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1 Thursday, 10 January 2013 2 (10.00 am) 3 THE CHAIRMAN: Now that we are ready, please turn the 4 cameras on and open the doors so that counsel and 5 members of the public can enter the hearing room. 6 Yes, Mr Beresford. 7 MR BERESFORD: Good morning, Mr Chairman and 8 Mr Commissioner. 9 The first witness is Police Diver 1, who is giving 10 evidence behind the screen in accordance with the 11 Commission's order yesterday. 12 THE CHAIRMAN: Where do we find the statement relevant to 13 that witness? 14 MR BERESFORD: The statement is in bundle U at page 1. 15 There is a supplementary statement in the same bundle at 16 page 4. 17 THE CHAIRMAN: Thank you. 18 POLICE DIVER 1 (sworn) 19 THE CHAIRMAN: I'm going to ask you to be provided with 20 a piece of paper, and I'm going to ask you to write your 21 name and rank on that piece of paper and hand it up to 22 me, and I'm going to seal it in an envelope. 23 A. Yes, sir. 24 THE CHAIRMAN: Thank you. The piece of paper upon which you 25 wrote your name has now been sealed in an envelope, and	1 A. Yes, please. 2 Q. Yes. What is that, please? 3 A. On my supplementary statement, where it was the 4 identification of the body, where it said "deceased 23", 5 it is supposed to be "deceased 35". 6 Q. 35. Thank you. 7 A. Yes. But the name is the same. 8 Q. Thank you. So, subject to that amendment, are the 9 contents of these statements true? 10 A. Yes. 11 Q. Thank you. Officer, you were called out to the waters 12 west of Lamma Island on 1 October, late in the evening; 13 is that right? 14 A. That is right. 15 Q. And at about 00:05 on 2 October, you arrived at the 16 location of the collision? 17 A. That is correct. 18 Q. And you saw: 19 "The vessel, blue and white in colour, marked 20 'Lamma IV' on the side, partially sunk with about 21 14 metres of its bow visible sticking out of the water." 22 THE CHAIRMAN: Is that correct? 23 A. That is correct. 24 MR BERESFORD: You say: 25 The vessel was overtipped, where its bottom was
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1 I'm going to ask that it be kept in the safe hands of 2 the Secretary to the Commission. It's marked "Not to be 3 opened without the order of the Commission or an order 4 of a court in Hong Kong". 5 Yes, Mr Beresford. 6 MR BERESFORD: Thank you, Mr Chairman. 7 Examination by MR BERESFORD 8 MR BERESFORD: Officer, you have previously made two 9 statements in this matter, the originals of which are 10 both in English and which are to be found in police 11 bundle L at pages 3286 to 3288-1. 12 Could copies of those statements please be given to 13 the witness. 14 A. Sir, I would like to make an amendment on the -- 15 THE CHAIRMAN: Just wait for counsel to ask you the 16 questions. 17 MR BERESFORD: Mr Chairman, the references in bundle U that 18 I gave you are to redacted versions. 19 THE CHAIRMAN: Yes. 20 MR BERESFORD: Officer, do you have those statements in 21 front of you? 22 A. I do. 23 Q. Have you had an opportunity to review them today? 24 A. Yes, I did. 25 Q. And do you have any amendment you would wish to make?	1 facing more upwards than its top." 2 Is that right? 3 A. That is right. 4 Q. And you found divers of the Fire Services Department at 5 the scene, and the Government Flying Service providing 6 high-ground light projection. 7 A. That is correct. 8 Q. In your statement you cover the sequence of events from 9 there through the night, but I'm going to move on to 10 paragraph 12 of your statement. I note that you tell us 11 that at 04:55 on the second morning, you arrived at the 12 collision location. The vessel then was no longer 13 overtipped because it had the support of a crane barge; 14 is that right? 15 A. That is right. 16 Q. "It was still partially sunk with about 14 metres of the 17 bow sticking out from the water." 18 A. That is correct. 19 Q. You were deployed as a search diver, with another 20 officer as a link-up diver between the search diver and 21 the surface diver, which was a third officer, and you 22 entered the main deck through the third window from the 23 bow on the port side; correct? 24 A. That is correct. 25 Q. I'm going to read from paragraph 14 of your statement:

<p style="text-align: right;">Page 5</p> <p>1 "I began to descend. I descended into the second 2 section of the passenger seating area (middle of the 3 vessel), where the first section was above the water 4 surface, through the opening of a divider that divided 5 the vessel into two sections. The environment was 6 filled with debris composed of the collapsed ceiling, 7 unattached carpets, life vests, unattached walling and 8 was mixed with the petroleum, possibly leaked from 9 Lamma IV. The seats that I had come across were still 10 intact to the floor. Visibility was at most one metre 11 without the obstruction of debris. There was not much 12 current inside the vessel. I attached numerous light 13 sticks to the railings of the ceiling to facilitate 14 myself and the next group of divers with navigating 15 around the vessel. 16 I began searching the second section of the 17 passenger deck, and found a pink lady's purse, about 18 40 cm x 20 cm x 5 cm in size, it was inside the railing 19 of the ceiling. I passed it upwards to the other divers 20 to have it relayed to the surface and continued 21 searching. 22 At about 05:40 of 2 October 2012, I found a female 23 body (age: about 30-40, hair: chin length, black pants, 24 black runners (low-cut Converse type, one was missing), 25 black and green floral design shirt, brown jacket). She</p>	<p style="text-align: right;">Page 7</p> <p>1 deceased 35, as the victim that you retrieved during the 2 dive; is that correct? 3 A. That is correct. 4 MR BERESFORD: Thank you, Officer. Will you please wait 5 there. 6 THE CHAIRMAN: The cause of death, Mr Beresford? 7 MR BERESFORD: The cause of death was drowning, Mr Chairman. 8 THE CHAIRMAN: I'd like some assistance, at least for me, to 9 better understand where it was that the female body was 10 recovered. 11 Are we to understand that this was in the main deck 12 of the vessel? 13 MR BERESFORD: Officer, you said in your statement you 14 entered the main deck through the third window from the 15 bow on the port side; is that right? 16 A. That is correct. 17 Q. Can you please start with the window plan and just 18 identify the window on the port side. 19 A. It's R13. 20 Q. R13. Thank you. Then you say you began to descend into 21 the second section of the seating area, the middle area 22 of the vessel, the first section being above the water 23 surface. 24 A. That is correct. 25 Q. When you say "through the opening of a divider that</p>
<p style="text-align: right;">Page 6</p> <p>1 had no sign of life with rigor mortis present, and no 2 visible wounds on the exposed flesh. Her jacket was 3 caught by the collapsed ceiling and I was unable to 4 untie her jacket from the ceiling, so I had to cut her 5 jacket in order to surface her body. I began to ascend 6 to the surface, and debris caught onto the body in due 7 course. 8 At about 05:55 on 2 October 2012, I ascended to the 9 surface together with the deceased, where the body was 10 handed over to the FSD. I withdrew from the water due 11 to insufficient amount of air supply in my diving 12 apparatus." 13 Officer, just one question, please. You mentioned 14 that the deceased's jacket was caught by the collapsed 15 ceiling. 16 A. Yes. 17 Q. Was that a life jacket, or was she wearing a life 18 jacket? 19 A. She was not wearing a life jacket, and what was caught 20 was her own jacket. 21 Q. I see. And then in your supplementary statement, you 22 explain that you have been shown pictures of the 23 deceased from the Lamma collision, and you compared the 24 description that you provided in your previous statement 25 and positively identified female Chan Man-ying,</p>	<p style="text-align: right;">Page 8</p> <p>1 divided the vessel into two sections", would that be 2 around about the stairway? 3 A. That is correct. 4 THE CHAIRMAN: The second section is the part of the vessel 5 aft of the stairway; is that what you mean? 6 A. Aft to the stairway, yes. Towards the stern. 7 THE CHAIRMAN: Thank you. 8 MR BERESFORD: And do you know which side of the vessel you 9 found her? 10 A. It's more on the port side than the starboard side. 11 Q. You say that she was caught by the collapsed ceiling. 12 What other debris was around, or were there any other 13 obstacles in your way? 14 A. There were, because there was numerous debris like life 15 jackets, and the wallings and the ceilings became 16 unattached, so they were floating around. And the 17 walling was sticking out. That was basically it. 18 Because the visibility was pretty low at the time. 19 Q. Yes. If we could perhaps have a look at page 657 of 20 FS bundle 3. 21 Officer, this is a Fire Services diagram -- 22 A. Yes. 23 Q. -- showing where they found two other deceased. Can you 24 point or estimate roughly where on that diagram you 25 found the deceased in question?</p>

<p style="text-align: right;">Page 9</p> <p>1 A. This is the main deck, right? 2 Q. I believe so, yes. Yes, it is the main deck. 3 A. You see where in the picture there is a diver in 4 a yellow string in the middle of the vessel? 5 Q. Yes. 6 A. And he is at about -- at the fourth bench from the 7 second section. 8 Q. Yes. 9 A. I think I found the deceased between the fourth and the 10 sixth, somewhere on the port side of that corridor. 11 Q. Yes, I see. Thank you very much. 12 A. Thank you. 13 THE CHAIRMAN: Do counsel have any applications? 14 MR McGOWAN: No, thank you, sir. 15 MR ZIMMERN: No, thank you. 16 MS LOK: Mr Chairman, I do have an application, perhaps to 17 ask the witness a few questions to clarify the process 18 of the rescue, as well as to further clarify the 19 location where the deceased was located. 20 THE CHAIRMAN: Very well. 21 MS LOK: Thank you, Mr Chairman. 22 Examination by MS LOK 23 MS LOK: Officer, you informed us that when you arrived at 24 the scene at 00:05, Lamma IV was overtipped. Can you 25 refer or be shown a diagram at FS bundle 3, page 655,</p>	<p style="text-align: right;">Page 11</p> <p>1 MS LOK: Thank you. And then you arrived at the scene again 2 at 4.40 am. That was after there was a steel barge, the 3 barge crane was installed; is that correct? 4 A. That is correct. 5 Q. Then you mentioned that Lamma IV was no longer 6 overtipped at that point in time. 7 A. That is correct. 8 Q. When you said that it was no longer overtipped, do you 9 mean that from the vertical line, it is forming 10 90 degrees? 11 A. It was like -- I guess it was more like 70 degrees, if 12 you know what I mean. And this time, it's the opposite 13 as this picture. Now the top is actually facing up. 14 Q. Thank you, Officer. You commenced a search with two 15 other colleagues; is that correct? 16 A. That is correct. 17 Q. You mentioned the terminology "link-up diver" and 18 "surface diver". Can you perhaps very briefly tell us 19 what was the role of the link-up diver and the surface 20 diver? 21 A. All three of us -- one was in the surface and one was 22 between me and the surface diver. What linked us up was 23 a line, just like a rope, small rope. His role was 24 to -- if I were to do any signals, like pulling of 25 ropes, he will relay it to the surface diver and the</p>
<p style="text-align: right;">Page 10</p> <p>1 please. 2 This is a diagram showing the attitude of Lamma IV 3 at about 02:00 hours. When you used the description 4 "overtipped", can you assist the Commission as to the 5 angle of Lamma IV at the time of your arrival? Was it 6 further than this, or was it like this? 7 A. At the surface of the water, it did not seem like it was 8 overtipped to this extent. It was overtipped. I guess 9 in this picture, the bottom is facing up. That's what 10 I meant. But it wasn't as overtipped as it looks right 11 now. 12 Q. Can you give us an estimate of the angle of the overtip? 13 A. It could be 5 or 10 degrees more upright than this one. 14 THE CHAIRMAN: Can you help us perhaps from the vertical? 15 If it was overtipped, was it 5, 10, 20, 30 degrees from 16 the vertical? 17 A. All right. Right now, it seems like it's at 18 a 45-degree -- 19 THE CHAIRMAN: Don't worry about this diagram. Just do it 20 from the vertical. 21 A. All right. Assuming the top of my hand is the top, it 22 seemed like it was like (indicates) that. 23 THE CHAIRMAN: 20 degrees from the vertical? 24 A. 20, 30. 25 THE CHAIRMAN: Thank you.</p>	<p style="text-align: right;">Page 12</p> <p>1 surface diver could relay it verbally to our 2 supervisors, diving supervisors on our boat. 3 Q. I see. Was the link-up diver in the water? 4 A. He was in the water, yes. 5 Q. I see. You mentioned to us that the visibility was very 6 poor. You also mentioned in your statement that the 7 visibility was about "one metre without the obstruction 8 of debris". Did you assist your rescue by any 9 particular tool in terms of visibility? 10 A. We used a torch. 11 Q. How about the petroleum? Did it have any impact on your 12 visibility? 13 A. I'm not sure how the petroleum, when it was mixed with 14 the water, how blurry is that going to make the water. 15 But in terms of visibility-wise, going into goggles, it 16 affects your eyes, obviously. But the visibility was at 17 most 1 metre, and there were other, like, molecules in 18 the water, whatever it was, that affected the 19 visibility. 20 Q. Thank you, Officer. I'm moving to another subject. 21 Can you be shown perhaps the seating plan of 22 Lamma IV, the main deck, with the seating numbers. 23 I think it will be easier if you just look at the 24 numbering of this map. When you commenced the dive, can 25 you tell us, by reference to the numbering in this plan,</p>

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<p>1 the water level?</p> <p>2 A. The water level as in which part was submerged by the</p> <p>3 water?</p> <p>4 Q. Exactly.</p> <p>5 A. All right. It seemed like from seats 35 to 42 were</p> <p>6 above the water, according to this plan.</p> <p>7 Q. Thank you. From which row, approximately, was the</p> <p>8 deceased found?</p> <p>9 A. According to this plan, I believed it was between rows</p> <p>10 of the 81st seat to the 97th seat, those three rows.</p> <p>11 Q. Thank you very much.</p> <p>12 A. Thank you.</p> <p>13 Q. My last question is this. You mentioned that the</p> <p>14 deceased, Ms Chan, was not wearing a life jacket, but</p> <p>15 she was caught by the collapsed ceiling by her own</p> <p>16 jacket. Do you remember that?</p> <p>17 A. Yes.</p> <p>18 Q. From what you saw at the time of the rescue, were you</p> <p>19 able to tell whether or not she was trapped by the</p> <p>20 ceiling or whether or not she somehow got caught by the</p> <p>21 debris of the ceiling afterwards?</p> <p>22 A. That I could not tell.</p> <p>23 MS LOK: Thank you very much. I have no further questions.</p> <p>24 THE CHAIRMAN: Mr Beresford?</p> <p>25 MR BERESFORD: Just a couple of photographs arising out of</p>	<p>1 Commission itself, the shorthand writers, the</p> <p>2 interpreter and the Commission staff, to leave the</p> <p>3 hearing room. That will allow the witness to leave in</p> <p>4 circumstances of anonymity. The next witness will then</p> <p>5 come in and we'll invite you back when we're ready to</p> <p>6 receive you. So would everyone be kind enough to leave</p> <p>7 now.</p> <p>8 Also I'm going to ask that the cameras be turned</p> <p>9 off.</p> <p>10 (The witness withdrew)</p> <p>11 THE CHAIRMAN: Would you please open the doors so that the</p> <p>12 public and counsel can return.</p> <p>13 Officer, I'm going to ask you to write your name and</p> <p>14 rank on a piece of paper. That piece of paper, together</p> <p>15 with an envelope, will be provided to me. It will be</p> <p>16 sealed in the envelope and signed by the two</p> <p>17 Commissioners, marked "Not to be opened without the</p> <p>18 order of the Commission or order of a court in</p> <p>19 Hong Kong".</p> <p>20 Do you understand?</p> <p>21 THE WITNESS: Yes.</p> <p>22 THE CHAIRMAN: We'll move next to you taking the oath or the</p> <p>23 affirmation from your seated position.</p> <p>24</p> <p>25</p>
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<p>1 Ms Lok's questioning.</p> <p>2 Further examination by MR BERESFORD</p> <p>3 MR BERESFORD: Could the witness please be shown marine</p> <p>4 bundle 1, page 124.</p> <p>5 Officer, is that more or less how the vessel was</p> <p>6 when you saw her first, or was it different in some way?</p> <p>7 A. At first, it was more or less like that.</p> <p>8 Q. More or less like that. Thank you.</p> <p>9 Then could we please have a look at police photo</p> <p>10 bundle, page 51, 52 -- that's a little far away -- 53,</p> <p>11 54. Is that how it was once it was supported by the</p> <p>12 crane barge?</p> <p>13 A. More or less, yes.</p> <p>14 MR BERESFORD: Okay. Thank you very much.</p> <p>15 No further questions, Mr Chairman.</p> <p>16 THE CHAIRMAN: Officer, thank you for coming to assist the</p> <p>17 Commission by giving your evidence. Your evidence is</p> <p>18 now complete. In a moment, arrangements will be made so</p> <p>19 that you can leave the hearing room. But before we move</p> <p>20 to that stage, let me on behalf of the Commission</p> <p>21 commend you for your role in the retrieval of the body</p> <p>22 of the deceased.</p> <p>23 A. Thank you, your Honour.</p> <p>24 THE CHAIRMAN: As indicated yesterday, what will happen now</p> <p>25 is that we will invite everyone other than the</p>	<p>1 POLICE DIVER 2 (affirmed in Punti)</p> <p>2 (All answers via interpreter unless otherwise indicated)</p> <p>3 THE CHAIRMAN: Mr Beresford, where do we find the witness's</p> <p>4 witness statement?</p> <p>5 MR BERESFORD: The redacted version is in Chinese at</p> <p>6 bundle U, page 15, and the translation at page 20.</p> <p>7 THE CHAIRMAN: Thank you.</p> <p>8 MR BERESFORD: This is what we are calling Police Diver 2.</p> <p>9 There are also supplementary statements at pages 17</p> <p>10 and 19.</p> <p>11 THE CHAIRMAN: Thank you.</p> <p>12 MR BERESFORD: With translations at pages 23 and 26. The</p> <p>13 original statement is in police bundle L, items 36</p> <p>14 to 36b, pages 3295 to 3298-1.</p> <p>15 Could the witness please be given those statements.</p> <p>16 Examination by MR BERESFORD</p> <p>17 MR BERESFORD: Good morning, Officer, thank you very much</p> <p>18 for coming along this morning. Do you have your</p> <p>19 statements in front of you?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recognise those statements as yours?</p> <p>22 A. Yes.</p> <p>23 Q. And have you had an opportunity to look at them today?</p> <p>24 A. Yes.</p> <p>25 Q. Do you have any amendment you wish to make?</p>

<p style="text-align: right;">Page 17</p> <p>1 A. No. 2 Q. Are the contents true? 3 A. Yes. 4 MR BERESFORD: Thank you. 5 Mr Chairman, this evidence relates to deceased 2 in 6 the police referencing system. The name of deceased 2 7 is Cheng Yin-lan, a female aged 40. 8 Officer, on 1 October 2012, you were on duty from 9 22:30 hours until completion of the operation; is that 10 right? 11 A. Yes. 12 Q. At 00:45 hours on 2 October, you reached the scene where 13 the sea surface had level 1-2 waves, you say. 14 Level 1-2, does that mean 1-2 metres? 15 A. The wind was categorised by grades, 1-2 grades, and you 16 can say that it is about 1-2 metres. 17 Q. The wind? Do you mean the Beaufort scale, force 1, 18 force 2? 19 A. Yes. 20 Q. I see. And you say the tide was rising, the sky was 21 dark, and traffic was busy? 22 A. Yes. 23 Q. Then at 06:05 hours on the 2nd, assisted by another 24 officer above the water, you dived with diving partner, 25 Police Diver 3, as we will be calling him, to enter the</p>	<p style="text-align: right;">Page 19</p> <p>1 At 06:55 hours on 2 October 2012, we rose to the 2 water surface. The diving lasted 10 minutes in total. 3 Divers were normal when diving in and rising to the 4 water surface, and the deepest depth was 12 metres. One 5 male had been rescued, who was then numb and rigid, and 6 was handed over to the officers of the Fire Services. 7 At 08:05 hours on 2 October 2012, [another officer] 8 briefed all members that the operation was 9 completed ..." 10 And at 08:25, you returned to base. 11 Then, Officer, you made another statement -- that 12 first statement was dated 17 October. You made another 13 statement on 20 October, a supplementary statement, in 14 respect of the conditions after having entered the cabin 15 of Lamma IV. Do you recall that? 16 A. (Witness nods). 17 Q. I see that you nod. Could you please speak so that 18 something appears on the transcript when you answer my 19 questions. 20 A. Yes. 21 Q. Thank you. I'm just going to read from your statement 22 from the words "At 04:40 hours". 23 "At 04:40 hours, [another officer] carried members 24 of the first team to the scene at Lamma. At 06:05 25 hours, assisted by C above the water, I dived in with</p>
<p style="text-align: right;">Page 18</p> <p>1 cabin for search and rescue; is that right? 2 A. Yes. 3 Q. I'm going to read from your statement now. You say: 4 "The sea was dark. We used a diving torch and the 5 visibility underwater was 1 metre. A victim was rescued 6 but was numb and rigid. Police Diver 3 was informed to 7 assist in sending the victim to the water surface. 8 At 06:30 hours on 2 October 2012, we, the divers 9 rose to the water surface and we were normal. Equipment 10 was replaced for the second diving. The first diving 11 for search and rescue lasted 25 minutes in total, and 12 the deepest depth was 12 metres. One female had been 13 rescued and handed over to the officers of the Fire 14 Services. 15 At 06:45 hours on 2 October 2012, assisted by D as 16 frogman above the water, I dived in for the second time, 17 together with Police Diver 3 and E, to enter the cabin 18 of Lamma IV for underwater search and rescue. We used 19 a diving torch as the sea was dark and the visibility 20 underwater was 1 metre. Police Diver 3 found a male 21 under a seat at the rear of the main deck at the side of 22 the green light. He was injured on the face and had 23 become numb and rigid after being rescued. E and I were 24 informed to assist in sending the victim to the water 25 surface.</p>	<p style="text-align: right;">Page 20</p> <p>1 diving partner Police Diver 3 to enter the cabin of 2 Lamma IV for search and rescue. We used a diving torch 3 and the visibility underwater was 1 metre. We dived in 4 to 6 metres deep to the main deck with nil result. The 5 cabin was in chaotic situation. The structure 6 metres 6 below the port cabin had collapsed which made it 7 impossible for us to dive in or enter. I found a gap of 8 about 1 metre x 1 metre on a green-light side. I dived 9 in to the door of the starboard quarter and found 10 a female who was trapped at the door near the top of the 11 main deck. She was already numb and rigid after being 12 rescued. (The female was of medium build, with short 13 hair, aged about 30-45). Police Diver 3 was informed to 14 assist in sending her to the water surface. At 15 06:30 hours, we rose to the water surface. The first 16 diving for search and rescue lasted 25 minutes in total. 17 Divers were normal and had dived to a deepest depth of 18 12 metres. One female had been rescued and was handed 19 over to the officers of the Fire Services. Equipment 20 was replaced for the second diving. 21 At 06:45 hours, assisted by D above the water, 22 I dived in for the second time, together with Police 23 Diver 3 and E to enter the cabin of Lamma IV for search 24 and rescue. We used a diving torch and the visibility 25 underwater was 1 metre. We dived in to about 6 metres</p>

<p style="text-align: right;">Page 21</p> <p>1 deep to the main deck with nil result. The cabin was in 2 chaotic situation. We dived in to about 7 metres deep 3 to the main deck and Police Diver 3 found a male who was 4 trapped under a seat at the rear of the main deck at the 5 green-light side. (The male was of medium build, with 6 short hair, aged about 35-45). He was already numb and 7 rigid after being rescued. E and I were informed to 8 assist him in sending him back to the water surface. 9 At 06:55 hours, we rose to the water surface. The 10 diving lasted for 10 minutes in total. Divers were 11 normal when diving in and rising to the water surface, 12 and the deepest depth was 12 metres. One male had been 13 rescued, who was already numb and rigid, and was handed 14 over to the officers of the Fire Services." 15 Then you made a further supplemental statement dated 16 15 November 2012. 17 You had been shown photographs bearing reference 18 deceased 2, and you confirmed that the female in the 19 photo was the one of medium build, with short hair, 20 about 30-45 years old, wearing dark colour upper clothes 21 and dark colour trousers, who you rescued that day. 22 Thereafter you learnt that the lady in the photo bearing 23 reference deceased 2 was Cheng Yin-lan. Is that right? 24 A. Yes. 25 MR BERESFORD: Can we have a look perhaps at the seating</p>	<p style="text-align: right;">Page 23</p> <p>1 MR BERESFORD: All right. We'll ask him. 2 I have no further questions, Mr Chairman. 3 THE CHAIRMAN: The cause of death? 4 MR BERESFORD: The cause of death for deceased 2 is 5 drowning. 6 THE CHAIRMAN: Thank you. 7 Do any counsel have any applications to make? 8 MR McGOWAN: No application, thank you. 9 MR ZIMMERN: With the Commission's permission, may I be 10 permitted to ask the officer about what he means when he 11 says "the green-light side", just for clarification? 12 THE CHAIRMAN: Yes. 13 Examination by MR ZIMMERN 14 MR ZIMMERN: Thank you, Officer. In your statement, on 15 several occasions you've stated that you entered or 16 found a gap on the green-light side and you found a lady 17 on the green-light side. By "green-light side", do you 18 mean the starboard side of the vessel? 19 A. Yes. 20 MR ZIMMERN: Thank you. That's all. 21 THE CHAIRMAN: Thank you. 22 MS LOK: Mr Chairman, with your permission, just two 23 questions, one on the traffic at the time of the rescue, 24 and the other on life jacket. 25 THE CHAIRMAN: Yes.</p>
<p style="text-align: right;">Page 22</p> <p>1 plan of Lamma IV. 2 Focus on the main deck. You say that you dived in 3 to the door of the starboard quarter and found a female 4 who was trapped at the door near the top of the main 5 deck. 6 A. Yes. 7 Q. Can you identify where you mean on the seating plan, 8 please, perhaps by giving the nearest seat number? 9 THE CHAIRMAN: Can you see the numbers? Can you identify 10 a number? 11 A. 135. 12 MR BERESFORD: Thank you. 13 THE CHAIRMAN: At the stern of the vessel? 14 A. Yes. 15 THE CHAIRMAN: And where is the door that you speak of? 16 A. Now that I see the plan, it should be the door in the 17 middle. 18 THE CHAIRMAN: Next to 135? 19 A. Yes. 20 MR BERESFORD: And then, in relation to your second dive, 21 Officer, the male that you found trapped under a seat at 22 the rear of the main deck on the green-light side, can 23 you identify on the plan where approximately you found 24 that male? 25 A. The male was recovered by Diver 3.</p>	<p style="text-align: right;">Page 24</p> <p>1 Examination by MS LOK 2 MS LOK: Officer, you told us in your statement that when 3 you arrived at the scene, the traffic was busy. 4 A. Yes. 5 Q. Do you know by your own knowledge whether that traffic 6 was for the rescue? 7 A. Yes. 8 Q. Thank you. The deceased female you rescued, was she 9 wearing a life jacket? 10 A. No. 11 MS LOK: Thank you. 12 THE CHAIRMAN: Mr Beresford? 13 MR BERESFORD: No further questions. 14 THE CHAIRMAN: Officer, thank you for coming to assist the 15 tribunal by giving your evidence, as you've just done. 16 That evidence is now finished. In a moment, you'll be 17 free to leave. But before you do, the Commission wishes 18 to commend you for your role in assisting in the 19 retrieval of the bodies of those that were killed in 20 this incident. 21 For the moment, remain where you are, and I'm going 22 to ask everyone else to do what we did before, and that 23 is to say would you all be kind enough to withdraw from 24 the hearing room to permit the officer to leave the 25 hearing room in circumstances of anonymity. Thank you.</p>

<p style="text-align: right;">Page 25</p> <p>1 I'd ask that the cameras be turned off. 2 Officer, now that the room is empty, other than the 3 shorthand writers, the interpreter, the Commission and 4 its staff, you are in a position to leave. May I ask 5 you to inform your colleague, the third diver, to come 6 in. Thank you. 7 (The witness withdrew) 8 THE CHAIRMAN: Thank you. I'd ask that the doors be opened 9 now. 10 I'm going to ask that you write your name and rank 11 on a piece of paper that will be handed to the 12 Commission, and it will be placed in a sealed envelope 13 marked "Not to be opened without the order of the 14 Commission or by order of a court in Hong Kong". 15 May I ask you now to take the oath or the 16 affirmation from your seated position, without 17 mentioning your name or rank. 18 POLICE DIVER 3 (affirmed in Puntì) 19 (All answers via interpreter unless otherwise indicated) 20 MR BERESFORD: Mr Chairman, the redacted version of the 21 Chinese statement is to be found in bundle U at page 5, 22 with a supplemental statement at page 8. The English 23 translation is in bundle U, page 9, with the translation 24 at bundle U, page 14. 25 THE CHAIRMAN: Thank you.</p>	<p style="text-align: right;">Page 27</p> <p>1 THE CHAIRMAN: Yes. Thank you. 2 MR BERESFORD: Officer, on 1 October 2012 at 22:15, you 3 received a call for an emergency call-out operation; is 4 that right? 5 A. Yes. 6 Q. At 00:45 hours on 2 October, you arrived at the scene of 7 the sinking of a vessel off Lamma Island and found that 8 two-thirds of the Lamma IV was under the water, and only 9 the bow pointing upwards; is that right? 10 A. Yes. 11 Q. I'm going to read from the English translation of your 12 statement, from where it says "At 04:55", and the 13 Chinese will be shown on the screen. 14 "At 04:55 hours the same day, (we) arrived at the 15 scene, and prepared the diving equipment for going into 16 the sunken Lamma IV to carry out the rescue operation. 17 At 06:05 hours the same day, [another officer] 18 instructed C to back up Police Diver 2 and me above the 19 water as the two of us had to dive into the water to 20 make a search. Then, we got to the main deck of 21 Lamma IV by the fourth window on the port side, and 22 began to dive into the water. With the help of a torch, 23 our visibility inside the vessel was about 1 metre. The 24 stern of the vessel lay on the seabed. At that time, 25 the soundings were about 12 metres. At 06:30 hours the</p>
<p style="text-align: right;">Page 26</p> <p>1 Examination by MR BERESFORD 2 MR BERESFORD: Officer, thank you very much for coming this 3 morning to assist the Inquiry. I have some questions to 4 ask you on behalf of the Commission. 5 Your original statements are to be found in police 6 bundle L at pages 3292 to 3294-1. 7 Could those statements please be given to the 8 witness. 9 Do you recognise those statements as yours, Officer? 10 A. Yes. 11 Q. Have you had an opportunity to remind yourself of their 12 content today? 13 A. Yes. 14 Q. Do you have any amendment you would wish to make? 15 A. Not at the moment. 16 Q. Are the contents true? 17 A. Yes. 18 MR BERESFORD: Mr Chairman, to some extent this short 19 evidence duplicates the evidence of Police Diver 2. But 20 the focus here is on deceased 7 in the police 21 referencing system, which is Leung Ka-kit, a male 22 aged 23. 23 THE CHAIRMAN: Yes. 24 MR BERESFORD: I'm going to come back to the autopsy report 25 as there are some comments there.</p>	<p style="text-align: right;">Page 28</p> <p>1 same day Police Diver 2 informed me that (he) had found 2 at a door in the stern a female whose body was stiff. 3 Then, the two of us took her above the water, and handed 4 her over to other teammates for further actions. 5 At 06:45 hours the same day, [another officer] 6 instructed D to back up Police Diver 2, E and me above 7 the water as the three of us had to dive into the water 8 to get into the vessel by the same entrance to make 9 a search. At 06:55 hours the same day, I found 10 underneath a seat in the midst of the cabin of the 11 vessel a male whose body was stiff. Then, I informed my 12 diving partners to take him above the water and hand him 13 over to other teammates for further actions. 14 At 08:05 hours the same day, [another officer] 15 informed us that the underwater rescue operation was 16 over. At 08:25 hours the same day, (I) was back to the 17 base." 18 Then, Officer, at page 13 of the translation, U/17 19 of the Chinese original, there is a sketch in which you 20 have shown first of all the position where the divers 21 got in and out of the vessel, the fourth window on the 22 port side; and the positions numbered 1 and 2 where the 23 female was found at 06:30 hours, and where the male was 24 found at 06:55 hours, respectively. 25 Does that accord with your recollection?</p>

<p style="text-align: right;">Page 29</p> <p>1 A. Yes. 2 Q. Could we just first of all please look at the window 3 plan. We have a plan of the vessel with the windows 4 numbered. I'd just ask you to identify the window where 5 you got into and out of the vessel. 6 A. R14. 7 Q. R14, thank you. Then could we please have a look at the 8 seating plan of Lamma IV. 9 Are you able to indicate, Officer, where 10 approximately in relation to the numbered seats you 11 found the male underneath the seat in the midst of the 12 cabin? 13 A. Approximately between 99 to 100. 14 Q. Thank you. Then turning to your last statement, dated 15 19 November 2012, you were shown some photographs 16 bearing a reference "ECD7", and you said: 17 "I recognised the male in the photo was the one 18 (Leung Ka-kit, about 20-25 years old, with short hair, 19 wearing upper clothes with red checks and dark colour 20 trousers) whom I found inside the cabin of Lamma IV that 21 day." 22 Is that correct? 23 A. Yes. 24 MR BERESFORD: Thank you, Officer. 25 Mr Chairman, the autopsy report is in bundle J(I)</p>	<p style="text-align: right;">Page 31</p> <p>1 life jacket and secondly on the debris which might be 2 covering deceased number 7. 3 THE CHAIRMAN: Thank you. 4 Examination by MS LOK 5 MS LOK: Officer, when you discovered the deceased male, was 6 he wearing a life jacket or did he have any kind of 7 floating aid? 8 A. I can find none of these on his body. 9 Q. From your observation, was there any object, for example 10 debris, which was on top of the deceased? 11 A. No. 12 MS LOK: Thank you. 13 THE CHAIRMAN: But you found him underneath a seat? 14 A. Yes. 15 THE CHAIRMAN: Mr Beresford? 16 MR BERESFORD: Just one question, Mr Chairman. 17 Further examination by MR BERESFORD 18 MR BERESFORD: You said you found him underneath a seat. 19 Was the seat still attached to the deck? 20 A. Yes, it was stable. 21 MR BERESFORD: Thank you. 22 THE CHAIRMAN: Officer, thank you for attending to assist 23 the Commission by giving the evidence that you have just 24 delivered, but your evidence is now finished and in 25 a moment you will be free to leave. But before you do</p>
<p style="text-align: right;">Page 30</p> <p>1 behind tab 7 and it begins at page 1681-1. The remark 2 to which I would draw your attention is on page 1681-2. 3 THE CHAIRMAN: Yes. I think both remarks 1 and 2 ought to 4 be read out, if you'd be so kind. 5 MR BERESFORD: Certainly, Mr Chairman. 6 "Autopsy showed presence of blood-stained fluid in 7 airways, hyperinflation of lungs, waterlogging of lungs, 8 as well as presence of blood-stained fluid in chest 9 cavities. These findings were consistent with a death 10 due to drowning. 11 There was evidence of extensive blunt impact trauma 12 to the body with multiple lacerations on head and face, 13 as well as extensive areas of bruises and abrasions on 14 face, trunk and limbs. These injuries could have been 15 caused by impacts against hard objects or surfaces. The 16 presence of brain swelling and oedema on internal 17 examination suggested that the impact to the head could 18 have impaired the conscious level of the deceased, and 19 possibly rendering him less capable of rescuing 20 himself." 21 THE CHAIRMAN: Thank you. 22 MR BERESFORD: Thank you, Mr Chairman. 23 MR McGOWAN: I have no application, thank you, Mr Chairman. 24 MR ZIMMERN: We have no questions, thank you. 25 MS LOK: Mr Chairman, I have two questions, the first on</p>	<p style="text-align: right;">Page 32</p> <p>1 so, may we, the Commission, commend you for your role in 2 the retrieval of the bodies of the deceased. 3 Remain where you are for the moment, because I'm 4 going to ask everyone else here to leave the room so 5 that you can leave in circumstances of anonymity. 6 MR BERESFORD: Mr Chairman, before we depart, might that be 7 a convenient moment to take the break? The reason I ask 8 is because I'm told that there's a supplemental 9 statement coming from the next witness. 10 THE CHAIRMAN: The next witness being? 11 MR BERESFORD: Chan Tak-fun, a police diver. But there are 12 no more anonymity arrangements to be made today, so we 13 can also clear the screens. 14 THE CHAIRMAN: Thank you very much. Yes, we'll take the 15 break. We'll take a 20-minute break. We'll resume at 16 11.35. Would everyone be kind enough to leave the room 17 so that we can lock it and the officer can leave. 18 Thank you, Officer. Now that the doors are 19 secure -- are the cameras off? Thank you. You are free 20 to leave. 21 (The witness withdrew) 22 (11.17 am) 23 (A short break) 24 (11.36 am) 25 MS LOK: Mr Chairman, before my learned friend begins, may</p>

<p style="text-align: right;">Page 33</p> <p>1 I make a submission on some housekeeping issues as to 2 the order of witnesses. 3 THE CHAIRMAN: Let me address you first of all, and it's 4 a matter I raised with Mr Beresford briefly during the 5 break, and it is this. It is apparent that although the 6 evidence that we're dealing with now is of great 7 importance because it allows for the circumstances in 8 which someone died to be known, as is appropriate, that 9 evidence is nevertheless being presented expeditiously. 10 As we indicated yesterday, it is quite clear that we can 11 deal with many witnesses in the course of a day. 12 Insufficient witnesses appear to have been listed for 13 today, and I've asked Mr Beresford to bring forward, as 14 I did yesterday, the witnesses who were listed for 15 Friday, and I'd ask that they be here this afternoon. 16 MS LOK: Yes, Mr Chairman. Since we noted your remarks 17 yesterday, those instructing me have been exercising 18 their best efforts to try to make that arrangement. 19 May I provide Mr Chairman with some updates. 20 THE CHAIRMAN: Yes. 21 MS LOK: In fact we have arranged -- may I refer to the 22 witness list then. The one that I have is dated 23 8 January 2013. 24 THE CHAIRMAN: I have one dated 9 January. 25 MS LOK: Okay, yes. I think it's the same.</p>	<p style="text-align: right;">Page 35</p> <p>1 questions to ask you on behalf of the Commission. 2 Officer, you have previously made a statement in 3 relation to this matter, which is to be found in police 4 bundle L at pages 3312-4 to 3312-5. The translation is 5 at pages 3312-178 to 3312-180. 6 A. Yes. 7 Q. Officer, do you recognise that statement as yours? 8 A. Yes. 9 Q. Have you had an opportunity to review it today? 10 A. Yes. 11 Q. Is there any amendment you wish to make? 12 A. No. 13 Q. Are the contents of that statement true? 14 A. Yes. 15 Q. Officer, on 1 October 2012 you were on B shift fast 16 patrol craft duty as a launch mechanic of PV16; is that 17 correct? 18 A. Yes. 19 Q. At 20:37 hours on 1 October, your vessel was instructed 20 by the divisional commander to go to the waters off Shek 21 Kok Tsui, Lamma Island, to attend to a boat crash; is 22 that right? 23 A. Yes. 24 Q. I'm just going to read one paragraph from your 25 statement, commencing "At 20:42 hours".</p>
<p style="text-align: right;">Page 34</p> <p>1 Mr Wong Tsz-kiu, Mr Chow Chi-kay, and Mr Lam 2 Chi-kin, we have managed to approach them. 3 Notwithstanding that they have duty, I think that they 4 are likely to be available to give evidence in the 5 afternoon. 6 THE CHAIRMAN: I'm sure they will be, because their duty is 7 also to assist this Commission. 8 MS LOK: Yes, I'm sure, Mr Chairman. However, we do really 9 have some difficulties with the other two. The reason 10 is that Mr Lo Chi-ho is on long leave, and he is 11 inaccessible by those instructing me for the time being. 12 THE CHAIRMAN: That's a perfectly understandable 13 explanation. 14 MS LOK: And Mr Ko Wing-ki is out of town. 15 THE CHAIRMAN: Thank you. Again, that's acceptable. 16 MS LOK: Those are my submissions, Mr Chairman. 17 THE CHAIRMAN: Thank you very much. 18 Mr Beresford? 19 MR BERESFORD: Mr Chairman, the next witness is Chan 20 Tak-fun. 21 OFFICER CHAN TAK-FUN (affirmed in Puntì) 22 (All answers via interpreter unless otherwise indicated) 23 Examination by MR BERESFORD 24 MR BERESFORD: Officer, thank you very much for attending 25 this morning to assist this Inquiry. I have some</p>	<p style="text-align: right;">Page 36</p> <p>1 "At 20:42 hours the same day, (we) got to the scene 2 [MPOX Box 1306C] and found a half-submerged vessel with 3 its bow up towards the sky and stern sinking into the 4 sea. At that time, our craft PV16 was about 200 metres 5 away from the vessel in question. Sergeant 58304 6 instructed me to slow down the craft. I kept a look-out 7 at the bow of the craft so as to help searching for the 8 persons who had been thrown into the sea. Meanwhile, 9 PC7978 notified that there was a person floating at the 10 starboard side of PV16. At that time, the person's face 11 remained submerged in the water. I saved the person, 12 who was then found to be a girl (about 1 metre in 13 height, short hair). The girl was unconscious. 14 I immediately gave resuscitation to the girl. At 15 20:50 hours, the girl was handed over to police 16 launch 43 for transfer to Aberdeen Marine Police Base 17 for action. Then, the rescue work continued." 18 Then there's a supplemental -- 19 THE CHAIRMAN: Before you get to that, I'd invite you to 20 read the next paragraph which sets the scene, as it 21 were, as to what the officer encountered. 22 MR BERESFORD: Very well, Mr Chairman. 23 "Nearing the vessel in question, our craft found in 24 the periphery about 20 persons who had been thrown into 25 the sea. Besides, the FSD rescue team and the crew of</p>

<p style="text-align: right;">Page 37</p> <p>1 PV15 were rescuing the persons trapped in the cabin 2 through the windows of the lower deck at the starboard 3 side. The crew of our craft had rescued two batches of 4 people. The first batch included one male, one female, 5 one boy and one girl. The second batch included two 6 males and one female. The two batches of people were 7 sent to police launch 46 for centralised action. The 8 FSD rescue team and the crew of PV15 rescued the other 9 persons who had been thrown into the sea or had been 10 trapped. Our craft made a search in waters around the 11 scene [from 22:10 hours to 00:05 hours on 2 October 12 2012] to no avail. Then, we left the scene and escorted 13 the injured officers of PV125 to Aberdeen Marine Police 14 Base." 15 Then you describe returning to continue with the 16 search and rescue. You got to the scene at 01:30 hours 17 and made a further search, but nothing was found, and 18 later you were instructed to leave. 19 THE CHAIRMAN: Officer, when you arrived at the scene, were 20 there any other Police, Fire or Marine Department 21 vessels already there? 22 A. Some vessels from the Fire Services Department and the 23 police had already arrived. 24 THE CHAIRMAN: Your vessel, this fast patrol craft, is that 25 one of these four-man vessels?</p>	<p style="text-align: right;">Page 39</p> <p>1 PV16 saved. 2 THE CHAIRMAN: Yes. 3 MS LOK: The second area is as to the injured officer of 4 PV15. 5 THE CHAIRMAN: Yes, please do. 6 Examination by MS LOK 7 MS LOK: Mr Chan, you mentioned in your statement that PV16 8 helped to save two batches of people. 9 A. Yes. 10 Q. The first batch was one male, one female, one boy, one 11 girl. 12 A. Yes. 13 Q. Can you tell the Commission whether any of them were 14 wearing life jackets or had any kind of floating aid? 15 A. I remember that the boy was wearing one. 16 Q. In your recollection, was this boy wearing a life jacket 17 properly or how was he wearing it? Can you describe it 18 to us? 19 A. I don't quite remember. 20 Q. And the second batch consisted of two males and one 21 female. 22 A. Yes. 23 Q. Were they wearing life jackets or had any kind of 24 floating aid? 25 A. No.</p>
<p style="text-align: right;">Page 38</p> <p>1 A. It was operated by three people. 2 THE CHAIRMAN: And you wear helmets? One of those vessels? 3 A. Yes. 4 THE CHAIRMAN: Thank you. 5 MR BERESFORD: Officer, just today you've made 6 a supplemental statement. You were shown a photograph 7 this morning and you confirmed that the person in the 8 photograph was the deceased female Kwok Leung-ying, 9 deceased 4, and that was the girl that you rescued to 10 PV16 on 1 October; is that right? 11 A. Yes. 12 THE CHAIRMAN: What age was she, Mr Beresford? 13 MR BERESFORD: She was aged 4, Mr Chairman. 14 THE CHAIRMAN: Thank you. 15 MR BERESFORD: And the cause of death was drowning. 16 Officer, can you tell us, please, if she was wearing 17 a life jacket? 18 A. No. 19 MR BERESFORD: Thank you. 20 I have no further questions, Mr Chairman. 21 MR MCGOWAN: I have no application, Mr Chairman. 22 MR ZIMMERN: Thank you. No questions. 23 MS LOK: Mr Chairman, I have an application to ask the 24 witness on two areas. The first is the floating aid or 25 life jacket in respect of the two batches of people that</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. In your statement, you also described that you left the 2 scene and escorted an injured -- not "an", in fact you 3 used plural form, "injured officers of PV15 to Aberdeen 4 Marine Police Base". 5 First of all, how many officers of PV15 were 6 injured? 7 A. Three of them were injured. 8 Q. Do you know the cause of that injury? 9 A. While they were conducting the rescue, an anchor from 10 the Lamma IV fell on them. 11 MS LOK: I have no further questions. 12 THE CHAIRMAN: Mr Beresford? 13 MR BERESFORD: No further questions, Mr Chairman. 14 THE CHAIRMAN: Are we going to hear from these officers, 15 Mr Beresford, or one of them? 16 MR BERESFORD: The injured officers? 17 THE CHAIRMAN: Yes. 18 MR BERESFORD: I don't believe they are on the list, 19 Mr Chairman, no. 20 THE CHAIRMAN: Very well. 21 Questions by THE COMMISSION 22 THE CHAIRMAN: What were the nature of their injuries? 23 A. One of them who sustained more serious injuries suffered 24 fracture on his knees and -- 25 THE CHAIRMAN: On his?</p>

Page 41	Page 43
<p>1 A. -- on his knees, and also the ribs on his back. 2 THE CHAIRMAN: And the others? 3 A. And the other one sustained injury on his leg, and the 4 other one sustained injury on his head. 5 THE CHAIRMAN: Thank you. The persons rescued from the 6 sea -- three males, two females, a boy and a girl 7 altogether -- were they all conscious? 8 A. Yes. 9 THE CHAIRMAN: So they were rescued alive? 10 A. Yes. 11 THE CHAIRMAN: Mr Beresford, are we to hear from the 12 personnel aboard the first vessel to arrive on the scene 13 from the emergency services -- Police, Fire or Marine? 14 MR BERESFORD: I can't say for definite whether we've got 15 that on our list, but I'll cause enquiries to be made 16 and we will try and cover that off, Mr Chairman. 17 THE CHAIRMAN: Yes. What I'd note is that we now have 18 a time for the arrival of this vessel as 20:42. So the 19 question is, were there vessels that arrived earlier? 20 MR BERESFORD: We've got the overviews provided by 21 Mr Terence Fung, who's coming later, in relation to 22 Marpol. There's one earlier police vessel that he 23 refers to that arrived at 20:39. 24 THE CHAIRMAN: Thank you. 25 MR BERESFORD: I think we also have an overview from a Fire</p>	<p>1 MR BERESFORD: Cause of death: drowning. 2 THE CHAIRMAN: Thank you. 3 Examination by MR BERESFORD 4 MR BERESFORD: Good morning, Officer, and thank you for 5 coming to assist this Inquiry this morning. I have some 6 questions to ask you on behalf of the Commission. 7 You have previously made a statement in relation to 8 this collision. A copy may be found in police bundle L 9 at pages 3312-17 to 3312-18. The translation is at 10 pages 3312-197 to 3312-199. 11 Could the witness please be given a copy of his 12 statement. 13 Officer, do you recognise that statement as yours? 14 A. Yes. 15 Q. Have you had an opportunity to look at it today? 16 A. Yes. 17 Q. Is there any amendment that you would wish to make? 18 A. No. 19 Q. So are the contents of this statement true? 20 A. Yes. 21 Q. Thank you. I'm going to read from the English 22 translation of your statement, and the Chinese will be 23 shown on the screen. 24 Officer, before I start reading, just introductory, 25 on 1 October 2012 you were on duty from 14:35 hours to</p>
Page 42	Page 44
<p>1 Services officer to give an overview of the operation. 2 So he should be able to tell the Commission when the 3 first Fire Services vessels arrived. 4 THE CHAIRMAN: Thank you. 5 Officer, your evidence is now complete. We thank 6 you for coming to the Commission to give it. In 7 a moment you'll be free to leave or you may, if you 8 wish, remain in the hearing room and hear other 9 evidence. 10 A. I understand. 11 THE CHAIRMAN: We wish to commend you and your fellow crew 12 on your fast patrol craft for your part in the largely 13 successful rescue of this half-dozen or so people. 14 Thank you. 15 A. (In English) Thank you, sir. 16 THE CHAIRMAN: Thank you. 17 (The witness withdrew) 18 MR BERESFORD: Mr Chairman, the next witness is Ng 19 Kin-keung. 20 OFFICER NG KIN-KEUNG (affirmed in Puntì) 21 (All answers via interpreter unless otherwise indicated) 22 MR BERESFORD: Mr Chairman, this evidence relates to the 23 deceased bearing police reference number 13, 24 So Kwai-woon, a female aged 60. 25 THE CHAIRMAN: Thank you.</p>	<p>1 23:00 hours as the launch mechanic police constable on 2 police launch 43; is that right? 3 A. Yes. 4 MR BERESFORD: Mr Chairman, a point of information. This is 5 in fact the vessel that was the first police vessel on 6 the scene that I mentioned a moment ago. 7 THE CHAIRMAN: Thank you for that. 8 MR BERESFORD: I'm going to start reading from your 9 statement. 10 "At 20:30 hours on 1 October 2012, our launch was 11 informed near Ngan Chau on the way to Shek O by the 12 console of a vessel collision incident occurred at Yung 13 Shue Wan on Lamma Island. We at once told the console 14 that we were to rush to Yung Shue Wan. At 20:39 hours 15 on the same day, PL43 arrived at the waters 50 metres 16 off the flashing light at Shek Kok Tsui, Lamma Island, 17 where a sunken vessel [later known to be Lamma IV] was 18 observed. The bow of the vessel was pointing up and its 19 stern was down under water. Many lifebuoys were 20 floating on the sea surface, but nobody was floating in 21 the water. A nearby white yacht of unknown number and 22 a vessel [later known to be Lamma II] were aiding in 23 rescuing drowning people on the spot. 24 At 20:50 hours on the same day, we saved 3 males and 25 2 females respectively. They did not wear any life</p>

<p style="text-align: right;">Page 45</p> <p>1 jacket. The 3 males were conscious but the 2 females 2 were in a coma. It was learnt from the conscious 3 victims that Lamma IV had transported more than one 4 hundred people and many of them were trapped in the 5 vessel. Sergeant 3836 reported what he was told to the 6 console. One of the conscious male victims [later known 7 to be Wong Tai-wah] was the husband of one of the 8 comatose female victims [later known to be 9 So Kwai-woon]. Other crewmen of our launch and I 10 applied cardiopulmonary resuscitation to the two 11 comatose females who had no breathing or heartbeat. The 12 two conscious males were later handed over to PL31. 13 At 21:00 hours on the same day, PV16 handed to our 14 PL43 a girl who was unconscious with no breathing or 15 heartbeat. Crewmen of PV16 told us that cardiopulmonary 16 resuscitation was given to the girl some time ago, but 17 she had no response. At 21:30 hours on the same day, 18 the console informed us that a helicopter was waiting at 19 somewhere near the power station pier on Lamma Island. 20 At 21:45 hours on the same day, PL43 arrived at the pier 21 and handed 1 male [Wong Tai-wah], 2 females [one of whom 22 was So Kwai-woon] and 1 girl to the firemen of Lamma for 23 transporting to the helicopter. The helicopter then 24 transferred the victims to the hospital. 25 At 21:50 hours on the same day, PL43 went back to</p>	<p style="text-align: right;">Page 47</p> <p>1 THE CHAIRMAN: Ah, yes. 2 These are persons handed over from another vessel? 3 MS LOK: That is correct. 4 THE CHAIRMAN: Not directly rescued from the sea? 5 MS LOK: If that be the case, then I would just pursue my 6 first area. May I? 7 THE CHAIRMAN: Yes, very well. 8 Examination by MS LOK 9 MS LOK: Officer, you mentioned in your statement that at 10 20:50 you saved three male, conscious, two female, in 11 coma, not wearing life jackets. 12 A. Yes. 13 Q. Can you confirm that they were saved from the water, not 14 handed over by other colleagues of yours? 15 A. Yes, they were saved from the water. 16 Q. And do you recall briefly the location when they were 17 saved? 18 A. They were about 50 metres away from the beacon at Shek 19 Kok Tsui. 20 THE CHAIRMAN: 50 metres from the light, the lighthouse? 21 A. Yes. It was the light used for reference during 22 navigation. 23 MS LOK: I have no further questions. 24 THE CHAIRMAN: What about the distance from the vessel 25 Lamma IV? If you don't recall, just say so.</p>
<p style="text-align: right;">Page 46</p> <p>1 the collision scene to continue on with the search and 2 rescue. At 22:10 hours on the same day, PL43 received 3 5 males, 3 females and 1 boy, all conscious, from PL46 4 to be taken to South Horizons pier. At 22:35 hours, 5 PL43 reached South Horizons pier. The 5 males, 6 3 females and 1 boy were then handed over to the firemen 7 and ambulancemen on the spot for further actions. 8 At 23:25 hours on the same day, PL43 once again 9 returned to the collision scene for further search and 10 rescue. We worked there until 07:00 hours on 2 October 11 2012." 12 Thank you, Officer. I have no supplemental 13 questions. Please wait there. 14 MR MCGOWAN: I have no application, sir. 15 MR ZIMMERN: No questions, thank you. 16 MS LOK: Mr Chairman, I have two questions. The first is in 17 relation to the location of the first batch of 18 passengers saved. The second is as to the life jacket 19 of the second batch of passengers saved. 20 By first batch and second batch, I refer to -- 21 THE CHAIRMAN: Why do you divide them into two batches? 22 MS LOK: I was referring to the time when they were saved. 23 The first was 20:50; the second was 22:10. 24 THE CHAIRMAN: Where do I find the second time? 25 MS LOK: It is at page --</p>	<p style="text-align: right;">Page 48</p> <p>1 A. I have no idea. 2 THE CHAIRMAN: Mr Beresford? 3 MR BERESFORD: I wonder if it might assist if the witness 4 could just confirm the light on the chart. 5 THE CHAIRMAN: Yes, certainly. 6 MR BERESFORD: Could the chart at MB1, page 1, please be 7 shown on the screen. And could we zoom in to Shek Kok 8 Tsui Point and the surrounding waters, please. 9 When you refer to the Shek Kok Tsui light beacon, 10 Officer, is that the light slightly to the north-west of 11 Shek Kok Tsui Point? The cursor is on it now. 12 A. Yes. 13 MR BERESFORD: Thank you. 14 THE CHAIRMAN: Thank you, Officer, for coming to assist us 15 by giving your testimony as you've just done. Your 16 evidence is now complete and you're free to go. Or, of 17 course, you may stay and listen to the evidence of other 18 witnesses if you wish. Before you go, the Commission 19 wishes to commend you and your fellow crewmen for the 20 part that you played in rescuing people from the perils 21 of the sea. Thank you. 22 (The witness withdrew) 23 THE CHAIRMAN: Mr Beresford? 24 MR BERESFORD: Mr Chairman, the next witness is Lai 25 Chun-tung, also from PL43.</p>

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<p>1 OFFICER LAI CHUN-TUNG (affirmed in Punt)</p> <p>2 (All answers via interpreter unless otherwise indicated)</p> <p>3 Examination by MR BERESFORD</p> <p>4 MR BERESFORD: Good morning, Officer. Thank you very much</p> <p>5 for attending today to assist with the Inquiry. I have</p> <p>6 some questions to ask you on behalf of the Commission.</p> <p>7 Officer, you've previously made two statements in</p> <p>8 relation to the collision the subject of this Inquiry.</p> <p>9 One is to be found at police bundle L at pages 3312-15</p> <p>10 to 3312-16. The translation is at pages 3312-195 to</p> <p>11 3312-196. The second statement is at bundle L,</p> <p>12 page 3312-155, and the translation is at page 3312-248.</p> <p>13 Could the witness please be given his statements.</p> <p>14 Do you recognise these statements as yours, Officer?</p> <p>15 A. Yes.</p> <p>16 Q. And have you had an opportunity to look at them today?</p> <p>17 A. Yes.</p> <p>18 Q. Do you have any amendment you would wish to make?</p> <p>19 A. Yes.</p> <p>20 Q. Could you tell us what it is, please?</p> <p>21 A. In page 1 -- that is, 3312-15 -- on line 11, there is</p> <p>22 a reference to "PL46". It should be amended to "PL31".</p> <p>23 Q. "PL46" should be "PL31"; is that right?</p> <p>24 A. Yes.</p> <p>25 Q. Thank you. Anything else?</p>	<p>1 Kok Tsui, Lamma and was instructed to proceed to the</p> <p>2 scene by Marine Console. When PL43 reached the scene at</p> <p>3 20:39 hours, I saw a partially submerged</p> <p>4 passenger-carrying vessel, with its bow upward, in the</p> <p>5 waters about 50 metres off the flashing light at Shek</p> <p>6 Kok Tsui. Considerable amount of lifebuoys were</p> <p>7 floating around the vessel and a few people floating in</p> <p>8 the sea were seen screaming for help then. At</p> <p>9 20:50 hours, I together with other crewmen of PL43</p> <p>10 respectively rescued 2 males, all conscious and unhurt,</p> <p>11 and handed them over to PL31 officers. Then another</p> <p>12 male who was dragging and rescuing two females in the</p> <p>13 sea came into my sight. The crewmen and I immediately</p> <p>14 helped the male and two females up. The male, conscious</p> <p>15 and uninjured, was later known to be Wong Tai-wah. The</p> <p>16 two females were motionless and in a coma. I applied</p> <p>17 cardiopulmonary resuscitation to the pair with another</p> <p>18 crewman. One of the females was later known to be</p> <p>19 So Kwai-woon, wife of Wong Tai-wah.</p> <p>20 At 21:00 hours, PV16 went alongside our PL43 and its</p> <p>21 crewmen handed a girl, about 6 years old, over to us.</p> <p>22 The girl was comatose. Crewmen of PV16 told us that CPR</p> <p>23 was given to the girl some time ago and she got no</p> <p>24 response still.</p> <p>25 At 21:35 hours, the console notified that</p>
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<p>1 A. No.</p> <p>2 Q. So, subject to this amendment, the contents of these</p> <p>3 statements are true, are they?</p> <p>4 A. Yes.</p> <p>5 Q. Thank you. Officer, on 1 October 2012 you were on duty</p> <p>6 on PL43 as a watch-on-deck, were you not?</p> <p>7 A. Yes.</p> <p>8 Q. And one of the other crew was SPC13697, the launch</p> <p>9 mechanic Ng Kin-keung from whom we have just heard?</p> <p>10 A. Yes.</p> <p>11 Q. Officer, in a minute I'm going to read from your</p> <p>12 statement but before I do, if I can just inform the</p> <p>13 Chairman that this statement relates to deceased bearing</p> <p>14 police reference number 25, which is Fu Yuk-ling,</p> <p>15 a female aged 42.</p> <p>16 THE CHAIRMAN: Thank you.</p> <p>17 MR BERESFORD: The cause of death shown in the autopsy is</p> <p>18 drowned.</p> <p>19 THE CHAIRMAN: Thank you.</p> <p>20 MR BERESFORD: I'm going to read from the English</p> <p>21 translation of your statement, and the Chinese will be</p> <p>22 shown on the screen.</p> <p>23 "At 20:30 hours on the date above mentioned [that's</p> <p>24 1 October], PL43 was informed near Ngan Chau of</p> <p>25 a collision involving two vessels which happened at Shek</p>	<p>1 a helicopter was waiting near the Lamma Power Station</p> <p>2 staff pier. At 21:45 hours, our launch berthed</p> <p>3 alongside the said pier, where 1 male, 2 females and</p> <p>4 1 girl were handed to FU4687 of Lamma Fire Station.</p> <p>5 With his assistance the victims were loaded on the</p> <p>6 helicopter, codenamed 'RL', which took them to the</p> <p>7 hospital.</p> <p>8 At 21:50 hours, PL43 returned to the scene to</p> <p>9 continue on with the search for missing persons. At</p> <p>10 22:10 hours, PL46 [lay] alongside PL43 and its crewmen</p> <p>11 handed 5 males, 3 females and 1 boy to us for conveyance</p> <p>12 to the Hongkong Electric pier in South Horizons. Those</p> <p>13 victims on board were all conscious and unharmed.</p> <p>14 At 22:35 hours, our launch anchored alongside South</p> <p>15 Horizons pier. All injured persons were received by</p> <p>16 I/C550 Ng Chi-ming of Ap Lei Chau Fire Station to be</p> <p>17 further transferred to the hospital. At 23:25 hours,</p> <p>18 PL43 travelled back to the scene to resume the search</p> <p>19 and rescue work."</p> <p>20 Then in your supplementary statement made on</p> <p>21 20 November 2012, you state that you confirm that the</p> <p>22 female deceased Fu Yuk-ling was the one that you rescued</p> <p>23 on 1 October 2012, and that she was already unconscious</p> <p>24 when you plucked her to PL43.</p> <p>25 In relation to that identification, can you tell us</p>

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<p>1 how you identified her?</p> <p>2 A. When female sergeant 55306 went to the Police Recreation</p> <p>3 Club, bringing with her documents and a lot of documents</p> <p>4 pertaining to the deceased for us to identify,</p> <p>5 I recognised from the photo that one of them was Madam</p> <p>6 Fu Yuk-ling, who was unconscious, who was the deceased.</p> <p>7 Q. Thank you. Madam Fu Yuk-ling was the other of the two</p> <p>8 females, one of whom you named as So Kwai-woon, the wife</p> <p>9 of Wong Tai-wah; is that right?</p> <p>10 A. Yes.</p> <p>11 Q. Thank you. You said that Wong Tai-wah was dragging and</p> <p>12 rescuing those two females in the sea. Was Madam</p> <p>13 Fu Yuk-ling wearing a life jacket?</p> <p>14 A. No.</p> <p>15 MR BERESFORD: I have no further questions, Mr Chairman.</p> <p>16 THE CHAIRMAN: So the effect of your evidence is this, that</p> <p>17 both the ladies that Wong Tai-wah was attempting to</p> <p>18 rescue in the sea, both of them died?</p> <p>19 A. I don't know whether they were deceased at that time,</p> <p>20 but after they were rescued, they were already -- there</p> <p>21 was already no breath and pulse.</p> <p>22 THE CHAIRMAN: Yes. Thank you.</p> <p>23 Do counsel have any applications?</p> <p>24 MR MCGOWAN: No application, thank you.</p> <p>25 MR ZIMMERN: No application, thank you.</p>	<p>1 are in English, so when I read from them, I will read</p> <p>2 slowly, or with gaps, to give the interpreters a chance</p> <p>3 to catch up, as there will be simultaneous</p> <p>4 interpretation.</p> <p>5 Do you have your two statements there, Officer?</p> <p>6 A. Yes.</p> <p>7 Q. Do you recognise them as yours?</p> <p>8 A. Yes.</p> <p>9 Q. Have you had an opportunity to look at them today and</p> <p>10 remind yourself of what they say?</p> <p>11 A. Yes.</p> <p>12 Q. Do you have any amendment you wish to make?</p> <p>13 A. Yes.</p> <p>14 Q. What is that?</p> <p>15 A. Mr Chairman, I apologise that I have to make some</p> <p>16 clarification pertaining to supplementary statement,</p> <p>17 paragraph 8, page 662-4. Previously I pointed out that</p> <p>18 my colleagues didn't know where deceased number 1 was</p> <p>19 located. But after referring to documents and by</p> <p>20 efforts in recollection, my colleagues have been able to</p> <p>21 identify that this deceased was found on the raft. And</p> <p>22 as far as I know, this colleague of mine is also going</p> <p>23 to give evidence in due course.</p> <p>24 THE CHAIRMAN: Thank you. That is the raft deployed by</p> <p>25 Lamma IV?</p>
Page 54	Page 56
<p>1 MS LOK: No, Mr Chairman.</p> <p>2 THE CHAIRMAN: Thank you, Officer, for coming to assist us</p> <p>3 with your evidence, but your evidence is now complete</p> <p>4 and you're free to go. Of course, you're free to sit in</p> <p>5 the back of the hearing room in the public gallery and</p> <p>6 listen to the evidence as well if you wish.</p> <p>7 Before you go, let me commend what you and your</p> <p>8 fellow crew members did in rescuing people from the sea</p> <p>9 and trying to revive them with the emergency aid you</p> <p>10 applied to them. Thank you.</p> <p>11 A. (In English) Thank you.</p> <p>12 (The witness withdrew)</p> <p>13 THE CHAIRMAN: Mr Beresford?</p> <p>14 MR BERESFORD: Mr Chairman, the next witness is Mr Yau</p> <p>15 Wai-keung.</p> <p>16 OFFICER YAU WAI-KEUNG (affirmed in Puntì)</p> <p>17 (All answers via interpreter unless otherwise indicated)</p> <p>18 Examination by MR BERESFORD</p> <p>19 MR BERESFORD: Good morning, Officer, and thank you very</p> <p>20 much for coming this morning to assist with this</p> <p>21 Inquiry. I have some questions to ask you on behalf of</p> <p>22 the Commission.</p> <p>23 Officer, you have made two previous statements,</p> <p>24 I believe, which are contained in the FSD bundle 3 at</p> <p>25 pages 573 to 662; and at pages 662-1 to 662-7. These</p>	<p>1 A. I believe so.</p> <p>2 THE CHAIRMAN: Thank you.</p> <p>3 A. There is another point I would like to clarify.</p> <p>4 MR BERESFORD: Just before leaving that point, what is the</p> <p>5 name of the witness who will be giving evidence in due</p> <p>6 course?</p> <p>7 A. My colleague Mr Lo Chi-ho.</p> <p>8 Q. Thank you. Yes, please continue.</p> <p>9 A. Yesterday my colleague Chan Man-fai, he has rescued five</p> <p>10 people during the operation. Yesterday, when he gave</p> <p>11 evidence, he pointed out that these people were located</p> <p>12 on the starboard side of Lamma IV. But in my statement,</p> <p>13 I pointed out that according to the plan, it was on the</p> <p>14 left-hand side. So I would like to clarify this point</p> <p>15 in relation to Mr Chan Man-fai's evidence.</p> <p>16 MR BERESFORD: Mr Chairman, there is a table or chart,</p> <p>17 a corrected chart, being handed up and handed around.</p> <p>18 It's not marked with a page number, so may I suggest</p> <p>19 that we mark it with the page number 658A and insert it</p> <p>20 in our bundle.</p> <p>21 THE CHAIRMAN: Yes. Thank you. Does this replace the</p> <p>22 existing one?</p> <p>23 MR BERESFORD: Officer, is this chart intended to replace</p> <p>24 the existing chart at page 658?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 57</p> <p>1 Q. Thank you, Officer. Was there anything else? 2 A. No. 3 Q. So, subject to those amendments, are these statements 4 true? 5 A. Yes. 6 Q. Now, Officer, you are the Deputy Chief Fire Officer, 7 Hong Kong Command, of the Fire Services Department; is 8 that right? 9 A. Yes, correct. 10 Q. Your duties include, amongst other things, command and 11 control of fire and emergency rescue operations? 12 A. Correct. 13 Q. And the purpose of the statement that you have submitted 14 to the Commission is to provide a summary and chronology 15 of the salient facts disclosed in the three summaries 16 and 311 statements provided by Fire Services Department 17 officers involved in the rescue operation in relation to 18 the collision on 1 October 2012; is that right? 19 A. Correct. 20 Q. And you have also provided us with graphic 21 representations depicting the positions of the Lamma IV 22 as observed by Fire Services Department officers at the 23 scene, and the location of the bodies recovered by Fire 24 Services Department officers, such as the one that you 25 have just handed up in amended form.</p>	<p style="text-align: right;">Page 59</p> <p>1 That is the amendment you made, is it, Officer? 2 A. Correct. 3 Q. And that simply reflects the testimony that we heard 4 yesterday? 5 A. Correct. 6 Q. Thank you. In fact you've provided us with four 7 exhibits to your statement. Exhibit 1 is a list of Fire 8 Services Department abbreviations, which commences at 9 page 584, and is very extensive. It goes on to 10 page 650. Perhaps one could look at, say, page 626 or 11 any page in there to get a feel for the extensive use of 12 acronyms in the department. 13 Exhibit 2 is a list setting out all the fireboats 14 and speedboats of the Fire Services Department -- this 15 is at page 651 -- deployed at the incipient stage of 16 rescue operations on 1 October. 17 A. Correct. 18 Q. This appears to be ordered in time of arrival. So we 19 can see that the first fireboat to arrive was Fireboat 4 20 at 20:41. 21 A. Correct. 22 Q. The table just goes up to midnight; it doesn't go 23 beyond. 24 A. Correct. 25 Q. Then exhibit 3 is four graphic depictions of the</p>
<p style="text-align: right;">Page 58</p> <p>1 A. Correct. 2 THE CHAIRMAN: Has page 658A been scanned, Mr Beresford? 3 MR BERESFORD: I only received it this morning, Mr Chairman. 4 I haven't seen a scan yet. 5 THE CHAIRMAN: Very well. But so that those in the public 6 gallery can follow what's going on, please show the 7 sketch that is shown at page 652. 8 MR BERESFORD: Yes. I'm coming to the exhibits, 9 Mr Chairman. 10 THE CHAIRMAN: What are we now showing? This is page 658A? 11 Thank you. 12 MR BERESFORD: Yes, page 658A. 13 THE CHAIRMAN: So there are a number of these kind of 14 sketches attached to your statement to assist in 15 collating information? 16 A. Yes. 17 THE CHAIRMAN: Thank you. 18 MR BERESFORD: While we've got page 658A on the screen, 19 perhaps we can just keep it there. We can see in purple 20 representations of deceased 27, deceased 12, deceased 3 21 and deceased 18, shown as having been found on the 22 starboard side of the vessel, whereas previously, if we 23 can just refer briefly to page 658, we see that three of 24 those persons were shown as being on the port side of 25 the vessel.</p>	<p style="text-align: right;">Page 60</p> <p>1 position of Lamma IV -- this begins at page 652 -- as 2 observed by Fire Services Department officers at 3 different times. 4 A. Correct. 5 Q. At page 652, this is what you've called "Position A", 6 which shows the attitude of Lamma IV on the arrival of 7 Fireboat 4 at about 20:41 hours. 8 A. Correct. 9 MR BERESFORD: Mr Chairman, this could be compared with the 10 thermal image from the police camera. I don't know if 11 you would wish to see that. 12 THE CHAIRMAN: Do we have a time for that? 13 MR BERESFORD: We do, Mr Chairman. If we can see the 14 beginning of the second film. 15 (Video played) 16 I'll have to check the time, Mr Chairman. I recall 17 that the police officer who produced this exhibit gave 18 evidence as to the time when the camera switched from 19 the harbour to this view. 20 THE CHAIRMAN: Yes, that's my own memory. 21 MR BERESFORD: And that would have been towards the end of 22 the previous video. But the attitude of the vessel 23 appears to be approximately that which is shown in the 24 "Position A" diagram at page 652. 25 THE CHAIRMAN: Yes. Thank you.</p>

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<p>1 MR BERESFORD: Then if we could turn to page 653. This is 2 what you call "Position B", and it shows the attitude of 3 Lamma IV on the arrival of Fireboat 7 at about 4 21:03 hours. 5 A. Correct. 6 Q. Then at page 654, we have "Position C", which shows the 7 attitude of the vessel on the arrival of Fireboat 3 at 8 about 22:15 hours. 9 A. Correct. 10 Q. Then at diagram 4, at page 655, we have a diagram 11 showing the attitude of Lamma IV at about 02:00 on the 12 2nd. 13 A. Correct. 14 Q. We have previously compared that, in taking the evidence 15 from another witness from the police, with the 16 photograph at I think it's MB10, tab 16, page 124. 17 THE CHAIRMAN: Yes. That's the first photograph in the 18 clip. 19 MR BERESFORD: Yes. 20 But these sketches are approximate, are they not, 21 Officer? 22 A. We have made our best efforts in predicting the position 23 of the vessel on these diagrams. 24 MS LOK: "Describing", not "predicting". 25 THE CHAIRMAN: It might be "depicting", perhaps.</p>	<p>1 the location of the bodies of deceased persons recovered 2 by Fire Services Department officers. 3 A. Correct. 4 Q. So the diving operational log shows 46 dives, or 5 46 numbered dives. 6 A. Correct. 7 Q. And you've highlighted three lines. Can you explain why 8 you've highlighted those? 9 A. When the vessel was stabilised by a lighter, a deceased 10 body drifted out from the vessel. 11 Q. Yes. 12 A. This refers to the first line highlighted in yellow. 13 Q. So this is highlighted because it wasn't found in the 14 course of a dive; is that right? 15 A. Yes, correct. 16 Q. And similarly with the other two items, yes, we can see 17 that. 18 A. Yes. 19 Q. There were in fact 50 dives, were there not, but the 20 last dives didn't recover any result? 21 A. Correct. 22 Q. Then at page 657, we have the first of your diagrams. 23 This is described as "Penetration dive to the main deck 24 of Lamma IV from 22:45 hrs to 23:45 hrs". That's 25 dive 1, is it not?</p>
Page 62	Page 64
<p>1 MS LOK: "Depicting". 2 MR BERESFORD: Can we just go back to page 652, please. 3 You've marked on here the wheelhouse, the second window, 4 G5, being smashed -- G5, of course, refers to the plan 5 of windows which we've seen on several occasions. The 6 first window, G6, being smashed for creating an escape 7 exit. You've marked the position where a woman was 8 found clinging to a handrail, shouting. And you've 9 marked the main deck sliding door, which just -- when 10 you say "Push Forward To Open", can you just explain 11 what you mean by that? 12 A. I mean when the vessel was in horizontal position, then 13 the door could be opened by pushing to the direction of 14 the bow. 15 Q. I see. Then if we compare that with the attitude of 16 Lamma IV shown on page 655, we can see that the 17 wheelhouse, the first window that was smashed for 18 creating an escape exit, and that sliding door that you 19 just mentioned, are all well submerged under the sea 20 surface? 21 A. Yes. 22 Q. Then the fourth exhibit that you've provided is the 23 graphical depictions, five graphical depictions, 24 together with a diving operational log and a table 25 entitled "Position and State of the Deceased", showing</p>	<p>1 A. Apart from dive 1, it also includes dive 2. 2 Q. Dive 1 and 2 together. Thank you. 3 Then we have the amended one that we've seen at 4 page 658A. That deals with dives 3, 4, 5 and 6, 5 I think; is that right? 6 A. Correct. 7 Q. We might also note that the two dives at page 657 are 8 both to the main deck, and the dives at page 658A are 9 all to the upper deck; is that correct? 10 A. Correct. 11 Q. Then at page 659, we have a representation relating to 12 dives 7, 8, 9 and 11. 13 A. Correct. 14 Q. Which relate to the upper deck after the Lamma IV was 15 stabilised by the crane lighter. 16 A. Correct. 17 Q. Then at page 660, we have a diagram that we've looked at 18 with the diver concerned, concerning the lady who was 19 discovered trapped in the canopy. 20 A. Correct. 21 Q. At page 661, we have a representation of where deceased 22 number 6 was found at about 17:10 on 2 October? 23 A. Yes. 24 Q. Then at page 662, we have your table, but this table has 25 been revised in your supplemental statement, so perhaps</p>

<p style="text-align: right;">Page 65</p> <p>1 we can move straight to page 662-7. That shows in the 2 first column the police reference number, then the name, 3 sex, age, the position the person was believed to be in 4 before the collision, the position after the collision, 5 the rescuer where known, whether they were inside or 6 outside the vessel, whether they were wearing a life 7 jacket, and whether they were trapped by an object or by 8 debris. 9 That shows in summary form -- you have colour-coded 10 it according to who made the rescue. You found there 11 were 30 found inside the vessel and seven outside. 28 12 were not wearing life jackets. Four were holding life 13 jackets, and seven, it couldn't be ascertained whether 14 they were holding them or not. 15 Seven were trapped by an object or by debris, and 16 25 were not. Seven, it couldn't be ascertained. 17 23 were trapped in the upper deck, five in the main 18 deck. Seven were retrieved from the sea surface and two 19 were retrieved from the life raft. There were eight 20 male adults, 23 female adults, three boys, and five 21 girls. 22 And then you've done an age analysis at the bottom 23 which shows that the eight boys and girls were all aged 24 under 15, and there were seven over 60. 25 Would that be a convenient moment, Mr Chairman?</p>	<p style="text-align: right;">Page 67</p> <p>1 Q. Thank you. In relation to item 21, Lam Yat, you have 2 identified there a diver, Senior Fireman 11314. That, 3 I believe, was officer Yuen Ka-wai. 4 A. Yes, correct. 5 Q. Who gave evidence yesterday. 6 A. Yes. 7 MR BERESFORD: His evidence, for the Commission's reference, 8 begins at page 5 of the transcript of Day 11. 9 He said that he found a female deceased in the 10 cabin, but he is shown here as recovering a male. Are 11 you able to throw any light on that discrepancy? Don't 12 speculate, but if you are, then please let us know. 13 A. I would like to add something about the identification 14 of bodies. The divers initially focused their attention 15 in saving the deceased in the cabin. After the deceased 16 were rescued, they would initially identify their 17 physical characteristics, including their sex. But 18 again, the main focus was in saving them. 19 After the rescue operation, the divers, together 20 with their colleagues, will conduct their identification 21 work by referring to their physical characteristics. 22 And after repeated verification, the final result may 23 come to the point that the deceased was a male. 24 Q. Yes. Thank you, Officer. I think we all appreciate the 25 difficulties involved.</p>
<p style="text-align: right;">Page 66</p> <p>1 THE CHAIRMAN: Yes. Officer, we're going to take our lunch 2 break now and we'll resume again at 2.30 this afternoon. 3 So may I ask you if you would be kind enough to be here 4 so that we can start at 2.30. Thank you. 5 (1.02 pm) 6 (The luncheon adjournment) 7 (2.30 pm) 8 THE CHAIRMAN: Officer, may I remind you that you continue 9 to testify according to your original affirmation. 10 MR BERESFORD: Officer, we were looking at your very helpful 11 table at page 662-7. Perhaps we could return to that on 12 the screen. Of course we appreciate the difficulties 13 involved in compiling such a table, particularly given 14 the conditions in which many of these deceased were 15 recovered from the vessel. So to some extent, it's 16 a work in progress and you've told us, in fact, that 17 more information may be coming in relation to 18 deceased 1. 19 There are, however, two rows, including deceased 1, 20 which are coloured yellow and which say "No 21 information". 22 A. (Witness nods). 23 Q. Now, does that account for the fact that two of your 24 analysis tables at the bottom total only 37 and not 39? 25 A. Correct.</p>	<p style="text-align: right;">Page 68</p> <p>1 Then just while we're there at the exhibits, at 2 page 663 we have the plan of the windows that we have 3 used already on a number of occasions. It's proved very 4 useful. I think it has been produced by your office. 5 A. Yes, we just want to try our best. 6 Q. Thank you. Returning then to your statement at 7 page 574. At paragraph 5, you say the first emergency 8 call received by the Fire Services Department, 9 transferred from 999, was at 20:23 on 1 October. 10 A. Yes. 11 Q. And the rescue operation commenced immediately, until it 12 was concluded at 10:38 on 5 October 2012. 13 A. Correct. 14 Q. You've told us that more than 600 Fire Services 15 Department officers had been mobilised, including 300 in 16 the immediate aftermath up to 17:20 on 2 October. 17 A. Correct. 18 Q. And, of course, you worked with other government 19 departments and agencies, including the Police, the 20 Government Flying Service, the Marine Department, the 21 Auxiliary Medical Service, St John Ambulance and the 22 Hospital Authority. 23 A. Yes. 24 Q. And then you summarised the number of boats that you 25 deployed, which we've seen in the appendix, and as we've</p>

<p style="text-align: right;">Page 69</p> <p>1 heard in evidence you point out that it wasn't possible 2 for the larger fireboats to sail close to Lamma IV, and 3 it was for that reason that you used smaller speedboats, 4 both your department's and the police, to convey 5 rescuers to the Lamma IV. 6 A. Because if larger boats were used, it would affect the 7 stability of Lamma IV. 8 Q. Yes, of course. And you also point out that all rescue 9 and first aid personnel had to be transported by these 10 boats out to sea? 11 A. Correct. 12 Q. And you've told us that more than 80 survivors, which is 13 127 passengers on the Lamma IV minus 39 deceased, were 14 rescued from the cabins of Lamma IV and on the sea 15 surface. 16 A. Yes. 17 Q. Probably at least 50 by the Fire Services Department, 18 and others by other rescuers and police and so forth. 19 A. Correct. 20 Q. And you set up a frontline triage point for handling 21 patients and survivors on the fireboats which acted as 22 on-scene platforms to render ambulance aid to survivors. 23 And you set up a temporary mortuary on Fireboat 6 where 24 a total of 27 bodies were received and eventually 25 removed by police launches.</p>	<p style="text-align: right;">Page 71</p> <p>1 A. Correct. 2 Q. At 20:47, Fireboat 8 arrived and started carrying out 3 water surface rescue. 4 A. Correct. 5 Q. From 20:51 onwards, you started to break the windows to 6 get the people inside out, as we've heard from 7 individual firemen. 8 A. Correct. 9 Q. At 20:59, you declared a multiple casualty incident, 10 MCI, level 1, at South Horizons. 11 A. Correct. 12 Q. Then we see under the entries timed at 21:05, 21:14 and 13 21:27, more boats arriving. 14 A. Correct. 15 Q. At 21:19, a multiple casualty incident level 2 declared 16 at South Horizons pier. Can you just explain the 17 difference between level 1 and level 2? 18 A. When we arrived at the scene, we were aware that there 19 would be more casualties. So we have elevated our 20 preparation and strategy with the other departments. 21 Q. So level 2 is a higher level of alert than level 1; is 22 that right? 23 A. Yes. 24 Q. Then, under 21:27, you say that a whistle sound was 25 heard from Lamma IV, and that's followed by the rescue</p>
<p style="text-align: right;">Page 70</p> <p>1 A. Correct. 2 THE CHAIRMAN: Before you go on, may I ask that everyone who 3 has a mobile phone in the hearing room has it switched 4 off. Do not have it on any other mode, because it 5 interferes with the sound and amplification system. 6 MR BERESFORD: You then set out in your statement in a table 7 form a chronological ordering of the main events in time 8 of the rescue operation. 9 A. Correct. 10 Q. Perhaps if we can scroll down to that on the screen. 11 You've timed the collision at 20:20:18. There's 12 probably not much in it, but I think Captain Pryke timed 13 it at 20:20:17. And then you've described the rescue 14 operation from 20:23 onwards. 15 A. Correct. 16 Q. So we start with the 999 call that you received at 17 20:23, your mobilisation of Fireboat 4 and various other 18 boats, and your notification of the Government Flying 19 Service. 20 A. Correct. 21 Q. And Fireboat 4 arrived at 20:41. 22 A. Correct. 23 Q. At 20:46, the woman who was observed on the starboard 24 railing near the sliding door, who featured in your 25 diagram, was rescued.</p>	<p style="text-align: right;">Page 72</p> <p>1 of some passengers who were trapped inside the main 2 deck. That, I understand, is a life jacket-type 3 whistle, not a ship's whistle; is that right? 4 A. Correct. 5 THE CHAIRMAN: Will we be receiving evidence from a witness 6 who deals with this? 7 MR BERESFORD: I have to check that, Mr Chairman. I think 8 all that's been done is that the references have been 9 checked, the references given here, for the moment. 10 THE CHAIRMAN: Yes. 11 MR BERESFORD: And then there's a reference to divers. The 12 divers are starting to arrive. I note at 22:15, you 13 say: 14 "... Lamma IV upper deck was completely submerged in 15 water." 16 A. Correct. 17 Q. The first penetration diving operation began at 22:45. 18 A. Correct. 19 Q. And you've given the details of each dive which resulted 20 in the recovery of bodies of deceased passengers. 21 So we've got the first dive, one body recovered; 22 23:15, second dive, one body recovered. Then on 23 2 October, 00:10, third dive, three bodies recovered 24 from the wheelhouse; 00:40, fourth dive, four bodies 25 recovered, upper deck front portion.</p>

<p style="text-align: right;">Page 73</p> <p>1 A. Correct. 2 Q. Then you've gone on through the first 12 dives, 3 basically. And then, as we've observed, the remainder 4 of the dives that took place didn't result in the 5 recovery of any body. 6 A. Correct. 7 Q. You've also noted there the setting up of a temporary 8 mortuary on Fireboat 6 at 01:11, and the suspension of 9 the underwater search to facilitate stabilisation of the 10 wreckage at 02:30. 11 A. Correct. 12 Q. Although you haven't given details because no bodies 13 were recovered, in fact you continued searching and the 14 13th to the 46th dives took place between 2 October and 15 4 October, and the rescue operation didn't actually 16 cease until 10:38 on 5 October 2012. 17 A. Correct. 18 MR BERESFORD: Thank you, Mr Yau. Would you please wait 19 there. 20 THE CHAIRMAN: Do counsel have any applications? 21 MR McGOWAN: I don't, thank you, sir. 22 MR ZIMMERN: Neither do we, sir. 23 MS LOK: I have no questions. Thank you. 24 THE CHAIRMAN: Officer, thank you very much for coming to 25 assist us with your testimony. Your evidence is</p>	<p style="text-align: right;">Page 75</p> <p>1 THE CHAIRMAN: So the effect of the statement that you've 2 just described is to correct the assertion as I see it 3 at his witness statement, page 309-1, where he describes 4 the body as being female? 5 MS LOK: That is correct. 6 THE CHAIRMAN: So this is a correction? 7 MS LOK: That is correct. 8 THE CHAIRMAN: Thank you. 9 MS LOK: Thank you. 10 THE CHAIRMAN: Is there a translation of that statement as 11 yet? 12 MS LOK: It is being done right now. 13 THE CHAIRMAN: Thank you very much. So the end result is 14 that the table that the Deputy Chief Fire Officer 15 produced at page 662-7 is accurate? 16 MS LOK: That is correct, insofar as item 21 is concerned. 17 THE CHAIRMAN: Thank you. 18 MS LOK: Thank you. 19 THE CHAIRMAN: Yes, Mr Beresford? 20 MR BERESFORD: Mr Chairman, the reference to the transcript 21 of the evidence there is Day 11, pages 9 to 10. I just 22 draw attention to the fact that after some discussion as 23 to the sex of this victim that he found, I did ask him: 24 "... there's no doubt, is there, that this was 25 a female body that you found?"</p>
<p style="text-align: right;">Page 74</p> <p>1 complete now and you are free to go. But let me thank 2 you and your colleagues who have obviously worked as 3 a team to collate the information which you have 4 presented in your statement. It's most useful for the 5 tribunal to be provided with this information, and we 6 thank everyone for the part that they played in it. 7 Thank you. 8 A. Thank you, Mr Chairman. We just try our best. 9 THE CHAIRMAN: Thank you. 10 (The witness withdrew) 11 MS LOK: Mr Chairman, I do have a point of information to 12 offer the Commission in respect of the identity of 13 deceased 21, Mr Lam Yat, who was referred to in the 14 evidence which we have just heard. In fact I received 15 today a Chinese statement by Officer Yuen Ka-wai dated 16 8 January 2013 to the police, in which he clarified that 17 the body, in his recollection, he retrieved was a male. 18 So this statement will be made available to the 19 Commission, together with the translation, as soon as 20 possible. 21 THE CHAIRMAN: This officer, of course, has given evidence, 22 has he not? 23 MS LOK: That is correct. 24 THE CHAIRMAN: We didn't have this statement at that stage? 25 MS LOK: I received this today, I'm sorry, Mr Chairman.</p>	<p style="text-align: right;">Page 76</p> <p>1 The transcript doesn't record an answer to that 2 question. I thought I had an affirmative answer. But 3 in any event -- 4 THE CHAIRMAN: Yes, it's been corrected at least. 5 MR BERESFORD: It's been corrected now, yes. 6 THE CHAIRMAN: Yes? 7 MR BERESFORD: Mr Chairman, the next witness is Wong 8 Tsz-kiu. 9 OFFICER WONG TSZ-KIU (affirmed in Punti) 10 (All answers via interpreter unless otherwise indicated) 11 Examination by MR BERESFORD 12 MR BERESFORD: Good afternoon, Mr Wong. Thank you very much 13 for coming to assist this Inquiry this afternoon. 14 I have some questions to ask you on behalf of the 15 Commission. 16 Mr Wong, you have previously made statements to the 17 Director of Fire Services, have you not, dated 18 13 October 2012 and 2 January 2013? 19 Those statements are to be found, the first one in 20 FSD bundle 2 at pages 368 to 370, and the second one in 21 police bundle F at pages 1308-35 to 1308-36. The 22 English translations are at FSD bundle 2, pages 370-1 to 23 370-3; and police bundle F at page 1308-41 to 24 page 1308-42. 25 Mr Chairman, this evidence relates to the deceased</p>

<p style="text-align: right;">Page 77</p> <p>1 bearing police reference number 9, which is Tsui 2 Hoi-ying, a girl aged 10. She is recorded as her cause 3 of death being "Consistent with drowning; and multiple 4 injuries, including subluxation of cervical vertebra", 5 and the reference to the autopsy report is bundle J(I), 6 page 1740. 7 THE CHAIRMAN: Thank you. 8 MR BERESFORD: Officer, do you have your statements in front 9 of you? 10 A. Yes. 11 Q. And you recognise them as yours? 12 A. Yes. 13 Q. And have you had the opportunity to remind yourself of 14 what they say? 15 A. Yes. 16 Q. Is there any amendment you wish to make? 17 A. Not at the moment. 18 Q. So are the contents of these statements true? 19 A. Yes. 20 Q. Thank you. Officer, you've been with the Fire Services 21 Department for 13 years and with the fireboat station of 22 the marine division for 13 months; is that right? 23 A. Correct. 24 Q. You've received personal sea survival training, swift 25 water rescue training, life-saving bronze medallion</p>	<p style="text-align: right;">Page 79</p> <p>1 object. 2 Q. Yes, but when you got closer, as you were approaching 3 and you realised that it was the bow of a vessel, were 4 you approaching from one side, the starboard side, or 5 the other side, the port side? Or from the underside, 6 or from the top side? 7 A. From the starboard side. 8 Q. Starboard side. Thank you. You've told us that you 9 couldn't see any lights from the interior of the sunken 10 vessel, and that the radar antenna was rotating. Could 11 you see any navigation lights? 12 A. I didn't pay attention to that. 13 Q. Okay. Then you've said you found a female holding the 14 handrail at the starboard side near the wooden sliding 15 door of the lower compartment, with her feet close to 16 sea level. 17 A. Correct. 18 MR BERESFORD: Can we please have page 652 of FS bundle 3 on 19 the screen. 20 You see, Officer, the third box down on the right, 21 it says "A Woman Found Clinging to a Handrail Shouting" 22 with a pointer to show the position. Does that describe 23 what you were referring to? 24 A. Correct. 25 Q. Then if I may just read an extract from your statement.</p>
<p style="text-align: right;">Page 78</p> <p>1 training, cardiopulmonary resuscitation training, and 2 advance ambulance aid training for firefighters; is that 3 correct? 4 A. Correct. 5 Q. On 1 October 2012, you were on duty as an engine room 6 crew member of Fireboat 4; is that right? 7 A. Correct. 8 Q. At about 20:25 hours in the evening on that day, 9 Fireboat 4 was turned out to attend a vessel collision 10 special service incident at sea off Yung Shue Wan, Lamma 11 Island; correct? 12 A. Yes. 13 Q. When Fireboat 4 arrived at the scene, you saw a white 14 triangular object on the sea surface? 15 A. Correct. 16 Q. Do you know what was the time when you arrived? 17 A. 20:41. 18 Q. 20:41. Thank you. And there were already two Marine 19 Police speedboats and another vessel in the vicinity? 20 A. Yes. 21 Q. When Fireboat 4 approached closer, you realised that the 22 white triangular object was the bow of a vessel? 23 A. Correct. 24 Q. From which side or angle did Fireboat 4 approach? 25 A. We saw from the front that it was a white triangular</p>	<p style="text-align: right;">Page 80</p> <p>1 You say -- 2 THE CHAIRMAN: Before you move on, do we have any photograph 3 that shows this door and railing? Perhaps that could be 4 found whilst you carry on. It's a matter for you. 5 MR BERESFORD: Certainly we'll look, Mr Chairman. 6 I'll just read the section dealing with your rescue 7 of that woman. 8 Perhaps you can follow it in the Chinese. 9 "As the Fireboat 4 approached to around 6 metres 10 away from her, we had attempted several times to throw 11 a lifebuoy tied with a heaving line to her but in vain. 12 We then passed the lifebuoy to the police colleague of 13 PV15 who in turn approached closer to the female person 14 to pass her the lifebuoy. The female person finally put 15 on the lifebuoy and jumped into water. We pulled the 16 heaving line to lifebuoy to bring the female person 17 close to Fireboat 4. I, together with Fireman 12403, 18 immediately tried to lift up the female person to the 19 deck of Fireboat 4 but in vain due to the high freeboard 20 of Fireboat 4. 21 I and Fireman 12499 ... then boarded PV15 and 22 rescued the female person. Whilst we were rescuing the 23 female person on PV15, other Fire Services crews beamed 24 up the starboard side windows of the lower and upper 25 passenger compartments by their torches. Through the</p>

<p style="text-align: right;">Page 81</p> <p>1 4th window on starboard side, we found a number of 2 casualties trapped inside the upper passenger 3 compartment who were signalling for help and hitting the 4 windows vigorously. Apart from the persons trapped in 5 the passenger compartment near the bow, I did not notice 6 any other persons were being trapped and observed that 7 all windows were either concealed or were closed." 8 There then follows in your statement a description 9 of PV15 steering close to the sixth window, G6 -- 10 THE CHAIRMAN: Before we move on to that, could we ask the 11 witness to identify which window it was, or windows, 12 where he saw passengers banging on the window? 13 MR BERESFORD: Certainly, Mr Chairman. Can we have the 14 window plan, please, showing the starboard side. 15 THE CHAIRMAN: It might be that page 652 is the page that 16 might help, because that shows the position where the 17 woman was, hanging on to the handrail, and then from the 18 police vessel where he looked up and saw the passengers. 19 Can you help us as to which window it was, from this 20 sketch -- if not this one, we'll show you another one -- 21 where these passengers were banging on the windows? 22 A. G6. 23 THE CHAIRMAN: Perhaps you'd better have a look then at 24 where the windows are numbered. 25 So that's the window on the upper deck, G6?</p>	<p style="text-align: right;">Page 83</p> <p>1 THE CHAIRMAN: I'm trying to establish what the rail was. 2 Was it the lifeline we can see running down the length 3 of the deck, or was it something on the cabin itself? 4 A. The part that adjoins the lifeline. 5 THE CHAIRMAN: Thank you. 6 MR BERESFORD: Unless the Chairman wants me to, I'm going to 7 pass over the next paragraph, which duplicates evidence 8 that we've received elsewhere. 9 THE CHAIRMAN: Very well. Do so. 10 MR BERESFORD: I'm going to paragraph beginning "After 11 struggling in the water". 12 "After struggling in the water, I managed to swim 13 back to the window frame after putting off my safety 14 ankle boots. When I grabbed the frame of window G6, 15 I saw Senior Fireman Tsui had crawled outside window G6 16 and was assisting other casualties. I then helped more 17 than a dozen of persons to get out of the passenger 18 compartment and handed over to my colleagues but I could 19 not ascertain the total number of persons being rescued, 20 their sex, age and their degree of injury. 21 The water level inside the passenger compartment 22 rose higher and higher with half of the window (G6) 23 submerged in the sea. Lastly, I saw 3 unconscious 24 persons floating in the water inside the passenger 25 compartment including an aged woman, an adult and</p>
<p style="text-align: right;">Page 82</p> <p>1 A. Yes. 2 THE CHAIRMAN: Thank you. 3 MR BERESFORD: Yes. In fact the statement says "trapped 4 inside the upper passenger compartment". 5 Mr Chairman, if you look at page 652, G6 is also 6 labelled as being "The First Window (G6) Being Smashed 7 for Creating an Escape Exit". 8 THE CHAIRMAN: Yes. 9 MR BERESFORD: Then could we please look at police photo 10 album, page 126. This shows the Lamma IV after it had 11 been beached. We can see there the starboard side. Are 12 you able to see there the door that you referred to? 13 A. Correct. 14 MR BERESFORD: Perhaps the secretary could put the cursor 15 over the door in the middle. 16 Is that the door you're referring to, where the 17 cursor is now? 18 A. Correct. 19 THE CHAIRMAN: Could we zoom in on that door, please. 20 So what was the railing that she was holding onto? 21 THE INTERPRETER: Witness was pointing at the railing 22 outside the door. 23 THE CHAIRMAN: You're talking about the safety lines that 24 run along the length of the deck? 25 A. I saw her holding onto the rail on the side.</p>	<p style="text-align: right;">Page 84</p> <p>1 a girl. 2 After pushing the aged woman and the adult out of 3 the passenger compartment, I took the girl and swam out 4 through the window G6. Due to strong waves, I had tried 5 several times and managed to get out of the passenger 6 compartment and I was the last person to leave the upper 7 passenger compartment. I managed to find a foothold on 8 the wooden frame of the ceiling at the starboard lower 9 deck perimeter and placed the girl onto the window of 10 the wheelhouse (the window of the wheelhouse of the 11 affected vessel was facing upward)." 12 Can I just pause there and ask to return to the 13 window plan. Can we focus on the windows of the 14 wheelhouse, please. 15 Do you see the window you were referring to there, 16 Officer? 17 A. Correct. 18 Q. Which one? 19 A. G6. 20 Q. No, where did you place the girl, on the window of the 21 wheelhouse? 22 A. Correct. 23 Q. I asked where did you place the girl? When you placed 24 the girl on the window of the wheelhouse, after you swam 25 out through window G6, you said you placed the girl onto</p>

<p style="text-align: right;">Page 85</p> <p>1 the window of the wheelhouse, which was facing upward. 2 You had told us by this stage that window G6 was 3 half-submerged in the sea. 4 A. I put her on G1, between G1 and G2. 5 Q. Thank you. 6 "I then climbed up and conducted cardiopulmonary 7 resuscitation to the girl and shouted out for assistance 8 from the others. Later, PV15 came and conveyed me and 9 the unconscious girl to Fireboat 2 (no casualty was on 10 PV15 at that time). Upon arriving at Fireboat 2, 11 I handed over the girl to the ambulance personnel to 12 continue the resuscitation." 13 Then you go on to deal with other events which 14 I don't propose to read now, as again I believe they 15 have been covered by other evidence that we heard. 16 Then in your second statement, Officer, paragraph 4, 17 you say at 12:05 on 6 December, you were shown 18 a photograph of the girl, deceased 9, and after careful 19 observation you confirmed that the girl in the photo was 20 the girl that you rescued on that day. 21 A. Correct. 22 MR BERESFORD: Thank you, Officer. Please wait there. 23 THE CHAIRMAN: Do counsel have any applications? 24 MR McGOWAN: I have no applications, thank you. 25 MR ZIMMERN: No applications, sir.</p>	<p style="text-align: right;">Page 87</p> <p>1 pressure on or irritate spinal nerves. 2 THE CHAIRMAN: Thank you. As far as cause of death is 3 concerned, "drowning and multiple injuries"? 4 MR BERESFORD: "Drowning and multiple injuries". 5 THE CHAIRMAN: Thank you. 6 MR BERESFORD: Mr Chairman, the next witness is Chow 7 Chi-kay. 8 OFFICER CHOW CHI-KAY (affirmed in Puntì) 9 (All answers via interpreter unless otherwise indicated) 10 Examination by MR BERESFORD 11 MR BERESFORD: Good afternoon, Mr Chow. Thank you very much 12 for coming to assist this Inquiry this afternoon. 13 I have some questions to ask you on behalf of the 14 Commission. 15 You have previously made a statement to the Director 16 of Fire Services, which is to be found in our 17 FS bundle 2 at pages 380 to 381, and the translation is 18 at pages 381-1 to 381-2. 19 Do you have a copy of your statement in front of 20 you? 21 A. Yes. 22 Q. And do you recognise that as your statement? 23 A. Yes. 24 Q. Have you had an opportunity to review it today and 25 remind yourself of its content?</p>
<p style="text-align: right;">Page 86</p> <p>1 MS LOK: No, thank you. 2 THE CHAIRMAN: Officer, thank you for coming to help the 3 Commission by giving your evidence, and thank you in 4 particular for doing so at short notice. The Commission 5 would like to commend you for your role in the rescue 6 attempts and your persistent efforts to save the life of 7 that young girl. Your evidence having finished, you're 8 free to go, but of course you may sit in the public 9 gallery and listen to the evidence if you wish. Thank 10 you. 11 A. Thank you, Mr Chairman. 12 (The witness withdrew) 13 THE CHAIRMAN: Mr Beresford, you had dealt with the cause of 14 death a little earlier and I've only just got the 15 autopsy report in front of me. Give me a moment. 16 Can you help me with the term "subluxation of 17 cervical vertebrae"? 18 MR BERESFORD: I'm just trying to do that, Mr Chairman. 19 I was asking for assistance on that myself. We'll have 20 it for you in a moment. 21 THE CHAIRMAN: Thank you. So death was consistent with 22 drowning and multiple injuries? 23 MR BERESFORD: Subluxation, Mr Chairman, according to 24 something on the internet, is when one or more of the 25 bones of your spine move out of position and create</p>	<p style="text-align: right;">Page 88</p> <p>1 A. Yes. No problem. 2 Q. Is there any amendment you would wish to make? 3 A. No. 4 Q. So are the contents of this statement true? 5 A. Yes. 6 Q. Thank you. Officer, you've been with the marine 7 division for 14 years, and you have obtained local 8 coxswain grade I certificate and received advanced 9 ambulance aid first responder training, road traffic 10 accident rescue training, and swift water rescue 11 training; is that right? 12 A. Yes. 13 Q. On 1 October, you were on duty on Fireboat 2? 14 A. Yes. 15 Q. At about 20:32 hours, Fireboat 2 was turned out to 16 attend the vessel collision incident near Lamma Island; 17 is that right? 18 A. Yes. 19 Q. Fireboat 2 arrived at the scene at 21:14 hours? 20 A. Correct. 21 Q. And you and another fireman were instructed to board the 22 daughter boat, FB21, to approach the affected vessel for 23 rescue? 24 A. Yes. 25 Q. You've estimated the visibility at the time as being</p>

<p style="text-align: right;">Page 89</p> <p>1 about 3 nautical miles; is that right? 2 A. Yes. 3 Q. Is that by reference to something you could see? 4 A. Yes, because at that time I could see Lamma Island. 5 Q. Lamma Island was 3 miles away? 6 A. Approximately. 7 Q. What could you see? What are you referring to on Lamma 8 Island? 9 A. I could see the lights from the houses on the island. 10 Q. Is that at a village or a particular -- where on Lamma 11 Island? 12 A. The Pak Kok Village, which was facing our vessel. 13 THE CHAIRMAN: Did you see Lamma Island after you went past 14 Green Island, out of the harbour? 15 A. Yes, correct. 16 THE CHAIRMAN: Thank you. 17 MR BERESFORD: And you noticed the Lamma IV, with 18 Fireboat 4, Fireboat 7, Fireboat 8 and Speedboat 52 19 conducting the search and rescue operation? 20 A. Yes, correct. 21 Q. And you observed victims on the sea surface, some with 22 and some without life jackets and lifebuoys? 23 A. Yes. 24 Q. On your way towards Lamma IV, the engine of FB21 broke 25 down, didn't it?</p>	<p style="text-align: right;">Page 91</p> <p>1 some other people waiting to be rescued onboard. We 2 then transferred the unconscious female (aged about 50 3 without life jacket) onto FB21. I checked the female 4 adult and found that she had stopped breathing and had 5 no pulse. However, cardiopulmonary resuscitation could 6 not be rendered to the female adult due to insufficient 7 space on FB21 and the waves caused FB21 to rock. At 8 that time, the current caused FB21 to drift 10 metres 9 away from the life raft very quickly. 10 Meanwhile I saw Fireboat 8 was about 20 metres away 11 and I waved and shouted to them and required them to 12 come for assistance. Due to the freeboard difference 13 (about 1.5 metres) between FB21 and FB8, the conscious 14 male managed to get onboard Fireboat 8 with 2 crews 15 onboard Fireboat 8 pulling him and myself pushing him 16 from FB21. With regard to the unconscious female adult, 17 we were unable to transfer her to Fireboat 8 for 18 resuscitation due to the large freeboard difference. As 19 the freeboard difference between Fireboat 7, which was 20 about 40-50 metres away, and SB21 was smalling 21 (0.5 metres), the unconscious female adult could be 22 transferred to Fireboat 7 for resuscitation. 23 I therefore obtained 2 wooden paddles from Fireboat 8 to 24 paddle FB21 to Fireboat 7 with the assistance of Fireman 25 Ma Wai-ming.</p>
<p style="text-align: right;">Page 90</p> <p>1 A. Correct. 2 Q. And then you noticed a conscious male adult, aged about 3 40, in a life jacket? 4 A. Yes, correct. 5 Q. And your colleague jumped into the sea and you managed 6 to get him aboard? 7 A. Yes. 8 Q. I'm just going to read a paragraph from your statement. 9 I'm going to read from the English translation, and you 10 can follow the Chinese on the screen. 11 "As the engine of FB21 was broken down, Senior 12 Fireman 8401, after briefing me, swam to Lamma IV on his 13 own to assist other persons awaiting rescue. I paddled 14 by using my hands to make FB21 close to a topless life 15 raft which was about 15 metres away from us (later 16 identified as the life raft of Fireboat 7). When 17 Fireboat 21 was berthed next to the life raft, I saw 18 a fireman onboard pulling a person out of the water onto 19 the life raft. At that time, a lot of persons had been 20 rescued onboard the life raft but some others were still 21 floating in the sea and waiting for rescue (some of them 22 were in life jackets). 23 Then I asked that fireman on the life raft how could 24 I assist. He then told me that he had to pass 25 an unconscious person to me first as there were still</p>	<p style="text-align: right;">Page 92</p> <p>1 No other person was noted on the water surface 2 during the voyage. Eventually, FB21 was berthed near 3 the starboard stern of Fireboat 7. At that time, 4 firemen on Fireboat 7 were rescuing a life raft with 5 shelter at starboard bow and that life raft was 6 stationed near the bow of FB21. I saw lots of rescues 7 were on that life raft. I immediately jumped on the 8 life raft and saw some of them sitting inside near the 9 opening with limbs or head injuries. Two unconscious 10 females (aged around 60 and 8) were lying in the middle 11 of the life raft. Senior Fireman (later known as Senior 12 Fireman Chan Kok-man) and I had to remove those victims 13 near the raft opening to Fireboat 7 before handling the 14 unconscious females. We then passed the 60-year-old 15 female to the fireman on Fireboat 7. After that, I 16 brought the 8-year-old girl to the deck of Fireboat 7 17 (later knew that there were a total of 11 victims on the 18 life raft). 19 As firemen on Fireboat 7 were taking care of the 20 other victims from the life raft, no-one was available 21 to take care of the girl. I then checked against the 22 unconscious 8-year-old girl and found that she had 23 stopped breathing and had no pulse. I then carried out 24 CPR to her immediately. When I was carrying out CPR, 25 I heard a fireman on Fireboat 7 shouted for a Marine</p>

<p style="text-align: right;">Page 93</p> <p>1 Police launch to berth along FB21 and transferred the 2 unconscious female on FB21 to the Marine Police launch. 3 After carrying out CPR to the girl for about 10 minutes, 4 a FS diver came to assist me to carry out CPR together 5 to the girl for about another 10 minutes. Afterwards, 6 ambulance crews arrived and we handed over the girl to 7 them for further resuscitation. After that, we rendered 8 ambulance aid to other casualties on Fireboat 7. After 9 handling all casualties, Senior Fireman 8401 and 10 I rafted FB21 by using wooden paddles and returned to 11 Fireboat 2. Fireboat 21 hoisted to Fireboat 2 and we 12 continued the sea surface search and rescue operation. 13 Until 06:40 hours ..."</p> <p>14 Mr Chairman, I'm not sure if I told you -- I think 15 not. The deceased in that case refers to deceased 10, 16 which is Lai Tsui-yuk, a female aged 61, found aboard 17 the Lamma IV life raft. Her autopsy indicates that she 18 drowned.</p> <p>19 THE CHAIRMAN: Thank you.</p> <p>20 Do we know what became of the young girl?</p> <p>21 MR BERESFORD: No, I haven't traced that, Mr Chairman.</p> <p>22 THE CHAIRMAN: Do you know, Officer, what became of that 23 young girl that you had tried to resuscitate?</p> <p>24 A. I learned from my colleagues that she couldn't make it.</p> <p>25 THE CHAIRMAN: Thank you.</p>	<p style="text-align: right;">Page 95</p> <p>1 table 1 at page 662-7 coloured in yellow: "No 2 information". We were told today she was found on the 3 life raft.</p> <p>4 THE CHAIRMAN: Well, no doubt further enquiries can be made 5 and if an identification can be made, no doubt we will 6 make one.</p> <p>7 MR BERESFORD: We have another witness coming to speak to 8 that.</p> <p>9 THE CHAIRMAN: Yes.</p> <p>10 Thank you, Officer, for coming to assist us by 11 giving your evidence today, and thank you for coming at 12 short notice to do so. Your evidence is concluded now 13 and you're free to go, but of course you may stay in the 14 public gallery and listen to the evidence that follows. 15 The Commission commends you for your role in the attempt 16 to rescue people that night, and in particular your 17 sustained efforts to save the young girl. Thank you. 18 (The witness withdrew)</p> <p>19 MR BERESFORD: The next witness is Lam Chi-kin. 20 OFFICER LAM CHI-KIN (affirmed in Puntì) 21 (All answers via interpreter unless otherwise indicated)</p> <p>22 Examination by MR BERESFORD</p> <p>23 MR BERESFORD: Good afternoon, Officer. Thank you for 24 coming this afternoon to assist this Inquiry. I have 25 some questions to ask you on behalf of the Commission.</p>
<p style="text-align: right;">Page 94</p> <p>1 MR BERESFORD: Thank you, Mr Chairman.</p> <p>2 THE CHAIRMAN: Do counsel have any applications?</p> <p>3 MR McGOWAN: I have no applications, sir.</p> <p>4 MR ZIMMERN: We have no questions, thank you.</p> <p>5 MS LOK: No, thank you.</p> <p>6 Questions by THE COMMISSION</p> <p>7 THE CHAIRMAN: When you boarded the life raft, as you've 8 told us you did, did you notice whether or not the 9 passengers on board, not emergency services but 10 passengers, whether or not they were wearing life 11 jackets?</p> <p>12 A. Are you referring to the first or the second raft?</p> <p>13 THE CHAIRMAN: The second raft, the one where you say there 14 were 11 victims.</p> <p>15 A. Some of them were wearing life jackets and some of them 16 not.</p> <p>17 THE CHAIRMAN: What about this young girl that you tried to 18 resuscitate? Did you have to take a life jacket off 19 her?</p> <p>20 A. No, she didn't have a life jacket on.</p> <p>21 THE CHAIRMAN: Thank you, Officer.</p> <p>22 Do you have any questions arising from that, 23 Mr Beresford?</p> <p>24 MR BERESFORD: No, Mr Chairman. But it may be that the 25 young girl was deceased 1, who was one of the items in</p>	<p style="text-align: right;">Page 96</p> <p>1 Officer, you have previously made a statement to the 2 Director of Fire Services on 13 October 2012. That is 3 to be found in our FS bundle 2 at pages 388 to 389. The 4 translation is at page 389-1.</p> <p>5 A. I understand.</p> <p>6 Q. Do you have a copy of your statement in front of you, 7 Officer?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recognise it as your statement?</p> <p>10 A. Yes.</p> <p>11 Q. Have you had an opportunity to review it today?</p> <p>12 A. Yes.</p> <p>13 Q. Is there any amendment that you would wish to make?</p> <p>14 A. There is no need.</p> <p>15 Q. So are the contents of this statement true?</p> <p>16 A. Yes.</p> <p>17 Q. Thank you. Officer, on 1 October 2012 you were on duty 18 on Fireboat 7, were you not?</p> <p>19 A. Yes.</p> <p>20 Q. At about 20:30 hours, Fireboat 7 was dispatched to 21 attend a vessel collision incident at sea off Lamma 22 Island?</p> <p>23 A. Correct.</p> <p>24 Q. You've said: 25 "In the voyage to scene, the visibility was at least</p>

<p style="text-align: right;">Page 97</p> <p>1 one nautical mile and the sky was dim." 2 A. Correct. 3 Q. "After passing Green Island, I found miscellaneous 4 articles, including lifebuoys, life jackets and a piece 5 of blue board about 1.5 metres in length floating on the 6 sea surface." 7 Is that right? 8 A. Correct. 9 Q. What's your estimate of the time when you saw these 10 articles? 11 A. I estimate that it was about 20:45. 12 Q. Thank you. And then you say that the engine of 13 Fireboat 7 was stopped and it was allowed to drift 14 forward slowly, and by that time it was 21:05 hours. 15 "Upon arriving at the scene, I was at the bow of 16 Fireboat 7 and you saw a vessel, with her stem pointing 17 to the sky and stern submerged into sea, which was about 18 30 to 50 metres away at the starboard bow (at the 19 11 o'clock position) of Fireboat 7." 20 Is that right? 21 I'm sorry, I have a correction to make. I think 22 I said -- at any rate, this is how it appears on the 23 transcript -- "with her stern pointing to the sky". You 24 have said "with her stem pointing to the sky and stern 25 submerged into sea".</p>	<p style="text-align: right;">Page 99</p> <p>1 without life jacket and exhausted near the port side of 2 Fireboat 7. Fireman Ho King-yeung (Fireman Ho) threw 3 a rescue line to them and myself and Fireman Ho rescued 4 the couple from the sea. Later, I found that the woman 5 sustained injury on her left feet and I rendered 6 ambulance aid treatment to her on the spot. There were 7 still many persons in the water waiting for rescue. 8 Principal Fireman Fung instructed Fireman Ho and me to 9 actuate two life rafts of Fireboat 7 for the rescue. 10 The first life raft was used by Penny's Bay diving 11 tender crew for the rescue. Fireman Ho and I used the 12 second life raft with a larger rescue capacity of 13 51 persons. Since the life raft had no [motor] power, 14 we requested a police speedboat to tow us to the orange 15 cone-shaped life raft to about 2 metres side by side. 16 We then rescued six conscious persons, who did not have 17 life jackets, from the sea (total 5 males and 1 female). 18 Then, an unconscious male without life jacket was handed 19 over from a Senior Fireman diver (later known as 20 Principal Fireman (diver) Lee Cheuk-wing) to us. 21 I immediately conducted a quick assessment to the 22 subject middle-aged male and no breathing and pulse were 23 noted. I conducted cardiopulmonary resuscitation to him 24 and at the same time Fireman Ho reassured the other 25 rescued persons who were emotionally depressed on the</p>
<p style="text-align: right;">Page 98</p> <p>1 A. Correct. 2 Q. Thank you. You said you saw clearly that the radar 3 antenna was still rotating and window G5 was just above 4 the water level. 5 Can we just have a look at the window plan, please. 6 We can see a window marked "G5" on that plan. Is 7 that the window that you're referring to? 8 A. Correct. 9 Q. And did you see any navigation lights? 10 A. At that time, I didn't pay attention to the navigation 11 light. 12 Q. Thank you. Now, you say there was a police speedboat 13 near the port side of the affected vessel, and: 14 "There was an actuated cone-shaped life raft in 15 orange at about 10 metres away on the port side of 16 Fireboat 7 and was loaded with persons (over 17 a dozen ...)." 18 A. Correct. 19 Q. I'm just going to read from the English translation of 20 your statement, and you can follow it in the Chinese on 21 the screen. 22 "Another 10 or more persons afloat in the sea were 23 around the life raft and waiting for rescue. Some of 24 them had put on life jackets and some of them had not. 25 I saw a couple of about 60 years old, both conscious,</p>	<p style="text-align: right;">Page 100</p> <p>1 life raft. 2 Due to the current, our life raft drifted away from 3 the orange cone-shaped life raft. A few minutes later, 4 whilst I was performing CPR to the unconscious 5 middle-aged male, Fireman Ho summoned a police speedboat 6 and then we passed the unconscious male to police 7 speedboat [who] conveyed him away. Sometime later, we 8 summoned another police launch, and passed all the 9 rescued persons (5 males and 1 female) onboard the life 10 raft to the police launch. At the moment, I noticed 11 that another two colleagues (later known as Fireman Tam 12 and Principal Fireman Lee) boarded by life raft. 13 Finally together with the life raft, we were led by 14 Fireboat 7 by a police speedboat. 15 After returning to Fireboat 7, I saw there were 16 about 20 rescued persons sitting on the benches on deck 17 silently. Ambulance crews were performing CPR to 18 a woman of about 60 years old and a girl of about 19 8 years old. Principal Fireman Fung ordered me to give 20 our fire tunics and insulating materials to the rescuees 21 for keeping warm. I also assured and handled those 22 injured onboard. Senior Fireman Man Ka-wai instructed 23 me and Fireman Ho to collect the particulars of rescuees 24 on board." 25 Then you explain how the rescued persons left</p>

<p style="text-align: right;">Page 101</p> <p>1 Fireboat 7 in batches. 2 Mr Chairman, this statement refers to the deceased 3 bearing police reference number 8, which is -- 4 THE CHAIRMAN: I'm sorry, where do we find that? 5 MR BERESFORD: This is my information. This is the 6 unconscious male who was passed to a police speedboat. 7 THE CHAIRMAN: Yes. 8 MR BERESFORD: I'm told that it relates to deceased 8, who 9 is Tsui Chi-wai, a male aged 42. 10 THE CHAIRMAN: Thank you. 11 MR BERESFORD: Cause of death was drowning. 12 THE CHAIRMAN: Yes. Thank you. 13 MR BERESFORD: Thank you, Officer. Please wait there. 14 MR McGOWAN: I do have an application, please, for this 15 witness, Mr Chairman. 16 THE CHAIRMAN: Yes? 17 MR McGOWAN: It is some questions about the blue board, and 18 also the radar. 19 THE CHAIRMAN: Very well. 20 Examination by MR McGOWAN 21 MR McGOWAN: Fireman Lam, you've told us that on your way 22 from Victoria Harbour to Lamma, you passed a blue board 23 floating in the sea. 24 A. Correct. 25 Q. Can you help us as to the size of the blue board?</p>	<p style="text-align: right;">Page 103</p> <p>1 A. Which part of the wheelhouse are you referring to, sir? 2 Q. Well, perhaps you could either look at the model or be 3 shown a photograph of the front of Lamma IV. 4 THE CHAIRMAN: What about Mr Yau's sketch at page 653, which 5 shows the position at about 21:03? 6 MR McGOWAN: Right. 7 THE CHAIRMAN: It contrasts the position at 22:15 on the 8 following page. 9 MR McGOWAN: Was this the approximate position of the water 10 line on Lamma IV when you arrived? You're looking at 11 Position B. 12 THE CHAIRMAN: Perhaps the title could be interpreted to the 13 Officer. 14 MR McGOWAN: Yes. 15 THE CHAIRMAN: It says: 16 "Attitude of Lamma IV on Arrival of Fireboat 7 at 17 about 21:03 hours Starboard Profile (Position B)". 18 A. Yes, it is the same situation. 19 MR McGOWAN: Thank you very much, and thank you for that 20 assistance, Mr Chairman. 21 MR ZIMMERN: We have no questions. Thank you. 22 MS LOK: No questions, Mr Chairman. 23 THE CHAIRMAN: Mr Beresford? 24 MR BERESFORD: No further questions, Mr Chairman. 25 THE CHAIRMAN: Officer, thank you for attending to assist us</p>
<p style="text-align: right;">Page 102</p> <p>1 A. About 1.5 metres long and less than one foot in width. 2 And it is deep blue in colour. 3 Q. And was it floating in the vicinity of the life jackets 4 that you mentioned, or you saw it separately? 5 A. Yes, it is floating in the vicinity of the life jackets, 6 in a distance of about 20 to 30 metres. 7 Q. Right. And where approximately were the life jackets 8 and the board in relation to, say, Green Island and 9 Lamma? 10 Perhaps the chart might assist you, Officer. The 11 chart of the area is being shown to you, Fireman Lam. 12 Do you see Green Island and Sulphur Channel at the top, 13 and then the northern part of Lamma at the bottom of the 14 chart that's projected on the screen at the moment? 15 A. At that time, it was in the Western Fairway. 16 Q. Right. Thank you very much. The other question I have 17 is about the radar on Lamma IV. You said that you saw 18 that it was still rotating. 19 A. (Witness nods). 20 Q. I'd just like to ask you exactly what you mean by that. 21 Do you mean that it was going round in a regular, normal 22 way, or that it was just moving? 23 A. It should be moving in a normal way. 24 Q. Right. And at that time, the wheelhouse was still above 25 water?</p>	<p style="text-align: right;">Page 104</p> <p>1 by giving your evidence, and for doing so at short 2 notice. Your evidence is now complete and you're free 3 to go if you wish, or you can remain in the hearing 4 room. But before you do so, the Commission wants to 5 commend you for your efforts in the rescue attempts, and 6 successful rescue of people. Thank you. 7 A. Thank you, Mr Chairman. 8 (The witness withdrew) 9 THE CHAIRMAN: Yes, Mr Beresford? 10 MR BERESFORD: Mr Chairman, we've run out of witnesses 11 today. We've been unable to get Mr Lo Chi-ho today, so 12 he will be tomorrow, with Ko Wing-ki, who is the last of 13 the Fire Services Department divers. 14 THE CHAIRMAN: Yes. 15 MR BERESFORD: We then propose to follow that with the 16 evidence of seven Marine Department surveyors and 17 inspectors. That will be the course of the evidence 18 tomorrow. 19 THE CHAIRMAN: Thank you. 20 Ms Lok, can you assist the Commission with the 21 position as far as assisting the Commission with 22 material from the Marine Department, in particular 23 witness statements that relate to this issue of its role 24 in the various surveys and so on of the vessel Lamma IV? 25 MS LOK: Yes, Mr Chairman. It is being compiled and being</p>

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<p>1 done at the moment, as we speak. We will produce them 2 to the Commission as soon as possible. 3 THE CHAIRMAN: I appreciate that. We asked you to produce 4 it tomorrow if you're in a position to do so; that is to 5 say, what you are able to produce. Rather than 6 producing to the Commission voluminous amounts of 7 material we're inviting you to spoonfeed it to us. Are 8 you going to be in a position to do that tomorrow? 9 MS LOK: We endeavour to do so, Mr Chairman. 10 THE CHAIRMAN: Thank you. 11 Very well. Is there anything else that we can deal 12 with? 13 MR BERESFORD: No, I don't believe there is, Mr Chairman. 14 THE CHAIRMAN: Very well. We'll adjourn then until 15 10 o'clock tomorrow. 16 (4.18 pm) 17 (The hearing adjourned until 10 am on the following day) 18 19 20 21 22 23 24 25</p>	<p style="text-align: center;">I N D E X</p> <p>1 OFFICER NG KIN-KEUNG (affirmed in Punti)42 2 Examination by MR BERESFORD43 3 Examination by MS LOK47 4 (The witness withdrew)48 5 OFFICER LAI CHUN-TUNG (affirmed in Punti)49 6 Examination by MR BERESFORD49 7 (The witness withdrew)54 8 OFFICER YAU WAI-KEUNG (affirmed in Punti)54 9 Examination by MR BERESFORD54 10 (The witness withdrew)74 11 OFFICER WONG TSZ-KIU (affirmed in Punti)76 12 Examination by MR BERESFORD76 13 (The witness withdrew)86 14 OFFICER CHOW CHI-KAY (affirmed in Punti)87 15 Examination by MR BERESFORD87 16 Questions by THE COMMISSION94 17 (The witness withdrew)95 18 OFFICER LAM CHI-KIN (affirmed in Punti)95 19 Examination by MR BERESFORD95 20 Examination by MR McGOWAN101 21 (The witness withdrew)104 22 23 24 25</p>
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<p style="text-align: center;">I N D E X</p> <p>1 POLICE DIVER 1 (sworn)1 2 Examination by MR BERESFORD2 3 Examination by MS LOK9 4 Further examination by MR BERESFORD14 5 (The witness withdrew)15 6 POLICE DIVER 2 (affirmed in Punti)16 7 Examination by MR BERESFORD16 8 Examination by MR ZIMMERN23 9 Examination by MS LOK24 10 (The witness withdrew)25 11 POLICE DIVER 3 (affirmed in Punti)25 12 Examination by MR BERESFORD26 13 Examination by MS LOK31 14 Further examination by MR BERESFORD31 15 (The witness withdrew)32 16 OFFICER CHAN TAK-FUN (affirmed in Punti)34 17 Examination by MR BERESFORD34 18 Examination by MS LOK39 19 Questions by THE COMMISSION40 20 (The witness withdrew)42 21 22 23 24 25</p>	