one by then and 7 then bring them down to the ground. 8 In fact, as you can see, Wang Cheong House was 9 severely ablaze and, therefore, after that operation, we 10 also had to plan for another operation so that we would 11 continue to put out the fire. By evening, in fact, some 12 of the components of the ladder were already burned. In 13 the end, that turntable ladder could not be operated 14 because it cannot be extended. Actually, we also had 15 engineers to do on-ground or on-site repair and 16 maintenance but in the end they had to retract the 17 ladder and then send that ladder away. 18 Let me move on to other subjects. In fact, within 19 Wang Fuk Court, between the blocks there's a lot of 20 EVAs, access for emergency vehicles. But then, 21 unfortunately, on this occasion, at the time of this 22 fire, bamboo sticks, debris and also ashes all blocked 23 the EVA, so they covered the entire EVA. You can see 24 that if you look at the road itself, there is a 25 roundabout.</p>	<p>1 therefore, on different roads around Wang Fuk Court, we 2 tried to position TLs, hoping that we'd be able to stop 3 the spread of the fire. 4 MR VICTOR DAWES: Let's take a look at 5558. We can see how 5 you positioned your appliances at the very advanced 6 stage of the fire. 7 So you can see in between the buildings -- well, you 8 should have some EVAs. They are not obviously for 9 access by vehicles but because of burning materials and 10 so on, they blocked the access and therefore the fire 11 appliances could not enter. 12 MR TANG WING WAH: Yes. 13 MR VICTOR DAWES: And therefore, you can see that in the 14 end, by 6 o'clock that evening, the TLs were positioned 15 in these locations. So your explanation is that 16 they would not have been able to get closer? 17 MR TANG WING WAH: Yes. 18 THE HON MR JUSTICE DAVID LOK: Well, do we have the layout 19 plan for the EVA? If not, then can they try to -- we 20 haven't used that before, but then can we ask the 21 witness to point to the layout plan to show us? 22 MR VICTOR DAWES: By looking at this layout plan, would you 23 be able to accurately pinpoint where the EVA is? 24 MR TANG WING WAH: No, but I can roughly tell you where they 25 are.</p>
Page 22	Page 24
<p>1 MR VICTOR DAWES: Let me show you a picture to make things 2 easier. 3 Would it be easier for you to explain? 4 MR TANG WING WAH: In the middle you can see we have an 5 inlet road. So in the design of the court there's a 6 roundabout. So we have this Yuen Chau Tsai, Tai Po Road 7 and in the centre you can see there's a C location, it's 8 like a park, a sitting out area. And then in between 9 Wang Tai and Wang Yan Houses there's also another EVA, 10 and then between Wang Tao and Wang Sun, there is also 11 another EVA. So there are many EVAs available for 12 emergency vehicles to park. 13 But then we can see on the ground there's a lot of 14 debris, a lot of bamboo sticks filling up the space. 15 One of the requirements of EVAs is that it has to be at 16 a distance of no more than 10 metres away from the block 17 and also the loading had also been calculated so that 18 fire appliances, including turntable ladders, would be 19 able to be as close to the building as possible. 20 But then looking at this layout plan now, in most of 21 the buildings there are EVAs that might not have 22 indicated here, but then they have already been covered 23 by debris and other things, and therefore the only 24 location where we can position our TLs -- well, such 25 locations might not no longer be available. And</p>	<p>1 MR VICTOR DAWES: Subsequently we can provide you with a 2 detailed layout plan for the EVAs. 3 Mr Tang, you may explain a bit more about your 4 understanding. Can you roughly explain that to us? You 5 may not be able to draw that out very precisely, but 6 then, roughly speaking, between Wang Tai and Wang Cheong 7 Houses, that might be an EVA? 8 MR TANG WING WAH: Yes. So that's the location where the 9 cursor is now pointing. 10 MR VICTOR DAWES: But then what you're not able to say -- 11 well, can you assist us here. In between each and every 12 block, there should be an EVA; right? 13 MR TANG WING WAH: No. But overwhelming majority of them 14 are EVAs. 15 MR VICTOR DAWES: So the requirement is that in terms of the 16 width and also the loading and everything, they should 17 allow the fire appliances to get close, but then because 18 of the bamboo sticks falling, you were not able to get 19 close to the buildings; right? 20 MR TANG WING WAH: Yes. 21 MR VICTOR DAWES: These are the EVAs as required under the 22 law. So from this layout plan, let's go back to 23 page 5555. So what we see is that at every timeline -- 24 well, at different timelines your positioning or 25 planning was that -- well, that's what Mr Hui referred</p>

Page 25	<p>1 to as the initial arrival. Then by 5556 we started to</p> <p>2 see two TLs positioned here. That was when the No. 3</p> <p>3 alarm was issued.</p> <p>4 And then by page 5557 is when seven TLs were</p> <p>5 positioned here. So four arrived at 15:53 to 15:58</p> <p>6 so -- they started to arrive at 15:53 until 15:58. And</p> <p>7 then we have page 5558, that's the situation by around</p> <p>8 6 pm.</p> <p>9 So you talk about the first function of the TL was</p> <p>10 to rescue the residents at lower floors and you also</p> <p>11 referred to the difficulties. Second, it's not just for</p> <p>12 rescuing people; TLs also had other functions. We have</p> <p>13 also seen that you sprayed water jets towards the</p> <p>14 building from the platform of the TLs.</p> <p>15 What were the difficulties at the time, can you tell</p> <p>16 us?</p> <p>17 MR TANG WING WAH: Using TLs to spray water jets to the</p> <p>18 buildings, there were two functions. First was to put</p> <p>19 out the fire on the scaffolding so that the fire would</p> <p>20 not spread any further. Secondly is to cool down, so</p> <p>21 that's to cool down the temperature, so that it would be</p> <p>22 able to serve to cool down the temperature externally.</p> <p>23 So it would be like a water curtain to prevent the</p> <p>24 flashover from the units to spread to other areas.</p> <p>25 As many of our colleagues have reiterated, our</p>	Page 27
Page 26	<p>1 strategy or tactic in putting out the fire was to do it</p> <p>2 internally, so internal firefighting was our primary</p> <p>3 tactic; that's a very basic understanding of all</p> <p>4 firefighters. And therefore, we adopted that tactic</p> <p>5 because turntable ladders could only prevent the fire on</p> <p>6 a scaffolding so that we could put out the fire there.</p> <p>7 And secondly, as I said, is to lower the temperature.</p> <p>8 MR VICTOR DAWES: Then let's take a look at page 5556. So</p> <p>9 that's at -- the time was 15:23. Then the public would</p> <p>10 definitely ask, after the incident, and of course we are</p> <p>11 looking at the whole situation in hindsight, they were</p> <p>12 asking why we did not send more TLs to the scene</p> <p>13 earlier. Because, as you explained, yes, they might not</p> <p>14 have been able to carry out firefighting operation, but</p> <p>15 then there were other functions that they can serve. So</p> <p>16 can you explain why a few of them only arrived later?</p> <p>17 MR TANG WING WAH: For No. 1 alarm we had one turntable</p> <p>18 ladder and by the time it's upgraded to No. 3, the</p> <p>19 second turntable ladder arrived. And then by the time</p> <p>20 when we upgraded it to number 4, another one was added.</p> <p>21 So our colleagues at the scene was upgrading it from</p> <p>22 No. 3 to No. 4 and by that time our FSCC already</p> <p>23 deployed three TLs to the scene. At the same time,</p> <p>24 Mr Wong King Man, when he arrived at the scene, within a</p> <p>25 very short space of time he also deployed three more TLs</p>	Page 28
Page 25	<p>1 to the scene and I, after taking over the command post,</p> <p>2 also increased the number by one more and then later</p> <p>3 another one.</p> <p>4 What I'd like to stress is that now we are able to</p> <p>5 see the situation and the colleagues at the scene had to</p> <p>6 persistently assess the situation, and then when their</p> <p>7 assessment found out that more resources would be</p> <p>8 required, whether or not it's a particular type of</p> <p>9 appliance, at the first instance they would make that</p> <p>10 request and ask for this replenishment.</p> <p>11 MR VICTOR DAWES: Okay. At an earlier stage the colleagues</p> <p>12 at the scene, if they felt that there was a need, then</p> <p>13 definitely they would be able to get the resources and</p> <p>14 the TLs would then be deployed. But then, as you said,</p> <p>15 the assessment on the ground was that at that stage it</p> <p>16 was not necessary and therefore they did not deploy more</p> <p>17 TLs to the scene. Am I right in saying that?</p> <p>18 MR TANG WING WAH: Let me put it more accurately. The</p> <p>19 commander at the scene, when he upgraded it from No. 1</p> <p>20 to No. 3 alarm, his assessment was that after upgrading</p> <p>21 it to a higher level then more TLs would be arriving.</p> <p>22 Therefore, in terms of replenishment, he also did an</p> <p>23 assessment. He felt that those would be necessary,</p> <p>24 including more TLs should arrive at the scene. As to</p> <p>25 upgrading it to No. 4, well, by that time we all</p>	Page 28
Page 26	<p>1 understood that there would be an increase in resources</p> <p>2 to be deployed to the scene. As to whether or not</p> <p>3 we would need to state very clearly that we are</p> <p>4 upgrading it to No. 4 and then what kind of appliances</p> <p>5 would be necessary, no, that's not necessary because our</p> <p>6 FSCC had already got the PDA.</p> <p>7 MR VICTOR DAWES: In other words, as to how many TLs would</p> <p>8 be sent, as there is an established mechanism and</p> <p>9 therefore as long as you upgrade it, then that would be</p> <p>10 automatically done?</p> <p>11 MR TANG WING WAH: Yes. There is a direct connection.</p> <p>12 THE HON MR JUSTICE DAVID LOK: On that day, as to the level</p> <p>13 of the alarm, it doesn't really matter because you have</p> <p>14 already got the PDA so that designated resources will be</p> <p>15 deployed.</p> <p>16 MR TANG WING WAH: Because for a No. 4 alarm, cumulatively</p> <p>17 there would be three TLs sent to the scene. At the</p> <p>18 scene, Mr Wong King Man, shortly after his arrival at</p> <p>19 the scene, he immediately increased the number of TLs by</p> <p>20 three.</p> <p>21 THE HON MR JUSTICE DAVID LOK: Every time when there was an</p> <p>22 upgrading of the level of alarm, you had established</p> <p>23 procedures as to the number of appliances to be deployed</p> <p>24 and therefore the commander at the scene already knew</p> <p>25 the number of appliances would be sent and therefore</p>	Page 28

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<p>1 he would not be bothered?</p> <p>2 MR TANG WING WAH: So by the time when he upgraded the</p> <p>3 alarm, we already got a certain number of appliances and</p> <p>4 by the time when it was upgraded to a certain level,</p> <p>5 then he would already know for certain how many</p> <p>6 appliances would be deployed, for example, by the time</p> <p>7 when it's upgraded to No. 3 then a certain number of</p> <p>8 appliances would be deployed to the scene.</p> <p>9 I think that's also very important. Because there</p> <p>10 is no need -- well, because that would help increase the</p> <p>11 operational efficiency because appropriate number of</p> <p>12 appliances would be deployed to the scene.</p> <p>13 MR VICTOR DAWES: So taking the case of Wang Fuk Court, when</p> <p>14 there was a blaze, because the buildings were under</p> <p>15 renovation, immediately more appliances were already</p> <p>16 sent and more resources were deployed.</p> <p>17 MR TANG WING WAH: Agree.</p> <p>18 MR VICTOR DAWES: Upon the upgrading, you said that, in</p> <p>19 fact, in between the time when the alarm was upgraded,</p> <p>20 additional resources were already sent and also you</p> <p>21 already exhausted the resources.</p> <p>22 MR TANG WING WAH: Agree.</p> <p>23 MR VICTOR DAWES: Apparently that only happened by the time</p> <p>24 when it was upgraded from No. 3 to No. 4.</p> <p>25 MR TANG WING WAH: Yes. It was after it was upgraded to</p>	<p>1 yesterday we heard Mr Derek Chan, he said apparently</p> <p>2 this was unprecedented and there were also colleagues</p> <p>3 going into the wrong building, so he explained the</p> <p>4 situation and said that that might have to do with the</p> <p>5 fact that some colleagues were not from Tai Po, they</p> <p>6 might have been deployed from other districts and</p> <p>7 therefore they might not be very familiar with the</p> <p>8 layout of the area.</p> <p>9 So can you explain, while you were the commander,</p> <p>10 what are the issues that you have noticed and how are</p> <p>11 you going to deal with that in the future?</p> <p>12 MR TANG WING WAH: During the time when I was the incident</p> <p>13 commander, the person in charge of appliances at the</p> <p>14 scene had to go to the MCU for briefing. If the</p> <p>15 appliance team had arrived, if they were not familiar</p> <p>16 with the layout and position of the individual</p> <p>17 buildings, we would give them instructions. There is</p> <p>18 the geographical information system and various</p> <p>19 information on the MCU. I do agree, because when they</p> <p>20 first went to Wang Fuk Court, they might have</p> <p>21 difficulties identifying individual blocks. However,</p> <p>22 when they reported duty, when they went to MCU, should</p> <p>23 they require assistance, it would be provided.</p> <p>24 In fact, I don't remember if other members have</p> <p>25 talked about it. There is the MDT, the mobile data</p>
Page 30	Page 32
<p>1 No. 3 and No. 4.</p> <p>2 MR VICTOR DAWES: Well, learning from the experience, we</p> <p>3 know that there's a very special situation. That's</p> <p>4 because it's a facade fire. So in dealing with such</p> <p>5 facade fires, of course you had your approach or tactics</p> <p>6 to put out the fire. And then, in terms of the</p> <p>7 functions of the TL, that was explained just now, and</p> <p>8 according to your colleagues, in fact, you also reviewed</p> <p>9 the resources that would be required for dealing with a</p> <p>10 facade fire in the future. When you are dealing with</p> <p>11 facade fire, would you require more TLs to arrive</p> <p>12 earlier? Would that be subject to the review?</p> <p>13 MR TANG WING WAH: Every time after there's a fire we would</p> <p>14 conduct an operational review and the Wang Fuk Court</p> <p>15 fire would be no exception. We also had relevant</p> <p>16 committees to review different aspects of the issue in</p> <p>17 order to draw experience or draw lessons from the</p> <p>18 incident so that in terms of our tactics, our</p> <p>19 strategies, in terms of the coverage and the depth or</p> <p>20 even the details that we could undertake in putting out</p> <p>21 the fire would also be studied.</p> <p>22 MR VICTOR DAWES: Another question that I'd like to ask you</p> <p>23 is apparently at the scene there was another colleague</p> <p>24 raising this issue, because you're talking about</p> <p>25 multiple blocks being ablaze simultaneously. And</p>	<p>1 terminal, with information of the layout of the blocks.</p> <p>2 I don't think that this creates serious obstacles to the</p> <p>3 colleagues working at the scene. You follow the access</p> <p>4 in the inner court, you find BA main control, you have</p> <p>5 another team, there is the forward command post. So</p> <p>6 they would obviously see the different posts or points</p> <p>7 in addition to the reserve areas. So these people</p> <p>8 manning these points will know the locations of</p> <p>9 individual blocks.</p> <p>10 MR VICTOR DAWES: I don't have any other questions.</p> <p>11 THE HON MR JUSTICE DAVID LOK: Questions from other involved</p> <p>12 parties?</p> <p>13 If not, Mr Suen from the Government.</p> <p>14 Examination by MR JENKIN SUEN</p> <p>15 MR JENKIN SUEN: Just a simple follow-up question. Mr Dawes</p> <p>16 asked you about resources and aerial ladder units. I've</p> <p>17 asked a similar question before. For the fire at</p> <p>18 Wang Fuk, whether it was upgraded from 1 to 3 or from 3</p> <p>19 to 4 alarm, of course, in accordance with the level of</p> <p>20 alarm, there was the pre-determined attendance. Do you</p> <p>21 mean by your evidence that if the incident commander is</p> <p>22 of the view that they require additional resources, say,</p> <p>23 for example, turntable ladders, regardless of the number</p> <p>24 of alarm, they can make that request?</p> <p>25 MR TANG WING WAH: Yes. There are colleagues at different</p>

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<p>1 positions. At each block there is the sector officer, 2 rescue officer and the incident commander. So each 3 officer at their respective post will know what 4 resources they need and they can make the request 5 directly. 6 In this fire, many of our colleagues have asked for 7 additional resources through the FSCC, say, for example, 8 the rescue team, the rescue officer constantly asks for 9 backup. The colleagues in charge of safety will also 10 ask for additional resources. So it is a joint force. 11 Colleagues at their respective posts will do their best 12 instead of being classified in their approach. 13 MR JENKIN SUEN: Each officer will ask for resources as 14 needed at the suitable time? 15 MR TANG WING WAH: Yes. 16 MR JENKIN SUEN: If the number of alarm is elevated, there 17 will be additional resources; however, in addition to 18 that, colleagues will, after taking into account the 19 actual situation, ask for additional resources or 20 additional appliances or reinforcement; right? 21 MR TANG WING WAH: I agree. 22 MR JENKIN SUEN: I don't have any other questions. 23 THE HON MR JUSTICE DAVID LOK: No other questions? 24 MR VICTOR DAWES: No. 25 THE HON MR JUSTICE DAVID LOK: Thank you.</p>	<p>1 understand the situation of the fire at Wang Fuk Court. 2 I express my gratitude to you. In the past few months, 3 we asked the FSD for information 11 times. You have 4 provided a total of 33 witness statements to us. They 5 helped us understand the situation on the day in 6 question as well as the recommendations that will be 7 provided. They are very helpful. 8 For you yourself, you provided two witness 9 statements to us. I believe you can confirm the 10 contents herein, they are accurate? 11 MR YEUNG YAN KIN: Yes. 12 MR VICTOR DAWES: After the fire in Wang Fuk Court, a lot of 13 people compared this fire in Hong Kong to the one at 14 Grenfell Tower in the UK, that is one the most serious 15 blazes all around the world. In 2017 in the UK the 16 blaze happened. The Hong Kong FSD was aware of the fire 17 the UK and the FSD considered the possible impact on the 18 work of the FSD; can I say so? 19 MR YEUNG YAN KIN: Yes. 20 MR VICTOR DAWES: The investigation of the UK was much 21 slower. In 2019 they published phase 1 report. Let's 22 refer to the report. There were recommendations in the 23 report. In bundle A4 we can see the phase 1 report. 24 I'd like to draw your attention to a few 25 recommendations, A4/701. Paragraph 33.6. We know that</p>
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<p>1 I said the same thing to the incident officers. I'm 2 not going to repeat what I've said. We can all see the 3 efforts put in by frontline officers. I express my 4 gratitude to you all. Thank you. 5 (The witness was released) 6 (11.05 am) 7 MR VICTOR DAWES: Before we start with the next witness, 8 let's take a break. 9 THE HON MR JUSTICE DAVID LOK: A break of 15 minutes. 10 (11.05 am) 11 (A short adjournment) 12 (11.20 am) 13 MR VICTOR DAWES: Chairman, the next witness is the Director 14 of Fire Services, Mr Yeung Yan Kin, Andy. 15 Director, good morning. Like your colleagues, 16 please stand up and read the declaration in front of 17 you. 18 (11.20 am) 19 MR YEUNG YAN KIN, ANDY (affirmed) 20 Examination by MR VICTOR DAWES 21 MR VICTOR DAWES: Thank you. Please take your seat. 22 As we mentioned a few days ago, we are looking into 23 a fire of an unprecedented scale. Therefore, in the 24 past few months we have asked the FSD many questions. 25 You have arranged more than one site visit for us to</p>	<p>1 in the blaze one of the reasons for the intense fire was 2 the use of combustible materials in the external wall of 3 Grenfell Tower. That was why the fire was intense. 4 This is comparable to the fire in Hong Kong. 5 MR YEUNG YAN KIN: We are aware of this. 6 MR VICTOR DAWES: In paragraph 33.9, in this paragraph we 7 can see many officers within the London Fire Brigade 8 were not aware of the combustibility of the materials on 9 the external wall of the tower. There wasn't any 10 contingency plan formulated and this is the situation 11 for the UK. 12 I'd like you to read paragraph 33.11 on page 703. 13 It identified a deficiency of the fire. For the fire 14 officers deployed to the scene, the Committee was of the 15 feel that they lacked adequate training. 16 Recommendations were provided as to how training should 17 be conducted. I'd like to show you a couple more 18 paragraphs before I ask you questions. 19 Paragraph 33.15 on page 704. As we can see, the 20 control room was operating under great pressure. The 21 control room of the UK is just our 999 call centre. 22 "... in many cases CROs failed to handle FSG calls 23 in an appropriate or effective way." 24 They need to consider how to enhance the measures in 25 order to handle assistance cases as well as how the</p>

Page 37	<p>1 cases can be referred to the frontline.</p> <p>2 In (c) specifically you can see this:</p> <p>3 "... all fire and rescue services develop policies</p> <p>4 for handling a large number of FSG calls simultaneously;</p> <p>5 (d) that electronic systems [should] be developed to</p> <p>6 record FSG information in the control room ..."</p> <p>7 And it is hoped that the information will be</p> <p>8 displayed -- will be related to the frontline.</p> <p>9 On page 705, paragraph 33.20, on that day, the</p> <p>10 method of information disseminated from the control room</p> <p>11 was chaotic and it was prone to mistakes. The criticism</p> <p>12 explained how serious the situation was. In line 3:</p> <p>13 "The arrangements for receiving and recording that</p> <p>14 information at the bridgehead were prone to failure and</p> <p>15 there was little, if any, means of capturing and</p> <p>16 transmitting to the control room information about the</p> <p>17 results of deployments to specific flats."</p> <p>18 This explains the situation back then. The London</p> <p>19 Fire Brigade was recommended to develop new</p> <p>20 communication technologies to handle cases.</p> <p>21 In paragraph 33.22, it's about evacuation:</p> <p>22 "... no plans in place for evacuating Grenfell Tower</p> <p>23 should the need arise."</p> <p>24 That is a lack of evacuation plan.</p> <p>25 33.27, that is the last paragraph I'd like to draw</p>	Page 39	<p>1 combustible material. Based on my impression -- in</p> <p>2 2017, I was the then assistant director -- we found some</p> <p>3 buildings and we have formulated contingency plans for</p> <p>4 these buildings, that is targeting combustible material</p> <p>5 on the external wall of buildings.</p> <p>6 As I mentioned just now, for Grenfell Tower report,</p> <p>7 there was a chapter that mentioned third party</p> <p>8 certification companies that check the fire safety of</p> <p>9 some buildings. That was why we wanted to implement the</p> <p>10 Registered Fire Engineer Scheme. We needed to check</p> <p>11 whether there are any loopholes on these third party</p> <p>12 certification parties. We needed to close the</p> <p>13 loopholes. We didn't want to rush into implementing</p> <p>14 this scheme. That's why we have the stay put policy and</p> <p>15 we did research into it.</p> <p>16 Following any fire that involved casualties, we did</p> <p>17 undertake studies. When it comes to public education,</p> <p>18 we don't just ask residents to stay inside your flat.</p> <p>19 We are dynamic, we remind residents to leave whenever</p> <p>20 you hear any alarm ringing. However, when you see</p> <p>21 smoke, you should take another staircase or return to</p> <p>22 your own flat. We keep educating the public on the</p> <p>23 three most important objects that you need to bring with</p> <p>24 you in the case of evacuation. We have strengthened</p> <p>25 public education to seal the doors in order to prevent</p>
Page 38	<p>1 your attention to. Inside the tower not clearly marked,</p> <p>2 and one difficulty for firefighters was that they didn't</p> <p>3 know on which floor they were. Be it the fire in the UK</p> <p>4 or the fire in Wang Fuk Court, we knew that the</p> <p>5 intensity was unprecedented. The fire that took place</p> <p>6 in the UK was in some parts different from ours, but we</p> <p>7 compare it to our fire in relation to the combustible</p> <p>8 material and the scale.</p> <p>9 I believe you will agree with me: many pain points</p> <p>10 are similar. Can I put it this way?</p> <p>11 MR YEUNG YAN KIN: Well, it depends on which area or which</p> <p>12 part. We need to be more detailed. Just now we talked</p> <p>13 about a lot of points and areas. After Grenfell Tower,</p> <p>14 we undertook some studies. Some of them were centred on</p> <p>15 the recommendations and we made changes in our policies.</p> <p>16 MR VICTOR DAWES: Let's be more detailed. I know you may</p> <p>17 not have all information right now. There's this report</p> <p>18 and the FSD had considered it. Can you tell us in</p> <p>19 brief, after the fire at Grenfell Tower, what has the</p> <p>20 FSD done to make improvements or to do better in fire</p> <p>21 prevention?</p> <p>22 MR YEUNG YAN KIN: Thank you. Regarding the material on the</p> <p>23 external wall, after the fire at Grenfell Tower we have</p> <p>24 worked with the Buildings Department to identify any</p> <p>25 buildings with similar external wall material that is</p>	Page 40	<p>1 smoke. We asked residents to use plastic tape and wet</p> <p>2 towels to seal the gaps and please call the Fire</p> <p>3 Services Department to report your locations. That's</p> <p>4 why when our colleagues testified we had activated the</p> <p>5 support centre much earlier. Based on our experience,</p> <p>6 when members of the public knew that there was a fire,</p> <p>7 they thought that they would be able to rush through the</p> <p>8 smoke, to move past the smoke. The fact that we</p> <p>9 activated the support centre was that we could foresee</p> <p>10 a large number of assistance calls. We meant to provide</p> <p>11 appropriate assistance, that is whenever you see any</p> <p>12 smoke, just return, retreat. That is safer. That is</p> <p>13 about picking up calls from the public.</p> <p>14 Can we go over the points again and let me tell you</p> <p>15 what we have done?</p> <p>16 MR VICTOR DAWES: The control room received a large number</p> <p>17 of calls. As you remember, the last intense fire in</p> <p>18 Hong Kong that called for the formulation of the</p> <p>19 Independent Committee was Garley Building.</p> <p>20 MR YEUNG YAN KIN: Right.</p> <p>21 MR VICTOR DAWES: It was about the communication between the</p> <p>22 Police Force and the FSCC, the communication between the</p> <p>23 two needed to be improved. At that time, there were</p> <p>24 a lot of cases requiring assistance. This is an issue.</p> <p>25 I'd like to hear from you.</p>

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<p>1 MR YEUNG YAN KIN: On this issue, as I remember, when 2 Typhoon Mangkhut moved past Hong Kong, we developed the 3 support centre and we wanted to handle calls by 4 telephone. Whenever there is any large-scale event, 5 there are a lot of assistance calls. This is exactly 6 why we want to implement measures to pick up calls from 7 people requiring assistance, but clearly we identified 8 room for improvement in this case. It's not enough. 9 That's why this week we have added 30 lines to receive 10 calls from 999. After two months we expect to add an 11 additional 30 lines. We want to pick up calls as soon 12 as possible. 13 As I mentioned, on that day we activated the support 14 centre, because Typhoon Mangkhut struck Hong Kong and we 15 needed to come up with methods to handle it. 16 MR VICTOR DAWES: Let's move on to the next topic. When it 17 comes to large-scale renovation works, as your 18 colleagues mentioned, the fire risks heightened. I know 19 that you have already prepared plans for firefighting. 20 As mentioned in the Grenfell Tower case, was there any 21 evacuation plan? This was mentioned in the report. Can 22 you tell us your position on this? 23 MR YEUNG YAN KIN: Regarding evacuation, we cannot just base 24 it on one single operation. In our operation, our 25 priority is rescuing people, putting out fire and</p>	<p>1 isn't just about communication across different 2 departments, it is backed by law as well. In the 3 evidential hearings we explore with Assistant Director 4 Mr Yung Kam Hung, he mentioned this and I'd like to 5 explore with you in greater detail. 6 Colleagues of the FSD and the Buildings Department 7 had division of work. For scaffolding nets and foam 8 boards or for passive fire services installations such 9 as access openings on rear staircases, the principal 10 responsibility rests on the BD, the Buildings 11 Department. 12 Before I explore this topic with you, I'd like you 13 to read information on this issue so we can analyse this 14 situation together. The starting point is, I believe, 15 fire risks heightened in buildings subject to 16 large-scale renovation works; you agree? 17 MR YEUNG YAN KIN: Yes. 18 MR VICTOR DAWES: In paragraph 5 of your second witness 19 statement you mention firefighting and different tactics 20 are used. The tactics might differ quite significantly, 21 but for fire prevention, it is actually a focus. We all 22 agree that prevention is better than cure. 23 MR YEUNG YAN KIN: Yes. 24 MR VICTOR DAWES: I'd like to draw your attention to bundle 25 B2, page 82.</p>
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<p>1 evacuation. These three are closely linked. So we have 2 SAR teams. The SAR and evacuation teams help residents 3 to evacuate. Just now I mentioned three steps. We 4 rescue people, put out fire and evacuation. So in the 5 course of evacuation, in the usual training or the work 6 of colleagues, definitely this element exists. 7 In our internal guidelines for SAR and evacuation 8 teams, they advance up to the 5th floor. They conduct 9 evacuation for five floors above the floor in question. 10 In the case of mountain fire, or hill fire, they may be 11 in close proximity to residential units. That's when we 12 implement horizontal evacuation. That's why we have 13 guidelines and tactics in this regard. 14 MR VICTOR DAWES: As your colleague mentioned, the fire 15 spread from one block to another block at such a fast 16 speed. The FSD has learned a lesson in this regard. 17 The Committee is tasked with providing recommendations. 18 So in submissions, I believe the FSD will consolidate 19 all the recommendations for our reference. This has led 20 to another area that I'd like to explore with you about 21 the authority. 22 We understand there are different departments within 23 the government. There are mechanisms in place to handle 24 the division of work. We have already looked into this 25 with your colleagues. Of course the division of work</p>	<p>1 I believe this is what you know best. It's about 2 the Fire Services Ordinance. The duties of the FSD 3 under subparagraph (c) are: 4 "Give advice on fire protection measures and fire 5 hazards as occasion requires ..." 6 So in terms of firefighting and prevention of the 7 loss of lives and properties, that's also part of your 8 duties? 9 MR YEUNG YAN KIN: Yes. 10 MR VICTOR DAWES: And then on fire safety, let's take a look 11 at the interpretation clause on fire hazards. You can 12 see subparagraph (f): 13 "... [resulting] from the outbreak of fire or the 14 occurrence of any other calamity, or which would 15 materially hamper the Fire Services Department in the 16 discharge of its duties in the event of fire or other 17 calamity ..." 18 It also says in the event that that takes place, 19 these circumstances would hamper the Fire Services 20 Department in the discharge of its duties in the event 21 of fire or other calamity. So you know this very well. 22 And we all know the emphasis of our discussion so I'd 23 just like to refer you to these matters. 24 MR YEUNG YAN KIN: Okay. 25 MR VICTOR DAWES: With regard to the definition of "fire</p>

Page 45	<p>1 hazard" here, it's very broadly defined. And</p> <p>2 apparently, in terms of the division of labour with the</p> <p>3 Buildings Department and of course the matters that they</p> <p>4 had to deal with, undoubtedly would also have to do with</p> <p>5 fire hazards, for example, to do with building</p> <p>6 materials. We understand they also have the duty to</p> <p>7 deal with that. We all agree on that.</p> <p>8 MR YEUNG YAN KIN: Yes.</p> <p>9 MR VICTOR DAWES: Also on your powers, we all understand our</p> <p>10 discussion, let's refer to section 8(1)(c), page 83. So</p> <p>11 your powers are rather broad. Under 8(1)(c) you can</p> <p>12 authorise the relevant parties to enter certain premises</p> <p>13 to ascertain whether or not there exists any fire</p> <p>14 hazard. Because, in Hong Kong, we do protect</p> <p>15 everybody's right to property and privacy and therefore</p> <p>16 you cannot passively enter any premises without</p> <p>17 authorisation. But then you have been given the</p> <p>18 authorisation to do so.</p> <p>19 For example, on page 84, we can see that at the top</p> <p>20 of it, you might also need to give a written</p> <p>21 notification or you may have to apply to the court for</p> <p>22 authorisation. But then, in dealing with whether or not</p> <p>23 you have to enter certain premises to ascertain whether</p> <p>24 or not there are fire hazards, you do have powers that</p> <p>25 other departments do not. Can you confirm that?</p>	Page 47	<p>1 MR VICTOR DAWES: That's something you would deal with?</p> <p>2 MR YEUNG YAN KIN: Yes.</p> <p>3 MR VICTOR DAWES: There is also a specific regulation,</p> <p>4 that's fire hazard abatement regulation. That's Cap 95.</p> <p>5 If we refer to section 3, B/189. The first thing has to</p> <p>6 do with FHAN, it's about your power. And then clause 4,</p> <p>7 whoever receives this FHAN, if he fails to abate fire</p> <p>8 hazards, then I can see that you also have powers to</p> <p>9 take certain actions. If they fail to do so, then you</p> <p>10 can do that on their behalf; am I right?</p> <p>11 MR YEUNG YAN KIN: Yes.</p> <p>12 MR VICTOR DAWES: We know that -- well, between you and the</p> <p>13 BD, of course there needs to be communication and there</p> <p>14 is also interaction between the two departments. But</p> <p>15 then, when it comes to division of labour, it's not done</p> <p>16 by hard and fast rule. It would depend on the situation</p> <p>17 on the ground to determine. Am I right to put it that</p> <p>18 way?</p> <p>19 MR YEUNG YAN KIN: Yes, I interpret it in the sense that</p> <p>20 most of that has to do with tangible division of labour.</p> <p>21 MR VICTOR DAWES: So let me try to see how we can look into</p> <p>22 that. A5/769. There is something that is related to</p> <p>23 the FSD. It's a case.</p> <p>24 This U Storage Group Limited, and the respondent in</p> <p>25 this judicial review case is you, and also we have a</p>
Page 46	<p>1 MR YEUNG YAN KIN: Yes.</p> <p>2 MR VICTOR DAWES: Section 9 on page 89, power to abate and</p> <p>3 prevent fire hazards. You have powers to abate and</p> <p>4 prevent fire hazards from emerging again, so you can</p> <p>5 serve fire hazard notice, we call them "notices". In</p> <p>6 English it's "fire hazard abatement notice", the</p> <p>7 abbreviation is "FHAN". Those receiving FHAN would have</p> <p>8 to act in accordance with the instructions in FHAN to</p> <p>9 abate fire hazards. So we can use a simple example to</p> <p>10 explain that to the public. I'm not sure if this is a</p> <p>11 good example. All right. Within a unit there are many</p> <p>12 combustible materials and then you would issue a FHAN to</p> <p>13 ask them to remove those materials. Would that be a</p> <p>14 very good example?</p> <p>15 MR YEUNG YAN KIN: No.</p> <p>16 MR VICTOR DAWES: Can you tell us?</p> <p>17 MR YEUNG YAN KIN: Usually, when we issue FHAN, very often</p> <p>18 it's about the obstruction of common areas so we would</p> <p>19 not be entering other people's premises because it's</p> <p>20 within private properties and how can we deal with that.</p> <p>21 MR VICTOR DAWES: But what about in common areas within a</p> <p>22 building? So if they place a lot of combustible</p> <p>23 materials, you don't have to enter other people's</p> <p>24 premises; would that be a very good example?</p> <p>25 MR YEUNG YAN KIN: Yes.</p>	Page 48	<p>1 putative interested party, Director of Buildings. So</p> <p>2 that's back in 2016. It's about the mini-storage fire.</p> <p>3 After that fire, with regard to a series of measures you</p> <p>4 took, this is a judicial review against you.</p> <p>5 Well, we might not need to raise this case with one</p> <p>6 of the witnesses, but, as you are one of the litigating</p> <p>7 parties to this case, therefore I'd like to look at this</p> <p>8 case with you to see if it can be used as an example.</p> <p>9 According to records, at the time for the</p> <p>10 mini-storage fire, as far as the FSD was concerned, it's</p> <p>11 quite a shock because in that fire, other than the scale</p> <p>12 of the fire, and also the time of the blaze, and you</p> <p>13 also had firemen die on duty. Therefore, to you, that's</p> <p>14 also a very big fire; is that right?</p> <p>15 MR YEUNG YAN KIN: Yes.</p> <p>16 MR VICTOR DAWES: So to let everybody know the situation,</p> <p>17 the fire lasted for 108 hours. At the time, a senior</p> <p>18 station officer and also a senior fireman, so two of</p> <p>19 them passed away on duty. 10 firefighters got injured.</p> <p>20 The relevant building, in fact the 3rd and the 4th</p> <p>21 floors were completely destroyed in the blaze and that</p> <p>22 also raised concerns about mini-storage. After the</p> <p>23 incident, you took very prompt action because -- well,</p> <p>24 three months after your operation, actually you</p> <p>25 inspected some 756 mini-stores and after the inspection</p>

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<p>1 some 242 FHANs were issued. So that's the record in the 2 judgment. 3 In fact, Director, you were also involved in such 4 operations; am I right? 5 MR YEUNG YAN KIN: Well, for the regulation of mini-stores, 6 I wasn't involved at the time because, at the time, 7 I was the chief fire officer at the time responsible, 8 and I was also the DCP and CFO. 9 MR VICTOR DAWES: But then you must have been involved in 10 the policy-making and therefore we can also ask you 11 about some of the details. 12 MR YEUNG YAN KIN: Yes. 13 MR VICTOR DAWES: So I understand that the position of the 14 FSD on this incident, and also the submission that you 15 made to the court -- I'd like you to explain to us the 16 situation. If we refer to page 776, paragraph 14 of the 17 judgment. 18 Let me briefly explain that to you, and if you need 19 time to go through that or if you'd like us to 20 supplement or if you have anything to add, please do so. 21 In paragraph 14 there are several subparagraphs 22 which say that under the circumstances the applicant's 23 mini-store -- the FSD would be taking certain actions. 24 In fact, such actions include issues that had to be 25 dealt with because the windows of all mini-storages were</p>	<p>1 signs? 2 MR YEUNG YAN KIN: Yes. 3 MR VICTOR DAWES: Then with regard to exits or means of 4 escape, there were blockages. So that was also one of 5 the issues that was brought up. 6 MR YEUNG YAN KIN: Yes. 7 MR VICTOR DAWES: So these issues, your position was that 8 majority of them had clear links to fire hazards? 9 MR YEUNG YAN KIN: Yes. Fire hazards and also, the most 10 important thing is, at the time when we came up with 11 such requirements, and as the senior counsel just said, 12 for the 108 hours that we spent on putting out the fire, 13 we could see that there were difficulties in putting out 14 fire in mini-stores and that, as a result of that, we 15 came up with these requirements. 16 MR VICTOR DAWES: So for the issue we have seen and your 17 position then and also now, is that it's not just about 18 the work of the FSD, it's also under the purview of the 19 Buildings Department. So is that not your position from 20 (b) to (d)? 21 MR YEUNG YAN KIN: Yes, correct. 22 MR VICTOR DAWES: As you might recall, when they brought up 23 this judicial review case, one of the reasons was that 24 between you and the Buildings Department there was 25 a division of labour and how that was done. That was</p>
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<p>1 blocked because mini-stores do not require windows to 2 have lighting. 3 Paragraph 10 also said what you just said. In terms 4 of the isolation or insulation is not desirable, it's 5 not ideal because they might be using combustible 6 materials to do the insulation. 7 MR YEUNG YAN KIN: So between the different cubicles, the 8 distance was not desirable. 9 MR VICTOR DAWES: So that would seriously hamper 10 firefighting work? 11 MR YEUNG YAN KIN: Yes. 12 MR VICTOR DAWES: And there were no directional signs. 13 Because the problem is once you enter the mini-store, 14 one of the difficulties in fighting the fire would be 15 that. 16 MR YEUNG YAN KIN: You're referring to subparagraph (c) 17 that's about fire services installations. 18 MR VICTOR DAWES: Can you explain that? 19 MR YEUNG YAN KIN: Directional signs mean that, in certain 20 circumstances, normally there would be exit signs on the 21 doors and then there would also be FSIs. But then in 22 some cases, once you exit from a room you would not be 23 able to see the directional sign and when you see the 24 directional sign, that would point you to the exit sign. 25 MR VICTOR DAWES: You're referring to the inadequacy of such</p>	<p>1 what the applicant said, because they received the FHAN 2 notice and of course that would also affect their 3 business. 4 At the time they said that the power of the FSD 5 would be confined to FSIs, in other words, that has to 6 do with the active installations. And then the 7 Buildings Department was in charge of enforcing the 8 Buildings Ordinance and also areas within the purview of 9 the Buildings Department and the applicant said that 10 apparently that was their understanding. So would you 11 agree? 12 MR YEUNG YAN KIN: Yes. 13 MR VICTOR DAWES: In this case, you won. And then, at the 14 time, the judge accepted the submission made by the 15 legal counsel of the FSD, and I can refer you to the 16 paragraph, paragraph 38. That's what you said. You may 17 want to take a look at paragraph 38: 18 "It is the duty of the Director ..." 19 That is the Director of Fire Services. 20 "... to take all lawful measures for the 21 extinguishment of fires and the protection of life and 22 property of members of the Hong Kong public in case of 23 fire and other calamities. The Director derives its 24 powers from, inter alia, the FSO and the FS(FHA)R." 25 That's the subsidiary legislation relating to FHAN.</p>

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<p>1 "As pointed out by the Director, it is readily 2 apparent from the Long Title and section 7 of the FSO 3 that the Director has extensive and comprehensive duties 4 and powers to safeguard and promote fire safety. Such 5 duties and powers are not confined to fire service 6 installation and equipment or 'non-building works', 7 which are only a few amongst many aspects of fire safety 8 and firefighting." 9 In other words, apparently the judge's view was that 10 he accepted your submission, that is the definition of 11 "fire hazards" was broad, covering all the 12 compartmentalisation materials and also the powers given 13 to the FSD would be for you to distinguish fire hazards; 14 you also had the professional knowledge to give advice 15 as to how the persons involved can abate the fire 16 hazards. 17 If I may refer you to paragraph 47, you also 18 continued to elaborate on this. My apologies that 19 I have to take you through all these paragraphs so that 20 we can have a more focused discussion afterwards. Here 21 you can see: 22 "The object of empowering the Director to issue 23 FHANs and introducing the definition of 'fire hazards' 24 in section 2 of the FSO is to 'ensure, so far as is 25 possible, that fires, which can be prevented by ordinary</p>	<p>1 responsibility. However, it does not follow that the 2 Building Authority need not concern itself with the same 3 subject matter after completion of construction. That 4 would represent too restrictive a view about the 5 statutory role and responsibility of the Building 6 Authority which is concerned not only with new buildings 7 but also with existing buildings, old buildings and 8 dangerous buildings". 9 He then went on to say: 10 "I agree the same logic applies to the present case. 11 While it is true that the DB has a role to play in fire 12 safety in buildings as provided for in the Other 13 Legislations, it does not follow that the Director need 14 not concern itself with the same subject matter, 15 particularly when the Director's statutory role is to, 16 inter alia, protect life and property in case of fire or 17 other calamity and give advice on fire protection 18 measures and fire hazards as occasion requires ..." 19 DB is director of building. 20 So this is about the fire prevention by the Building 21 Authority. Why have I shown you this? Apparently the 22 judge accepted the position of the FSD, and that is the 23 Director of Fire Services should not pass the duty of 24 preventing a building fire to the Buildings Department. 25 So that's the position of the FSD, because you issued</p>
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<p>1 precautions, are prevented, and, secondly, that the 2 damage likely to life and property when fire of other 3 calamity does occur is minimised' ..." 4 Then you move on to: 5 "Hence, section 2 of the FSO is deliberately couched 6 in wide terms to cater for fire hazards which may arise 7 from different and constantly evolving circumstances, 8 ranging from the layout and structure of a premises to 9 floating obstructions ... being placed in the means of 10 escape of the premises which may materially increase the 11 likelihood of fire or obstruct firefighting operations. 12 The Director was therefore given the power to use his 13 expertise to identify fire hazards and request the 14 responsible person to abate them. The suggestion that a 15 fire hazard can only be identified after a fire 16 engineering assessment is clearly unsustainable." 17 In other words, it seems he did not accept the 18 counterparty's submission. 19 I'd like to refer you to paragraph 57. This is 20 particularly important because he quoted another judge 21 on BA's, that is the Building Authority, 22 responsibilities. That's about Building (Planning) 23 Regulations. In the middle: 24 "... it is true that in relation to means of escape, 25 the Director of Fire Services obviously has a statutory</p>	<p>1 some FHAN notices and that's the explanation why you had 2 to issue those FHAN notices. 3 MR YEUNG YAN KIN: Yes. 4 MR VICTOR DAWES: I'd also like you to explain to us, 5 because earlier on, at the evidential hearings, we 6 looked at the Buildings Department and the FSD and there 7 was a division of labour between the two departments, 8 and apparently the FSD would be looking at the 9 combustibility of these materials and you heard that the 10 Buildings Department had the professional knowledge to 11 distinguish whether or not such materials were 12 combustible. 13 So I think we understand and -- I think you 14 understand and agree with that; right? 15 MR YEUNG YAN KIN: Yes. 16 MR VICTOR DAWES: So, according to the law, when your duties 17 include that where there are fire hazards you would also 18 make suggestions as to how such hazards would be abated, 19 because it's your power to issue FHANs. At the time you 20 also told the court that because of the law, because of 21 the definition of "fire hazards", they are very broadly 22 defined, and therefore, if you said that "I did not have 23 the professional ability to determine whether or not the 24 materials are combustible or not", then the subject was 25 that the FSD does not have a role to play at all.</p>

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<p>1 This narrative is a bit too narrow and may not have 2 been entirely accurate. So I'd like you to explain, is 3 it the case, that is if we use polystyrene boards or 4 foam boards as an example, this interpretation may not 5 be entirely correct; correct? 6 MR YEUNG YAN KIN: Mr Dawes, can you give me some time to 7 explain about certain things? First, about the 8 mini-storage case and the background information that 9 led to the judicial review, and then I will go to foam 10 boards. 11 I have to talk to you about the mini-storage case. 12 THE HON MR JUSTICE DAVID LOK: You do have time. 13 MR VICTOR DAWES: We do have time. 14 MR YEUNG YAN KIN: What happened at that time in relation to 15 mini-storage, it was a new business, it started in 2015 16 or 2016. We used 108 hours to put out the fire. I was 17 at the scene putting out the fire. I stayed there for 18 two days. 19 It was so hot that no one could go in. The 20 partitions were so narrow that firefighters could not 21 enter. Every cubicle was like a furnace. We're talking 22 about all of them ablaze, generating over 1,000 degrees 23 of heat. It was very dangerous and it required 24 regulation. On the policy level, we considered 25 different approaches. Of course, licensing was one of</p>	<p>1 Now I move on to access openings and foam boards. 2 I emphasise that when it comes to regulation, we have 3 a division of labour. We're very clear about what our 4 portfolios are. We use our power to regulate our 5 respective portfolio. We're talking about a legal 6 vacuum here. The law is not clear in this regard. When 7 it comes to foam board or access openings, you know that 8 the BD is in charge of FRC construction, window openings 9 and fire-retardant materials, and there is also fire 10 safety codes. 11 Applying the mini-storage case to this, looking 12 back, if we do that it is possible but there will be a 13 duplication in our roles. We will be regulating the 14 same windows. But when it comes to the mini-storage, we 15 have our respective area in charge. If we are asked to 16 regulate that, yes, we can, but what will happen is that 17 when it comes to materials and windows, their 18 consideration is wider than ours. They consider 19 lighting, they consider structure, but when it comes to 20 us, we will ask them to reinstate the windows. 21 The BD, on the other hand, will also consider the 22 requirements of the works so we have a bigger basket of 23 factors to consider. What we ask for will be to just 24 reinstate the windows. When it comes to fire-resisting 25 construction materials, we will still have to talk to</p>
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<p>1 them, but it would take time. 2 So, together with the Buildings Department -- our 3 division of labour is not calcified. We do not have 4 a silo portfolio; we share the same portfolio. 5 As Mr Dawes mentioned, there was the fire hazard 6 which has a broad definition. So when it comes to fire 7 hazard, BD is also in charge of it; we were 8 complementary. We identify the hazards. That's why 9 there was the five requirements. The 50 square metres 10 was generated from our experience. The cubicles were 11 too close together. We ask for 50 metre squares and 12 a gap of 2.4 metres between the cubicles. It's not a BD 13 requirement. It is something that we saw that was 14 needed when we put out the fire, and there was also the 15 FSI requirement, the directional signs and a rescue 16 window for access from the outside. On that day, we 17 could not enter through the door. We wanted rescue 18 windows to help dissipate heat, hence the requirements 19 on mini-storage areas. 20 At that time, there was no law governing them, so we 21 discussed with BD, working as a team. The BD used their 22 relevant legislation to regulate the width of the 23 cubicles in addition to the 2.4-metre width. In 24 addition, the length of means of escape is also 25 regulated. So these are two issues working together.</p>	<p>1 the Buildings Department to see if what we asked for is 2 in line with the law. We can't just ask for the windows 3 to be reinstated and accept it. 4 What I'd like to say is that after the fire, we have 5 talked about windows and foam boards with Buildings 6 Department when it comes to regulation. With 7 experience, we want to advise them that should there be 8 a need to create access openings, where they should be, 9 having considered lighting, ventilation, structure, in 10 addition to fire safety requirements. 11 Yes, the Buildings Department can revoke certain 12 legislations. I understand that the building 13 contractors will be prosecuted. We can work in addition 14 to that. We don't mind taking on additional 15 responsibility but we need to talk to other departments 16 about the new division of labour. 17 MR VICTOR DAWES: Your explanation is very clear. Let me 18 put it this way. Am I right to say that it is not 19 rigid. We can't rigidly say that passive FSIs are not 20 under your portfolio. You are only in charge of active 21 ones. Am I right to put it this way? 22 MR YEUNG YAN KIN: Right. 23 MR VICTOR DAWES: So in relation to passive FSIs, if there 24 is any problem they will pose serious hazards. Say, for 25 example, section 7 or section 2 of fire hazard</p>

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<p>1 regulations, these matters fall under your portfolio. 2 It's just that in reality you will talk to them? 3 MR YEUNG YAN KIN: Yes. 4 MR VICTOR DAWES: I'm not going to spend too much time on 5 the case. The judge at that time said that when you 6 both have power, your roles are complementary to each 7 other. 8 MR YEUNG YAN KIN: Yes, that's something I mentioned as 9 well. 10 MR VICTOR DAWES: So when it comes to fire safety, you have 11 the statutory role to protect life and property and 12 roles on fire protection and fire hazards. So you can't 13 say that if it is a passive FSI then you don't have a 14 role to play, because saying so would be incorrect? 15 MR YEUNG YAN KIN: Right. 16 MR VICTOR DAWES: Using the two examples we've just covered, 17 you talk about access openings. We know that it has 18 a huge impact on the safety of your colleagues because 19 in this case access openings were created. As a result, 20 smoke went into the staircase. Is it a common 21 occurrence, is it something that you encounter very 22 often? 23 MR YEUNG YAN KIN: I have never encountered something like 24 this. 25 MR VICTOR DAWES: Let's talk about a hypothetical situation.</p>	<p>1 MR VICTOR DAWES: So that means if you think there is a need 2 to exercise the power, you will? 3 MR YEUNG YAN KIN: Yes. 4 THE HON MR JUSTICE DAVID LOK: I think, Director, you will 5 agree that communication is very important. The BD may 6 not be aware of all fire risks, so you'll agree that 7 enhanced communication is necessary? 8 MR YEUNG YAN KIN: I agree. 9 MR VICTOR DAWES: Let me go back to foam boards. Access 10 openings is something that is quite clear-cut; you will 11 be concerned about this matter. The nature of foam 12 board is different. I understand that when it comes to 13 construction materials, fire resistance is something for 14 different departments to consider. 15 Before the fire, perhaps different departments 16 opined that foam board was not under their purview. We 17 have looked at witness statements from the ICU which 18 were of the view that you had the power to enforce the 19 law, so they don't have the power to enforce the law 20 when it comes to foam boards. 21 In this regard, what do you think your role is? In 22 the case of Wang Fuk Court, residents complained that 23 their windows were boarded up by foam boards. What is 24 your view? 25 MR YEUNG YAN KIN: I think it's back to the regulations</p>
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<p>1 When someone complains about an access opening, 2 technically it's not an active FSI. But I'm sure your 3 colleagues will not feel that it is not of concern 4 because it will affect evacuation and escape. As to 5 whether FHAN will be issued, technically you have the 6 power to issue it. In reality, if there is this 7 complain, you will have to first talk to the BD before 8 issuing the notice. 9 MR YEUNG YAN KIN: Right. 10 MR VICTOR DAWES: Now we can't say whether it would have 11 been issued or not, but can you tell us whether it will 12 be issued in the future? 13 MR YEUNG YAN KIN: As I said, we've already had meetings 14 with the BD in relation to access openings at Wang Fuk 15 Court. I mentioned that the scope considered by the BD 16 is wider than that of ours, but if they think that it is 17 suitable, of course we will issue the notice having 18 consulted them. As the counsel said, fire hazard has a 19 wide scope. If we can abate such hazards, we will issue 20 the notice but we need to talk to the BD. 21 As I said, in addition to legislation and code of 22 practice, we maintain close liaison with them when it 23 comes to fire safety because there is a division of 24 labour. If the result of the discussion is that it 25 should be issued, it will be.</p>	<p>1 portfolio of BD and ours. There is a very stringent 2 regulation when it comes to facade of buildings. It's 3 exactly because of this reason that in March a code of 4 practice was issued by the BD to the trade. In the 5 code, it says that foam boards should not be used to 6 cover windows. So it's a reminder to the trade that 7 foam boards should not be used to cover windows. Our 8 position is the same as that in relation to windows. If 9 we think that a department is handling it and if their 10 scope is wider than ours, we will talk to them. In the 11 case of foam boards, we will talk to them. 12 What happens now is that if the foam boards are not 13 removed, the contractor will be prosecuted. In the 14 future we will talk to them about enforcement. 15 There is another issue. There are foam boards that 16 are not combustible. If that is the case, can they be 17 used to cover windows? And there's also the issue of 18 procedures, just like access openings. We can't on 19 behalf of the BD consider works procedures and fire 20 retardancy, so we have our respective duties. So we 21 look at it from the perspective of fire hazard. 22 However, currently, there are legislation, that is 23 for the BD to enforce the law. So will we enforce the 24 law? Just like the case of access openings, if 25 necessary, we will enforce the law.</p>

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<p>1 MR VICTOR DAWES: Can I put it this way. In relation to 2 foam boards you agree that both departments have the 3 power to enforce the law. In relation to foam boards, 4 you can issue FHAN, but you would like to talk to the BD 5 to see if they will handle the case? If they don't 6 think that they will, then it will be for you to decide 7 whether to take up the matter. 8 MR YEUNG YAN KIN: As I said, they will issue letters. It's 9 already been said that they will handle it because in 10 this regard division of labour is clear. There are 11 clear requirements that foam boards should not be used 12 to seal windows, but we have a statutory duty. We will 13 talk to the BD as to how it will be handled. 14 MR VICTOR DAWES: When it comes to the prohibition to use 15 foam boards to cover windows, it was a code issued in 16 March 2026. However, before the fire, there was no such 17 communication? 18 MR YEUNG YAN KIN: As I said, when it comes to division of 19 labour, there is the legal framework, there is the code 20 of practice and practice notes, so it's a three-tier 21 structure. 22 In addition to the circular letter, it's also 23 mentioned in the fire safety code, that is, combustible 24 materials should not be used. 25 MR VICTOR DAWES: Can I put it this way. Before the fire,</p>	<p>1 with it, it's not satisfactory. Mr Keung said that an 2 electronic means is being considered, that is, a 3 requirement for electronic submission to cut out the 4 manual inputting. But this has yet to be implemented; 5 right? 6 MR YEUNG YAN KIN: Well, there are two parts to this. 7 First, on the electronic submission of FS251, it will 8 be -- I mean very soon, in two months -- we are going to 9 introduce legislative amendments to mandate the 10 submission of FS251, but we cannot wait any longer. In 11 the coming two months, we are going to issue a circular; 12 we are going to ask all fire service contractors to 13 submit the electronic version of FS251. Otherwise, we 14 are going to invoke the existing legislation to handle 15 the case by disciplinary hearing. We want to handle the 16 situation where the submission is late. 17 Next we're undergoing a system upgrade. In the 18 system 2.0, as assistant director Mr Keung said, once a 19 submission is received, a QR code will be generated. 20 This is being conducted in parallel. The fastest is 21 that within one month we are going to issue a circular. 22 We have already talked to the relevant association that 23 we require the electronic submission of FS251. 24 MR VICTOR DAWES: This has to do with the self-discipline 25 and regulation of the contractors concerned. And we</p>
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<p>1 you each have your respective power to handle the 2 matter? 3 MR YEUNG YAN KIN: Right. 4 MR VICTOR DAWES: I want to ask about regulations of FSIs by 5 the Fire Services Department. The assistant director 6 Mr Keung Sai Ming said to us that they would explore 7 areas for improvement. 8 Previously we have covered the work involving FS251. 9 We have touched on this. Within 14 days after the 10 shutdown notice is submitted -- after the issuance of 11 the shutdown notice, within 14 days it has to be 12 submitted. That is a fire safety requirement. The 13 purpose is to let the FSD know what the situation is. 14 It's just not to submit the form. Explanations will 15 have to be given about what are defective and what are 16 the reasons. This assists the department to consider 17 whether alternative means are required. 18 MR YEUNG YAN KIN: Right. 19 MR VICTOR DAWES: Mr Keung also mentioned that the problem 20 was, having received the FS251, for some time before the 21 information is put into the system, frontline officers 22 will not know about the case because you require manual 23 input and there is a lag? 24 MR YEUNG YAN KIN: Right. 25 MR VICTOR DAWES: If it takes a month or even longer to deal</p>	<p>1 don't need to talk about the previous situation which 2 was not ideal anymore. 3 We see that many contractors' conduct is 4 non-compliant. Can you tell us about any regulation to 5 solve the problem? And we'd like to know how soon this 6 will be solved. 7 MR YEUNG YAN KIN: On the one hand, what we have done and 8 what we're going to do in the future on the other hand. 9 We have a demerit point system. Out of a total of 10 300,000 certificates, we check 65,000 certificates' 11 information, which includes licensed venues or 12 establishments or targeting contractors. For the 13 contractors receiving high score, we target them and we 14 check for any non-compliance. Among the 65,000 15 certificates, a few hundred of them -- I mean the 300 16 are part of the 65,000. As we mentioned, we conduct 17 inspections, about 15,000 inspections, which include 18 2,000 certificates. They have to do with the subpar 19 performance of contractors, and we conduct more 20 inspections having regard to the score. This is how we 21 decide on the frequency of the inspections. 22 In addition to these inspections, we also conduct 23 full functional tests. It may take one day or so in 24 order to inspect the entire system with the contractor. 25 We target contractors but we believe this is not enough.</p>

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<p>1 So for legislative amendments in the future, for 2 contractors not submitting certificates or not 3 conducting annual inspections or failure to report any 4 defects, we're going to increase the level of penalty by 5 five times or even 10 times or even jail. 6 As for the overall improvement, the property 7 management companies will be made the party responsible. 8 Regarding the qualifications of contractors, we are 9 going to update these requirements in order to decide on 10 the renewal system. That is, within three to five 11 years, they have to apply for renewal once. The 12 criteria include whether they have been prosecuted by 13 the FSD or whether they score very high scores, and we 14 consider this basket of factors. So we will not allow 15 underperforming contractors to apply for renewal. 16 MR VICTOR DAWES: Regarding what recommendations to put 17 forward, I'm going to ask you some more. 18 In your first witness statement paragraph 7, 19 WS1/150, you said that after the fire you inspected 20 a total of 256 buildings, 38 of which were found with 21 defects, warranting further investigation and follow-up 22 action. Among these 256 buildings, I mean, this is 23 quite a large number. Are these buildings undergoing 24 large-scale renovation works or just part of them? 25 MR YEUNG YAN KIN: Part of them. This is the figure when</p>	<p>1 Having drawn reference from the Wang Fuk Court fire, if 2 buildings nearby have scaffolding nets, in the 3 contingency plan they need to detail how the fire will 4 be handled in the case of any spread. So this is our 5 existing practice for buildings with scaffolding net. 6 MR VICTOR DAWES: Just now you referred to nylon scaffolding 7 nets. What do you mean by that? 8 MR YEUNG YAN KIN: The BD will inform the FSD at once. 9 Every two weeks they provide updates. They submit the 10 number of buildings with scaffolding nets to the FSD. 11 MR VICTOR DAWES: You inspected 256 buildings. 12 MR YEUNG YAN KIN: At present, 600 or so. I can supplement 13 figures later on. At present, about 600 or so. 14 MR VICTOR DAWES: And you're going to continue with this 15 work; is that correct? 16 MR YEUNG YAN KIN: Yes. 17 MR VICTOR DAWES: Regarding the latest figure, we're going 18 to get it from the FSD later on. I'd like to explore 19 the shutdown of the fire service installations. This 20 has created an important or a serious problem. 21 In your first witness statement in paragraph 24.1, 22 you refer to improving the relevant measure from 23 notification to a proactive approval mechanism. 24 Mr Keung has mentioned this. Can you tell us the 25 progress and what measures you're going to introduce?</p>
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<p>1 I provided the witness statement. This is a rolling 2 figure. 3 MR VICTOR DAWES: The figure has actually increased? 4 MR YEUNG YAN KIN: Yes. We have already established 5 a mechanism with the BD. There are more and more 6 buildings with scaffolding nets. The BD and the Housing 7 Department hold regular meetings with us. Every two 8 weeks they have to provide us with information on 9 buildings with scaffolding nets. 10 What we are doing is that for the buildings with 11 scaffolding nets, whenever there is any shutdown, which 12 inform the BD or the Housing Department at once. We 13 will not allow any works to continue because of the 14 shutdown of the fire service system. There were five 15 buildings having this situation and we already ordered 16 works to be stopped. 17 There are two main directions. One, as an extension 18 of this scheme, our colleagues conduct inspections on 19 the fire service installations and the operations team 20 carry out inspections on not just the fire service 21 installation, fire hazards, hidden fire hazards, 22 obstacles to fire-rated doors and so on. 23 A contingency plan is also formulated by the 24 operational team. New elements are included, including 25 the configuration and the operation of the fire systems.</p>	<p>1 MR YEUNG YAN KIN: There are two main parts to it. On 2 legislative amendments, we are already drafting 3 legislative amendments. In early May, we're going to 4 conduct consultation at the Legislative Council. We 5 want to introduce provisions to mandate approval instead 6 of just notification in relation to any shutdown of the 7 fire service system. We will check whether there is any 8 need to shut down the fire service system concerned and 9 we will also see whether any facilities or equipment has 10 been put in place in the interim, that is, replacement 11 measures. 12 We want to close the loopholes. If need be, the 13 shutdown notices -- well, the works need to be completed 14 within 60 days. Otherwise, we will issue FHAN. 15 MR VICTOR DAWES: After the submission of the SDN, 16 colleagues conduct inspections to check the situation. 17 In this fire, we identified a situation: the fire 18 hydrant and the hose reel system was shut down. 19 Colleagues check for replacement or alternative measures 20 such as fire extinguishers. Colleagues, however, might 21 not check why the system was shut down. Is the reason 22 really the one reported by the contractor, or did they 23 check any other systems? If they had checked the fire 24 alarm system, probably the end result would have been 25 different this time. I'd like to ask about your</p>

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1 position and the way forward.

2 MR YEUNG YAN KIN: First of all, regarding what happened,

3 perhaps assistant director Mr Keung already talked about

4 the policy matters. Colleagues checked the alternative

5 measures and need to verify the shutdown reported by

6 contractors. We, however, have identified a loophole.

7 Regarding the new practice of SDNs, colleagues need to

8 conduct inspections to check for alternate measures. At

9 the same time, colleagues will also need to check two

10 systems. One, the fire hydrant/hose reel system; and,

11 two, the break-glass unit. That is the power of the BGU

12 as well as the situation of the fire service tank. This

13 practice has already started.

14 MR VICTOR DAWES: When you check other measures, something

15 you will identify is the reported status and the real

16 status. You will identify any difference. For the 256

17 cases, as mentioned in the witness statement, can you

18 tell us further, you said 15 per cent of the buildings

19 were found to have defects in the fire service

20 installations. In these cases, is it true that most

21 contractors did not report such matters or was there

22 inaccurate reports?

23 MR YEUNG YAN KIN: This has to do with our faith in

24 contractors.

25 MR VICTOR DAWES: Can you tell us more?

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1 MR YEUNG YAN KIN: In some cases when we went to the site,

2 our checks revealed this. In some cases, however, they

3 had already reported these matters. We have taken law

4 enforcement actions afterwards.

5 MR VICTOR DAWES: So it is not the case that in 15 per cent

6 of the cases they didn't know about the matter at all?

7 MR YEUNG YAN KIN: No, that is not the case.

8 MR VICTOR DAWES: It is just that in these 15 per cent of

9 the cases, there were some issues with the system, some

10 didn't report the matter, and for some reports there

11 were inaccuracies?

12 MR YEUNG YAN KIN: Correct.

13 MR VICTOR DAWES: Regarding the time of the shutdown of the

14 system, that is the duration of the downtime, the reason

15 for slow law enforcement actions is that you needed to

16 handle other matters. For some buildings, no fire

17 service contractors were dealing with the buildings

18 where the fire service system was shut down. Some

19 contractors were fired but then no one was handling

20 these buildings; that was the focus of the law

21 enforcement actions. If I understand correctly, that is

22 due to a lack of resources; is that correct?

23 MR YEUNG YAN KIN: As you mentioned, in the past, resources

24 were focused on those that failed to conduct any annual

25 inspection. If they failed to conduct annual

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1 inspections, probably the systems wouldn't be effective.

2 That's why we devoted a lot of resources to this area.

3 In 2023, we conducted inspections on targeted

4 buildings scattered across the 18 districts. We

5 conducted about 400 inspections, inspections on 400

6 buildings, and about 22 per cent did not conduct any

7 annual inspections. In 2025 we found 1,500-plus

8 buildings did not conduct annual inspections.

9 MR VICTOR DAWES: Mr Keung said that every 14 days an SDN

10 needed to be applied for or submitted, but in many cases

11 they needed to apply for renewal because within 14 days

12 they could not complete the works, hence apply for

13 renewal or extension. That will lead to another problem

14 when you need to apply for extension every time

15 you could not finish the works within 14 days. What is

16 your thought on this?

17 MR YEUNG YAN KIN: Well, I believe there is a need to apply

18 for extension after 14 days. As Mr Dawes mentioned,

19 there's concern that out of some reasons the fire

20 service contractors did not conduct the annual

21 inspection for them. In this case, no one is regulating

22 the building, so we would rather conduct inspections

23 more frequently. We need to make sure someone is

24 regulating the buildings. Within one year, we

25 prosecuted over 1,000 buildings which did not conduct

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1 annual inspections; there was no contractor.

2 MR VICTOR DAWES: Well, it wasn't surprising to see that the

3 works would continue for one year, and that is the

4 reason why extension needs to be applied for. What is

5 your view on this?

6 MR YEUNG YAN KIN: Regarding fire service tank or water

7 tanks, OC needs to hold meetings and they need time to

8 approve the tenders. For the duration of works on

9 tenders, works on water tanks, 14 days is a safer

10 method. It's not about making report. We use an

11 approval-based mechanism. We ask more about you, "What

12 is the progress of the works? Can you provide proof of

13 your works?" So we would adopt the approach "better

14 safe than sorry".

15 MR VICTOR DAWES: Probably you can provide more information

16 about the handling of 999 calls on the day of the fire.

17 Obviously when you look back, in the handling of

18 large-scale events, the 30 lines of the FSCC are not

19 sufficient. I believe you agree. That is why you have

20 added additional lines afterwards.

21 As mentioned, in the fire at Garley Building we had

22 the same situation. At that time, the societal

23 environment was different and the scale is incomparable

24 to this one. 30 999 calls were received within

25 20 minutes. When we look back at this figure, it is not

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1 really a large one, but at that time the Independent
 2 Committee made a suggestion. I'd like to see if you
 3 have anything to add. Please refer to A4/229.
 4 At the time it was made very clear that:
 5 "FSD and the Police should increase the number of
 6 direct lines between the 999 Regional Command and
 7 Control Centre of the Police and the Fire Services
 8 Communication Centre ... and work together to design
 9 appropriate questions for Police Communications Officers
 10 to ask callers reporting a fire."
 11 So at the time there were only six lines and now
 12 it's been increased to 30. What we are aware of, in the
 13 course of conducting the evidential hearing, the
 14 Secretary for Security also said at the special FC
 15 meeting that you would be introducing the 4th generation
 16 system and the number of lines would be increased to 100
 17 by the FSD. We have also seen the paper submitted by
 18 the FSD. In fact, the FSD, that is you, back in 2017
 19 you already proposed to introduce the 4th generation
 20 system and you proposed that that be completed by 2022
 21 and you estimated that the 3rd generation would already
 22 be towards the end of its serviceable life.
 23 But then, apparently, the expectation didn't come
 24 through at the time, so I'd like to put it to you again.
 25 That is, according to your understanding, why did that

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1 happen? I believe that the FSD would not have felt that
 2 with more resources or completing the system faster
 3 would be something bad; right?
 4 MR YEUNG YAN KIN: Coming back to the development of the
 5 4th generation system, in between we encountered the
 6 pandemic and there were also the black riots and the
 7 contractors also delayed the delivery of some of the
 8 products and supplies and in fact there were some
 9 24 subsystems. We are now in the stage of testing and
 10 training, and in between we have also spent a lot of
 11 time to urge the contractors to complete their work.
 12 I fully agree that the earlier that the system can be
 13 commissioned, the better.
 14 MR VICTOR DAWES: Another pain point is that when we look at
 15 the records, that is from 999 call centre to the FSD,
 16 it's about the transition. So you have heard what was
 17 said at the evidential hearing. There was the
 18 duplication of information and there was also the cutoff
 19 of the line and so on. Would the new system be able to
 20 resolve these problems or can you explain a bit more
 21 about that new system?
 22 MR YEUNG YAN KIN: Well, in terms of duplication of
 23 questions and also the cutting off of the lines and so
 24 on, some of these might have to do with communication
 25 problems and we will be working with the police in

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1 detail as to how we will be making sure that there would
 2 be no need to repeat the questions. So that's something
 3 that we are working on.
 4 MR VICTOR DAWES: Also it's about resources and technology.
 5 We can see that a few days ago Mr Wong Sze Lut, your
 6 colleague, gave evidence, and according to him the FSD
 7 did not see the operator's CMS cases, so that's the
 8 assistance call records. So you have used the FSD
 9 messenger to capture a picture of that. I asked him,
 10 that would appear if you look at the records on the day,
 11 so it's like receiving 600 pictures in one go.
 12 So a logical question would follow, that is, where
 13 there is a major incident, it's very difficult for them
 14 to look at all the pictures in one go. Therefore, is
 15 there something that can be done between your frontline
 16 staff and the FSD; is there any room for enhancement?
 17 Because apparently, for the firefighters, the
 18 communication has caused some problems.
 19 MR YEUNG YAN KIN: So you're referring to the system, are
 20 you referring to the new symptom or the old system?
 21 MR VICTOR DAWES: Well, the new system.
 22 MR YEUNG YAN KIN: We would be able to deal with these
 23 issues because in the new system we have this thing
 24 called a portable device or the PD, and every commander
 25 will have access to that, so they would be holding this.

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1 It's a handheld device and right away such messages can
 2 be transmitted to them.
 3 MR VICTOR DAWES: So that would be done by way of a
 4 hardware. And of course for the details, we haven't
 5 seen the system, and therefore we are not in a position
 6 to deal with that.
 7 Another pain point was that there were 300
 8 duplication cases and inevitably that would waste the
 9 time of some of the staff members and, as a result of
 10 that, they would not have further room to deal with
 11 other cases. So in terms of the enhancement of the
 12 system, can something be done about it?
 13 MR YEUNG YAN KIN: Yes, we've been looking into it. But
 14 then we would also have to be careful because for
 15 repeated calls, they might be repeating the address or
 16 there might be different people reporting the address,
 17 and if we haphazardly use AI to screen them out, then
 18 the consequence might be -- the risk assessment is that
 19 you might have thought that it's a repeated address or
 20 a repeated call, and if you screen that out, then some
 21 people who might be needing help might be screened out.
 22 We will see if we can use AI to do the job, but then
 23 we will have to be very careful, I believe.
 24 MR VICTOR DAWES: Okay, chairman, I'll be moving on to other
 25 areas and I don't expect to take a long time in the

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<p>1 afternoon, but then we can make use of lunch time to see</p> <p>2 what other issues we'd like to take up with the</p> <p>3 director.</p> <p>4 THE HON MR JUSTICE DAVID LOK: Okay. So we will be back</p> <p>5 here. We will continue or resume at 2.15.</p> <p>6 (12.45 pm)</p> <p>7 (The luncheon adjournment)</p> <p>8 (2.15 pm)</p> <p>9 THE HON MR JUSTICE DAVID LOK: Please continue, Mr Dawes.</p> <p>10 MR VICTOR DAWES: Director, I'd like to ask you about two</p> <p>11 areas, which won't take too much of your time. First,</p> <p>12 your frontline officers have saved a lot of people and</p> <p>13 they successfully put out the fire. Their efforts have</p> <p>14 been greatly appreciated by residents. Messages have</p> <p>15 been sent to representatives. I do thank you.</p> <p>16 But indeed, I'm sure you understand that there are</p> <p>17 residents making complaints on construction site safety,</p> <p>18 FSIs, fire safety, and these complaints have not been</p> <p>19 properly addressed. These issues are related to the</p> <p>20 incident, and so far residents are still unhappy about</p> <p>21 a number of departments.</p> <p>22 Mr Yip Ka Kui, he has testified. His wife died in</p> <p>23 the fire. In relation to the department's approaches</p> <p>24 and the failure of performance of duties by these</p> <p>25 departments is something that Mr Yip found very unhappy.</p>	<p>1 will not have the expertise that your colleagues will</p> <p>2 have. Do you agree with that?</p> <p>3 MR YEUNG YAN KIN: Yes.</p> <p>4 MR VICTOR DAWES: Regarding the design of the legislation,</p> <p>5 let us take a look at 54(1). In 1971 the then Director</p> <p>6 of Labour in the Legislative Council said so. The</p> <p>7 Commissioner for Labour said:</p> <p>8 "Independently, the Director of Fire Services is</p> <p>9 empowered, under the Fire Services Ordinance and the</p> <p>10 Dangerous Goods Ordinance, to take action to abate fire</p> <p>11 hazards in respect of any premises and such action can</p> <p>12 be taken and is taken by him against factories. In the</p> <p>13 ordinary way, officers of the Labour Department and the</p> <p>14 Fire Services Department keep each other informed of</p> <p>15 action taken. That there are two separate enforcing</p> <p>16 agencies keeping an eye on the constantly changing</p> <p>17 conditions in factories in domestic and commercial</p> <p>18 buildings is welcomed by me."</p> <p>19 Of course the nature of the venue is different, but</p> <p>20 it seems that regarding the design of the legislation,</p> <p>21 there are two departments. Over one single policy</p> <p>22 portfolio, there were different departments overseeing</p> <p>23 one single portfolio. In other words, between</p> <p>24 departments, communication is vital.</p> <p>25 I believe you agree with me, as you said this</p>
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<p>1 I'm sure you understand -- is something to do with the</p> <p>2 correct understanding of department of the legislation.</p> <p>3 That applies to before the fire and in the review after</p> <p>4 the fire.</p> <p>5 So I'd like to ask you if our understanding is</p> <p>6 correct. It seems that in certain areas, different</p> <p>7 departments have a role to play. Citing the case this</p> <p>8 morning in A5, let's refer to paragraph 52. Here it</p> <p>9 says:</p> <p>10 "The FSO and the FS(FHA)R and the other legislations</p> <p>11 do not contain anything which suggests that fire safety</p> <p>12 regulations touching upon building works or anything</p> <p>13 beyond fire installation and equipment are within the</p> <p>14 exclusive purview of the DB. The fact that a matter</p> <p>15 covered by the FSO may also be regulated by the BD or</p> <p>16 another authority from other perspectives does not</p> <p>17 prevent the director from exercising its powers under</p> <p>18 the FSO from the perspective of fire safety. From a</p> <p>19 fire safety perspective, the BD simply does not possess</p> <p>20 the requisite expertise to determine, for example, what</p> <p>21 would 'materially hamper the FSD in the discharge of its</p> <p>22 duties in the event of fire' or other forms of fire</p> <p>23 hazards."</p> <p>24 If we look at the details, it seems that when it</p> <p>25 comes to certain areas relating to fire safety, they</p>	<p>1 morning.</p> <p>2 I'd like you to help us. Before the fire, regarding</p> <p>3 access openings and foam boards, we have already</p> <p>4 confirmed that both the BD and the FSD have the</p> <p>5 authority or the power to handle these matters. You</p> <p>6 have already confirmed about it this morning.</p> <p>7 MR YEUNG YAN KIN: Yes.</p> <p>8 MR VICTOR DAWES: You also confirmed that you can issue FHAN</p> <p>9 notices where appropriate. But we understand that,</p> <p>10 based on your evidence, before the issuance of FHAN, you</p> <p>11 need to talk to the BD and ask the BD how can we do so.</p> <p>12 But it doesn't mean you should not or you cannot issue</p> <p>13 FHAN; is that correct?</p> <p>14 MR YEUNG YAN KIN: Put it this way. For the portfolio that</p> <p>15 has to do with the BD, you said should this be done or</p> <p>16 are there any alternatives. This will affect our</p> <p>17 issuance of the FHAN action. This is a sequential</p> <p>18 relationship. We cannot out of nowhere send or issue a</p> <p>19 FHAN notice. We must talk to the BD first.</p> <p>20 MR VICTOR DAWES: Understood. You set it out very clearly.</p> <p>21 That is how can we make them comply with your</p> <p>22 requirements as well as the requirements of the BD. To</p> <p>23 put is colloquially, you need to get it done, you need</p> <p>24 to talk to BD to get this done, sort it out yourself.</p> <p>25 MR YEUNG YAN KIN: Yes, correct. BD colleagues do not have</p>

Page 85	<p>1 knowledge of the difficulties firefighters encounter in 2 firefighting operations. We will provide our views to 3 the BD and then they will consolidate the views to 4 decide on the best course of action forward. 5 MR VICTOR DAWES: Am I correct in saying this is not within 6 your terms of reference, but in handling or in 7 considering how to handle these matters, it is not just 8 your responsibility, you need to work with other 9 departments? Can I put it this way? 10 MR YEUNG YAN KIN: Yes. In the case of mini-storage, 11 overall fire safety responsibility doesn't rest on one 12 single department, it has to do with the coordination 13 and complementarity among different government 14 departments. As I said, probably we don't have good 15 knowledge about structural matters concerning the 16 windows. 17 However, the BD doesn't know in the case of fire 18 whether there is any impact on firefighting if there was 19 a compliant window. 20 MR VICTOR DAWES: So based on what was said just now, if we 21 have more than one department keeping on eye on the 22 situation, put it this way, it is the shared 23 responsibility of two departments together; is that 24 correct? 25 MR YEUNG YAN KIN: Mmm.</p>	Page 87
Page 86	<p>1 MR VICTOR DAWES: Regarding the division of labour, let's 2 use the examples of access openings and foam boards. Am 3 I correct in saying, whether before or after the fire, 4 departments should not just refer the cases, you should 5 follow up on the matter yourself? 6 MR YEUNG YAN KIN: Well, before the fire we didn't see any 7 access openings. That is why there were no referrals. 8 After the fire, we felt that referrals alone are not 9 sufficient. 10 MR VICTOR DAWES: What about foam boards? 11 MR YEUNG YAN KIN: Regarding foam boards, correct me if I'm 12 wrong, I'm not sure if it's correct to say so, foam 13 boards are similar to windows because there are existing 14 regulations of the BD. There are non-fire-retardant 15 foam boards. Probably we need to take a consolidated 16 view of the matter. It's not just about fire 17 retardancy. There are also concerns over light 18 filtration as well. That's why we need to complement 19 each other. 20 MR VICTOR DAWES: As you said, there are fire hazards and 21 other departments may not be as familiar with fire risks 22 and hazards as you are. For example, for building 23 inspections, they cannot replace you. Building 24 structure, passive fire service installations, what you 25 see or what you find may not be found by other</p>	Page 88
Page 85	<p>1 departments because the FSD is an expert in this area. 2 Can I put it this way? 3 MR YEUNG YAN KIN: Well, both departments have their own 4 respective expertise. 5 MR VICTOR DAWES: I understand. 6 MR YEUNG YAN KIN: Regarding the design of passive FSIs, we 7 have standard requirements, we don't know much about 8 passive fire service installations. That is why we each 9 have our own expertise in analysing fire safety for 10 buildings. 11 However, we do take into account other matters. 12 MR VICTOR DAWES: In general, foam boards are not within 13 your terms of reference. It's not accurate to explain 14 the situation; is that correct? Do you agree? 15 MR YEUNG YAN KIN: Agree. 16 MR VICTOR DAWES: Let's go back to the questions asked 17 before. It probably has to do with resources: FS251, 18 shutdown notices, inspections, law enforcement, all 19 these are related to resources. When there are more 20 resources, of course you could have done better at your 21 work; is that correct? 22 MR YEUNG YAN KIN: Yes. 23 MR VICTOR DAWES: Under section 7 of the FSO the gatekeeping 24 function of the FSD, after all, it is the FSD that is 25 responsible for fire safety. You may have to consult</p>	Page 88
Page 86	<p>1 other departments. But the ultimate responsibility of 2 fire safety rests with the FSD; is that correct? 3 MR YEUNG YAN KIN: Correct. 4 MR VICTOR DAWES: I believe you'll agree with me: after 5 consultation with other departments concerning how to 6 take law enforcement actions and remove the fire 7 hazards, it is your responsibility; is that correct? 8 MR YEUNG YAN KIN: Yes. 9 MR VICTOR DAWES: Thank you, Director. 10 MR SOLOMON LAM: Chairman, Victory Fire has some questions 11 for the director. 12 Examination by MR SOLOMON LAM 13 MR SOLOMON LAM: Director, I'd like to draw your attention 14 to some new measures in mid-2026. In your first witness 15 statement, page 154, paragraph 16, it's "Medium-term 16 measures". In mid-2026 there are some measures. Just 17 now we talked about inspecting buildings undergoing 18 large-scale maintenance works. There are some other new 19 measures implemented by the FSD. In the fifth sentence, 20 bracket (i), it's about the receipt of any notification 21 of defective FAS or fire hydrant and hose reel systems, 22 the FSD will take two actions. You will conduct 23 inspections, you will conduct a functional test? 24 MR YEUNG YAN KIN: Yes. 25 MR SOLOMON LAM: The main point is in the last two</p>	Page 88

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1 sentences. You will have to check whether the fire
 2 alarm system will function normally. This is a new
 3 measure; is that correct?
 4 MR YEUNG YAN KIN: Yes.
 5 MR SOLOMON LAM: Is the purpose of these new measures -- or
 6 one of the purposes when the SDN is submitted, we need
 7 to check whether the other fire alarm system is
 8 affected? Is that true?
 9 MR YEUNG YAN KIN: Not under this programme.
 10 MR SOLOMON LAM: But is it one of the considerations?
 11 MR YEUNG YAN KIN: Well, as you can see, among the 1,500
 12 residential buildings, we have selected these buildings
 13 in a short span of time. We couldn't cover all
 14 buildings in Hong Kong. We have selected 1,500
 15 residential buildings constructed in or before 1987. We
 16 aim to test their fire alarms.
 17 Regarding SDNs, when we receive SDNs, what is our
 18 current progress, that is another programme. For this
 19 pilot programme about 1,500 residential buildings we
 20 finished in two months. Now we are working on 5,000
 21 buildings. We are going to test the fire alarm in these
 22 buildings. There were reports saying that after the
 23 SDN, the system had resumed normal and we are checking
 24 these buildings.
 25 MR SOLOMON LAM: When you receive notification of shutdown

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1 or fire hydrant/hose reel systems, when a registered FSI
 2 contractor has submitted the SDN to shut down the fire
 3 safety system, you will take the initiative to check
 4 whether the fire alarm still functioned?
 5 MR YEUNG YAN KIN: Yes, we checked the fire alarm and the
 6 fire hydrant/hose reel system. We checked the power
 7 switch.
 8 MR SOLOMON LAM: Obviously after the fire in Wang Fuk Court
 9 you have implemented this new measure?
 10 MR YEUNG YAN KIN: Right.
 11 MR SOLOMON LAM: But before January 2026, the FSD relied on
 12 the submission of SDN by the contractors to let the FSD
 13 know whether one system or two systems are affected; is
 14 that correct?
 15 MR YEUNG YAN KIN: Mmm.
 16 MR SOLOMON LAM: Just now we talked about large-scale
 17 maintenance works, and under such works, unit owners
 18 will engage a main contractor, under which there is a
 19 registered fire service installation contractor. There
 20 are also annual inspections, remedial works, there is a
 21 contractor responsible for these areas. In other words,
 22 there is more than one registered FSI contractor; is
 23 that correct?
 24 MR YEUNG YAN KIN: Well, put it this way. For the
 25 contractor responsible for annual inspections, when the

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1 inspection is done, then the contractor has completed
 2 the work, completed the contract. Regarding large-scale
 3 renovation works, will they engage a main contractor or
 4 registered contractor to oversee the work? It may not
 5 be like this in every case.
 6 MR SOLOMON LAM: So in a large-scale renovation works there
 7 is more than one, maybe two main contractors overseeing
 8 work in an estate; is that correct?
 9 MR YEUNG YAN KIN: Yes, possible.
 10 MR SOLOMON LAM: Regarding the new measure, you do not rely
 11 on the contractor which submits the SDN. The FSD will
 12 take the initiative to check whether the submission of
 13 the SDN is right and how many systems will be affected.
 14 MR YEUNG YAN KIN: Well, put it this way, upon the
 15 submission of SDNs, we need to make sure whether there
 16 is indeed a need to submit the SDN.
 17 MR SOLOMON LAM: It's been conducted?
 18 MR YEUNG YAN KIN: Yes.
 19 MR SOLOMON LAM: Is it a new measure?
 20 MR YEUNG YAN KIN: Yes.
 21 MR SOLOMON LAM: The new measure is that you take the
 22 initiative to verify whether there is a need to do so
 23 and whether the correct measures have been done.
 24 Before 2026, the FSD did not request a registered
 25 FSI contractor, say, one that is responsible for

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1 remedial works, to monitor the main contractor, whether
 2 the submission of the SDN is correct whether the
 3 shutdown of the system is correct, there's no such
 4 request; is that correct?
 5 MR YEUNG YAN KIN: We request -- when there's any defect in
 6 the building fire alarm system, then this needs to be
 7 reported to the FSD.
 8 MR SOLOMON LAM: The FSD hasn't thought about relying on a
 9 contractor responsible for remedial works to inform the
 10 FSD of whether the main or registered FSI contractor has
 11 submitted SDN properly.
 12 MR YEUNG YAN KIN: I have to get your question correct
 13 first. One registered FSI contractor doesn't know the
 14 contents of the SDN submitted by another contract during
 15 the large-scale renovation works. When there is an
 16 issue with the fire alarm system, then this needs to be
 17 reported to the FSD. This is the responsibility of the
 18 contractor.
 19 MR SOLOMON LAM: My last question. When there are or more
 20 than two registered FSI contractors working in the same
 21 estate in the same building before the year 2026, there
 22 wasn't any coordination mechanism to allow two
 23 contractors or more than two contractors to know what
 24 each other is doing; is that correct?
 25 MR YEUNG YAN KIN: Well, it is the professional

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1 responsibility to relay what they have identified in the
 2 fire alarm system, any issue with the fire alarm system.
 3 THE HON MR JUSTICE DAVID LOK: Any questions?
 4 Examination by MR CEDRIC YEUNG
 5 MR CEDRIC YEUNG: I represent ISS EastPoint. I have
 6 questions on one area. Please refer to your witness
 7 statement, paragraph 10, page 151.
 8 Let's start here. After the fire, you have talked
 9 to representatives of the property management sector.
 10 Please take a look at these lines.
 11 Towards the end of the paragraph, on the right there
 12 is a reference. That is a circular on the PMSA, issued
 13 on 10 December 2025. You have drawn reference from this
 14 circular so you should have already read this circular.
 15 Maybe we can put it up on the screen. It's in bundle
 16 B2, page 1333. It's this circular, the one on screen.
 17 Have you read this circular?
 18 MR YEUNG YAN KIN: Correct.
 19 MR CEDRIC YEUNG: You deliberated with the PMSA, and
 20 afterwards this circular was issued. In paragraph
 21 number 1, under the professional help of the FSD, the
 22 PMSA sent this circular to remind you. So in other
 23 words, this circular was issued after deliberation
 24 between the PMSA and the FSD. So the FSD should agree
 25 to the contents in this circular; is that right?

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1 MR YEUNG YAN KIN: It should be this case.
 2 MR CEDRIC YEUNG: I have questions about this circular and
 3 I'd like to ask the director.
 4 Part 2. At that time, the PMSA hopes that different
 5 property management companies will review and show
 6 concern over whether the registered FSI contractors have
 7 conducted inspections, maintenance and checks.
 8 Management companies are requested to work on different
 9 items. That is the three items listed in the circular.
 10 In case of any abnormality or defects, the registered
 11 FSI contractor should be informed, and the owners'
 12 association should also be informed.
 13 So the circular requests property management
 14 companies to conduct checks on fire service
 15 installations.
 16 MR YEUNG YAN KIN: Can you explain a bit further about
 17 inspections?
 18 MR CEDRIC YEUNG: The three points set out here. So you
 19 will have to confirm that the fire alarm system is
 20 working and also the break-glass point is functioning
 21 properly and also the power source for the FSIs, that
 22 there would be sufficient supply of power, and the
 23 backup supply is also functioning properly and also the
 24 fire service control board signals are working properly.
 25 MR YEUNG YAN KIN: So I would interpret that as something

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1 that you can inspect visually.
 2 MR CEDRIC YEUNG: So it's visual inspection, might not be
 3 able to find that out.
 4 MR YEUNG YAN KIN: Whether or not the break-glass point is
 5 functioning properly, all you need do is press it.
 6 Because repairing the fire alarm and the FSIs, those
 7 will have to be carried out by registered contractors,
 8 and therefore we would not ask PMCs to do what you
 9 describe as the inspection.
 10 In fact, it's just by way of visual inspection. For
 11 example, if the glass is broken, then you will have to
 12 ask the relevant parties to repair it.
 13 And also for the power supply, on 6 January, in the
 14 circular we have already set out that basically the PMC
 15 will have to check the seal. And then for the control
 16 panel, they may not be located in the pump room. So,
 17 very often they would be located in the security room so
 18 they would be seeing the lights, whether or not they are
 19 on or whether or not they are not working because the
 20 lights are dimmed. And therefore, they would be able to
 21 do so in their day-to-day work.
 22 MR CEDRIC YEUNG: Because we do have some doubts about them
 23 because by looking at this guideline, it's kind of
 24 ambiguous because what are the PMCs supposed to do?
 25 Because, as you just said, under paragraph 7, under Cap

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1 95B, it says that for non-registered FSI contractors,
 2 they would not be permitted to carry out such works.
 3 But what are you saying is that these are just visual
 4 inspections and therefore they do not need to touch such
 5 FSIs at all; right?
 6 MR YEUNG YAN KIN: Correct.
 7 MR CEDRIC YEUNG: Let me clarify further. Because if you
 8 look at part 3 of the circular, there are also things
 9 relating to inspections, so this is part 3 and point 2
 10 is about regular inspection and maintenance.
 11 So other than relying on the registered fire service
 12 installation contractors, licensed PMCs would also have
 13 to conduct regular inspections on the interior and also
 14 there should be regular inspection of the FSIs' outward
 15 appearance and also the functionality of these
 16 installations and so on.
 17 With regard to inspection of the appearance of these
 18 FSIs and also whether or not they are functioning
 19 properly, they are just visual inspections, they do not
 20 need to conduct detailed inspection of the functionality
 21 of these installations; right?
 22 MR YEUNG YAN KIN: Correct.
 23 MR CEDRIC YEUNG: And then for the PMCs carrying out
 24 inspections, there are not that many. All they can do
 25 is to carry out visual inspection; is that right? Other

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<p>1 than visual inspection.</p> <p>2 MR YEUNG YAN KIN: Well, in simple terms, I can also talk</p> <p>3 about the situations, because you may not be able to</p> <p>4 quantify the whole thing. For example, in simple terms,</p> <p>5 if you see that the panel has this fault light on, if</p> <p>6 you just ignore it, then the pumps might be</p> <p>7 malfunctioning.</p> <p>8 They might not be aware, but as soon as they can see</p> <p>9 the fault lights are on, they can alert the FSD to deal</p> <p>10 with it right away, and that would also avoid</p> <p>11 a situation of the system not working.</p> <p>12 So if they conduct inspection and if they just do</p> <p>13 visual inspection and if they can see the break-glass</p> <p>14 point is broken and if they just ignore it, but then as</p> <p>15 a professional property management personnel, they would</p> <p>16 know that it's not functioning and therefore they should</p> <p>17 have alerted the FSD.</p> <p>18 Thirdly, the reason why we want them to keep good</p> <p>19 records of the ins and outs of the pump room, because we</p> <p>20 don't want people other than those responsible for</p> <p>21 maintaining the pump system to go in and out. Not all</p> <p>22 housing estates are able to do that. If the PMCs can</p> <p>23 take one more step -- we are not asking them to deal</p> <p>24 with the FSI system because, as you just said, FSIs</p> <p>25 would have to be dealt with by RFSICs -- all they need</p>	<p>1 that is involved and more than one department that is</p> <p>2 involved, and therefore different departments and</p> <p>3 parties would have to look at the situation and deal</p> <p>4 with them accordingly; right?</p> <p>5 I would think that you'd agree because sometimes</p> <p>6 more than one party or government department might be</p> <p>7 involved, yes?</p> <p>8 MR YEUNG YAN KIN: Yes.</p> <p>9 MR JENKIN SUEN: At the same time, on the other hand, if</p> <p>10 there is no division of labour whatsoever, there might</p> <p>11 not be merits to this because, looking at one single</p> <p>12 matter, if you have no idea as to which party is</p> <p>13 involved or which department is responsible for that,</p> <p>14 then that would be, as you said just now, in dealing</p> <p>15 with the matter, I think the division of labour is</p> <p>16 rather clear right now.</p> <p>17 MR YEUNG YAN KIN: Yes.</p> <p>18 MR JENKIN SUEN: So what I'd like to say to you is that of</p> <p>19 course this morning senior counsel Mr Dawes asked you</p> <p>20 certain questions and the wording he used was that in</p> <p>21 fact between the departments of course there needs to be</p> <p>22 communication and interaction and, when it comes to</p> <p>23 division of labour, it's not something very rigid.</p> <p>24 So it might not be appropriate to say it's rigidly</p> <p>25 defined and so on. But then, focusing on, say,</p>
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<p>1 to do is to discharge their duty by undertaking visual</p> <p>2 inspection. Whenever they spot any problem, then</p> <p>3 they should alert the contractors. Then we would be</p> <p>4 able to lower the fire hazards.</p> <p>5 MR CEDRIC YEUNG: So visual inspection might be able to</p> <p>6 identify some irregularities or malfunctioning and then</p> <p>7 all they need to do is to do so; right?</p> <p>8 MR YEUNG YAN KIN: Right.</p> <p>9 THE HON MR JUSTICE DAVID LOK: Next is Mr Suen representing</p> <p>10 the Government.</p> <p>11 Examination by MR JENKIN SUEN</p> <p>12 MR JENKIN SUEN: Good afternoon, Director. I have some</p> <p>13 questions that I'd like to take up with you.</p> <p>14 Just now I heard this morning that, for example,</p> <p>15 senior counsel Mr Dawes asked you questions relating to</p> <p>16 the FSD and just now we also heard that including the</p> <p>17 representatives from Victory and also the registered</p> <p>18 property management company also had some questions. So</p> <p>19 all the involved parties would have within their purview</p> <p>20 things that they had to deal with and there are things</p> <p>21 that they are responsible for; right? You would agree?</p> <p>22 MR YEUNG YAN KIN: Yes.</p> <p>23 MR JENKIN SUEN: Also senior counsel Mr Dawes also talked</p> <p>24 about the division of labour and also the purview and so</p> <p>25 on. Well, sometimes there might be more than one party</p>	<p>1 a building, say the use of materials and also the design</p> <p>2 under the relevant legislation or under the CoP, the</p> <p>3 code of practice, or even between different departments,</p> <p>4 there might have been some standard practice, for</p> <p>5 example, certain memos in dealing with matters. So</p> <p>6 focusing on certain matters, who should be the first to</p> <p>7 deal with such matters, I think there should have been a</p> <p>8 rather clear delineation of responsibilities; right?</p> <p>9 MR YEUNG YAN KIN: Yes, we have a three-tier structure in</p> <p>10 dealing with such matters.</p> <p>11 MR JENKIN SUEN: But then of course if that matter involves</p> <p>12 fire hazards, then the FSD would of course be concerned</p> <p>13 about this; right?</p> <p>14 MR YEUNG YAN KIN: Yes.</p> <p>15 MR JENKIN SUEN: And senior counsel Mr Dawes also clarified</p> <p>16 with you, that is, where necessary, the FSD would,</p> <p>17 number one, have the power to deal with that, including</p> <p>18 the issue of a fire hazard abatement notice, FHANs.</p> <p>19 MR YEUNG YAN KIN: Yes.</p> <p>20 MR JENKIN SUEN: But then if that matter has to do with the</p> <p>21 specification of certain materials and if the Buildings</p> <p>22 Department has already got very specific specifications,</p> <p>23 then in conjunction with the Buildings Department or the</p> <p>24 relevant department, you would be communicating with</p> <p>25 them to see which party would be enforcing the law?</p>

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<p>1 MR YEUNG YAN KIN: Yes.</p> <p>2 MR VICTOR DAWES: And of course the FSD would be providing</p> <p>3 assistance?</p> <p>4 MR YEUNG YAN KIN: Yes.</p> <p>5 MR JENKIN SUEN: Next I'd also like to take up with you</p> <p>6 about the shutdown notices, we call them SDNs. Senior</p> <p>7 counsel Mr Dawes, he also asked you about this, other</p> <p>8 involved parties also asked you about that.</p> <p>9 I'd like to find out with you, you said that there's</p> <p>10 already a new mechanism, you haven't changed the law</p> <p>11 yet, but those are administrative measures?</p> <p>12 MR YEUNG YAN KIN: Yes.</p> <p>13 MR JENKIN SUEN: By administrative measures, how would it be</p> <p>14 done? Is it by way of circulars and so on? How do you</p> <p>15 implement the administrative measures?</p> <p>16 MR YEUNG YAN KIN: After they have received the SDN, certain</p> <p>17 enquiries would be inserted and in every SDN they would</p> <p>18 have to explain why the system has to be shut down.</p> <p>19 Next, they would also be compelled. We have already</p> <p>20 notified the association that such SDNs would also have</p> <p>21 to be submitted within 14 days under 251, and every time</p> <p>22 when they ask for an extension, we would be able to find</p> <p>23 out the situation on the ground. We have already set</p> <p>24 the cap at 60 days right now, and if there is a need for</p> <p>25 works to be extended for whatever reason, we would be</p>	<p>1 Also in your witness statement paragraph 16, I think</p> <p>2 to make it more complete, can I refer you to your</p> <p>3 witness statement, I think it's paragraph 5. You first</p> <p>4 talk about a more immediate measure, that is, you have</p> <p>5 set up this quick response team, the QRT, to target FSIs</p> <p>6 so that this team will be able to conduct inspections</p> <p>7 promptly. So this is the immediate measure.</p> <p>8 Just now senior counsel Mr Dawes also asked you</p> <p>9 about paragraph 7. It's about certain buildings where</p> <p>10 you would conduct this inspection and you would also be</p> <p>11 looking at their FSIs, in particular, the FAS, the fire</p> <p>12 alarm system. You also shared a figure with us, by</p> <p>13 January, 256 buildings were inspected, and by now some</p> <p>14 600-plus buildings have already been inspected.</p> <p>15 Other than paragraph 7, just now Mr Lam also asked</p> <p>16 you about paragraph 16. I'd like to know, paragraph 16,</p> <p>17 is it about the inspection? Compared to the one in</p> <p>18 paragraph 7, it's not the same, so this is additional;</p> <p>19 right?</p> <p>20 MR YEUNG YAN KIN: Paragraph 7 would be buildings with</p> <p>21 scaffoldings, and then paragraph 16 may not be buildings</p> <p>22 with scaffolding.</p> <p>23 MR JENKIN SUEN: Okay. Point taken. So paragraph 7 would</p> <p>24 be buildings that are undergoing renovation and they</p> <p>25 might be covered by scaffolding nets, but then for</p>
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<p>1 issuing the fire hazard abatement notice for them to</p> <p>2 comply within a specified time.</p> <p>3 MR JENKIN SUEN: So that's the new measure. And when the</p> <p>4 law is amended in the future, as you said, there would</p> <p>5 be two things. First, you would have to know exactly</p> <p>6 the grounds for the shutdown, you would have to find out</p> <p>7 whether or not it's necessary to do so, and also the cap</p> <p>8 would be 60 days. If they exceed that limit, then you</p> <p>9 would be issuing the fire hazard abatement notice?</p> <p>10 MR YEUNG YAN KIN: Yes.</p> <p>11 MR JENKIN SUEN: Just now Mr Dawes also asked you about the</p> <p>12 14 days. Let's say after 60 days you could issue this</p> <p>13 FHAN, the fire hazard abatement notice, but before the</p> <p>14 expiry of the 60 days would you still have time to</p> <p>15 review the situation?</p> <p>16 MR YEUNG YAN KIN: Yes. Because they would have to ask for</p> <p>17 an extension every fortnight and before the expiry of</p> <p>18 the 60 days. 60 days would be the target. Even before</p> <p>19 the expiry of the 60 days, we would still be able to</p> <p>20 issue the FHAN to them.</p> <p>21 MR JENKIN SUEN: Okay. In your first witness statement you</p> <p>22 also set out a lot of the short-term/medium-term</p> <p>23 measures to improve the situation. Just now, earlier</p> <p>24 on, senior counsel Mr Dawes also asked those questions.</p> <p>25 I'm not going to repeat them.</p>	<p>1 paragraph 16 there may not be scaffold nets?</p> <p>2 MR YEUNG YAN KIN: Correct.</p> <p>3 MR JENKIN SUEN: So I'd like to find out one more thing from</p> <p>4 you. From paragraph 16 onwards, all the way to</p> <p>5 paragraph 19, because paragraph 19, you can assume that</p> <p>6 as a pilot scheme, that's the stage 1 scheme. Then in</p> <p>7 paragraph 19 you said that this practice is going to be</p> <p>8 rolled out to some 32,000 buildings throughout the</p> <p>9 territory. Can you tell us more about this?</p> <p>10 MR YEUNG YAN KIN: For the 32,000 buildings, that was set,</p> <p>11 and we would have to consider the resource implications,</p> <p>12 so we would be inspecting 5,000 buildings first.</p> <p>13 MR JENKIN SUEN: Yes, I understand, because 5,000 is already</p> <p>14 quite a substantial number.</p> <p>15 MR YEUNG YAN KIN: Yes.</p> <p>16 MR JENKIN SUEN: Can I now turn to another area. Yesterday</p> <p>17 deputy director Mr Chan, in giving evidence, he also</p> <p>18 indicated that the FSD, in assessing the units in</p> <p>19 Wang Fuk Court, the extent of damage done to the units,</p> <p>20 when they entered the units to observe the condition of</p> <p>21 the units, they did not consider the structural issues</p> <p>22 and, according to the relevant information, in fact, the</p> <p>23 FSD already assessed the 1,736 units and out of them 812</p> <p>24 were assessed to be not seriously damaged by the fire.</p> <p>25 For the 812 units, is it just from the angle of</p>

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<p>1 firefighting or an internal assessment by the FSD? You</p> <p>2 did not look at it from the structural perspective?</p> <p>3 MR YEUNG YAN KIN: Correct.</p> <p>4 MR JENKIN SUEN: And then you agreed with DD Mr Chan's</p> <p>5 assessment, that is, the FSD did this in assistance to</p> <p>6 the Independent Committee because you would be looking</p> <p>7 at the individual units to see if they have been</p> <p>8 seriously damaged. You are not really looking at the</p> <p>9 overall structural issue of the buildings; right?</p> <p>10 MR YEUNG YAN KIN: Correct.</p> <p>11 MR JENKIN SUEN: Thank you very much. I have no further</p> <p>12 questions.</p> <p>13 THE HON MR JUSTICE DAVID LOK: Any re-examination?</p> <p>14 MR VICTOR DAWES: No.</p> <p>15 THE HON MR JUSTICE DAVID LOK: Is Mr Yeung the last witness</p> <p>16 from the FSD?</p> <p>17 MR VICTOR DAWES: Yes, of course, director is a witness at</p> <p>18 this stage. In the medium stage we will have further</p> <p>19 witnesses from the FSD. At this stage, the director is</p> <p>20 the last witness from the FSD.</p> <p>21 Questioning by THE MEMBERS</p> <p>22 THE HON MR CHAN KIN-POR: Mr Yeung, I'd like to ask several</p> <p>23 questions that the public are concerned about. In</p> <p>24 Hong Kong we have many high-rises. We have high-rises</p> <p>25 up to 30, 40 storeys. They are concerned that when</p>	<p>1 are above 30 metres high and how long would it take for</p> <p>2 us to deal with the fire. On average, it takes</p> <p>3 19 minutes. If you look at fires taking place in</p> <p>4 buildings, whether they are high-rise, low-rise, on</p> <p>5 average it takes 24 minutes. Even if it breaks out on</p> <p>6 higher floors --</p> <p>7 THE HON MR CHAN KIN-POR: It would be even faster for you to</p> <p>8 put out the fire.</p> <p>9 MR YEUNG YAN KIN: Yes. So we have a special unit that</p> <p>10 would be looking at such operational statistics to</p> <p>11 analyse them so that we'd be able to be more efficient</p> <p>12 in putting out fires.</p> <p>13 THE HON MR CHAN KIN-POR: The second question is we do have</p> <p>14 a lot of light wells in buildings. For example, if we</p> <p>15 have eight units, then there would be a light well in</p> <p>16 the centre. When there is a fire, then there would be</p> <p>17 this chimney effect, as we all know. In the light</p> <p>18 wells, very often there would be accumulation of garbage</p> <p>19 and so on. So what would the FSD do in terms of public</p> <p>20 education and so on?</p> <p>21 MR YEUNG YAN KIN: In terms of education, we work with</p> <p>22 property management companies and regulators of</p> <p>23 maintenance of buildings. We have dealt with cases</p> <p>24 involving rubbish in the light well. We work with the</p> <p>25 district offices and the district fire safety committees</p>
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<p>1 there is fire at high-floor units, then the turntable</p> <p>2 ladders might not be able to assist them. Many people</p> <p>3 are indeed very worried because many people are living</p> <p>4 at high-rise buildings all the way up to 30-plus floors.</p> <p>5 So what's your take on this?</p> <p>6 MR YEUNG YAN KIN: After the Wang Fuk Court fire, we have</p> <p>7 set up a steering committee chaired by me and also the</p> <p>8 DD would also be coordinating with all the operation</p> <p>9 units to review our strategies on fighting high-rise</p> <p>10 fires. Also, including the command structure and also</p> <p>11 the firefighting strategies and tactics and so on, how</p> <p>12 we can make use of technology and equipment to fight</p> <p>13 fires and so on, that would be a continuous process to</p> <p>14 enhance our capabilities.</p> <p>15 With regard to the Wang Fuk Court fire, indeed it's</p> <p>16 an unprecedented calamity. On this occasion the fire is</p> <p>17 very different from other fires because it started from</p> <p>18 the facade and it spread to the interior. So what I can</p> <p>19 assure you is that for fires that take place at</p> <p>20 high-floor units, in approving the building plans, all</p> <p>21 these have been taken into account, for example,</p> <p>22 evacuation passages, escape routes and so on. So all</p> <p>23 these have been taken into account.</p> <p>24 I can also share with you some figures. In fact we</p> <p>25 have also compared -- we have also looked at units that</p>	<p>1 to handle rubbish accumulation in light wells.</p> <p>2 Sometimes, if it takes more than one department, we will</p> <p>3 ask the district office or the Home Affairs Department</p> <p>4 to help us.</p> <p>5 THE HON MR CHAN KIN-POR: Another question. I notice that</p> <p>6 the FSD are using non-electronic procedures. If</p> <p>7 electronic means is used, then it would be easier to</p> <p>8 identify potential fire hazards. In relation to your</p> <p>9 equipment, of course you would have to enhance your gear</p> <p>10 to enhance your capability to fight fire and to protect</p> <p>11 your colleagues, but the use of technology involves huge</p> <p>12 input of resources. Do you think you'll have</p> <p>13 difficulties in getting resources?</p> <p>14 MR YEUNG YAN KIN: Every year, when it comes to</p> <p>15 technological development, we ask for funding. We have</p> <p>16 not encountered any difficulties so far. We use</p> <p>17 dashboards to assess performances in, say, firefighting</p> <p>18 and rescue. We have about 90 dashboards overlooking</p> <p>19 different areas of our work.</p> <p>20 THE HON MR JUSTICE DAVID LOK: Any follow-up? No.</p> <p>21 Director, I'm not going to repeat what I said about</p> <p>22 the efforts made by your frontline officers. You are</p> <p>23 the 14th witness from the Fire Services Department. You</p> <p>24 have supplied us with a large volume of information and</p> <p>25 witness statements. The FSD has given us your full</p>

1 support. I thank you for that. I also thank Director
2 for attending the hearing in person to give us answers.
3 Thank you very much.
4 (The witness was released)
5 (3.02 pm)
6 MR VICTOR DAWES: We don't have any other witness for today.
7 Next week we have hearings on Monday and Thursday. We
8 have a very tight schedule next week. We have about
9 three to four witnesses a day.
10 THE HON MR JUSTICE DAVID LOK: We will adjourn to resume at
11 10 o'clock on Monday.
12 (3.03 pm)
13 (The hearing adjourned until 10.00 am
14 on Monday, 27 April 2026)
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