

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 30
Friday, 17 July 2026**

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

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

Mr Ross Yuen appeared on behalf of the Urban Renewal Authority

Representatives of Department of Justice

Representatives of Competition Commission

Mr Jeffrey Tam appeared on behalf of residents of Wang Fuk Court

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

Ms Denise Or appeared on behalf of the 12th Management Committee of the Incorporated Owners of Wang Fuk Court

Representatives of Victory Fire Engineering Limited

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1 Friday, 17 July 2026 2 (10.00 am) 3 THE HON MR JUSTICE DAVID LOK: Mr Dawes, Senior Counsel. 4 Closing submissions by MR VICTOR DAWES 5 MR VICTOR DAWES: Chairman/members, before I begin my final 6 submission, I'd like to raise two points here. We 7 represent the Independent Committee and we cover a wider 8 scope than other parties and that is why our written 9 submission contains more than 600 pages. It is 10 impossible to spend just a day to explain every area, so 11 do allow me to just go through certain points very 12 briefly. I hope everyone will understand that all 13 information and documents submitted to us by all parties 14 and members of the public have been carefully considered 15 by us. 16 In relation to the information provided by Wang Fuk 17 Court residents, we are unable to go through them in 18 great detail, but we are not neglecting their views and 19 their feelings. This is a rather long day. I suppose 20 I will use the whole day for the submission. 21 THE HON MR JUSTICE DAVID LOK: I want to say that I have 22 read your written submission and I'd like to speak on 23 several chapters. In relation to what happened before 24 the building maintenance works took place and what 25 happened at the site, as well as what happened on the	1 we must delineate responsibilities, remedy the situation 2 and implement remedial measures immediately. The 3 Committee is unable to recover lives lost, but it is 4 hoped that our investigation can offer explanation and 5 consolation to the public. 6 We've received evidence from over 70 witnesses, 7 including property management personnel, firefighters, 8 Government officials and representatives of statutory 9 bodies. On the cause of the fire, the Committee also 10 received a lot of submissions, including a report 11 prepared by the Inter-departmental Fire Investigation 12 Task Force and Prof Yuen's expert report, as well as 13 Prof Usmani and Prof Jiang Liming's expert report in 14 their capacity as experts for the Independent Committee. 15 I'm going to go through these reports in a moment. 16 I'd like to thank everyone who assisted the 17 Committee in its investigation, in particular the 18 residents who came out and spoke up. Those who are 19 still in grief, and there are also who blamed materials 20 during the hearing, it's never their fault that this 21 fire broke out. The Committee is able to investigate 22 into the truth of the fire because of their assistance. 23 They insisted in filing complaints before the fire, and 24 after the fire they insisted in coming out and speaking 25 up and give evidence.
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1 day of the fire, your submission contains a lot of 2 details. As many of these facts are undisputed, so on 3 the several matters that I mentioned in relation to the 4 chronology of the events, the cause of the fire, since 5 these are not disputed, they will help us in our report 6 because your chapters contain meticulous details and we 7 are going to adopt the description of facts in several 8 chapters of your written submission. 9 MR VICTOR DAWES: Yes. We will also go through them very 10 briefly today. So without further ado, I will begin. 11 As we all know, on 26 November 2025, a fire broke 12 out at Wang Fuk Court. It was one of the gravest 13 tragedies that have ever occurred in Hong Kong. Seven 14 months later, the scale of the disaster, the loss of 15 168 lives and the disruption of a neighbourhood that 16 thousands called home, it remains difficult to 17 comprehend. 18 In the past 20 days or so the Committee has received 19 evidence and we are still clear in our mind. For those 20 that lost their loved ones, for firemen who risked their 21 lives to rescue residents, as well as other residents 22 who brought in other residents in distress and in the 23 greatest need of help, we need to adopt a very serious 24 stance; we must prevent a repeat of such tragedies. 25 Of course there is expectation from the public that	1 There are those who declined to cooperate and they 2 set their face against an investigation that is so 3 demonstrably in the public interest, but it doesn't mean 4 that our hands are tied because of their uncooperation. 5 There is clear evidence arising from documents; they are 6 not capable of dispute in any serious manner. It would 7 be open for the Committee to draw adverse inferences 8 against them. In the Committee's final report, what 9 they have done will be clearly documented. 10 There are also those who have not testified in the 11 evidential hearings but they have provided written 12 testimony on request, including Ms Peggy Wong and Mr Mui 13 Siu Fung. 14 There is no evidence before the Independent 15 Committee that demonstrated they are involved in 16 bid-rigging. However, in terms of our criminal 17 liability of any individual, it is not within the scope 18 of the terms of reference of the Committee. How they 19 contest the evidence is clearly documented in their 20 written statements, and I will go through them again in 21 a moment. 22 I want to stress once again the role of the legal 23 team. In this investigation, the legal team does not 24 hold any preconceived stance. Our task is to present in 25 a systematic, fair and open manner all the evidence

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1 collected for consideration by the Independent 2 Committee. 3 We understand the views of the Independent Committee 4 on a number of important matters. I want to stress that 5 in relation to the final submission, all the views, 6 conclusions and recommendations are part of the 7 representation made by our legal team to the Independent 8 Committee to assist the Committee in preparing the 9 report in the future. So I'd like to explain to the 10 public that for the oral and written submissions of our 11 legal team, they do not represent the stance of the 12 Independent Committee. 13 Now I'd like to briefly go through our conclusions. 14 Taking into account all the evidence, I think apparently 15 the Wang Fuk Court fire was preventable but not 16 prevented. It was foreseeable but not foreseen. There 17 are numerous failings across the entire regime for 18 building renovation works. Each would have distinct 19 casual contribution to the rapid spread of the fire. As 20 for the role of different stakeholders, the contractors 21 led by Prestige Construction & Engineering Co knowingly 22 created a massive fire risk in breach of the regulations 23 by applying non-fire-retardant materials on the facade 24 of Wang Fuk Court. 25 In order to cut corners and save cost, they	1 All these matters should have been confronted by 2 Will Power Architects Co Ltd, Will Power, engaged by the 3 incorporated owners. Unfortunately, Will Power did 4 nothing. Even worse, the registered inspector or RI 5 engaged by Will Power, Mr Wilson Ng, was just somebody 6 who existed on paper. He was paid to sign forms and he 7 never attempted to perform his role. 8 The failings of these contractors and consultants 9 totally ignored fire safety. The Wang Fuk Court 10 residents paid them for their professional expertise but 11 they were failed by them. 12 The result of this litany of failures is that every 13 single fire safety measure designed to protect life at 14 Wang Fuk Court failed to operate as designed during the 15 fire. 16 As for the Government, before I come to explain the 17 role of different Government departments, I need to be 18 fair to them. As pointed out by the chairman on 19 22 June, the Government and all law enforcement 20 departments cooperated with the Independent Committee, 21 they also proffered evidence which might be prejudicial 22 to them. 23 For all the evidence and video clips relating to the 24 burning of nets, et cetera, we are grateful to 25 witnesses, including those tendered by the Government
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1 repeatedly evaded detection and deployed deliberate 2 deception. They failed to warn workers against smoking 3 on site. They failed to dispose of combustible 4 construction waste on the scaffolding. Worse still, 5 they created access openings which is the primary means 6 of escape for workers' convenience. 7 When it comes to fire services installations, 8 Prestige engaged a registered fire service installation 9 contractor, RFSIC, China Status Development and 10 Engineering Ltd, purely to submit forms to the Fire 11 Services Department without conducting on-site 12 inspection. In fact, last Wednesday, they said 13 objectively that they do agree that China Status was in 14 fact a rubberstamp. 15 Prestige sought assistance from ISS EastPoint 16 Properties Ltd to drain the fire service water tanks or 17 FS tanks, a task that they were unqualified to perform; 18 they disabled the fire alarm systems without realising 19 the gravity of the error. The fire alarm system was 20 inactivated. This was in fact spotted by Victory Fire 21 Engineering Ltd, another registered fire services 22 installation contractor, shortly before the fire. 23 However, they failed to inform the Fire Services 24 Department of the situation. In the end, the fire alarm 25 system remain disabled on the day of the fire.	1 who made frank admissions of the shortcomings and 2 provided evidence against their personal interest. Our 3 submission also referred to their evidence. 4 Second, we are happy to learn that from the 5 Government's written submissions they admit the series 6 of supervisory mishaps as well as failings. We have 7 a consensus. In chapters 8 and 10, we mention the 8 series of measure announced by the Government. On this 9 basis, we put forward recommendations to the Independent 10 Committee for improvement. The Government has come up 11 with improvement measures in a proactive manner which is 12 very helpful to the Independent Committee. 13 However, there are numerous failings on the part of 14 Government departments' operations. Some are 15 longstanding issues without ever being detected. It is 16 regrettable that only when such tragedy happened were 17 these issues discovered. 18 The Government created an honour system dependent on 19 self-regulation by contractors. This is mentioned in my 20 submission. This is a major flaw. Forms/certificates 21 were accepted without verification. Some inspections 22 were pre-announced. Contractors had a chance to deploy 23 deception. Relying on good faith of those regulated 24 bodies charged with regulation left fire hazards 25 uninvestigated and unaddressed. Even when residents

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1 attempted to raise concerns, Government departments did 2 not thoroughly investigate into these concerns and 3 complaints. 4 We're not suggesting that the Government departments 5 should be ultimately responsible for the fire, but it is 6 only reasonable that the public expect them to perform 7 but there seems to be a major shortfall. 8 The Government counsel representing the Government 9 referred to paragraph 859 of our submission and this is 10 unfair to them. According to this paragraph, we suggest 11 that the regulators' approach leaves a chance for the 12 unscrupulous to deploy deception. In fact, we have set 13 out very clearly in chapter 6 the responsibilities of 14 individuals and respective contractors. 15 We also make it clear to the IC that they should be 16 strongly reprimanded, but what we mention in 17 paragraph 859 is something else. It is about why the 18 unscrupulous would have a chance to engage in illegal 19 acts. This is in fact the evidence we received during 20 the hearings. In fact, even from the Government's 21 written submission, they do admit the shortcomings in 22 this self-regulatory approach. They have heavily relied 23 on the honour system. There is a lack of stringent 24 inspection and checks and that the inspections and 25 checks are too infrequent. There is room for	1 responsible for the fire. This can be seen in 2 paragraphs 736, 744, 768, 774 and 781. 3 In relation to the authorities concerned, as the 4 body responsible for design and execution of the 5 regulatory regime, the Government departments concerned 6 should be held partly responsible for the fire. The 7 contractors and unscrupulous parties are after all 8 primarily responsible for the fire, and yet the 9 Government departments should also exercise proper 10 oversight to protect the public and prevent a repeat of 11 the fire. So they are partly responsible. 12 What is sobering is that, strictly speaking, this is 13 not the first time that such a vertical rapid spread of 14 fire happened. As agreed by Prof Usmani and Prof Jiang, 15 the Wang Fuk Court fire was not strictly the first of 16 its kind, but it was unprecedented because of the 17 magnitude. They referred to the 31 deaths in the Kings 18 Cross fire in 1987 and 41 deaths in Garley Building fire 19 in 1996, as well as 72 deaths in Grenfell Tower fire in 20 2017. The use of non-fire-retardant materials on the 21 exterior of buildings and the chimney effect, and all 22 the warning signs were flagged. However, these were 23 ignored. 24 For the eight blocks of Wang Fuk Court, at the 25 facades, including the re-entrants of each block, they
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1 improvement on communication among Government 2 departments. This regulatory regime is not designed to 3 tackle deliberate concealment and deception. The system 4 or the regime allowed the fire to happen and we do 5 believe that the Government departments are partly 6 responsible. 7 Yesterday the Government also acknowledged that this 8 honour system dependent on self-regulation dependent on 9 contractors has been in place for many years and this 10 has to be taken into account. But then, for the way 11 forward we do need to conduct a review, that is, what 12 systematic flaws are exposed by the fire. 13 We acknowledge the logic and the rationale of the 14 regulatory regime. The regime was set up after careful 15 scrutiny of the legislation by the Legislative Council, 16 but the time is right for us to review if this is still 17 appropriate. For example, we are still abiding by laws 18 and regulations enacted in 1960, 1990 and 2010, without 19 any update. Yesterday the counsel also mentioned 20 a failure to distinguish responsibilities and 21 liabilities. We do not agree. 22 In chapter 6, in relation to responsibility of 23 contractors and private parties to the works leading to 24 the fire, we describe at length that Will Power and 25 Prestige Construction & Engineering Co Ltd are primarily	1 were completely covered and enveloped the entrance. In 2 the entrance, pillars of fire raised up at unprecedented 3 speeds and intensities. The vertical re-entrant fires 4 took hold in 12 of the 32 re-entrants, resulting in 5 uncontrollable spread of the blaze. For staircases 6 connecting to the re-entrants, as we all know, they were 7 compromised by access openings created for workers and 8 the residents' means of escape were stopped. And what 9 was unknown to the residents is that the fire alarm 10 systems were improperly and unnecessarily disabled 11 leading to a delay in their escape. 12 Chairman/members, you have may have read my closing 13 submissions. There are 11 chapters to it. This morning 14 it's been uploaded on to the IC website. The purpose of 15 this submission today is to brief members of the public 16 about the key points of the 11 chapters. The order of 17 submissions may be different from that of the written 18 submissions. There are six parts to my oral submission 19 today. 20 The first part is about chapters 3 to 6 about the 21 cause of fire and why it spread so quickly. The second 22 part is about chapter 5 of the submission, emergency 23 response on the day of the fire, including the death of 24 former fireman Ho Wai Ho. The third part is about the 25 responsibility of contractors and private parties to the

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1 works, and their responsibility and accountability. The 2 fourth part is about chapter 7 of the submission, 3 responsibility and accountability of Government 4 departments. Part 5 is about chapter 8 of the 5 submission, recommendations on fire safety matters. 6 Part 6 refers to chapters 9 and 10 of our written 7 submission, bid-rigging and associated misconduct and 8 the relevant recommendations. 9 First of all let me begin with the first part of my 10 oral submission. I'd like to remind all of you about 11 what happened on 26 November. As you can see on the 12 screen, this is a timeline. This is illustrated in the 13 form of infographics. This was prepared with the help 14 of artificial intelligence by Counsel Yu. It shows the 15 locations of the eight blocks, what happened at the 16 time. We tried to show the reference to the 17 submissions. As to when the staircase was smoke-logged, 18 it will be shown on the screen and the submission. 19 Let me first talk about what happened between 14:30 20 and 14:40. This is a flat roof outside rooms 104 and 21 105, starting from 2.30 pm. The camera at the bicycle 22 recorded where the smoke came out. 23 At 14:42, the first seat of fire appeared. The CCTV 24 at the access openings recorded someone saying, "Who is 25 smoking? Something is lit up". And the records only	1 Later on you will hear from us time and again about 2 the 14-minute mark. 3 Now, at 15:09 the third pillar of fire, F3, came 4 about and Wang Shing House scaffolding was on fire. 5 Between 15:11 and 15:25, Wang Sun House and Wang Kin 6 House scaffolding caught on fire. I'm sure you remember 7 that's how the flying embers flew from one house to 8 another. Between 15:16 and 15:17 the two pillars of 9 fire in Wang Tai House came about. At 15:17, the 10 staircase of Wang Tai House was smoke-logged. 11 Part 11, between 15:18 and 15:30, the two means of 12 escape of Wang Tai House was blocked. 15:20, the main 13 entrance caught on fire and was blocked by the burning 14 articles. At 15:30 the rear entrance was blocked. 15 15:34, it was a fire alarm No. 4. Wang Sun House 16 caught on fire. 17 Part 13, 16:01 to 16:11, the pillar of fire, C1, 18 climbed up to the 31st floor. 10 minutes later the 19 light well of the house also was lit on fire. 20 At 16:21 Wang Shing House was logged with smoke, and 21 16:22 we saw a pillar of fire there. 22 At 16:36, Wang Sun House, we saw the second pillar 23 of fire, C2. 24 At 16:43 we saw the third pillar of fire there. To 25 put it simply, within two hours we had 11 pillars of
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1 left at 14:46. 2 The third part, 14:50, at this point of time someone 3 called the police. The construction worker did not call 4 the police, but a passerby, Mr Yip, at the Island House 5 Lane, he saw the fire and called 999. I know that 6 you've watched the video and what the passerby said. He 7 said, "How come the fire alarm did not ring? What's 8 wrong?" 9 Now, at 14:56 -- the FSD arrived at 14:51. Upon 10 arrival of the Fire Services Department, they saw a fire 11 that was more than a glowing source. 12 At 14:58, at evidence F1, there is a fire pillar. 13 It grew from the floor to the roof. Within one minute 14 the fire reached the roof. At the same time, bamboo 15 sticks collapsed. The staircase of Wang Cheong House 16 was filled and logged with smoke. 17 At 14:58, the fire was spreading to the other house, 18 Wang Tai House and its roof. At 14:58 we see flying 19 embers. At this point, still no fire alarm rang. 20 Now at 15:02 we had a No. 3 alarm fire. Between 21 15:02 and 15:04 there was a second fire pillar, F2. At 22 15:05 the entrance of Wang Cheong House was blocked, so 23 the two means of escape was fully blocked and disrupted 24 at that time. That was 15 minutes after the police was 25 called.	1 fire. At 16:45 the scaffolding of Wang Sun House 2 collapsed entirely. 3 At 18:22 the fire was upgraded to fire alarm No. 5. 4 It was the fifth time in Hong Kong in years. 5 At 18:32 there was the second pillar of fire at 6 Wang Yan House. Among the eight blocks, Wang Yan House 7 was not affected. 8 Lastly, part 19, the fire was on for 43 hours. On 9 28 November, 10.18 am, it was put out. The degree of 10 darkness of the blocks on the screen show the level of 11 damage. The darker the building is, the more destroyed 12 it is. Eventually, 180 people passed away because of 13 the disaster. 14 The timeline of the incident is set out in the 15 written submission. 16 Now, I'd like to highlight just a few points, 17 including the cause of fire, why it spread so quickly, 18 how much time the residents had to escape. 19 Regarding the cause of fire and the way it spread, 20 although we did talk about that in the opening 21 submission, we didn't have the analysis of the expert at 22 the time. A few weeks ago we heard from the expert. 23 The inter-departmental investigation team and 24 Prof Yuen's team and the other two experts' teams 25 independently looked into the causes of the fire, but

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1 their conclusions are indisputable. The cause of the 2 fire happened outside -- the fire broke out at the light 3 well outside Wang Cheong House. The time and the 4 reason, I already covered it earlier. 5 I asked Dr Lee of the Government Laboratory, apart 6 from the light well of 104 and 105 flat roof, I asked 7 him if he could find any other causes of fire. He said 8 that he could not. The way the concrete spalled showed 9 us that the fire broke out outside of the unit instead 10 of inside. They also ruled out other possibilities of 11 the fire breaking out, such as arson. It seems that 12 a lit cigarette butt fell onto the flat roof and that's 13 why the fire broke out. This is also supported by 14 evidence. 15 We discovered a few lit cigarette butts and some lit 16 cardboard that was lit and burnt. We already saw 17 evidence of construction workers smoking. 18 Prof Yuen also pointed out an important thing. No 19 one noticed when the fire broke out. There was just 20 some droplets of ember, so it started small. 21 So how did it develop into such a disaster, you may 22 ask. Among the 12 pillars of fire, 11 of them emerged 23 within the first few hours. Professor said that the 24 magnitude of spread is unseen. It was like a hill fire, 25 according to him. The fire spread from block to block	1 that if we had used fire-retardant canvas and 2 scaffolding, then the fire may have self-extinguished, 3 the scale of fire would be much smaller, and not that 4 many houses would have caught fire. 5 Prof Usmani said that there may be uncertainty to 6 the conclusion. But what's indisputable is that the 7 only reason why a fire causing the loss of life of 168 8 instead of a small fire is because of the fire 9 retardancy of the materials. 10 The melted foam boards and the scaffolding will form 11 droplets and it can cause another fire in five hours. 12 So the flying embers, that's what flew from one block to 13 another. 14 At this point you may remember that the expert said 15 that if we looked into our past fire incidents we may 16 have made some changes. 17 Now, I'd like to talk about some figures you may not 18 remember. The reason why we have so many lives lost is 19 because of these numbers. We have summarised the CCTV 20 footage, the submissions of the residents and experts to 21 make such an estimate. Regarding the route of the fire, 22 the pillars of fire at the light well, the window of 23 a living room caught on fire first. From 8th to 24 31st floor, all of the windows of the living room of 25 Wang Cheong House were broken. So among the 560-odd
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1 through flying embers and airborne burning debris. It 2 was blowing easterly wind at 14km per hour. 3 I think this answers our question. Wang Chi House 4 was at the location where flying embers could not reach 5 them, and even when those debris reached the block, they 6 were not lit and that's why it was not damaged at all. 7 The reason why the spread -- the fire was of such 8 a magnitude is because the light well was abandoned with 9 some combustible materials and they were fuel for fire. 10 I will not go into details of what the experts said, but 11 I'm sure you remember the conclusion. At the Sichuan 12 test, you remember that the energy caused by fire at 13 fire-retardant scaffolding or nets is some 20 times of 14 that of non-fire-retardant nets. 15 According to the computer model result, the wind was 16 31kW. If we used non-fire-retardant scaffolding, then 17 the kW is 700. We also asked Prof Yuen if we had used 18 all the fire-retardant materials would the fire break 19 out in such a way? Prof Yuen said that the fire would 20 not happen in such a magnitude if fire-retardant 21 materials were being used. 22 Chairman, you said that the use of 23 non-fire-retardant material was the cause for the 24 magnitude of the fire. The expert agreed with you. The 25 expert was cautious in their submission but they agreed	1 residents that were burned, some 510 were next to light 2 wells. After the fire reached the living room, they 3 will go to the corridors and reach the other units. 4 In terms of escape, the most deadly thing is smoke 5 instead of fire. Yesterday Counsel Suen talked about 6 the RSET and ASET concept, to put it simply, when the 7 means of escape is blocked, decide how much time the 8 resident had to escape. 9 If you look at when the staircase became 10 smoke-logged and when the entrances were blocked, I've 11 already illustrated it in my opening statement. They 12 are set out in paragraph 460 in my submission. I relied 13 on the submissions of the residents. It may not be 14 100 per cent accurate, but I think that explains why 15 there's such a level of casualties and fatalities at the 16 eight blocks. 17 We were talking about when the means of escape 18 became blocked or impassable. There are many residents 19 who should be able to escape. We have to look at the 20 conditions of each unit. Some residents may be more 21 lucky. Because of their quick wit and calmness, they 22 were able to stay in the flat and wait until the 23 firefighters came to save them. As for how much time 24 the residents had to escape, Wang Cheong House residents 25 only had 14 minutes to escape. Wang Tai House,

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1 39 minutes. The actual time may be even shorter. 2 The reason why I say this is because the staircase 3 was smoke-logged earlier than entrances being blocked. 4 At 14:58 Wang Cheong House was blocked, that's seven 5 minutes after the FSD had been called. If all of the 6 windows were fire-rated, Wang Cheong House residents 7 should have an extra seven minutes to escape until the 8 entrance was blocked. 9 Wang Tai House, at 15:17, was smoke-logged. If the 10 windows of the staircase did not come access openings, 11 the means of escaping, that is the staircase, should be 12 accessible. Residents should have an extra 13 minutes 13 to escape, until 15:30 when the entrance was blocked. 14 For those that go into the front entrance, they should 15 have an extra four minutes, until 15:21, when the main 16 entrance was blocked by fire. For the people who passed 17 away in staircases, if the staircases were not 18 smoke-logged, they should have an extra few minutes to 19 escape. 20 Now the windows were blocked by foam boards, no one 21 knows when the fire broke out. If the fire alarm system 22 was not turned off, then Wang Cheong House at 14:54, 23 their alarm should have rang -- at 14:54 the FAS was 24 broken, the break glass unit. 25 For Wang Tai House, at 15:00 the break glass unit	1 114 over 65 years of age. 37 households have lost two 2 or more kin; and also the firefighter Mr Ho who had also 3 perished. 4 We see that there were in Wang Cheong there were 81 5 fatalities and in Wang Tai, 82 fatalities, totalling 6 163. This is 97 per cent of the total fatalities. In 7 Wang Cheong, 57 of those fatalities were found within 8 flats. 9 So when we were talking about the time for escape, 10 many of them didn't even have time to escape from their 11 own units. At the same time, for Wang Sun House, which 12 had been very much damaged, there is a huge comparison. 13 For residents from the first 999 call, there were 14 54 minutes for evacuation available to them. In each of 15 those minutes, it is about injuries and fatality. 16 Within that time, it was a very important time for those 17 in the building. 18 In Wang Sun House, the residents therein, they 19 could, through news reports, through the emergency calls 20 from kin and families notifying them that there's a fire 21 approaching. 22 Wang Sun House, importantly, for the entire estate, 23 it was one of the two houses where the alarm bell did go 24 off. This explained why over 70 units' residents in 25 Wang Sun House were able to escape in time, even though
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1 should have broken and the residents should have more 2 time to escape. That is to say, if the FAS had not been 3 turned off. 4 Then in these two buildings, the alarm would have 5 been sounded and there would be more time for escape. 6 Now, you would have heard that from the witnesses, 7 including in room 808 in Wang Cheong, the lady had said 8 that at 15:03, that is within half an hour of the start 9 of fire, and also in Wang Cheong there was a gentleman 10 resident, someone had rung him and he said that, "We are 11 exiting", and then he heard the mother saying, "Oh, I'm 12 dying", and after that there was no sound on the phone 13 from the mother. 14 And also Ms Pak from Wang Tai House, she went from 15 door to door, alerting everybody to escape but she 16 herself perished. 17 The alarm bell did go off, you will remember Mr Lam 18 Man Yan, at the time of emergency, he manually activated 19 the alarm and the Wang Yan House alarm did ring for 20 a short time. But for the 450 surveys received for 21 Wang Tai, Wang Cheong, Wang Shing, there was no one who 22 heard the alarm bell among those who completed the 23 survey. 24 From the fatalities and injuries number, of the 168 25 who died, 79 injured, from seven months to 98 years old,	1 for each of the units there had been varying degrees of 2 demolition or damage, but in the end only two fatalities 3 resulted. That is the reason. 4 When we look at the damage of the different towers, 5 if you look at this screen, the gradation of the colours 6 will tell you the darker it is, the more damage there 7 is. Wang Cheong, Wang Tai, Wang Sun were the first to 8 go and the details is in paragraph 402 in our 9 submissions, all the details are in there. 10 Chair, the two members, for this part, as a summary, 11 I would want to go to paragraph 409 of our submission, 12 smoking of the workers, the blocking of fire escapes and 13 also disabling of the alarm system. All these had 14 caused a small spark, becoming an unprecedented tragedy. 15 The roles of each of the parties is what we are 16 discussing and looking into today. 17 For the next part, we will be talking about the 18 emergency procedures on the day of the fire and also the 19 timeline of the firefighting was also described. Prof 20 Usmani said that for frontline firefighters, it is 21 reflected that they are highly efficient. The scale of 22 the fire is unprecedented. And he said that the fire 23 department, in terms of further work, was highly limited 24 and it would hardly have changed the consequence of the 25 incident.

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1 I would want to review a few key moments in this 2 part so that we can look at the difficulties at the 3 time. 4 14:50, 999 call, 14:50, the first fire vehicle 5 dispatched, and 14:56, arrival, after five minutes, five 6 seconds. It is known that the appliances for 7 firefighting had been disabled. 8 And then 15:20, third grade; 15:24, fourth grade; 9 18:20 to fifth grade. There were 103 vehicles and over 10 900 firefighters were involved. For fifth grade, it is 11 nine times the deployment in terms of firefighting 12 resources. 13 You would remember that there was no water for the 14 hoses and appliances. Firefighters had to go from 15 storey to storey with over 80 kilograms of appliance and 16 47 minutes of use of the air cylinders. That is to say, 17 the firefighters had tried not to use the air cylinders 18 until the very last moment. That being the condition, 19 the firefighters rescued 62 survivors; some of the 20 survivors had given testimony here, you would remember. 21 And at 2 am the next day there were two workers who were 22 rescued from the rooftop at Wang Tai through devices. 23 And police, there were 3,690 man times from the 24 police and they had evacuated people from Wang Chi and 25 Wang Tai, and 1,650 people were evacuated.	1 made the best decision they could with the information 2 they had. 3 There are indications of improvements in the future 4 but it has to be clearly said that it is not because of 5 insufficiencies that it caused fatalities and injuries, 6 but these are things we need to consider. 7 For the escalating of the grades of the fire, 8 evacuation arrangements, there is detailed analysis. 9 For evacuation you would remember that on the day there 10 was no effective channel to inform the residents to 11 escape because the fire alarm was inactivated, and also 12 the sirens were turned off by the fire vehicles on 13 arrival. Also there is an EAS for all Hong Kong mobile 14 phones but it was not used at the time; it couldn't be 15 used. 16 For Wang Tai, Wang Cheong and the towers, the 17 evacuation feasibility of this -- we do not forget those 18 who have lost their lives, including Ms Chong Sio Pek's 19 mother, Ms Ioeng Vun Ieng. When firemen were making the 20 testimonial, in fact, there were insufficient 21 firefighters to go into the other towers. This was said 22 by Mr Chan from the fire department. 23 Could it have been -- was it helpful? Could other 24 things have been done to save the situation and to 25 forestall repetition of this kind of incident? We also
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1 In the submission there is quite a bit of 2 description about this and I'm sure you remember the 3 videos that were shown at the sessions. And firefighter 4 Mr Ho who lost his life, we were able to see that he 5 helped and rescued people, including one in 6 a wheelchair. 7 For firefighters, within a few minutes of a fire 8 that broke out like that, for someone like Mr Ho to have 9 confused the towers, the towers looked alike, actually 10 the firefighters could hardly tell which house they were 11 in at the time. Also, for the signals that they carried 12 on body, they were not activated. Even though they 13 signalled mayday, they were not found. 14 And also, in the mini storage fire that broke out 15 some time ago, there is relevance there. 16 The performance of the firefighters on the day, 17 overall speaking, the firefighter witnesses in the 18 hearings, we can hear that their responses were honest, 19 they were not trying to evade anything, and Mr Cheung 20 Lok Hang from the Fire Services Department had mentioned 21 that the spread of the fire and also -- in fact it was 22 beyond what they could handle. And also for Mr Chan 23 Hing Yung from the Fire Services Department, he also 24 said that, post-incident review, perhaps it would have 25 helped in grading of the fire. But at the time, they	1 in the testimonial had analysed various areas, including 2 the frontline sending information back to the 3 headquarters and the officers, and that kind of 4 communication channel is seen to be lacking. And also, 5 1,581 calls for help, 141 were not received. And also, 6 for drones and also helicopters helping with the 7 firefighting, but in fact on the day it was not feasible 8 to deploy these. 9 The main brunt is on prevention. Mr Yeung of the 10 Fire Services Department in his testimonial, there is 11 something we should note, he said the fire on the day 12 did not show that there was better firefighting 13 measures, so the main point is rather than to put out 14 a fire which had already completely spread, to 15 preventing the fire. We totally agree with that. But 16 the reality of this fire is that there had been multiple 17 failures at every point, causing this fire. So we have 18 to look into the problems therein. 19 On the day, or before that, you would all understand 20 that we will be repeatedly talking about the situation 21 faced by the firefighters on the day. It was 22 unprecedented. Their valour and also the sacrifice 23 Mr Ho Wai Ho are worthy of our admiration and respect. 24 Next I will be going into the third part, and that 25 is about the consultants and the contractors and the

Page 29 1 problems therein. This is the most important part of 2 this particular hearing. 3 Who caused this? Who bears the responsibility? In 4 chapter 2 of the submission that we have the 5 testimonials, and also chapter 6, there is the analysis. 6 In this project, a number of parties are involved. In 7 2-1 to 2-4 we have a summary in our report. For each of 8 the stakeholders, their role is outlined. The names are 9 familiar with everybody so I will not read them out 10 here. 11 What I want to emphasise is that for Wang Fuk Court 12 residents, they paid over \$380 million. They have every 13 right to expect that the main contractor, Prestige 14 Construction, would take up their role, and their role 15 included providing fire prevention. The 16 fire-retardation net, when they were broken, they had to 17 fork out their own money, and all material had to be 18 sanctioned by Will Power before it could be used. And 19 also, passenger protection passageway, which were 20 promised to be of steel material were not done. And 21 also Wang Cheong, Wang Tai exits had been completely 22 blocked by debris falling from the upper levels, exactly 23 because of failure to provide the relevant materials. 24 I emphasise this is because of continuous fraud and 25 also use of inappropriate material for certification and	Page 31 1 Next, prohibition of smoking on site. This has been 2 mentioned many times in the hearing. This is a fault on 3 the part of Prestige Construction. I will not repeat. 4 Three, no fire prevention drilling. This is 5 directly causing the fatalities. At 14:42, a spark of 6 small fire was detected. There was smoking by workers 7 on the site. They tried to put out the fire and it was 8 at 14:51 that they sounded the alarm or called 999. 9 I have to be fair to the workers in the sense that 10 this is not just a worker's problem. We do not see any 11 safety talks to teach the workers what to do in case of 12 a fire. The eight towers are piled up with combustible 13 materials. No one had monitored the fire hazards. And 14 also the debris and the discarded material in the 15 platforms and also the light wells, there had been 16 falling objects all the time, as we have heard, and 17 there are plastic bottles and also foam and also other 18 cutlery, et cetera, that had been accumulated. There 19 was a resident who gave evidence saying that because of 20 the scaffolding and all the accumulated debris, 21 she could not even open the windows. 22 Prestige has contractual responsibility to dispose 23 of the rubbish at the scaffolding, but they failed to do 24 so. I will now come to talk about the core issue, and 25 that is scaffolding nets.
Page 30 1 actual blatant lying using different materials as 2 purported and also false certification. They have 3 avoided monitoring and supervision, hurting the safety 4 of the residents. As mentioned in our submission, this 5 should be completely condemned. 6 For Prestige Construction, how did they swindle and 7 lie to the Government departments? There are a number 8 of areas. The eight towers were completely wrapped at 9 the same time and this is a prerequisite for the huge 10 fire. Tsui Moon Come, as the chair of the management 11 committee, assuming that chairmanship, he had right away 12 said that the works should be done in stages and he 13 conveyed the worries of the residents, but it was 14 refused by Prestige Construction, saying that there is 15 insufficient manpower. We do not accept that. The 16 contract had a ceiling price and there need not be 17 repetition of certain works, and it is claimed that for 18 the maintenance work that were sanctioned by the 19 previous management committee, it was actually in a 20 staged arrangement and Will Power and Prestige 21 Construction never mentioned that and they have not also 22 mentioned the possible consequences of eight towers 23 starting work at the same time. And also there is no 24 indication that Prestige had asked Will Power to carry 25 out staged work.	Page 32 1 Who was responsible for procuring non-fire-retardant 2 nets and the concealment? According to evidence, they 3 were clearly aware of the legal requirements. You may 4 recall that on 30 May 2024, Prestige agreed and promised 5 that the nets should be fire-retardant and that they 6 were reminded that they should follow the code of 7 practice promulgated by the Buildings Department and 8 that the relevant fire-retardant certificates should be 9 submitted. 10 So nobody could say that they were unaware of this 11 requirement of fire retardancy. The fire tests were 12 conducted at Wang Fuk Court. The net burned for 13 15 seconds and it went on to burn for another 10 seconds 14 before it was extinguished. So it failed the test. 15 Prestige did not follow up on it. What's worse is that 16 for the next step, the IC, ISS and Prestige published 17 a video which deleted the last 10 seconds. The ICU's 18 video clip provided the last 10 seconds and there is 19 only one inference: somebody deliberately trimmed the 20 last 10 seconds. 21 You may also recall what happened after the typhoon. 22 In 2015, Wipha and Ragasa, the two typhoons struck and 23 nets had to be replaced. It's the responsibility of 24 Prestige. It was included in the cost of the contract. 25 But Mr Chan Yu Fai, the responsible person's evidence,

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1 mentioned Gordon Ho of Prestige instructed him to use 2 non-fire-retardant net. You may recall the statement, 3 "I asked you to use it; just order. Even if you order 4 fire-retardant nets you won't be reimbursed." 5 The instruction received after calling Prestige was, 6 "Just follow Gordon Ho's order for the single purpose of 7 saving money". Of course this conversation was not 8 recorded on audio but I invite the Committee to consider 9 the second statement submitted on 2 July. Gordon Ho did 10 not deny this allegation. 11 As for how many non-fire-retardant nets were put to 12 use, in our submission you may see some photos for Wang 13 Cheong House at the light wells. Apparently some nets 14 that were less dense and of lighter colour were used 15 and, according to evidence, these should be 16 non-fire-retardant nets. 17 Another photo was taken on 8 October 2025, showing 18 a large amount of nets that had to be replaced because 19 of the damage. On the right-hand side you see nets of 20 a lighter shade. Again this is non-fire-retardant. 21 After typhoon, between July and October 2025, Gain 22 Profit ordered 900 pieces and 1,400 pieces of nets for 23 replacement with a unit price of \$54 from Lam Kee, and 24 they also ordered 2,500 pieces from Binzhou Yuanjin with 25 clear stipulation of non-fire retardancy. Altogether	1 compliance, and that statement shows that they 2 deliberately deceived residents of Wang Fuk Court. 3 When it comes to certificates, at first we knew that 4 in 2019 the name contained in the certificate was 5 changed. I asked Ku Siu Ping of the ICU whether the ICU 6 considered the issue of certificates. After the fire, 7 they checked the serial number and found it to be 8 somewhat different from that of the issuing 9 organisation. Later on, the ICU agreed that this 10 certificate was falsified. Of course that's not the end 11 of the matter. 12 On 20 October, the Labour Department conducted an 13 inspection, requesting the certificate for the replaced 14 nets to be provided. However, Prestige used the 15 original certificate issued on 8 January. Lam Sau Ching 16 from Labour Department admitted that the certificate 17 kept on file was the original one, but they did not 18 compare that with the one received. 19 So for the suspected falsified certificate, it was 20 used to deceive the ICU. After a while, it was used 21 again to deceive the Labour Department. So with one 22 falsified certificate, they deceived two departments. 23 What is regrettable is that, in fact, on 18 October 24 last year, there was another scaffolding fire in 25 Central. It was for all to see. On 21 October the
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1 4,800 nets, covering thousands of metres. 2 On 27 October the ICU came to inspect the site and 3 they purchased 155 non-fire-retardant nets at \$155. 4 That's much lower than the counterpart. I invite the 5 Committee to draw this inference. Wang Fuk Court was 6 largely enveloped by non-fire-retardant nets on the day 7 of the fire, and that's also the cause of the fire. 8 I talked about Prestige ordering from Gain Profit 9 155 units of nets to cope with ICU's inspection. That's 10 because of the ICU's notification of the inspection of 11 nets on 27 October. You may recall Sam Tam from 12 Prestige sent a message to colleagues that, "Not 13 disclose, tomorrow ICU will come to the site. If nets 14 are to be checked, please check first which are okay." 15 Prestige on the same day asked Gain Profit to order 16 115 units of nets to replace the ground level nets 17 because they expected the ICU to conduct tests there. 18 Chairman/members, from these messages, it is clear 19 that they did it intentionally; they tried to deceive. 20 I asked Ku Siu Ping from ICU this question: had the nets 21 at the ground level not been replaced, would it have 22 been possible that ICU would discover the netting? The 23 answer was in the affirmative. 24 Also on 8 November it was reported during the 25 inspection that the nets were tested and they were in	1 Buildings Department issued a circular reminding the 2 industry of the requirement of scaffolding nets. For 3 Wang Fuk Court, the Facebook group had a discussion. 4 According to the post, "If the same thing happened to 5 Wang Fuk Court, which is under renovation, then several 6 hundred people could perish in the fire". 7 Even residents, on learning that fire in Central, 8 knew about the risks. 9 Mr Chan from Gain Profit received a message from the 10 wife of Prestige, Zhong Fengping. You may recall what 11 he said: our team asked you to explain and make sure 12 that the statements tally about the scaffolding nets 13 sent to you later on because these are not 14 fire-retardant nets. 15 We can learn two things from the message. Clearly, 16 the nets were not fire-retardant and that they tried to 17 make sure that their statements tally to deceive the 18 departments. I invite the Committee to rule that Gain 19 Profit and Prestige should be held primarily responsible 20 for the use of non-fire-retardant nets, and also for the 21 use of non-fire-retardant canvas and plastic sheeting. 22 Will Power failed to exercise a supervisory function. 23 I will be fair. From the evidence, we initially did 24 not know the extent of knowledge of the old IC and the 25 subsequent IC, but we now come to know that in fact both

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1 old and the subsequent ICs were deceived by the 2 contractor. 3 Next, about the polystyrene foam boards. I'd like 4 to start by explaining the responsibilities. About the 5 minutes of meeting held on 17 June 2024, it was clearly 6 stated that polystyrene foam boards are flammable and 7 they could generate thick smoke if a fire breaks out. 8 Prestige insists that plywood should be used, and 9 according to Prestige, if polystyrene foam boards were 10 to be used, a contingency plan should be drawn up. 11 According to this letter, Will Power just signed off 12 this letter with review and approved. Just in several 13 weeks' time they changed their stance without reason. 14 In September, residents found that polystyrene foam 15 boards could catch fire and they showed a video clip. 16 Will Power sent a statement in response to queries of 17 the IO. According to the screen: "Under the current 18 legislation, there is no requirement for fire retardancy 19 function of the protective materials used on the facade. 20 Polystyrene foam boards does not catch fire as easily as 21 the nets." 22 We understand that this is out of logic. Now, we 23 understand that these are two different matters. After 24 the Grenfell Tower fire, for protective materials on the 25 exterior of buildings, if they are non-fire-retardant,	1 finishing hacking-off work at the upper floors, 2 according to instructions from the senior workers, they 3 should not take the boards off. As a result, all the 4 windows were covered. You may recall the lie. 5 On 18 October 2024, when ICU conducted the 6 inspection, Ku Siu Ping was told -- told the residents 7 that the polystyrene boards could catch fire, and 8 Prestige gave a response: the boards were only used for 9 hacking-off works, and once three floors of works had 10 been completed, they would be taken down. But this was 11 a blatant lie. The windows remain covered until the 12 date of the fire. 13 The lie also exposed one thing. As pointed out in 14 our written submission paragraph 767.2, for an honest 15 contractor with nothing to hide, they would not try to 16 play down their works arrangements in order to give an 17 excuse to the regulatory body. In fact, wouldn't it be 18 safer to just take down the boards right after the 19 hacking works had been completed? So Prestige 20 understood what it meant. They decided not to do it. 21 Every resident in Wang Fuk Court could tell you that. 22 I invite the Committee to rule that polystyrene foam 23 boards were used improperly and Will Power and Prestige 24 should be held primarily responsible. 25 Next, about access openings. We now learned the
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1 they are of course of great risk. Even a layman could 2 tell that. How would building professionals not know? 3 Residents and also the IC enquired about the 4 polystyrene boards. At the meeting of 12 September 5 2024, the video clip of polystyrene boards catching fire 6 was put to Prestige, and according to their explanation, 7 the materials used to cover windows would not catch fire 8 because of a lit cigarette end, but if the fire 9 continued, then that is another matter. 10 We do not accept this explanation. A lit cigarette 11 end could cause other materials on the scaffolding to 12 catch fire and that is exactly the reason why the fire 13 could sustain at a construction site, and that is 14 exactly the cause of this fire. 15 When residents ask whether fire-retardant materials 16 should be used instead, according to this WhatsApp 17 response by Prestige, if these materials are to be used, 18 it should be used in phase 2 because phase 1 is now in 19 progress. The materials have now been dispatched to the 20 site. And that is his admission of fire-retardant 21 materials available in the market. But then, since 22 these materials were already used, they would not be 23 replaced. 24 Windows of Wang Fuk Court were covered up by 25 polystyrene boards. This is common knowledge. After	1 fatal consequence of creating access openings. For 2 windows at the staircases of all blocks of Wang Fuk 3 Court, they had been replaced with fire-rated glass. So 4 all the window replacement works had been completed. 5 Had it not been the existence of access openings, the 6 staircase as means of escape would have remained 7 efficient. 8 Wang Kin, Wang Tai, Wang Cheong, the works were 9 undertaken by contractor Mr Ng and the sub-contractor 10 was told to create access openings every five floors. 11 He asked whether it would be all right and he was told 12 that, "Just go ahead as told". He admitted that 13 creating access openings was not technically necessary. 14 It was for the convenience of workers. We ask if 15 it would affect the means of escape. He said he had no 16 idea. 17 He applied for creating access openings on 1 August 18 and it was approved there and then. On 22 August 19 Prestige applied for more access openings on the 20th, 20 30th and 25th floor. It was approved there and then. 21 The immediate approval was a sign that there was no 22 consideration of the danger. Access openings were 23 created for workers' convenience. 24 On 7 August 2024, Tang Kwok Kuen, the then chairman 25 of the IC, he said he is a layman. In the WhatsApp

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1 group he asked whether the window position should use 2 fire-retardant or fire-resistant material. So even 3 a layman could identify this risk. How come the 4 professionals had no knowledge? For window replacement 5 works, in the hearings you may have heard these names. 6 It was Chi Fu Construction and Motive Design which 7 submitted the forms for window replacement, but their 8 roles were just to sign off forms. They did nothing. 9 For the supervising staff of the works team, they 10 were actually foremen of Prestige. The authorised 11 person, Lai Ka Wing, and structural engineer, Chi Wuh 12 Jian, said that they conducted regular inspections. The 13 Committee is not required to decide on this piece of 14 fact, whether they conducted inspection or not, because 15 in their testimonies they admitted that they saw access 16 openings but they found them to be all right. Because 17 the original windows were not fire-rated anyway, so 18 access openings would not further hamper the 19 effectiveness of means of escape. 20 I think that we will all be angered by this 21 explanation. The replacement of windows were necessary 22 to protect the staircases as means of escape, so why 23 would professionals make such a statement? On this 24 reason, we do not think it's necessary to summons a 25 witness. Licensed and authorised professionals have	1 problematic, please let me know. We will make our 2 judgment on their conclusions, but for the facts set out 3 in chapters 2 to 3, please pay attention to them and let 4 us know if you have any issue with them. 5 Let's break for 15 minutes. 6 (11.20 am) 7 (A short adjournment) 8 (11.35 am) 9 MR VICTOR DAWES: Chairman/members, we are still at part 3. 10 We are analysing the responsibility and accountability 11 of contractors, consultant and various parties. Now 12 let's go to the fire services system. 13 The reason why it was turned off was because of 14 various reasons. First of all, Wang Fuk Court conduct 15 annual inspection, that is conducted by Victory Fire. 16 After the annual check, the maintenance work had not 17 been completed. At the same time, it was said that the 18 water tank needed to be emptied. China Status was 19 engaged by Prestige to apply for SDN. We all remember 20 Electrician Wong emptied the tank. Because he had to 21 empty the tank he turned off eight of the power switches 22 and the fire alarm. He did not know that by turning off 23 the power switch the fire alarm would be shut off. 24 In mid-October, Victory Fire's Mr Tong Hiu Lun found 25 that the Wang Yan, Wang Tao, Wang Sun water tanks was
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1 seen access openings being created at staircases and yet 2 they find it to be all right. This is unacceptable. 3 On this basis I invite the Committee to rule that 4 Prestige ordered that access openings be created and 5 Will Power granted approval there and then, they should 6 be held responsible. 7 Lai Ka Wing and Chi Wuh Jian from Motive Design and 8 Chi Fu, as for their responsibilities, just from the 9 written submissions they were in the know because they 10 knew of the access openings and they remained silent. 11 They were not bystanders. They signed forms to 12 demonstrate that they were licensed professionals. 13 Chairman, now I will move on to fire services 14 system. Perhaps we should take a break now. 15 THE HON MR JUSTICE DAVID LOK: I think that this is a heavy 16 submission. We need a break now. Let's break for 17 15 minutes. 18 Counsel Dawes' closing submission, as I said, 19 chapters 2 and 3 have set out many details. What is 20 said is in the submission. Much is beyond dispute. If 21 any counsel thinks that any of the facts are disputable, 22 please let me know. If not, we will be of the view that 23 facts in chapters 2 to 3 are beyond dispute and we will 24 just copy it to our final report. If any of the counsel 25 find any facts set out in those two chapters	1 emptied. On 19 November, he found that the main power 2 switch was turned off. He asked Victory Fire for the 3 reason. The answer was that the other contractor was 4 working. He asked for the SDN document. At the time, 5 it was not shown and produced. Two days later, on 6 21 November, the technician at Wang Chi House saw that 7 the power switch was still turned off. After completing 8 his work, he left. 9 On the same day, ISS sent Victory Fire the series of 10 photos taken between August and November. He said that 11 the transfer of water has been completed, can he sign 12 the completion certification. Well, during the hearing 13 we tried to look into the chronologic -- look into what 14 happened. What we learned was that five days later, on 15 26 November, the switch was not turned back on. The 16 series of events that I mentioned causes four problems. 17 China Status was just a consultant or contractor on 18 paper. They were engaged to submit documents to the FSD 19 and EMSD. 93 SDN notices were applied. Mr Leung Ping 20 Kay said that no staff was sent to the site. 21 Two days ago I heard from his counsel that they may 22 seem like a rubberstamp, they have reasons for it. 23 Chairman may remember that they explained that 24 China Status thought that Prestige was a registered fire 25 services contractor so they were of the view that

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1 China Status has no problem acting just as 2 a rubberstamp. 3 Our view is that this statement is ridiculous. We 4 have reasons to believe that the statement is untrue. 5 Their legal representative said that Mr Leung in his 6 first statement stated his response to counsel's law 7 firm's questions. As a result, he did not explain 8 further. 9 This excuse cannot be substantiated. In the first 10 statement, he admitted that he only signed all the forms 11 without conducting any inspections. He should have 12 known that he would be subject to criticism. If he had 13 had an excuse, he should have stated in his statement, 14 in his first witness statement. Their explanation is 15 set out in the second witness statement. They only 16 submitted it to the Committee a few days before they 17 gave evidence. Their legal representative also 18 mentioned this. They said that when we questioned 19 Mr Leung we did not put the case to him. This Committee 20 is not a court. The relevant requirement is in place to 21 allow the defendant to explain their case and respond to 22 the allegations. 23 If we refer to the transcript at the time, I asked 24 him this: 25 "I point to you that the two witness statements were	1 Fourthly, the last situation, which is also 2 unacceptable, why did everybody stay silent? In October 3 2025, Victory Fire had already found that the water 4 tanks were dry and also the mains were switched off. 5 They are professionals. Anybody who sees this would 6 know that for this kind of work, the mains should not 7 have been turned off; they should have understood that 8 the situation was serious. 9 Mr Chung Kit Man and Madam Cheng Tsz Ying, who said 10 what, whether the licence was shown, there is 11 a controversy of fact. You would remember that they 12 were conflicting in their statements. Of course for 13 witnesses to conflict each other doesn't mean that one 14 person is lying. There are many reasons, and after the 15 fact we found that when they were describing the 16 incident, they were conflicting, but that may be 17 natural. But in the written submission, we say that for 18 Victory Fire and also for ISS, they had conflicting 19 statements. But we do not have to embroil in this 20 conflict whatever the version. Victory Fire had to do 21 its work. They were not able to present the SDN doesn't 22 mean that they could just stand by and do nothing, but 23 rather, when they see that the alarm system is turned 24 off and there is no SDN presented by the management, 25 shouldn't they right away report to the fire department
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1 conflicting." 2 I asked him if he saw the conflict or inconsistency. 3 I asked him to explain the inconsistency. Mr Leung said 4 that because Prestige was a registered fire services 5 contractor, that's why China Status have no problem 6 being a rubberstamp. 7 He only said that a week ago. We gave him ample 8 opportunity to explain. He did not give a reasonable 9 one. Those licensed did not visit the site. Who went 10 to the site then? We understand that the lever switch 11 was turned off. The technician did not understand the 12 consequences of switching off the lever switch. An 13 electrician who had no fire services-related licence 14 turned off the power switch. This is totally 15 unacceptable. In the hearing he was frank in admitting 16 it. Those who were licensed did not visit the site. 17 Those who were not licensed went to switch off the power 18 switch. We have reasons to believe that the work itself 19 is redundant. 20 Before the annual fire services installation check, 21 Prestige did not identify water seepage with the tanks. 22 The necessity of tiling the tanks is questionable. 23 For this redundant work, Wang Tai House, from 24 7 April until the day of the fire, 234 days it had been 25 turned off. So there were 17 continuation notices.	1 to say it is problematic? 2 Or otherwise they could just turn the switch back on 3 again, but they didn't do that. From the documents from 4 the fire department we see that for their 2021 No. 1 5 notification from the fire department, the relevant -- 6 B2/1303, it says that if there is a situation which 7 would cause fire hazard to the entire block or tower, 8 the FD should be notified. And at the time it is 9 already said by the witness that there is another party 10 doing this and if it is not within my terms of 11 reference, even though I find it to be unsatisfactory, 12 I will do nothing. I'm sure you will not accept that 13 kind of explanation. 14 In the statement we have a very grave conclusion. 15 If Victory Fire and ISS had done what they should have, 16 the fire system could have been reactivated normally. 17 We have seen the Wang Shing House figures. After the 18 alarm had rung, had it rung, the fatalities and injuries 19 would have been different. 20 ISS is a property management company. There had 21 been complaints lodged that there had been smoking and 22 also the access had been opened and all along we believe 23 that they have been passive. Even though they are not 24 professionals in fire safety and also the registered 25 party for the projects, and also in the Government

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1 interdepartmental communication, they are a channel. 2 And also the alarm system, having been turned off, 3 actually as property management company, they should 4 follow up. 5 For the counsel in his statement for ISS, he said 6 that the workers of ISS were requested to release the 7 water from the water tank from the tower because they 8 feel that Victory Fire would find the licensed 9 professionals to be on site but we cannot accept that. 10 ISS already knows the Technician Law had turned off 11 the switch but Victory Fire was not there. If they were 12 there, Mr Law needed not to do that. So ISS had failed 13 in not training the workers. Whether it is Technician 14 Law or Madam Lok. Under no circumstances there should 15 not be a deactivation of facilities within the fire pump 16 room. And also Technician Law, paragraph 19 in his 17 statement, he said, "I also raised this to Madam Lok. 18 There should be a licensed worker. Only a licensed 19 worker can handle this work". And Madam Lok said that, 20 "You are a technician, and therefore you can assist 21 Victory Fire in doing this for the water tank". 22 So this is already a known fact. And also the 23 counsel for ISS had further said that the FD, the Fire 24 Department, had found that the fuse had burst, and 25 therefore the alarm bell did not set off. So this is	1 would definitely be better than not sounding it. 2 Also we will look into the other professionals, 3 where they were at the time of the incident. This kind 4 of just providing their name is a worrying situation. 5 For the inspection and monitoring system, all those 6 gatekeepers, professional companies, they were just 7 giving their names only. For the RI, Mr Shum Kui Chung 8 of Will Power, he had actually passed away two months 9 ago, what did Will Power do? They did not report on 10 that. 11 After that, there had been a complaint in July 2024 12 when the works started; there was actually no RI. And 13 in October the ICU continued to pursue and only then 14 Will Power came up with the name Ng Yeuk. What is even 15 more astounding, what did he do? From the police we see 16 that his WhatsApp messages showed that on the day he 17 said this, "I have a full-time post", but there were 18 50 projects at the same time that were undertaken by 19 him. And overall, he had received \$190,000, and 20 basically he was to sign on statutory forms. 21 Actually, there were doubts expressed by him 22 concerning the authenticity of certain signatures. He 23 was never on site, no one has seen him and this is 24 his -- the company's WhatsApp message was sent by the 25 company.
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1 a possibility, but it's not acceptable. After the fire, 2 it is found that the fuse had blown, but it doesn't mean 3 that before the fire it had already blown. Mr Cheung 4 and also Prof Jiang of the fire department had already 5 mentioned this is about an electricity circuit: where 6 there is a failure in the circuit, it would shortfuse, 7 and the relevant towers, it is possibly because of the 8 high temperature during the fire that the fuses have 9 burst. This is understandable by even laymen. 10 And within six months before, the whole set of 11 system was inspected by Victory Fire. And also Mr Ying 12 had mentioned burst of fuse is something that occurs 13 only rarely. Without the fire, the bursting of the fuse 14 is not something that is prevalent. It is rare. For 15 the eight towers to have their fuses burst, it is highly 16 improbable if it's just on their own. 17 And also the most important evidence is Mr Lam Man 18 Yan had himself turned back on the alarms and also ISS's 19 witness had also said the same. Some people have heard 20 the alarm bells, and that is to say the alarm system 21 worked. If it were not turned off, then actually most 22 of the alarm bells would have rung, and also the 23 insurance fuse would not have burst right away; the 24 alarm bell could have sounded for a period of time. We 25 cannot say for how long, but sounding the alarm bell	1 The ICU said that you can come to site 2 investigations. Even Mr Tsui of the IC said he has 3 never seen and doesn't know this Mr Ng. We have to be 4 fair to Mr Ng, perhaps. He found that the signature on 5 the statutory form may not be his own. The Committee 6 does not have to decide whether this is a forged 7 signature because in the WhatsApp he himself said very 8 clearly, even if the form is not signed by him, it is 9 signed by an authorised person authorised by him to do 10 so. 11 Also, there is another point. Mr Wong of 12 Will Power, how many times had he contacted him? One 13 time it was about a shelf for the air-conditioner. On 14 WhatsApp he was asked a question. And then on WhatsApp 15 messages, what records did we see? Basically, just 16 collection of payments. That's all. 17 And then in November 2025 Mr Ng Yeuk and a middleman 18 were discussing another transaction involving \$150,000 19 payment to just provide his signature. There was 20 a question asked whether he would backdate and sign on 21 a document and there would be a quotation for payment. 22 And you know what he did? He accepted that offer. For 23 \$100,000 or more he would backdate a signature and to 24 swindle the Buildings Department. All this he did. And 25 what is his bottom line? I think the Committee will

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1 know. 2 For this \$300 million project for Wang Fuk Court, 3 there had never been a real RI who worked on the 4 project, and this is not the only example either. 5 For China Status Development, they just provided the 6 forms and the RI just signed, so this whole thing is a 7 game of borrowing names and signatures. 8 So in our written submission, we said this: for this 9 kind of arrangement between Will Power, ISS and the 10 other parties, to avoid the monitoring of the relevant 11 authorities, this is most condemnable. 12 Next we will come to part 4 of the submission, which 13 is the role of the Government departments. Just now we 14 have talked about the consultants and the contractors, 15 how they had intentionally deceived the Government 16 departments. They bear the brunt of the 17 responsibilities. For the Government counsel, in our 18 written submission, we have also pointed it out very 19 clearly. We say that for regulatory practice, it 20 provides opportunities for those who have fraudulent 21 intention. We see this in the evidence. 22 On the 17th day of the hearing, there had been 23 certain questions asked. Chairman said, for the 24 complaints from the residents concerning fire prevention 25 systems, it seems that during a period of time, it had	1 commitments, and therefore we have this responsibility 2 to analyse the roles of the Government departments. 3 Actually, in the Government's statement, they have 4 already honestly admitted that there are systemic 5 weaknesses in their regulatory system and they have 6 provided self-prejudicing evidence and they have also 7 provided statements and evidence honestly and they 8 accepted certain insufficiencies and weaknesses. Be as 9 it may, we still have to analyse what's happening and 10 what are the weaknesses in the system. 11 The first that I'd like to speak of is ICU, 12 Independent Checking Unit. The supervisory function of 13 the Department of Housing is delegated to the ICU. In 14 other words, the ICU plays a role of monitoring the 15 works relating to HOS, including Wang Fuk Court. 16 Now, the representative agreed with the counsel at 17 the hearing that the ICU just blindly follows the 18 existing practice. This is what was agreed by Mr Lau 19 when being cross-examined by Counsel Mr Yuen. 20 For safety audits we believe the ICU is primarily 21 responsible, it should not rely on the Buildings 22 Department. In all fairness, Mr Lau also commented 23 that, in fact, after the fire, the workflow of ICU 24 improved. We acknowledge that. 25 Should a supervising unit just blindly follow the
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1 gone into a grey area. And Dr Auyeung had mentioned 2 that the ordinary people would basically approach the 3 fire department and they don't know which other 4 departments are concerned. And Mr Chan had asked is 5 there a department which would be finally responsible 6 for all? 7 Well, the ball is passed among the departments and 8 finally no action is taken. In the world we believe 9 there is scarcely a system where it is completely 10 foolproof or waterproof. The problems we see are 11 accumulated over days. The present term of Government 12 may be facing situations or problems that have been 13 accumulated over years. But bid-rigging and other 14 practices and also relevant parties using different 15 fraudulent means to operate building maintenance 16 projects, all these are practices. It is only after 17 a tragic fire that it's believed that these parties are 18 faulty, that they cannot self-regulate. 19 The Government representatives do not agree to 20 vacuum in regulation claim. The residents, as the 21 chairman had mentioned, had fallen into a certain grey 22 area. We understand that for the Committee's terms of 23 reference, it is requested that we look at the different 24 layers of regulators, including the Government 25 departments, their responsibilities and their	1 practice of another Government department? Because not 2 all RIs and not all contractors are law-abiding. 3 As a regulator, it should continue to review its 4 practices. It should question itself whether there are 5 loopholes, whether there are blind spots and areas 6 vulnerable to exploitation in the system. If these 7 questions are not asked, then there is no way of 8 identifying those who exploit and abuse the system. And 9 we agree that when it comes to actual operation, there 10 are pain points and difficulties, especially in the face 11 of dishonest stakeholders. 12 So we are not suggesting that the ICU has an easy 13 task in front of them or the problems are easy to be 14 solved. However, according to the ICU, policy-wise they 15 follow the Buildings Department's practice, to put it 16 bluntly, blindly. But they did not follow blindly their 17 practices. In fact, there was zero site safety checks 18 for Wang Fuk Court, which is a departure from the Minor 19 Works System and the approach adopted by the Buildings 20 Department. 21 As to what would cause the ICU staff to conduct 22 checks, it's mostly arising from complaints. No checks 23 will be conducted if no complaint was lodged. Say, for 24 the plastic sheeting or so-called canvas covering the 25 exterior of buildings, the materials covered the nets as

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1 well. Before the fire, nobody cared whether the 2 sheetings were fire-retardant, because nobody had this 3 knowledge and no resident complained. So in the eyes of 4 the ICU, because no complaint had been received, the 5 problem was not discovered. So without actual on-site 6 checks, how would they exercise the supervisory 7 function? They conducted desk reviews and also 8 inspections conducted by the RIs. 9 Mr Andy Ku at the hearing admitted that just by desk 10 reviews they would not have a clear idea of what 11 actually happened. So if the RI reported something else 12 instead of what they actually did, then Mr Ku admitted 13 that, according to the prevailing mechanism at the time, 14 there was no way the ICU would know the truth. So the 15 supervisory function was actually performed by Wang Fuk 16 Court residents. 17 I further explored this with Mr Ku. According to 18 the mechanism, it's the owners who engaged the RI, but 19 who should supervise the RI? He agreed that there 20 should be supervision. 21 However, when works were in progress, there was no 22 supervision mechanism. Nobody ever supervised the RI 23 when works were in progress. Mr Ku admitted that it was 24 the prevailing mechanism. We knew what happened to the 25 RI in Wang Fuk Court, what went wrong.	1 through nobody supervised the RI. 2 When there was no complaint, the ICU would not 3 conduct site checks. In February 2024, all the way to 4 November 2024, the ICU received 41 complaints and 5 enquiries. In our written submission we summarise the 6 four types of responses of ICU. That's in paragraph 933 7 of our submission. 8 First, it's not related to the ICU; second, 9 conveying the complaint to Will Power directly; third, 10 telling complainants to contact IO, management company 11 or contractor directly; or if it was anonymous complaint 12 without means of contact then they would not proceed 13 further. 14 In paragraph 937 of our submission, complaints were 15 the sole trigger for action by the ICU. The ICU's -- 16 the system was passive. ICU relied on an RI whom they 17 had never seen before. In June 2025, Tony Tsui, the 18 chair of IC, said the following in the WhatsApp group. 19 He had hoped that the ICU would follow up on the 20 complaint but it seems apparently the ICU would just 21 shelve the complaint. 22 The written submission also explored the Minor Works 23 System and the inspection mechanism. Especially for 24 Wang Cheong House and Wang Chi House and the relevant 25 works at the staircases.
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1 Mr Shum Kui Chung passed away in July 2022 and the 2 ICU learned of this fact only in 2024. In fact, ICU 3 wrote to Will Power at the time. It was said that the 4 works started in June and there had not been any RI 5 appointed and that no repair works should be carried out 6 before RI is formally appointed, according to the 7 letter. 8 So ICU told Will Power that an RI should be 9 appointed. There was no reply at first. After 10 a chaser, Will Power then submitted a form and claimed 11 that after Mr Shum Kui Chung had passed away, the task 12 of supervision had been passed to Mr Wilson Ng. We now 13 understand that this is nothing but a blatant lie. 14 According to the company's record, seven months 15 after Mr Shum passed away, the company first appointed 16 Mr Chan Siu Wah as a director and only 10 months 17 subsequent to that appointment was Mr Ng appointed as 18 RI. So this immediate handover of the position of RI 19 was not true. The ICU did not verify the statement of 20 Will Power. At the evidential hearing, the ICU said 21 that this concern was about the submission of MB11 form 22 and whether the name of RI was provided. 23 So in the event of the predecessor RI passing away 24 and the RI in succession, that RI had become a 25 rubberstamp, just signing off documents. So through and	1 Some photos were attached to the relevant forms 2 before works commenced. If we could take a look at 7-1 3 and 7-2 of the written submissions, pre-commencement 4 photographs. Pages 395 and 398. 5 I think these photos are still fresh in your mind. 6 You will see the windows at the staircase, it has been 7 converted to the access opening. You will see the door 8 left ajar in block A. For the windows in block F, they 9 come with warnings as well as signs and the lock. You 10 can go through the pages. 11 The minor works team of the ICU viewed the photos 12 and granted approval. They considered them appropriate. 13 Now, the question is, when viewing the photos, the ICU 14 team must have viewed the access openings as well. Let 15 me put it this way. To dive in deeper, you may suspect 16 or you may wonder why staff of ICU did not find any 17 problem on viewing the photos. Their explanation was 18 that they did not view the photos seriously. They just 19 considered whether photos were submitted and whether the 20 photos were clear. 21 You may recall Mr Yung Siu Lun as the gatekeeper. 22 He provided a written statement. He said he had not 23 considered that these were access openings for workers. 24 For every five floors access openings would be created. 25 We showed him photos. He said he didn't notice at the

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1 time. I then asked why would there be a lock if the 2 cover was there just to provide protection? He said on 3 a closer work he would agree with me. 4 Then for the photo with the door open, he then 5 agreed that it was impossible for it to be used only for 6 protection. 7 So, according to our written submission, the 8 conclusion is that if somebody with professional 9 expertise looked at these pictures seriously, they 10 should have discovered the problem. 11 According to ICU's inspection manual, for basic or 12 fundamental checks, if irregularities are identified, 13 on-site inspections should be conducted. But the 14 pictures showed the irregularities but the photos were 15 not viewed seriously and no on-site inspections were 16 conducted. That's exactly what is entailed in this 17 mechanism of a complaint-based inspection. 18 So for access openings, members of the public may 19 not appreciate the need to complain. In fact, from the 20 hearing we also wondered the consequence of providing 21 access openings at staircases. Only those with 22 professional expertise would know. 23 In hindsight, we see this complaint-based inspection 24 mechanism a weakness, so we subscribe to the view of the 25 Government.	1 after conducting follow-up an Grenfell Tower fire, he 2 was concerned about the materials used. So Mr Franco 3 Tse did not agree with this allegation. He would never 4 have responded in that way. But they both agreed on 5 this point. On this occasion, when he was verily 6 consulted, no photos were shown to Mr Tse, no 7 information about the complaints were shown to Mr Tse. 8 So, in hindsight, what actually transpired from this 9 dialogue is not crucial. What is crucial is that ICU 10 failed to get hold of the extent of the use of foam 11 boards and for how long. So at that time, when we asked 12 Mr Ku, he had no idea that for 1,900 units in Wang Fuk 13 Court the windows were covered for up to 15 months. 14 Mr Tse also confirmed at the evidential hearing one 15 important point. For extensive covering of windows for 16 a long period of time, this would never fulfil the 17 requirements of section 16 of the Building Regulations. 18 We explored this point with the witnesses. 19 What is crucial is that subsequent to that episode 20 15 months on, ICU never asked Prestige about the 21 specifications of the materials, whether they were 22 fire-retardant or how long the hacking works would go 23 on. On the last follow-up occasion on 18 November 2024, 24 ICU just asked whether Prestige had followed up on the 25 matter, the answer was in the affirmative and ICU
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1 Next I'd like to turn to polystyrene foam boards. 2 I think we need to take a closer look at the issue. The 3 first complaint arose in September 2024. It was made 4 via 1823. The resident burned and found the foam boards 5 to be flammable and then it was said that it would be 6 put up on the windows. Then for blocks F, G and H, 7 you would find that there were stacks of foam boards 8 around and it was evidenced that these materials would 9 be put to extensive use and the ICU would have known had 10 they checked. 11 Mr Andy Ku conducted an inspection on 25 September. 12 He witnessed the foam boards materials being used and 13 windows were covered. On 28 October he conducted an 14 inspection. He told Prestige that it could pose a fire 15 hazard. Prestige responded by telling a lie and that 16 after hacking works had been finished for every three 17 floors, the foam boards would be removed. These 18 dialogue only surfaced after the evidential hearings 19 were held. No record was made. 20 According to Andy Ku, towards the end of September, 21 he verily consulted Mr Franco Tse from the Buildings 22 Department. According to his response, the temporary 23 use of foam boards to cover windows was not considered 24 building works so the requirement on fire-retardant 25 properties did not apply. Mr Ku did not agree because	1 accepted that. 2 Later on in November, when a complaint was received, 3 and then in January ICU took in some pictures during an 4 inspection. In March, in the briefing session Prestige 5 showed 21 photos and a video clip. In June they took 6 some more pictures. In July these pictures were 7 transmitted via WhatsApp. We looked at these photos at 8 the hearings. Every photo showed foam boards covering 9 windows but ICU never asked why these foam boards still 10 existed after so many months. Shouldn't they follow the 11 practice of taking them down after the hacking-off works 12 for every three floors? The main reason is that, as 13 admitted by Mr Ku, ICU failed to follow up on the 14 matter. 15 Next, many residents may consider foam boards as 16 flammable. They may be ignorant about the danger of 17 access openings but they surely understand the danger of 18 foam boards. So why didn't anyone make a complaint? 19 When ICU replied to the public complaint, the ICU stated 20 that foam boards are not regulated under the laws. This 21 is of course not correct. According to paragraph 970 of 22 the written submission, the complainant was asked to 23 contact Prestige, and according to the Buildings 24 Department, the extensive covering of windows with foam 25 boards is in contravention with section 16 of the

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1 Building Regulations in relation to illumination and 2 ventilation. 3 So, having replied to residents in such a manner, 4 it's just natural that residents did not further make 5 a complaint. 6 Now, about using foam boards on a temporary basis. 7 It's a lie. Of course every resident in Wang Fuk Court 8 was unable to open the windows; and this was a lie. So, 9 in our written submission we pointed out that ICU failed 10 to actively follow up on the matter of foam boards 11 despite numerous inspections. And the Government 12 counsel also admitted the same in his written 13 submission, in particular in paragraph 589. 14 Next, on scaffolding nets, the ICU -- we are aware 15 of the pre-notification for inspection. We do not have 16 evidence and we are not suggesting that the staff 17 responsible for the inspection in ICU is accepting an 18 advantage or is conspiring with the contractor. We are 19 not suggesting that. We have no evidence. But it 20 leaves a loophole for the contractor to deploy 21 deception. 22 We looked at the relevant evidence. What is the 23 reason of not conducting surprise checks? The surprise 24 checks or inspections were actually conducted by other 25 Government departments, so this is a glaring problem.	1 construction period the ICU did not after any effective 2 inspection and supervision. The complaints and worries 3 of residents have been ignored by the ICU. The 4 non-fire-retardant scaffolding nets and the access 5 openings, all these are the causes of the fire, and 6 that's indisputable. 7 I'd like to go to the Buildings Department. The 8 Buildings Department is not the frontline department 9 supervising the case, they delegate to the ICU some of 10 their power. There was a memorandum of understanding to 11 make sure that ICU maintains the BD standard. Where 12 necessary, BD can vet the work of ICU. 13 As we have this mechanism, people may question, has 14 any vetting been conducted? Assistant director 15 Ms Cheung said in the hearing that, according to her, 16 regarding Mandatory Building Inspection Scheme, no 17 random check has been conducted. I asked her why. She 18 said that she could not answer it. That's true because 19 that's under the purview of another staff. Mr Lau of 20 ICU confirmed that the Buildings Department never 21 audited the ICU's MBIS work. 22 What's regrettable is if the ICU did conduct audit 23 checks on the ICU work, the result may be different. In 24 April 2023, BD for class I minor works need to be 25 conduct a sample check of 20 per cent of the work but
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1 Using a lighter to conduct the rapid test, as we 2 know, this is not scientific at all. The Buildings 3 Department would not conduct tests in such a manner. 4 This is pointed out in our submission paragraph 1021.7. 5 As for the test conducted on 28 October 2024, what's 6 troubling is that the net was on fire for 10 seconds and 7 yet, when reporting the matter to the Buildings 8 Department, Andy Ku did not mention it. 9 As for the certificate for the replaced nets, the 10 Buildings Department did not get hold of the 11 certificate. According to Andy Ku, Prestige informed 12 them that the certificate was obtained from the 13 supplier. There was no questioning, there was no 14 further enquiry for proof. 15 We all know that after the fire the administration 16 tried to rectify all the problems. PNRC 85 was issued 17 by the Buildings Department. The scaffolding net 18 certificate need to be verified by Government-designated 19 accredited laboratory now. The BD also conducted site 20 inspections by randomly selecting samples from different 21 floors and positions of buildings and it found that some 22 200-odd scaffolding nets of buildings were not up to 23 standard. So this Wang Fuk Court case is not 24 independent at all. 25 Let me summarise the failure of ICU. At	1 the Buildings Department did not inform ICU of the new 2 requirement. When did ICU come into realisation of the 3 new policy? That's after the fire, on 22 October 2025. 4 Mr Yung Siu Lun said that if he was aware of the problem 5 then it's likely they would discover the access opening 6 problem. 7 On the fire retardancy certificates of scaffolding 8 nets, the Buildings Department's own practice for the 9 nets was limited to reviewing certificates but they 10 would check whether the laboratory has issued the 11 certificate and whether it was HOKLAS accredited or 12 covered by mutual recognition. If the Buildings 13 Department was the one to collect the certificate, they 14 would verify if the relevant institution issuing the 15 certificate existed. At that time, they would have 16 found out that the authority issuing the certificate was 17 problematic and they would have found out the problem 18 about the scaffolding nets. 19 In PN 85, now we ask the accredited laboratory to 20 conduct sample check of scaffolding nets. 21 Now, on the responsibility of BD. We have been 22 discussing this problem since the opening. This is 23 a project of \$338 million, eight blocks of building 24 housing 1,000 residents. For large-scale renovation 25 work of external walls of an entire estate, if it's

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1 still considered minor works, then it's unreasonable and 2 the Government already addressed the problem in their 3 closing submissions. 4 Chairman and members, I will now go into the Fire 5 Services Department. 6 Our submission is this. In terms of supervision of 7 fire risk, they have the power to do so. However, at 8 the time, according to their understanding and division 9 of duties, some of the work had been dedicated to BD and 10 ICU. According to section 7 of the FSO, the duties of 11 the FSD is to extinguish fires, protect life and 12 property in case of fire or other calamity, give advice 13 on fire provision measures and fire hazards as the 14 occasion requires. 15 Section 2 of the FSO defines "fire hazard" as: 16 "any other matter or circumstance which materially 17 increases the likelihood of fire or other calamity or 18 the danger to life or property that would result from 19 the outbreak of fire ..." 20 Section 8(1)(c) of the FSO: 21 "... the Director of Fire Services may enter any 22 premises at all ... times to ascertain whether a fire 23 hazard exists." 24 The Director of Fire Services agreed that power 25 conferred to the FSD is not given to any other	1 Now, looking back, they impose self-limitations 2 given the division of duties at the time. Between 2022 3 to November 2025 the FSD received at least 20 complaints 4 regarding the Wang Fuk FSI and no actions have been 5 taken. 6 Yesterday Counsel Suen raised this point. We 7 understand and agree there has to be a division of 8 labour among different departments. Very often this 9 division is done in great detail. When there is 10 division of duties there will be blind spots, there will 11 be pain points. I think this shows the importance of 12 communication among departments. What we need to guard 13 against is that when departments divide their labour, we 14 need to ultimately hold someone responsible. I will 15 repeat it in my recommendations. 16 THE HON MR JUSTICE DAVID LOK: Judge Wilson Chan in the case 17 law, if you look at the background of the legislation, 18 he stressed that communication among departments is 19 important. So that point was mentioned when the law was 20 legislated so I think we need to look into it and give 21 it a thought. 22 MR VICTOR DAWES: I understand that the Government is 23 a large institution. Division of labour is necessary. 24 When addressing problems, there will be blind spots, 25 there will be pain points. That's fully understandable.
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1 department. 2 According to section 4, the FSD can issue FHAN, fire 3 hazard abatement notice. The FSD is also empowered to 4 abate the fire hazard if the one being issued the notice 5 does not do it. 6 We all know that, according to case law, the 7 authority or power of the Director of Fire Services is 8 broad. It's not limited to just buildings under the 9 purview of FSD. 10 Although BD has a role in those buildings, it does 11 not mean that FSD can ignore those buildings. I've read 12 some of the paragraphs of the judgment. He agreed that 13 the FSD cannot just ignore passive fire services 14 installations. This understanding was departed from the 15 action at the time of the Wang Fuk Court fire. The 16 director said that there is division of duties among BD 17 and FSD. Director of Fire Services Mr Yung said that 18 for scaffolding nets, passive fire installation 19 equipment, they are under the purview of ICU. He 20 admitted that the division of labour at that time was 21 not discernible from the Fire Services Ordinance. 22 When asked about the propped-open smoke door, that 23 is the passive fire provision at the time, he, Mr Yung, 24 said that it would be dealt with by the FSD as a fire 25 hazard.	1 But we need to learn a lesson from the fire and I think 2 that we need to work harder on the part of 3 communication. 4 THE HON MR JUSTICE DAVID LOK: Well, I think that 5 communication is key. When two departments are 6 overseeing the same thing, then they need to have tight 7 communication. 8 MR VICTOR DAWES: On the shutdown notice system, before the 9 fire happened, SDN can be extended for 14 days. When 10 it's expired, it can be renewed indefinitely, for an 11 indefinite number of times. From implementation to 12 enforcement, we understand that China Status submitted 13 93 SDNs. 85 of them have been renewed. The FSD, upon 14 receipt of the SDN, conducted on-site check but among 15 the 26 on-site inspections, none of the SD staff have 16 entered the pump room to look into whether the fire 17 hydrant hose reel system has been turned off. If any of 18 the staff of FSD did enter the pump room, the result 19 would have been very much different. 20 The consequence of not entering the pump room is no 21 one knew the switch was turned off. According to the 22 internal records of the FSD, they said that their 23 conditions were the same as what was mentioned on the 24 SDN notice. As a result, Wang Tai House, the system was 25 off 234 days. 17 SDN notices had been submitted. SD

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1 did not ask why the FAS system was shut down for such 2 a long period of time. 3 Chairman, I understand that the building maintenance 4 works involve the priority of law enforcement and 5 resources allocation problem. Mr Keung, when I looked 6 into this problem with him, he raised a new point. Many 7 old buildings' maintenance works may have registered FS 8 contractors and owners' corporation. These are more 9 comprehensive system in place. FSD often focused on 10 three new buildings with no registered FS contractors, 11 no incorporated owners. These old buildings are often 12 ignored. Recently, there is a media that have conducted 13 a study on this issue. The problem is severe. 14 So we understand that the Government need to accord 15 different priority to different buildings and there may 16 be a challenge, but it does not mean that the system at 17 the time was unproblematic. 18 Within 14 days, applicants need to submit a staff 19 list. China Status was late in their submission by two 20 days. The FSD only entered the notice in their system 21 two months late. The law required the notice to be 22 processed within 14 days but it was only handled in 23 eight months. Maybe the FSD did not realise the risks 24 involved in building maintenance works. Eight blocks of 25 buildings housing 1,000 residents in maintenance works,	1 thing is no one connected all the dots. He said the 2 risk was foreseeable but not foreseen. The Buildings 3 Department and the FSD, as the departments designing and 4 formulating fire prevention policies, they should be 5 held liable. 6 In paragraph 1132 of our submission, we said that 7 these criticisms are not directed at the firefighters 8 who fought the fire at Wang Fuk Court. Their courage 9 and self-sacrifice, including that of Fireman Ho, 10 command the deepest respect. 11 After the fire, the enforcement system is now 12 different from that before the fire, but it seems that 13 before the fire the system could not foresee or prevent 14 the hazard. 15 The last major department that warrants my 16 mentioning is the Labour Department. The role the LD 17 played is rather minor. LD is responsible for 18 administrating and enforcing occupational safety and 19 health legislation. They have many tools. They can 20 issue suspension notice, they can issue improvement 21 notice, warning letters, they can prosecute. They have 22 much enforcement powers. They have conducted 23 17 inspections in Wang Fuk Court, including initial 24 inspections, normal inspections every one to two months, 25 complaint investigations.
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1 the blocks were wrapped in plastic sheetings, canvas, 2 many construction workers smoked. There were complaints 3 against the fire hydrant hose reel system was turned off 4 for a few months. 5 Chairman asked if the fire risk was high given the 6 blocks were under building maintenance and were housed 7 by residents. You may remember his answer that the fire 8 risk was high, given hindsight. According to the 9 Grenfell Tower hearing, the report was released in 10 stages and the phase 1 report, there were three rulings 11 which is relevant to this case of Wang Fuk Court fire. 12 The combustible articles at the external wall was 13 the reason why the fire spread so fast. Second, the FSD 14 staff did not know that the materials were combustible, 15 no plan was formulated. Third, the teams sent to the 16 site did not undergo investigative training. 17 I think we have to now consider these facts. To be 18 fair, after Grenfell Tower fire, the BD and the FSD did 19 conduct a review. They looked at the buildings covered 20 by combustible scaffolding nets, then they did formulate 21 an emergency plan and that targeted permanent materials, 22 but they did not consider temporary materials used 23 during maintenance works. 24 As Prof Usmani said, if you look at similar -- well, 25 Wang Fuk Court fire was not the first of its kind. The	1 Given so many complaints against Wang Fuk Court, we 2 know that LD conducted inspections but no prosecution 3 was initiated. We know that smoking was the cause for 4 the fire. During the 16 months, residents complained 5 nine times to the LD. No complaint was substantiated in 6 the end. This may have to do with the enforcement 7 approach of the LD. When construction workers see 8 LD staff coming, they would cease smoking. This will 9 result in ineffective enforcement action. 10 In section 27 we do have a smoking -- section 53, 11 there's a smoking ban. There is a large number of 12 combustible articles. The LD said that they are not 13 flammable. In the end, no suspension notice was issued. 14 I just talked about the role of LD. It does not 15 stop here. They received certificate of scaffolding 16 nets and they did not realise any problem with the 17 certificate. They did not identify the difference 18 between the two certificates. Ms Cheung said that the 19 residents did not find any problem. I think that this 20 shows that the department's understand of the law is 21 problematic. 22 Regarding access openings, the LD conducted 23 17 inspections. They did not go to the means of escape, 24 the staircase. They said that the relevant labour 25 legislation does not apply to occupied premises.

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1 I do not agree with this statement. Means of 2 escape/staircases will be used by workers when a fire 3 breaks out. The Labour Department's role may be a minor 4 one compared to other departments, but there is still 5 room for improvement. 6 There are other departments that have a part in the 7 case. The police, before the fire, had no statutory 8 supervisory role on the fire services installation. 9 Their role is just about the emergency response. The 10 Home Affairs Department is responsible for policy on 11 building and property management. They are not the 12 supervisor of fire hazard. They are not a fire safety 13 regulator. 14 The Urban Renewal Authority had no regulatory 15 responsibility for fire safety in Wang Fuk Court. They 16 are responsible for the Smart Tender scheme. We will 17 look into it afterwards. 18 Chairman/two members, summarising my one-hour-odd 19 submission, I have the following conclusion. Before 20 you, in terms of the roles and responsibilities of fire 21 supervision and regulation, it lies with the BD, ICU and 22 the FSD, and on fire hazards, Labour Department. 23 I think the problem lies with trust. ICU trusted 24 RI. FSD trusted the contractors. The Labour Department 25 and ICU trusted the certificates. The Buildings	1 want to be more stringent. 2 In the future, consultation and study would reveal 3 different results and conclusions. Perhaps there can be 4 other ways of going about it. But we want to go through 5 the three temporary measures. For the 168 lives that 6 were lost, the three main conducting factors, we have the 7 following. 8 You remember Prof Usmani, he said that there should 9 be immediate cessation of light well and also high-risk 10 exterior walls to use risky materials around there, and 11 also to place combustible materials on platforms, and 12 also to use foam boards to cover the windows because, 13 for these materials, once it catches fire, it would melt 14 and also there will be flaming droplets that can fall 15 onto the bamboo scaffolding and it becomes fuel for the 16 flames. And also the combustible materials in the light 17 wells, this should be avoided as well. 18 In March 2026, the Buildings Department had issued 19 this notice and made the first step and also, together 20 with the ICU, they had made spot checks and inspections. 21 And also, this had been put into the Buildings 22 Ordinance, and if there should be any violation, there 23 would be immediate penalties. We believe that this is 24 the right step forward and there is an urgency for that. 25 Secondly, for fire exits, there should be immediate
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1 Department trusted the integrity system of the Buildings 2 Department. When unscrupulous contractors have no 3 integrity, the system breaks down. 4 So our submission is that the problem is systemic 5 and also pertains to all levels. There should be 6 structural reforms, not patchwork. 7 Next we will go into our recommendations. 8 Concerning fire safety matters, our recommendations, 9 I can mention them briefly. Overall, the principle 10 should be that in chapter 8 of our submission it 11 contains our recommendations on fire safety matters. 12 There are three main principles. Each of the 13 recommendations is based on the evidence given in the 14 hearing and also within the terms of reference of the 15 Committee. 16 Secondly, the Government recently had already 17 published a number of measures to address the loopholes 18 revealed by the incident. Our recommendations are based 19 on these to see whether there can be further steps and 20 also to come up with further recommendations for the 21 Government to consult and to examine. 22 There are certain measures, thirdly, that are 23 further prudent. These are temporary measures which we 24 do not foresee will be used for the long-term, but this 25 is about human lives and I would believe that you would	1 prohibition of access opening. For the Wang Fuk Court 2 incident, I don't think we have to repeat how important 3 it is to have the means of escape. For the staircases 4 and the larger windows, they should be using fire-rated 5 glass. 6 In passing, I would want to say, for some of the old 7 buildings, their windows and also for their lift 8 lobbies, there are some openable windows. The 9 residents, should they close these windows well and in 10 the long-term install airtight windows? This is 11 something the FSD should consider. 12 Also, after the fire incident, there is a question 13 asked by the public at large: for a number of the courts 14 or with the different blocks or towers within the court, 15 cannot the maintenance be done in different stages? 16 There is a serial fire lighting-up situation for 17 Wang Fuk Court. On the other hand, if the scaffolding 18 is not erected at the same time, it would impact cost. 19 We understand that. But it would also facilitate the 20 spread of fire. 21 In the Wang Fuk Court incident, as an example, if 22 the works were phased, the result would have been very 23 different. So these are some of the areas that we think 24 are important and of urgency. 25 For longer-term reform, in our submission, there are

Page 81 1 11 areas with dozens of recommendations. I will not go 2 through them all. I will just highlight a few important 3 points. 4 First of all, the testing and certification of 5 materials. Inspection should not be pre-announced but 6 be spot checks, and also Government labs should 7 independently verify the materials rather than to just 8 trust the consultants or the contractors. And also the 9 certificates should be issued by the Government labs and 10 also verified. We urge the Government to consider 11 a further step, and that is gathering samples for nets, 12 for example, that there should be a numbering and coding 13 system so that there will not be a situation where the 14 tested is not the hung nets. 15 And also for metal scaffolding or fibreglass or if 16 other non-combustible materials should be considered, of 17 course it's not a cookie-cutter, but on the other hand, 18 for the long-term this can be considered for 19 enforcement. 20 Also, the SDN system. The FSD has already said that 21 they will follow up on that, although FS 251, this has 22 already been in practice since 1 July 2026, and one can 23 see at one glance who's tardy. 24 And also, the five-year licensing period and also 25 24-hour reporting where the fire system is found to be	Page 83 1 penalised. 2 And also, as with the Garley Building fire, for lift 3 shafts regulation, should this not also be applied to 4 light wells, because there is relevance? And also 5 reconstruct the RI system. This is not easy. We have 6 consulted the trade for RI on-site inspection. This 7 cannot be further delegated or authorised. We should 8 stamp out this borrowing of names and signatures 9 practice. There must be an identification of suitable 10 persons and also in personal discipline. And fines, 11 these should be made more hefty. 12 Technology. Technology actually pierces through 13 many of the issues that we have named, for example, 14 sampling, putting out of fire, et cetera, technology 15 should be used. We recommend using sensors and also 16 residents' notification apps for early notification 17 where fires break out. 18 Also, we should have a ratio for inspections, the 19 least frequency of inspections, and also there should be 20 milestones. For example, the ICU, with 16 complaints as 21 a standard, but actually there should be an ISO 2859-1 22 standard abided by. 23 And also, the pump room access should be looked into 24 by FSD. And also, the fire installation should be 25 looked into, as well as evacuation arrangements and
Page 82 1 not working, this is important. And also to have 2 anti-tampering seals, this is also being followed up. 3 Also, for high-risk and inhabited housing blocks' 4 maintenance, the FSD should have an assessment. The 5 experts have said that there should be a balance. It's 6 not like for every project there should be a risk 7 assessment exercise. We understand the issue concerning 8 cost. It has to be practicable. We are not saying that 9 there should be one standard for all situations, but 10 once it is standardised and also scientific for these 11 risk assessment structure, and also we have done some 12 testing as well, there should be consideration as to how 13 this regulation can be put into place. 14 And also, we note that yesterday there was a passage 15 of non-smoking measure that was passed by the LegCo 16 yesterday. It's in immediate implementation. And also 17 the Buildings Department and the ICU should have spot 18 inspections. This is straightforward. For each 19 complaint, there should be at least one department which 20 is ultimately responsible. 21 Further, we know that this is being considered, and 22 that is the amendments to Buildings Ordinance and 23 associated legislation, and that is the minor works. A 24 \$300 million project is no longer minor works, and 25 unacceptable materials being used should be more heavily	Page 84 1 difficulty should be looked into by the FSD, as 2 evidenced by this incident. 3 If I may conclude, in the past there had been 4 certain recommendations which are very much in detail, 5 and in the submission we have raised some examples where 6 there can be more detailed looking into. For example, 7 the penalties or fines, we have proposed a number, but 8 we understand that for the Committee, the 9 recommendations should be directional, and for certain 10 issues there should be further consultation of the 11 trade, and the Government have to consider practicality, 12 et cetera. But for building safety, for fire propensity 13 and hazards, these things cannot wait. Everything 14 should be put in place as soon as possible. And we 15 notice that some have already been put into place 16 recently. 17 Chair/members, next I will go to part 6, which is 18 rigging of bids. Perhaps we can have an early break for 19 lunch. 20 THE HON MR JUSTICE DAVID LOK: Yes. Let's resume at 2.15. 21 (12.52 pm) 22 (The luncheon adjournment) 23 (2.15 pm) 24 MR VICTOR DAWES: Chairman/members, I will come to part 6, 25 involving bid-rigging and associated misconduct.

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1 Paragraph 2 of the terms of reference requires the 2 Committee to examine whether there were systemic 3 problems such as bid-rigging, corruption, irregularities 4 and their prevalence. We must start by making this 5 statement. 6 In relation to whether bid-rigging was involved in 7 Wang Fuk Court renovation works, it's not within the 8 Committee's remit. As we know, the criminal proceedings 9 are now underway. They should not be intervened with. 10 What we are trying to do is to display all the evidence 11 and information collected in this exercise so as to look 12 for systemic problems. 13 As far as the market is concerned, I'd like to first 14 explain the prevalence of bid-rigging and the 15 anti-competitive conduct. For building renovation, 16 bid-rigging is in fact prevalent in the market. The 17 Competition Commission made a submission earlier; they 18 summarised seven different tactics. I'm not going to 19 repeat them. They also provided case studies in which 20 some contractors failed to cooperate in bid-rigging and 21 they were assaulted by triad members. There was also 22 cover bidding cartel with pricing homework circulated on 23 groups and there were also bid-rigging syndicates. 24 Now, we note these cases in the Competition 25 Commission's submission. The ICAC provided analysis on	1 The URA designated RS Surveyors as the independent 2 consultant to provide an initial cost estimate for MBIS 3 works. The estimate was \$102 million. 4 On 25 January 2019, Prestige won the bid at 5 \$220,000. There were 24 bids ranging from \$80,000 to 6 \$1 million. The average bid was about \$500,000. Let's 7 look at two details. 8 If you remember earlier, the initial price was 9 \$240,000. Without IO making a request for discount, the 10 relevant RI offered a discount, lowering the price to 11 \$220,000. The other bidder, Yuen Dong, offered a bid of 12 \$188,000. They won. Will Power won by having 2,999 13 votes. That accounts for 67 per cent of the vote. 14 After this landslide victory of Will Power, the 15 following was observed: incumbent chairman Mr Tang Kwok 16 Kuen held 71 proxies for the meetings. The vice 17 chairman, Chan Tak Shing, held 64 proxies; Chan Man 18 Cheung, secretary, held 51 proxies; one of the members 19 of the MC, Sin Lai Mei, held 12 proxies. The four 20 people in total, their proxies accounted for 2,575 21 undivided shares in Wang Fuk Court. The votes were 22 plainly instrumental to the appointment of Will Power as 23 RI. 24 So what was done at this juncture? The tender for 25 RI did not involve the electronic platform. URA offered
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1 why such conduct was hard to detect. Every participant 2 in the process would benefit from it. 3 The RI only existed in name. This focus inspector 4 was recruited to sign forms and some property management 5 companies would charge a commission at a rate of 6 3 per cent to 5 per cent and sometimes even triads would 7 be involved. The Committee also received information 8 from members of the public. A number of owners of other 9 housing properties mentioned similar experiences. So, 10 clearly, bid-rigging was not a one-off incident for Wang 11 Fuk Court. It's a common problem. 12 In March 2026 the Competition Commission took action 13 against 11 housing estates involving a sum of 14 \$700 million. Afterwards, the police and Fire Services 15 Department mounted joint operation arresting and 16 prosecuting seven individuals and two companies 17 involving two manslaughter cases, and these proceedings 18 are expected to continue. 19 Next we will now turn to the specific case of 20 Wang Fuk Court and the tendering process. We will 21 compare Wang Fuk Court with other suspicious cases of 22 bid-rigging and rigging of the tendering process. You 23 will find details in our submission, especially in 24 part C. 25 In 2018 the IC took part in Smart Tender of the URA.	1 the DIY tool-kit and a standard template for the MC of 2 Wang Fuk Court to adopt. They will not comment on the 3 reasonableness of the bid. When the Committee discussed 4 the tenders, the URA would leave the meeting. 5 In paragraph 1360, we said that the URA missed the 6 opportunity to reduce the risk of bid-rigging. RI is 7 the statutory watchdog tasked with inspecting the 8 building and determining what repairs are required. If 9 a corrupt RI is installed, the syndicate actually 10 captures the referee of the entire project, enabling 11 control over the far larger downstream construction 12 contracts. 13 By late 2019 Will Power had completed the physical 14 inspection. They won the consultant bid with \$308,000 15 tender price. The Smart Tender scheme only covered the 16 contractor's tender. For tendering for consultant and 17 inspector, they're not involved. The URA will not 18 comment on the reasonableness of the bid of the 19 consultant. 20 In 2013, 99 companies responded to the tender for 21 contractors. 14 were invited for the interview. On 22 28 January 2024, there was an EGM that passed 23 "option 3", that was the most expensive. 24 On 16 April the contract was signed. We all 25 remember that the project cost was \$360 million. Six

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1 years' time the independent consultant RS Surveyors 2 assesses the project, which went to \$100 million to 3 \$300 million. At every part of the event, problems 4 involved. The consultant bid was unreasonably cheap. 5 Will Power assessed that 140 days were involved. 6 300,000-odd of consultant fee. Then each day it will 7 only cost some \$200-odd. I don't think it's enough for 8 RS Surveyors to even offer basic service. The events 9 that follow will give us some inspiration. 10 The scope of the construction kept expanding. It 11 went to \$300 million. No one actually independently 12 assessed whether the items were necessary. During the 13 hearing, as we mentioned this morning, also the water 14 tank repair was an example of that. 15 Who decided on the scope of the construction? Who 16 assessed the tenders? That was the consultant to have 17 a daily wage of some \$1,000. 18 The Competition Commission already have come across 19 similar cases. Consultant using a low price to win 20 a bid, and they work with a contractor that they know so 21 that the contractor inflates the price and the bid. 22 65 per cent of the bids were lower than the cost 23 that should be incurred. So according to the 24 Competition Commission study, most of the consultant 25 actually work at a loss. The Committee does not have to	1 they were convicted on OSH-related legislation and in 2 2017 they were fined and suspended from taking minor 3 works by BD for a few months. 4 According to a police statement, at the initial 5 stage, Prestige got only a zero point at this part but 6 later on their mark was edited. And eventually Prestige 7 got full mark for conviction record. 8 A legal letter was mentioned. It was said that 9 there is in litigation against the company within seven 10 years. After the fire, we looked at the litigation 11 records of Prestige. There were 108 results. In other 12 words, Prestige was subject to a number of litigations. 13 The high concentration of proxies. Will Power got 14 the contractors, Prestige got the consultant contract. 15 All these rely on the Chairman Tang and his partner 16 Mr Chan, they held a large number of proxies and passed 17 the vote. The owners' meeting of Wang Fuk Court 18 convened despite controversy with proxies. 19 Now I'd like to turn to the EGM and proxies problem. 20 On 28 January 2024 an EGM were held. There were three 21 approaches. The third approach was passed. About 22 88.5 per cent of the people supported it. Prestige was 23 engaged. 293 owners were present physically at the 24 meeting but there were 570 votes. The difference 25 represents the proxy instruments.
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1 consider or look into whether Wang Fuk Court is one of 2 such examples. A consultant winning the bid at a low 3 price, a contractor inflating their project cost. We 4 see what was described by Competition Commission, which 5 is very similar to what happened with Wang Fuk Court. 6 The second problem, the RI, that is just a 7 rubberstamp. 8 The third problem, extremely misleading pre-tender 9 assessment report or analysis report. The owners rely 10 on the Will Power analysis. The report was distributed 11 to residents. In 2023, 18 September, we had a draft. 12 According to the Companies Registry, the relevant 13 director only came on board three months later. The 14 report did not disclose the connection between 15 Will Power with other tenderers, including Mega Praise 16 Construction & Engineering Ltd, Man Sing General 17 Contractors, Widely Construction & Engineering Ltd, San 18 Hoi Ming Construction Engineering Co Ltd and Sunarts 19 (Holdings) Engineering Ltd. All of them are connected. 20 Owners thought that there were 57 bidders that are 21 independent. They thought that they were choosing their 22 contractors out of these 57 bidders, seeing that there 23 were two corroborated groups or syndicates. 24 According to the Prestige ranking or assessment on 25 the conviction record, they got full mark. However,	1 In the hearings we heard residents complaining about 2 the possibility of proxies being bogus. Some residents 3 said that they had never appointed any proxy. But due 4 to our terms of reference and our investigative 5 approach, we do not have to draw a conclusion on these 6 areas. But I think it unveils the problem with the 7 system. 8 What problem is wrong there with the system? At 9 that time, there was no upper limit as to how many proxy 10 votes a person can hold. In terms of verification of 11 the proxy, there is still room for improvement. 12 Ms Cheng Tsz Ying from ISS said that they will match the 13 name of the owner with the appointed proxy, but they 14 have no way to verify their signature. They just verify 15 if the name on the proxy is actually the owner of the 16 unit. 17 As to whether there is other problem with proxy 18 appointment, first, ISS gatekeeping. The proxies should 19 be deposited into a box 14 days before the meeting. No 20 one verified their signature, no one verified the 21 identity of the owner. Afterwards, the ISS would place 22 the confirmation in the owner's mailbox to confirm. 23 They would not call up the owners to check. For 24 example, we should now I think ask ISS to check the 25 owners' ID cards with the name on the proxy. Some

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1 residents also complained about another problem, but 2 Ms Cheng did not put that complaint in the logbook. 3 There is problems with voting with proxy 4 instruments. Despite that the 300 million contract was 5 awarded, on 28 January in the EGM we remember how the 6 votes were counted. No one knows how many per cent of 7 the votes were proxies. We have to be fair to Ms Cheng 8 of ISS. Wang Fuk Court is the first estate that she 9 handled with regards to building maintenance works and 10 ISS did not give her any instructions. 11 The system itself allows for the concentration of 12 proxies in a small number of people, leaving these 13 people able to influence the result of tender bidding. 14 Proxy system itself is not a problem, but given the 15 controversy, there is still room for improvement. 16 Here we need to address an issue of public concern, 17 that is the role of district councillor Ms Peggy Wong. 18 We understand that after the fire there's been much 19 discussion and doubts about Ms Peggy Wong. We actually 20 put the relevant allegations to Ms Peggy Wong, asking 21 her to reply. On two occasions she submitted written 22 submissions. She admitted that starting from November 23 2021, on the invitation of chairman of the MC she was 24 the consultant to the MC, she did not sign any 25 declaration of interest. She refused that she had	1 all of them in her submissions. 2 We also received a recording. On 6 September, when 3 the MC was replaced, Ms Wong said that the replacement 4 would delay the construction work and they may lose 5 20 per cent of the subsidy under the OBB 2.0. Mr Peter 6 Wong in the hearing clarified that URA has no such 7 policy. As long as the works are completed, subsidies 8 will be distributed pursuant to the OBB 2.0. Delays 9 will not result in reduction of the amount of subsidies. 10 If the delay was really serious the URA may revoke the 11 eligibility of the subsidies. 12 Ms Wong said she had no intention to mislead 13 residents. She just reminded residents out of genuine 14 concern for her welfare. 15 Mr Wu was also under controversy. The Committee 16 asked her to respond. He said that he only attended the 17 MC meetings in attendance, she did not exercise or 18 solicit any proxies. 19 As I said this morning, among the documents we 20 collected, there's no evidence showing that they, that 21 is Ms Peggy Wong or Mr Mui Siu Fung personally involved 22 in bid-rigging or anti-competitive conduct. We all know 23 that there is investigation ongoing with these persons, 24 but based on the evidence we collected, what it shows is 25 that the intensity of dispute and controversy. The
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1 participated in the selection of contractors. She 2 denied getting proxies in exchange of gifts. She denied 3 any involvement in the evaluation of tender or 4 preparation of budgets. She did however admit to being 5 given proxy votes on two occasions, to oppose to the 6 resolutions to replace the former management committee. 7 According to the Hop On records, we found on Excel 8 file that is named "Flats whose proxies were given to 9 Madam Wong" which contained a list of 131 proxy forms, 10 most of which did not name Ms Peggy Wong as the proxy. 11 She also confirmed that on a 2011 occasion she collected 12 131 proxies; in 2024, 114 proxies. She said that she 13 only gathered these proxies through volunteers and 14 residents. She denied collecting proxies from 15 strangers. 16 These proxies account for approximately 25 per cent 17 of the total number of proxies collected; the 2025 18 occasion, about 20 per cent. She held proxies herself 19 and she held the second highest number of proxy forms. 20 During the hearing some witnesses said that Ms Wong 21 brought outsiders to the meeting and some of them said 22 that she intimidated some resident. She brought 23 volunteers to knock on people's doors to collect 24 proxies. When she filled out subsidy form for the 25 residents she asked them for proxy votes. She denied	1 relevant law enforcement agencies may follow up on some 2 other matters. 3 What the evidence shows is that in Hong Kong, in 4 terms of building management matters, particularly in 5 large-scale renovation projects, there is very often 6 dispute and controversy. 7 Chairman, you would know that we see litigation 8 among residents and owners' corporations all the time. 9 With the involvement of a public figure, the controversy 10 and dispute may be more serious. According to the HAD, 11 it is said that district councillors are not required to 12 be neutral in building management matters, they may hold 13 and express personal views, including as to who should 14 sit on a management committee. The committee did not 15 question that position which reflects the political 16 character of a district councillor's role. 17 We do not need to look into the role of district 18 councillor, but what does it reflect? I think that it 19 shows that the integrity of the voting process should 20 not rest on the self-restraint of campaigners or someone 21 that is connected to residents. We must have a set of 22 mechanism to ensure the welfare and interest of the 23 residents. We need to look into the voting machinery 24 itself. 25 Now, I'd like to turn to the Smart Tender scheme.

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1 Next I would want to turn to the limitations with 2 regards to the Smart Tender scheme. This particular 3 scheme of the URA has its purpose. In the past and the 4 future, according to the witness statements we have 5 received, is to avoid or reduce the risk of bid-rigging 6 in building renovation sector. Now, a lot of flat 7 owners have mentioned that the URA will become the 8 gatekeeper with participation in the Smart Tender 9 scheme, but the URA has always maintained that they are 10 but a facilitator. 11 Mr Wong Se King had been very clear in saying this 12 was just to reduce the risk of bid-rigging; the 13 Government has not given us remit to combat bid-rigging. 14 So for examining the tender bids, he said we rely on the 15 consultancies. This is the system for tendering. 16 As for the connection among the bidders, the URA has 17 no ability to do so; the consultant A, consultant B or 18 contractor A and consultant B, whether they have any 19 connections. As for the convictions of the bidders, the 20 URA had not looked into. And also the connectivity is 21 not looked into by the URA either. 22 So collusion is really about self-reporting from the 23 bidders, and this system seems to be the wrongdoer is to 24 report on himself. 25 As for the scoring system, in March 2023, the	1 tendering process there is another role which seems to 2 be so assuring, which is the independent consultant. 3 The URA says that this person provides third party 4 opinion, especially on costing. In the Wang Fuk 5 project, this independent consultant role is taken up by 6 ISS. What have they done? In terms of the costing, in 7 terms of gatekeeping, as mentioned, the original bid was 8 2 million-plus and then it became 224 million 9 subsequently, which is 10 times an increase and it was 10 said that this is not surprising because the tailor-made 11 items had been added and the scope had been extended, 12 and of course the costing would of course be higher. 13 But if you think deeper, from the Competition 14 Commission and also from the ICAC submissions and their 15 real-life cases, the low bidder, after winning the bid, 16 and then after that extending the scope is exactly what 17 bid-rigging is about. For these additional items, there 18 will be no one to look into the necessity of these extra 19 items. This is the response of ISS. They say that this 20 is not within the realm of our terms of reference or 21 remit to review this. 22 Next, for the 57 bids that were returned, ISS would 23 review them. What would the review report be? It's 24 about miscalculations or typos. There was nothing, no 25 comment on substantive issues. And of course there was
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1 relevant papers had been given to the URA for review by 2 Will Power and the witness had also mentioned at the 3 hearing that concerning the wording and also the timing, 4 they had provided opinions. As for whether the 5 specifications were reasonable or not, they will not 6 comment on categorically. 7 Also, we give you a rather exaggerated example. 8 Let's say, for instance, if one of the criterion is that 9 the contractor has to be handsome, would you object to 10 that? They said no. 11 So, for the scoring system of Will Power, they have 12 certain recognition for it. The URA had not reviewed 13 this in actual fact. But unfortunately, among the 14 residents, they are under the opinion that the URA had 15 already reviewed and approved it and the representative 16 counsel of URA said that for Smart Tender, would not 17 establish the scoring system. Independent consultants 18 would also not interfere with the owners' decisions 19 concerning non-mandatory maintenance projects. But for 20 the independence, at least the scoring criteria should 21 be commented on or made recommendations on by the URA. 22 We do not think that this would constitute intervening 23 the decisions of the residents. 24 So using our example, if the scoring system or the 25 criteria is problematic, why not comment on it? In the	1 no discovery of the conviction records of Prestige and 2 also there had been no substantial help in helping the 3 residents to discern any bid-rigging. And there was no 4 independent background investigation and basically ISS 5 said that this is just within the remit of our contract. 6 We are doing what's within our remit. 7 And also, the umpire and the soccer player 8 analogy -- not just because this is the World Cup 9 period -- is relevant. The consultants at the time, the 10 tendering consultants, were only three at the time in 11 Hong Kong. So they are the umpire today and tomorrow 12 they are the player as a bidder for estate projects. 13 For the market, bid-rigging and rigging up the prices 14 would also heighten this problem. And there seems to be 15 no redress or solutions within the system. The 16 residents are under the impression that ISS is the 17 gatekeeper, whereas they say that it is not within their 18 contract to do so. They are the -- RS Surveyors said 19 they will not be doing so. 20 And also, Mr Wong in his testimony had mentioned why 21 the URA was not able to provide any reference criteria. 22 He said that this would violate the Competition 23 Ordinance. But section 3 of the Ordinance said that it 24 is not applicable to statutory bodies. And also he 25 claims that the ombudsman would criticise against this.

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1 But after his statement, on 4 May of this year, the 2 ombudsman disputed this. Writing to the URA, the 3 ombudsman said that this is unfounded and purely their 4 conjecture only. And he thought that this is an 5 irresponsible way of expressing it. 6 On 13 May in the response, it was said -- the URA 7 said that Mr Wong was under a lot of pressure at the 8 time of giving witness statements. 9 We are not saying that there should be any reference 10 concerning the costs -- the costs or fees should not be 11 the only due diligence tool, but rather the independent 12 consultant and the URA should look at the relevant 13 mechanism, and the whole purpose is to find a reasonable 14 fee for the residents concerned. So the Smart Tender 15 system perhaps had given a wrong impression to the 16 residents, thinking that the URA and the independent 17 consultant would gatekeep for them at every point. But 18 in actual fact, the two had not done any substantive 19 review but rather, with a label of Smart Tender, the 20 bid-riggers had been given another layer of recognition 21 and this is definitely not the original intent. 22 Chapter 9 carries a conclusion and that is for 23 Wang Fuk Court bidding process, there were 24 irregularities. There is ground to believe that for 25 bid-rigging and non-competitive behaviour had been	1 the reasonable opinions should be provided and also 2 there should be consultants for reviews and also for 3 consultants and also for constructions, that they have a 4 good name, and also there should be cross-checking with 5 the ICAC, and also their past behaviour and reference 6 should be looked into as well. And there should be 7 a consultants' name list pre-preparation. 8 Right now the declaration of interest of these 9 parties is after the project had been completed. This 10 is unreasonable. It should be done -- all the 11 declarations should be done before the project 12 commences. And also, for prices which are below 13 50 per cent of the average, it should immediately 14 trigger a review. And also the list should also -- the 15 bills of quantities should also be made and provided. 16 And also there should be a disciplinary actions data 17 depository so that there is no excuse that it takes too 18 long or too much money to look into the background or 19 don't know where to go to look for that such 20 information. 21 Bid-rigging has to be made into a loss-making 22 business and we have three recommendations in terms of 23 enforcement. For evidence provision, the proof of 24 evidence should be put on the parties concerned. We 25 should assume that there is collusion if there are
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1 present, and also the -- this is not the job of the 2 Committee to arrive at a conclusion on this. We know 3 that law enforcement and litigation procedures are in 4 place, but it does expose that there are vulnerabilities 5 in the entire system. For major estate maintenance 6 projects, as in the Wang Fuk Court project, there are 7 bid-rigging and misconduct possibilities. 8 Next we go on to chapter 10 in the submission. In 9 chapter 10 we want to stamp out as much as possible 10 bid-rigging so that it does not appear again in the next 11 estate maintenance project. We know that the URA had 12 been given \$100 million to establish a dedicated 13 subsidiary to operate and enhance Smart Tender scheme 14 and it is to be rolled out in the fourth quarter of this 15 year. And there should be a meaningful safeguard and 16 gatekeeping role so that where there is a drafting of 17 a tender document and also conducting e-tender process, 18 evaluating the bids and also looking into relevant 19 background and documentation and also to cancel the 20 qualifications of those who provide erroneous or false 21 information, these should be the responsibility of the 22 subsidiary. 23 Further, the independent consultant should be 24 independent and the terms of reference should be 25 extended so that there are company registration and also	1 certain behaviours. So as to make it less difficult for 2 enforcement and also for -- there should be 3 criminalisation of bid-rigging. 4 Right now, the framework that is in practice at 5 present already provides certain pressure but 6 criminalisation and disqualification are the real 7 divides and the purpose is to make bid-rigging to become 8 a loss-making business which would result in 9 imprisonment and loss-making and fines. 10 Concerning these issues, we believe the Competition 11 Commission is a party that should look into these, and 12 we know it has already started doing so. 13 Lastly, in terms of the voting system, all the 14 proxies should be residents' real votes and the 15 considerations should include that they should appear in 16 person in providing the vote or the proxy and also a top 17 of 10 per cent or 150 in-person voters would be 18 a guideline. And also before decisions there should be 19 seven days' notice and also there should be a briefing 20 so that they understand the content of the meeting. And 21 also the proxies should carry indications so that there 22 are warnings concerning deceitful proxies. And also 48 23 hours prior there should be notices posted in the estate 24 to know how many proxies have been received so that the 25 residents would look at the list and know whether their

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1 proxy is held by somebody else. 2 Other recommendations are found in chapter 10 in 3 detail in our submission. I will not repeat them here, 4 chairman. 5 Chairman/members, we have come to the last stage of 6 today. I just want to conclude the situation as 7 follows. 8 In this hearing we often mention the Grenfell fire 9 and the issues there and the lessons we have learned. 10 For the UK investigation concerning that fire, on the 11 screen you will be able to see the investigation panel. 12 The counsel had prepared this particular chart and each 13 of the stakeholders have, as we can see here, expressed 14 their own responsibility, who should be taking up what 15 role. 16 In the Hong Kong case, actually we also have 17 a similar problem or situation. If we look at the 18 hearing information, we will be able to see this chart. 19 We see that in this hearing different stakeholders 20 before and after the fire had criticised other bodies or 21 personages. We are not saying that these criticisms do 22 not stand. We are also not saying that they are 23 unfounded. Some of the criticisms or allegations are 24 powerful but what this chart reveals is that in the 25 maintenance project of Wang Fuk Court, there were a lot	1 all the lessons that we have learned from this incident. 2 There must not be a repeat of this tragedy anywhere else 3 in Hong Kong. For those families who have lost their 4 loved ones, the survivors, this report of the Committee 5 will be a most authoritative record of the incident. 6 The Government counsel yesterday had committed to 7 the Committee that the recommendations and the factual 8 foundations will be responded to by them. I welcome 9 that and I'm sure the public of Hong Kong would also 10 monitor the honouring of that commitment. We hope that 11 the report of the Committee can provide a solid 12 foundation for legal consequences and also the lessons 13 learned. For the 168 victims, including fireman 14 Ho Wai Ho, again we give them the highest condolences. 15 In line with the practice of previous judge-led 16 inquiries following major tragedies in Hong Kong the 17 full list of the deceased should form part of the 18 Committee's formal records. We honour their memory. 19 Chairman/members, that's the end of the final 20 submission made by me on behalf of the Independent 21 Committee. 22 (3.00 pm) 23 THE HON MR JUSTICE DAVID LOK: Let's take a five-minute 24 adjournment. 25 (3.00 pm)
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1 of organisations, different units, each had their own 2 roles and the Government department, the consultancy, 3 the contractors and the property management companies 4 each had their own work and roles. 5 If at the time they walked that extra mile, did a 6 little more, we would not have had such a grave 7 consequence. This particular calamity, as we all know, 8 there is no one single, simple reason causing it. 9 There's no one body which will have to assume all the 10 responsibilities for it. Evidently, this pertains to a 11 number of organisations and there are a lot of issues 12 which are interconnected. 13 In our concluding submission, chair, for a number of 14 organisations and units we have made very sharp 15 criticisms. None of them were made lightly. Each 16 criticised person has been given sufficient opportunity 17 to explain his or her own stance, even though some chose 18 not to respond, but each criticism was based on hard 19 evidence. It cannot be denied by these people. 20 In our opening submission we had already mentioned, 21 and at this closing submission we will repeat it again, 22 the lessons learned from this tragedy are going to be 23 difficult and grave, but only by facing them squarely 24 can we make Hong Kong a safer place. For the victims, 25 the best way to pay respect to them is to put into place	1 (A short adjournment) 2 (3.05 pm) 3 THE HON MR JUSTICE DAVID LOK: I thank the counsel for the 4 Independent Committee for their detailed submission. 5 Before we conclude, I'd like to say the following. 6 This is the last day of hearing of the Independent 7 Committee. In the past three days, we received 8 submissions from counsel for the IC as well as counsel 9 for different parties. We have received all the 10 evidence and viewpoints of all parties. 11 Wang Fuk Court fire is a major fire that happened in 12 recent years. It leaves irreversible scars on many 13 families. Many residents in Hong Kong are disheartened. 14 On behalf of the Independent Committee, I would like to 15 express my condolences to the families the deceased and 16 those who were affected by the fire. 17 The purpose of setting up the Independent Committee 18 is to investigate into the cause of the fire. We 19 consider systemic flaws, institutional problems and 20 oversight matters and make recommendations to the Chief 21 Executive to avoid repeat of this tragedy. 22 As for personal accountability and the 23 responsibility of Government departments, this is not 24 within our remit. In the investigation process, we have 25 always abided by the principles of fairness,

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1 impartiality and openness. We also carefully examined 2 and considered every piece of information submitted by 3 different parties so as to level with the public and 4 residents of Wang Fuk Court the truth. I believe 5 without giving a full and truthful account based on 6 facts, then everything would be nothing but hot air. 7 The Independent Committee commenced its work on 8 19 December 2025. The hearings began on 19 March 2026. 9 With the help of the legal team, the Independent 10 Committee analysed a large amount of information 11 provided by different bodies and Government departments. 12 They included documents, video-recordings, messaging 13 records. 14 Many parties and witnesses were involved in giving 15 evidence, and so far we have held 30 hearings. We have 16 also received oral testimonies from 80 witnesses. The 17 Independent Committee is grateful to all parties for 18 their cooperation at different stages, including the 19 involved parties, their legal teams, experts, members of 20 the public and organisations, as well as our 21 Secretariat. We are also grateful for Government 22 departments for providing all forms of support, 23 including the use of the venue, for the smooth conduct 24 of the hearing. We also are grateful to the civil and 25 urban planning departments as well as the communications	1 is, involved parties may make written submissions on 2 areas of improvements in relation to items 1 and 2 of 3 the terms of reference of the Independent Committee. We 4 received nine submissions containing recommendations 5 from residents and Government departments as well as the 6 Competition Commission. We will upload these relevant 7 documents onto the Committee's website today. 8 At the conclusion of the Committee's hearings, we 9 will continue to process the information and evidence 10 received. Without compromising criminal investigation 11 or infringing on personal privacy, we will upload all 12 these necessary documents onto the website of the 13 Independent Committee. 14 We abide by the principles of openness and fairness. 15 There may be points of law involved which may cause 16 prejudice to other legal proceedings, and in these 17 circumstances we will give exceptions and we will also 18 invite different parties to consider the matters as 19 well. So in due course, we will strive to release in 20 the public domain the witnesses' testimony which we 21 believe could be made open. They will be uploaded onto 22 the website. 23 Next, this is crucial, we have received a large 24 amount of information, and on this basis we need to put 25 the full picture together so as to exercise independent
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1 department of City University. Within a short period of 2 time, they assisted in providing the 3D modelling and 3 video clips for the opening submissions. 4 Different members of the public and organisations 5 have also chipped in in helping us find the truth to 6 avoid repeat of the tragedy. In the beginning of our 7 work, we also received a lot of information from 8 Wang Fuk Court residents and we are grateful. These 9 pieces of information are crucial in helping us put the 10 picture together. 11 Some Wang Fuk Court residents also gave testimony 12 here and, despite being saddened by the event, they told 13 us their observations and what happened to them. We 14 firmly believe that for these witnesses, as they gave 15 evidence, they had to relive the tragedy and the grief 16 of losing their loved ones. 17 We are mindful of their trust and patience in us and 18 we will continue to soldier on and complete our 19 investigation. In the past three days, we've received 20 submissions from the counsel of different parties and 21 they spoke on different matters involved in the fire as 22 well as the respective roles of stakeholders. The 23 involved parties also put forward recommendations for 24 our consideration. 25 I gave a direction at the hearing dated 8 May, that	1 analysis and judgment and make recommendations. As 2 I said before, in terms of our recommendations, we need 3 to consider different aspects, including resource 4 implications, implementation details, public acceptance, 5 the roles of different stakeholders and also market 6 condition. 7 So in terms of the matters under the terms of 8 reference of the Independent Committee and improvement 9 recommendations, we do expect to give directional 10 recommendations. Based on cogent evidence and analysis, 11 the Independent Committee will look at the roles of 12 works consultants, contractors, FSI contractors, 13 property management personnel, as well as the Government 14 departments. We will draw a conclusion on these 15 matters. 16 As mentioned by family members at the evidential 17 hearings, they paid a hefty price. Through open 18 investigation and the hearing, we seek to learn a lesson 19 and prevent a repeat of this tragedy. This is how we do 20 justice to those who perished in the fire. 21 Once again, we thank everyone for participating in 22 the hearing. That's the end of the hearing. 23 (3.14 pm) 24 (The hearing concluded) 25