

(Translation)
HONG KONG POLICE FORCE
RECORD OF INTERVIEW

2a
PERSONAL DATA

Report No.: MAR RN 12000195

Person Interviewed : M/CHOW CHI WAI Age/Date of Birth: [REDACTED]

Occupation : Captain of Lamma IV

I/D No. : [REDACTED]

Address & Tel. No. : [REDACTED]

Interviewing Officer : Detective Police Constable 48692 CHOY Man-kwong

Other Persons Present : /

Language/Dialect : Punti dialect

Place of Interview : Bed No. 8, Ward B5, Queen Mary Hospital.

Date & Time Commenced : At 1310 hours on 2012-10-2 Interviewee should be cautioned with the appropriate caution when necessary.

Date & Time Concluded : At 1440 hours on 2012-10-2 Interviewee should be invited to write and sign the following Certificate at the end of the record:- "I, ... (name) ... have read the above record of interview, consisting of ... 7 pages. It is an accurate record of questions asked, and answers I provided." (signed)

At the place, time and date mentioned above, I said to male CHOW Chi-wai in Punti dialect, "CHOW Chi-wai, I am Detective Police Constable 48692 CHOY Man-kwong, Team 3, RCU MAR. Now I continue to make enquiries of you about a case of Endangering the safety of others at sea which happened in the waters off Shek Kwok Tsui Lamppost, Yung Shue Wan, Lamma Island at about 8:22 pm on 2012-10-01. As Lamma IV that you drove at that time collided with Sea Smooth, (owned by) the Hong Kong and Kowloon Ferry there, Lamma IV sank at that time, causing many casualties. For (...) (Sgd.) CHOW (Sgd.) DSPC 48692 (illegible) (End of Page 1)

- (2) -

(...) this case, now I remind you of the caution, 'You are not obliged to say anything unless you wish to do so but what you say will be put into writing and given in evidence. (' After I had cautioned you, you said, "I have something to say. My hand is injured. Ah *Sir*, you write (it) down for me." (Sgd.) CHOW

I, CHOW Chi-wai, wish to make a statement. I want someone to write down what I say. I know that I need not say anything unless I wish to do so and that whatever I say may be given in evidence. (Sgd.)
CHOW

(Sgd.)(illegible)

Hereinafter, "(deletion) Question" is the question of Detective Police Constable 48692 while "answer" is the answer of CHOW Chi-wai.

(Sgd.) CHOW

Question 1): CHOW Chi-wai, are you physically and mentally fit now?

Answer 1): I am fit both physically and mentally for taking this record of interview. (Sgd.)
CHOW

Question 2): Do you require any lawyer to be

present?

Answer 2): No need. (Sgd.) CHOW

Question 3): Do you have any experience in driving a vessel?

Answer 3): I have worked for the Hong Kong Electric Company for 30 years, being a sailor at the very beginning. (...)
(Sgd.) CHOW (Sgd.) DSPC 48692
(illegible)

(End of Page 2)

- (3) -

(...) Then (I) acquired a master licence. I have driven a vessel for my company for 20 years. I acquired a 300 tonnes master licence. (I) am responsible for driving a passenger vessel operated by my company.

Question 4): Can you tell (me) about (your) duties on
2012-10-01?

Answer 4): I took my company vessel to the Hong
Kong Electric Company on Lamma
Island. At about noon, I went aboard
Lamma IV with the launch mechanic
LEUNG Pui-sang and the sailor LEUNG
Tai-yau for work. Our journey was
from Tsim Shau Tsui Public Pier, then
to Central Public Pier and finally to Ap
Lei Chau where the company staff and
their relatives were picked up to visit the
Lamma Power Station owned by the HK
Electric Company. I did not know the
people whom I picked up at the three
places. However, according to the
navigation log record of LEUNG
Tai-yau, 180 people had boarded the
vessel. At about 3:00 pm, we berthed at
the HK Electric Company Passenger

Terminal on Lamma Island for the passengers to go ashore for a visit and dinner. The staff and their relatives would go aboard the vessel at 8:00 pm again and then (I) would drive to Victoria Harbour in Central for a viewing of the fireworks display. When all the passengers went ashore, LEUNG Pui-sang, LEUNG Tai-yau and I rested on the vessel and waited (for them).

(Sgd.) CHOW Question 5): How did this boat crash accident happen
(Sgd.) (illegible) at some time past 8:00 pm (deletions)?

Answer 5): At about 8:00 (pm), after about more than 120 passengers went aboard the vessel, (I) drove the vessel towards Central. At the very beginning, LEUNG Pui-sang and LEUNG Tai-yau (...)

(Sgd.) CHOW (Sgd.) DSPC 48692

(illegible)

(End of Page 3)

- (4) -

(Sgd.) CHOW

(Sgd.) (illegible)

(...) were at the wheelhouse. When the vessel was driven out of the entrance to (deletion) the typhoon shelter, LEUNG Pui-sang went down to the Engine Room for a check. LEUNG Tai-yau went to the cabin to watch over the passengers. After getting out of the entrance to the typhoon shelter, I accelerated the speed of my vessel to about 12 knots. (I) drove up to the nearby area of Shek Kok Tsui Lamppost in about 2 – 3 minutes. At that time, LEUNG Pui-sang also arrived at the wheelhouse and stood at the right front part of the wheelhouse. (Deletion) Apart from LEUNG Pui-sang, I did not pay attention to whether anyone else was at the wheelhouse. At that time, a

(Sgd.) CHOW

(Sgd.) (illegible)

(Sgd.) CHOW
(Sgd.) (illegible)

vessel approached at a high speed from a distance of 500 – 600 m right in front of my vessel. As the navigation course would cause danger to both (vessels), I sounded a short blast to alert the other party once (that is we swerved to our starboard side respectively). I helmed hard to starboard for about 35 degrees to the starboard side. At the same time, (I) saw the other vessel also approach at a high speed. (I) reckoned that the speed of the vessel was about 20 – 25 knots. Moreover, I could only see the starboard green light of the other vessel. At that time, (deletion) the distance between our vessels was more than 200 meters. I decelerated to bring my vessel to a stop. (I) saw the starboard light of the other vessel. After that, the portside of the bow of the other vessel bumped against the portside stern of my

(Sgd.) CHOW
(Sgd.) (illegible)

vessel and there was a big bang and
(our) stern shook.

(Sgd.) Chow (Sgd.) DSPC 48692
(illegible)

(End of Page 4)

- (5) -

Question 6): How did you deal with it after the
collision?

Answer 6): I phoned the police by 999 immediately
and from the wheelhouse, I checked the
upper-deck cabin and found that some
people got injured. LEUNG Pui-sang
immediately went down to the Engine
Room for a check. He returned to the
wheelhouse very quickly and told me
that water poured in seriously. At that
time, (our) vessel started to
tilt backwards. I asked LEUNG
Pui-sang to distribute lifejackets to the

(Sgd.) CHOW
(Sgd.) (illegible)

passengers. About 1-2 minutes, the stern of our vessel stuck vertically out of the water with only its bow above the surface. The other passengers and I had drifted at the upper-deck cabin until (deletion) rescue boats came to rescue (us). As I fell down to the cabin from the wheelhouse, my right elbow dislocated and my left rib cracked.

Question 7): What kind of vessels did you collide with?

(Sgd.) CHOW
(Sgd.) (illegible)

Answer 7): (Its) speed was very fast at the time of collision (so that) I did not know what kind of vessels it was. It was not until that I was rescued to the Yung Shue Wan Pier where I saw Sea Smooth (deletion), a ferry of Hong Kong and Kowloon Ferry Holdings, travelling from Central to Yung Shue Wan, moor

beside the pier, with its portside bow seriously damaged and then I reckoned that it was this vessel.

Question 8): At that time, how were the sea condition and the visibility?

Answer 8): The water was calm and (one) could see 2000 meters. No moonlight.
(Sgd.) Chow (Sgd.) DSPC 48692
(illegible)
(End of Page 5)

- (6) -

(Sgd.) CHOW Question 9): What lights did your vessel (deletion)
(Sgd.) (illegible) switch on at that time?

Answer 9): General portside and starboard side lights, bow light, stern light, open cabin lights and the low deck passenger cabin lights.

(Sgd.) CHOW Question 10): During the navigation (deletion), did
(Sgd.) (illegible) anyone act as a lookout?

Answer 10): When LEUNG Tai-yau had nothing to
do, he would assist me by acting as a
lookout.

Question 11): Do you know the navigation fairway?

(Sgd.) CHOW Answer 11): Very familiar. I have been working for
(Sgd.) (illegible) the HK Electric Company for 30 years
and sail past there (insertions) almost
every day.

Question 12): On 2012-10-01, did (you) drink or take
any medicine?

Answer 12): No.

Question 13): Apart from warning the other party by

other methods?

Answer 13): No. I did not use a flashing light. As the channel was different, (I) did not use the walkie-talkie.

Question 14): Did you wear any (deletion) headphones at the time of the boat crash?

Answer 14): No because I needed to (concentrate) on driving the vessel.

Question 15): Before the collision, you decelerated. At that time, did your vessel have any speed?

Answer 15): Completely came to a stop.

Question 16): How long was it from the time you sounded a short blast to the time of collision?

(Sgd.) Chow (Sgd.) DSPC 48692

(illegible)

(End of Page 6)

- (7) -

Answer 16): Very quick. Reckon less than 1
minute.

I make this statement of my own free will. I know that I
need not say anything unless I wish to do so and that whatever I say
may be given in evidence. (Sgd.) Chow

I, CHOW Chi-wai, have read the above record of
interview, consisting of 7 pages. It is an accurate record of the
questions asked, and answers I provided. (Sgd.) Chow (Sgd.) DSPC
48692 (illegible)