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<p>1 Friday, 10 August 2018</p> <p>2 (10.00 am)</p> <p>3 EVIDENCE FROM KOWLOON MOTOR BUS CO (1933) LTD AND LONG WING</p> <p>4 BUS CO LTD: DR NORMAN LEUNG, DR JOHN CHAN, MR ROGER LEE, MR</p> <p>5 GODWIN SO, MR LEUNG KIN WANG, MR PATRICK PANG, MR JAMES WONG</p> <p>6 (simultaneous interpretation used only where indicated)</p> <p>7 CHAIRMAN: Good morning, Dr Leung and gentlemen. Thank you</p> <p>8 for returning to continue to give evidence. I'll ask</p> <p>9 Mr Duncan to begin questioning.</p> <p>10 Dr Leung, is there something you would like to say</p> <p>11 first of all?</p> <p>12 Statement by DR NORMAN LEUNG</p> <p>13 DR NORMAN LEUNG: Yes. Good morning, Mr Chairman. May</p> <p>14 I have two minutes, please?</p> <p>15 Mr Chairman, I refer to the request made by</p> <p>16 Mr Duncan on Tuesday for the disclosure of part 2 and</p> <p>17 part 3 of our special committee's report dated 12 March</p> <p>18 2018.</p> <p>19 Mr Chairman, I have had the opportunity of studying</p> <p>20 both part 2 and part 3 of the report. I am satisfied</p> <p>21 that part 3 of the report, namely issues relating to bus</p> <p>22 captains, would not in any way prejudice the</p> <p>23 investigation conducted by the police. I also feel that</p> <p>24 the report should have been submitted to this committee</p> <p>25 sooner, so that the committee will have better</p>	<p>1 Mr Duncan, may I invite you to make enquiries into</p> <p>2 what Dr Leung has said to us now in relation to the</p> <p>3 parts of the report that are disclosed and are not to be</p> <p>4 disclosed, in view of what is said in the last paragraph</p> <p>5 of the letter that was sent to the committee on</p> <p>6 9 August?</p> <p>7 MR PETER DUNCAN: Mr Chairman, yes, we will do that.</p> <p>8 I think, Mr Chairman, if I might say, with regard to</p> <p>9 part 3, which we find now at page 377 of the KMB-1</p> <p>10 bundle, it would seem to me, with respect, that part 3</p> <p>11 really is no more than an introduction to or request for</p> <p>12 the details which we have already received at annex 5.</p> <p>13 CHAIRMAN: So we have received annex 5?</p> <p>14 MR PETER DUNCAN: That's right, we received that earlier.</p> <p>15 So I don't think there is any particular issue which</p> <p>16 arises with regard to part 3.</p> <p>17 Part 2, Mr Chairman, I have heard your remarks and</p> <p>18 we will consider the matter accordingly.</p> <p>19 CHAIRMAN: Because the likelihood is that part 2 contains</p> <p>20 material of different nature. We know nothing about</p> <p>21 what it contains. Opinions and views are irrelevant to</p> <p>22 the committee, but empirical data may well be relevant.</p> <p>23 I invite you to consider that and deal with the matter</p> <p>24 in due course, whenever you feel it is appropriate.</p> <p>25 MR PETER DUNCAN: We will do that, Mr Chairman.</p>
<p>1 understanding of our recruitment, training and</p> <p>2 performance monitoring of our bus captains.</p> <p>3 Mr Chairman, please accept my apology that part 3 of</p> <p>4 the report has not been submitted to you sooner.</p> <p>5 As to part 2 of the report, ie the accident</p> <p>6 investigation report, I am of the opinion that it is not</p> <p>7 appropriate to disclose the contents thereof to the</p> <p>8 public. I am also of the opinion that such report is</p> <p>9 not relevant to the terms of reference of this</p> <p>10 committee.</p> <p>11 I would also like to take this opportunity to thank</p> <p>12 the committee for drawing to my attention the GreenRoad</p> <p>13 vehicle tracking system. I have directed the management</p> <p>14 to find out more about Tower Transit, the bus operator</p> <p>15 in Singapore, with a view to visiting them in due course</p> <p>16 to learn more about the GreenRoad vehicle tracking</p> <p>17 system.</p> <p>18 Also, I have got inspiration from this news article</p> <p>19 that perhaps I should reconsider the award of safety</p> <p>20 bonus to our good performance bus captains. It doesn't</p> <p>21 have to be a significant amount, but some sort of</p> <p>22 recognition to our bus captains would serve to promote</p> <p>23 bus safe driving.</p> <p>24 Thank you, Mr Chairman.</p> <p>25 CHAIRMAN: Thank you, Dr Leung.</p>	<p>1 Examination by MR DUNCAN (continued)</p> <p>2 MR PETER DUNCAN: Thank you, Mr Chairman, and good morning,</p> <p>3 Dr Leung and gentlemen.</p> <p>4 DR NORMAN LEUNG: Good morning.</p> <p>5 MR PETER DUNCAN: We have since the last hearing received</p> <p>6 two letters from the company and I would like to go to</p> <p>7 the second of those letters, please, which we will find</p> <p>8 at KMB-1 at page 297.</p> <p>9 I wish to bring your attention, please, to the</p> <p>10 bottom paragraphs on page 297, where there is reference</p> <p>11 to item (2), which concerns the matter of the 29 sharp</p> <p>12 bends which were the subject of questioning on Tuesday.</p> <p>13 The letter states:</p> <p>14 "In respect of item 2 [which was the item</p> <p>15 requested], the following are enclosed as appendix B".</p> <p>16 Then from (i) through to (vi), there is reference to</p> <p>17 a number of matters.</p> <p>18 Ultimately, at paragraph (vi), this statement is</p> <p>19 made in the letter:</p> <p>20 "a series of emails indicating that Mr Owen Eckford,</p> <p>21 the then operations director ('OD') did not endorse this</p> <p>22 safety enhancement programme."</p> <p>23 I wish to explore that a little with you, please.</p> <p>24 In that respect, can I take you to the same bundle at</p> <p>25 page 309. At page 309 through to page 311, you will see</p>

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<p>1 item 1 as the letter identifies it, which are described 2 as "Meeting Notes for Review on Safe Speed Limit for 3 Identified Sharp Bends". You will see that it's dated 4 31 July 2014, a meeting which apparently lasted for some 5 two and a half hours and was attended by a number of 6 people. 7 We can see the details of that for ourselves, pages 8 309 through to 311. 9 Then at page 312 we see item (ii) in your letter, as 10 identified in your letter, which is a table which sets 11 out details of the 30 sharp bends. That runs from 312 12 through to page 314. 13 Then at page 315, item (iii) is identified in your 14 letter, a communication plan which had been referred to 15 in the first item, the meeting notes. One can see the 16 details of the communication plan, running from page 315 17 through to 316, with what might be described as very 18 detailed proposals with regard to the communication of 19 the plan, as it then was. 20 Then at page 318, there commences a series of 21 photographs of the relevant bends. One can see those 22 right through to page 351. 23 Then at page 352, we have item (v) identified, which 24 is said to be, according to the letter, a draft safety 25 speed card in contemplation in September 2014. We see</p>	<p>1 DR NORMAN LEUNG: No, he stayed on as a non-executive 2 director of the board until the last AGM, last year. 3 MR PETER DUNCAN: Thank you. 4 Back to the email, we can see it's from Mr Wong to 5 Mr Ho, and I won't read out the email but if you go 6 through it quickly, you will see that it informs Mr Ho 7 and those copied on the email with what it described as 8 the field operational tests on safe speed limits for 30 9 identified sharp bends and roundabouts having been 10 completed on 12 August. 11 CHAIRMAN: Mr Duncan, before you move on, might I suggest 12 you might read out the first paragraph. 13 MR PETER DUNCAN: Yes. 14 CHAIRMAN: Because there are some questions that might 15 usefully arise, given that these are public hearings and 16 it is difficult for the public to follow things unless 17 they are given a context. 18 MR PETER DUNCAN: I understand, Mr Chairman. 19 Let me read the first paragraph to you: 20 "I am pleased to inform you that field operational 21 tests on safe speed limits for the 30 identified sharp 22 bends and roundabouts were completed on 12 August 2014 23 (Tuesday). Attached please find the Excel file showing 24 the calculation of safe speed limits carried out by EO, 25 validation of calculated safe speed limits performed by</p>
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<p>1 that card there at page 352. 2 Then finally, at (vi), from pages 353 to 355 we have 3 the series of emails described in your letter as 4 indicating that Mr Eckford did not endorse the 5 programme. 6 I just want to pause for a few moments, if I could, 7 with regard to the contents of these emails. They 8 start, I think, with the email which can be seen on 9 page 354. There's an email from Gary Wong, whose name 10 has already been mentioned in the hearing as the head of 11 the then safety and service quality department. It is 12 an email sent on 14 August 2014 to Mr Edmond Ho, who 13 I understand was the managing director of the company at 14 that point. 15 Is it correct that Mr Ho was then the managing 16 director? 17 DR NORMAN LEUNG: He was at the time, yes. 18 MR PETER DUNCAN: When did he cease to be the managing 19 director? 20 DR NORMAN LEUNG: Roger should say. 21 MR ROGER LEE: He ceased on 1 January 2015. 22 MR PETER DUNCAN: Thank you. 23 CHAIRMAN: That's when you began your tenure? 24 MR ROGER LEE: Yes. 25 MR PETER DUNCAN: Did he then leave the company?</p>	<p>1 DI of BCTS (SSQD's staff as observer) and the result of 2 final review jointly conducted by EO, BCTS, depots, 3 [Long Win Bus Company] and [the service and quality 4 department]." 5 CHAIRMAN: Mr Duncan, that might be an entry for the 6 Guinness Book of Records for acronyms, but perhaps we 7 can explore what these acronyms mean with the 8 representatives of KMB. 9 MR PETER DUNCAN: Would you gentlemen be able to help us, 10 first of all, with the reference to -- if we go back to 11 those copied, first of all, Evan Auyeung DMD, what would 12 that be? 13 MR ROGER LEE: He was the deputy managing director. 14 MR PETER DUNCAN: HR, would I assume correctly that's human 15 resources? 16 MR ROGER LEE: That is correct. 17 MR PETER DUNCAN: OD? 18 MR ROGER LEE: Operations director. 19 MR PETER DUNCAN: Is that a position that exists today, 20 operations director? 21 MR ROGER LEE: Yes. 22 MR PETER DUNCAN: Is that Mr Leung's position? 23 MR ROGER LEE: Yes. 24 MR PETER DUNCAN: DOD? 25 MR ROGER LEE: Deputy operations director.</p>

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<p>1 MR PETER DUNCAN: And SSQ?</p> <p>2 MR ROGER LEE: Safety and service quality department.</p> <p>3 MR PETER DUNCAN: Then in the substantive part of the email</p> <p>4 the first paragraph, "EO"?</p> <p>5 MR ROGER LEE: Engineering officer.</p> <p>6 MR PETER DUNCAN: "DI"?</p> <p>7 MR ROGER LEE: Driving instructor.</p> <p>8 MR PETER DUNCAN: "BCTS"?</p> <p>9 MR ROGER LEE: Bus Captain Training School.</p> <p>10 MR PETER DUNCAN: I believe we've covered the acronyms in</p> <p>11 the first paragraph.</p> <p>12 Is there then reference to the file which has been</p> <p>13 enclosed, the Excel file, at the beginning of the second</p> <p>14 paragraph; do you see that?</p> <p>15 Does the email continue to say this:</p> <p>16 "With respect to the theoretical calculations and</p> <p>17 validation of safe speed limits for the 30 identified</p> <p>18 locations where the risk of bus roll-over is deemed to</p> <p>19 be high, it would be very difficult for all concerned</p> <p>20 [bus captains] to remember different speed limits due to</p> <p>21 different turning radius of roadway curves. [Bus</p> <p>22 captains] can make errors (ie lapses of memory/memory</p> <p>23 errors) no matter how well trained ..."</p> <p>24 And it's difficult to read but I assume that's</p> <p>25 "briefed they are".</p>	<p>1 captain] of KBD gets wrong memory and drive [s] the bus</p> <p>2 at a speed of 20 [kilometre per hour] instead of 15</p> <p>3 [kilometre per hour, this may not lead to a 'bus</p> <p>4 roll-over' accident as the calculated roller-over speed</p> <p>5 limit for Hiram's Highway flyover to</p> <p>6 Clear Water Bay Road (shown in road section no 20 in the</p> <p>7 attached Excel file) 24.9 [kilometre per hour]. This</p> <p>8 principle can also be applied to other depots."</p> <p>9 If I just pause there, "KBD" there presumably would</p> <p>10 be a reference to one of the depots?</p> <p>11 CHAIRMAN: Is that correct?</p> <p>12 MR ROGER LEE: Kowloon Bay Depot.</p> <p>13 CHAIRMAN: Thank you.</p> <p>14 MR PETER DUNCAN: Thank you.</p> <p>15 Then to continue:</p> <p>16 "To conclude, action [plans] are summarised as</p> <p>17 follows:</p> <p>18 (a) Identify the locations of sharp bends and</p> <p>19 roundabouts where the risk of bus roll-over is deemed to</p> <p>20 be high; (Completed on 6 June 2014 for the first 29</p> <p>21 identified locations)</p> <p>22 (b) Calculate safe speed limits for all identified</p> <p>23 sharp bends and roundabouts based on technical</p> <p>24 assessment; (Completed on 27 June 2014 for the first 29</p> <p>25 identified locations and on 13 August 2014 for the</p>
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<p>1 "The consequences of such human errors can be severe</p> <p>2 if the BC [bus captain] gets wrong memory and drive the</p> <p>3 bus at a speed for what's that supposed not to be. This</p> <p>4 may lead to a serious 'bus roll-over' accident and the</p> <p>5 hazard presents significantly greater risk than other</p> <p>6 types of traffic accident. The risk is 'unacceptable'</p> <p>7 and cannot be tolerated. Therefore, we recommend</p> <p>8 stronger risk controls to minimise the intolerable risk</p> <p>9 caused by the human errors.</p> <p>10 In view of above, we simplify the variety of safe</p> <p>11 speed limits into '15 [kilometre per hour]', '20</p> <p>12 kilometres per hour' and '25 kilometres per hour' for</p> <p>13 the 30 identified sharp bends and roundabouts so as to</p> <p>14 make it easier to understand and remember. Based on the</p> <p>15 final review shown in the attached Excel file, the</p> <p>16 recommended safe speed limits are listed as follows ..."</p> <p>17</p> <p>18 You will then see a paragraph which is devoted to</p> <p>19 the particular limits.</p> <p>20 If I pick it up again at page 355:</p> <p>21 "The management of speed through appropriate safe</p> <p>22 speed limits is an essential element of road safety. As</p> <p>23 a rule of thumb, the recommended safe speed limits are</p> <p>24 not higher than the calculated roll-over speeds within</p> <p>25 the same depot area. Take for an example, if the [bus</p>	<p>1 thirtieth location at Pui Oi Interchange (Yuen Long</p> <p>2 direction))</p> <p>3 (c) Validate the calculated safe speed limits by</p> <p>4 test drive; (Completed on 29 July 2014 for the first 29</p> <p>5 identified locations and on 12 August 2014 for the</p> <p>6 thirtieth location at Pui Oi Interchange (Yuen Long</p> <p>7 direction))</p> <p>8 (d) Review the safe speed limits based on the</p> <p>9 results of calculation and test drive; (Completed on</p> <p>10 31 July 2014 for the first 29 identified locations and</p> <p>11 on 13 August 2014 for the thirtieth location at Pui Oi</p> <p>12 Interchange (Yuen Long direction)) and</p> <p>13 (e) Develop communication plan so as to convey</p> <p>14 safety message on safe speed limits to all relevant [bus</p> <p>15 captains] (see the attached Communication Plan) and</p> <p>16 conduct speed checks."</p> <p>17 Then there is reference to the file and then the</p> <p>18 email continues to say this:</p> <p>19 "It is expected that the implementation of safe</p> <p>20 speed limits can take effect in October 2014 upon</p> <p>21 completion of action items addressed in items 1 [to] 3</p> <p>22 of the communication plan."</p> <p>23 The email which is addressed to Mr Edmond Ho, the</p> <p>24 managing director, and copied to a number of people,</p> <p>25 asks the managing director for his approval. So the</p>

Page 13	<p>1 last entry is, "For your approval please".</p> <p>2 We then see, at page 353, a response email from</p> <p>3 Mr Ho the very next day.</p> <p>4 CHAIRMAN: Before you go on, Mr Duncan, one of the matters</p> <p>5 that the committee asked for in its letter of 8 August</p> <p>6 to the companies was the Excel soft copy, if it was</p> <p>7 available.</p> <p>8 Has that been addressed in KMB's response?</p> <p>9 MR PETER DUNCAN: My reading of the email is that it has</p> <p>10 been addressed, but I will ask the members directly.</p> <p>11 CHAIRMAN: Can we have a direct answer? Were you able to</p> <p>12 locate this Excel file or not? If you would like to be</p> <p>13 referred to the question, I can ask that that be brought</p> <p>14 up on the screen. It's in the annex to the letter and</p> <p>15 it's at page 234, and is item 2. The general request</p> <p>16 made in the letter itself was if you've got them, please</p> <p>17 provide, and then this is the shopping list, as it were.</p> <p>18 Item 2 is the Excel soft copy and/or any hard copies.</p> <p>19 MR LEUNG KIN WANG: Yes.</p> <p>20 CHAIRMAN: Do you have it?</p> <p>21 MR LEUNG KIN WANG: We have it.</p> <p>22 CHAIRMAN: And are you going to provide it?</p> <p>23 MR LEUNG KIN WANG: Yes.</p> <p>24 DR NORMAN LEUNG: Chairman, I understand that hard copies</p> <p>25 have been provided to the committee.</p>	Page 15	<p>1 that?</p> <p>2 MR LEUNG KIN WANG: Yes.</p> <p>3 MR PETER DUNCAN: Thank you.</p> <p>4 If we turn the page to page 354, does the response</p> <p>5 read as follows:</p> <p>6 "Thank you and your team for the effort in</p> <p>7 coordinating this safety enhancement programme. Your</p> <p>8 proposed actions look fine with me. For formal</p> <p>9 approval, please ask [operations director] to check and</p> <p>10 endorse.</p> <p>11 Many thanks!"</p> <p>12 And there is a postscript to the message:</p> <p>13 "By copy of this email, would [operations director]</p> <p>14 please check HSSQD's documents and communication plan,</p> <p>15 and then issue formal approval as you see fit. Thanks!"</p> <p>16 Just to be clear, what is "HSSQD"?</p> <p>17 MR LEUNG KIN WANG: Head of safety and service quality</p> <p>18 department.</p> <p>19 MR PETER DUNCAN: Thank you.</p> <p>20 Thank you. The next email --</p> <p>21 CHAIRMAN: At that time, was that Mr Gary Wong?</p> <p>22 MR LEUNG KIN WANG: Correct.</p> <p>23 CHAIRMAN: Thank you.</p> <p>24 MR PETER DUNCAN: The next email with which the committee</p> <p>25 has been provided is one sent some time later, on</p>
Page 14	<p>1 CHAIRMAN: And by that, everything that's on the Excel soft</p> <p>2 copy we now have in hard copy? Do I understand you</p> <p>3 correctly?</p> <p>4 MR GODWIN SO: We have printed out and provided on page 312</p> <p>5 and 313. It's the print-out of the Excel file</p> <p>6 mentioned.</p> <p>7 CHAIRMAN: Thank you.</p> <p>8 MR PETER DUNCAN: So if we go back, please, to the emails,</p> <p>9 at the bottom of page 353 there's a response from</p> <p>10 Mr Edmond Ho, which is addressed to Mr Gary Wong, the</p> <p>11 sender of the earlier email, and also to Mr Owen</p> <p>12 Eckford, who was then the operations director.</p> <p>13 Is Mr Eckford still employed by the company?</p> <p>14 MR ROGER LEE: No.</p> <p>15 MR PETER DUNCAN: When did he leave the company?</p> <p>16 MR LEUNG KIN WANG: He left at the end of 2015.</p> <p>17 MR PETER DUNCAN: Did that coincide with Mr Edmond Ho</p> <p>18 ceasing to be the managing director?</p> <p>19 MR LEUNG KIN WANG: No.</p> <p>20 CHAIRMAN: Edmond Ho had ceased to be the managing director</p> <p>21 at the end of 2014/beginning of 2015?</p> <p>22 MR LEUNG KIN WANG: Correct.</p> <p>23 MR PETER DUNCAN: Was the email copied to a number of</p> <p>24 persons, many of whom had been copied to the email from</p> <p>25 Gary Wong through to Edmond Ho? Do you see the ccs on</p>	Page 16	<p>1 6 April this year, and it's from a person called Aman</p> <p>2 Fong TQD to Louisa Leung IA. The heading is the same</p> <p>3 heading as was contained in the two emails I've</p> <p>4 previously referred to, namely "Safe Speed Limits for</p> <p>5 the 30 Identified Sharp bend and Roundabouts".</p> <p>6 Now, what is the position of Mr Aman Fong?</p> <p>7 MR LEUNG KIN WANG: She is a manager.</p> <p>8 MR PETER DUNCAN: A manager of what department?</p> <p>9 MR LEUNG KIN WANG: She is a manager of training quality</p> <p>10 assurance department.</p> <p>11 MR PETER DUNCAN: Thank you. And Louisa Leung?</p> <p>12 MR LEUNG KIN WANG: Louisa Leung is head of internal audit</p> <p>13 department.</p> <p>14 MR PETER DUNCAN: This request -- the email reads as</p> <p>15 follows:</p> <p>16 "Dear Louisa,</p> <p>17 [Please] note.</p> <p>18 Regards,</p> <p>19 Aman."</p> <p>20 Do you see that?</p> <p>21 MR LEUNG KIN WANG: Yes.</p> <p>22 MR PETER DUNCAN: It would appear that Louisa is being asked</p> <p>23 to note the emails to which I have just referred. Would</p> <p>24 that be a proper interpretation?</p> <p>25 MR LEUNG KIN WANG: (Nodded head).</p>

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<p>1 MR PETER DUNCAN: Then there is a subsequent email to which 2 the committee has been referred 11 days later, on 3 17 April, from Louisa to Aman, the same heading, and 4 this time the email reads: 5 "Dear Aman 6 It was noted that Edmond Ho asked Gary Wong to 7 obtain [operations director's] formal approval for the 8 exercise. Did you receive any subsequent email that 9 suggest Owen have given formal approval to Gary on this 10 topic?" 11 We have at the top of the page then another message 12 from Aman to Louisa in response and a one-word answer, 13 "No". 14 So it would appear from that that no subsequent 15 email was received. 16 I'll take you back, if I could, to the construction 17 of these events as it appears in the letter, at 18 page 297. The author of this letter seems to have 19 concluded that Mr Owen Eckford did not endorse this 20 safety enhancement programme, but the committee, as 21 I read it, has not been provided with any document which 22 positively says that Mr Eckford did endorse it or did 23 not endorse it or may even have failed to consider it. 24 Is there any further information available to the 25 committee within the company's records which would</p>	<p>1 operations director, and he asks that he be asked to 2 give formal approval, and the managing director doesn't 3 leave the company for four months, at the end of the 4 year, and you are saying that there is nothing that 5 evidences the operations director doing anything, either 6 endorsing it, not endorsing it? There's nothing at all? 7 It's a bit puzzling, isn't it? You agree? But you 8 will look, will you? 9 MR LEUNG KIN WANG: (Via interpreter) Mr Owen Eckford left 10 at the end of that year, 2015. 11 CHAIRMAN: Not the end of that year; it's the end of the 12 following year. 13 MR LEUNG KIN WANG: (Via interpreter) Before he left, he 14 didn't give any indication as regards this plan. I took 15 up the safety section's work in April as the deputy 16 operations director in 2015. 17 CHAIRMAN: I understand all of that. The only matter that 18 I'm drawing to your attention is, on its face -- there 19 may be some explanation -- when a managing director 20 copies into an email the operations director, who is 21 asked to give formal approval to what has obviously been 22 an extensive research into a safety programme, and you 23 tell the committee that there is nothing that evidences 24 what he did, either way, endorsing it or rejecting it? 25 MR LEUNG KIN WANG: (Via interpreter) You might have noticed</p>
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<p>1 assist the committee in understanding what happened, 2 particularly with regard to the actions of Mr Eckford, 3 after the email of 15 August 2014 was sent by 4 Mr Edmond Ho? 5 MR LEUNG KIN WANG: Not that I am aware of. 6 MR PETER DUNCAN: Has the company searched its records with 7 regard to what may have happened between 15 August 2014 8 and 6 April 2018 which, according to the information we 9 have been provided, is the critical period? Has the 10 company looked for this information? 11 MR LEUNG KIN WANG: Yes. 12 MR PETER DUNCAN: Are you telling us that there is no 13 written information available? 14 MR ROGER LEE: (Via interpreter) Let me put it this way. We 15 have an internal audit unit. We have asked our head of 16 internal audit to look at the safety and service 17 department's work on such bends. The internal audit's 18 report up to this date -- well, you have seen the 19 relevant emails -- they are the information -- the 20 latest information we have got. 21 MR LEUNG KIN WANG: (Via interpreter) We can take a look 22 again but as Mr Lee says, that's all we have got so far. 23 CHAIRMAN: On its face, this is rather strange, is it not? 24 The managing director of the company responds to the 25 head of the safety department, he copies it to the</p>	<p>1 that at that time, the MD, in replying to the email, 2 mentions that it's subject to the endorsement of 3 a communication plan. There was a communication plan 4 worked out by us. Many officers of our companies talked 5 to the bus captains in different termini. It was not 6 warmly received. They had strong views, bus captains 7 had strong views. I believe that's one of the reasons 8 that the OD would have taken into account. Whether this 9 was the cause of this rejection, it was not formally 10 recorded. 11 CHAIRMAN: Yes. Mr Duncan. 12 MR PETER DUNCAN: Did you yourself, Mr Leung, participate in 13 those discussions with the bus captains? 14 MR LEUNG KIN WANG: No. 15 MR PETER DUNCAN: Was this before your time as operations 16 director? 17 MR LEUNG KIN WANG: Before my participation. 18 MR PETER DUNCAN: So in that respect you are telling the 19 committee what your understanding is of the situation? 20 MR LEUNG KIN WANG: Correct. 21 MR PETER DUNCAN: Is there anybody in the group who was 22 there in 2014 who can speak to what happened? 23 MR LEUNG KIN WANG: Not in -- 24 CHAIRMAN: Yes, of the seven of you. 25 MR LEUNG KIN WANG: Somebody else.</p>

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<p>1 CHAIRMAN: Well, if it's appropriate, and if you wish, 2 Dr Leung, for that person to speak to the matter, we 3 will gladly receive evidence from him or her. 4 MR LEUNG KIN WANG: Kelvin. 5 MR PETER DUNCAN: As a matter of interest, is Mr Eckford 6 still resident in Hong Kong, as far as you know? 7 MR LEUNG KIN WANG: No. 8 MR KELVIN YEUNG: (Via interpreter) Thank you, Chairman. As 9 I replied to some other questions in the previous 10 meeting -- 11 CHAIRMAN: For the record, please identify yourself. We 12 know who you are but the record doesn't. 13 MR KELVIN YEUNG: Kelvin Leung, assistant manager of 14 operations. 15 (Via interpreter) From Tuen Mun depot. 16 CHAIRMAN: This is a matter that you dealt with in your 17 evidence before, is it not? 18 MR KELVIN YEUNG: (Chinese words not interpreted). 19 CHAIRMAN: Sorry, I didn't get a translation of that. Would 20 you repeat your answer? 21 MR KELVIN YEUNG: (Via interpreter) I'm Kelvin Yeung, 22 assistant manager of operations at the Tuen Mun depot. 23 CHAIRMAN: The question that you were asked by me was: this 24 is a matter that you dealt with in your evidence before, 25 was it not; and your answer?</p>	<p>1 MR KELVIN YEUNG: (Via interpreter) The general manager of 2 Tuen Mun depot, Mr Woo Kin Keung. 3 MR PETER DUNCAN: Is he still with the company? 4 MR KELVIN YEUNG: (Via interpreter) He has retired. 5 MR PETER DUNCAN: It is apparent from the material that the 6 committee received that this plan was at some point 7 discontinued; it was not carried out. Are you able to 8 assist the committee as to who made the decision not to 9 continue with the plan? 10 CHAIRMAN: And if you don't know the answer, don't 11 speculate. 12 MR KELVIN YEUNG: (Via interpreter) I do not know. 13 MR PETER DUNCAN: Thank you. 14 CHAIRMAN: Thank you, Mr Yeung. 15 MR PETER DUNCAN: Leung, if I can go back to you, do 16 I understand there is going to be a further search among 17 the company's records -- 18 MR LEUNG KIN WANG: Yes. 19 MR PETER DUNCAN: -- in order to assist the committee to 20 find out who apparently made a decision to discontinue 21 with this plan and the reasons for that discontinuance? 22 MR LEUNG KIN WANG: Yes. 23 MR PETER DUNCAN: As a matter of interest, would there not 24 be, on the company's computer, copies of all emails sent 25 or received by Mr Eckford in the course of his work at</p>
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<p>1 MR KELVIN YEUNG: (Via interpreter) Correct. 2 MR PETER DUNCAN: At the risk of repetition, Mr Yeung, could 3 you assist us as to why it might have been that 4 apparently this plan was not carried through? 5 MR KELVIN YEUNG: (Via interpreter) At that time, I received 6 a document which was shown in the PowerPoint. It showed 7 the locations of the 29 bends and the suggested speed 8 limits. At that time, I was involved in talking to bus 9 captains in the bus termini. As part of my day-to-day 10 communication with them, there was -- 11 MR PETER DUNCAN: Just to interrupt you, what was your 12 position at that point exactly? 13 MR KELVIN YEUNG: (Via interpreter) I was a senior operation 14 officer. I was responsible for the Tuen Mun depot as 15 well. So I went to the bus termini to talk to bus 16 captains. 17 The message I received from them was that it was not 18 feasible, the plan was not feasible; they could not 19 remember the speed limits of different bends in 20 performing driving. That would bring a lot of pressure 21 to them. If they remember things incorrectly they might 22 be subject to punishment. That's what they told me. 23 I also relayed the message to my supervisor at that 24 time. 25 MR PETER DUNCAN: Thank you. Who was your supervisor?</p>	<p>1 the company in 2014? Would you expect that information 2 to be available? 3 MR LEUNG KIN WANG: I'm not too sure. 4 MR PETER DUNCAN: Thank you. 5 CHAIRMAN: Perhaps that's another matter that you could 6 provide an answer to when you do this search, if those 7 that would know what your record preservation system is 8 could provide us with that information. 9 MR LEUNG KIN WANG: Yes. 10 MR PETER DUNCAN: Thank you, Mr Leung. I am going to move 11 to another topic now, but I am going to go back to one 12 matter which was dealt with on Tuesday. This relates to 13 the speeding report that we have been provided with, 14 which we will find in KMB-9 at page 3993. 15 The translation appears at page 3995-1. 16 I think it was Mr James Wong who assisted the 17 committee with regard to this report on Tuesday. There 18 are just some matters I would seek some clarification 19 upon, if I could, Mr Wong. 20 During your evidence on Tuesday -- and we can see 21 this, I will just give you the reference for everybody's 22 benefit; it's Day 12 and the transcript reference is 23 pages 134 to 135 -- you provided the committee with 24 thresholds relating to the generation of this report. 25 So breaking it up between the 50-kilometre zones and</p>

Page 25	<p>1 the 70-kilometre zones, you told us that for the</p> <p>2 50-kilometre zones, the report will capture those buses</p> <p>3 that were travelling at three different speeds and</p> <p>4 different durations. The first speed was speeds between</p> <p>5 56 and 65 kilometres per hour for 30 seconds; then 66 to</p> <p>6 70 kilometres per hour for 15 seconds; and then 76 to</p> <p>7 79 kilometres per hour for 2 seconds.</p> <p>8 Then we had a similar sort of breakdown for the</p> <p>9 70-kilometre zones. The report would capture those</p> <p>10 buses which were travelling at, first of all, 76 to</p> <p>11 79 kilometres for 30 seconds; secondly, over</p> <p>12 80 kilometres per hour for 2 seconds. They are the</p> <p>13 thresholds that you gave us.</p> <p>14 I also understand from your evidence that the black</p> <p>15 box was at that time not capable of identifying</p> <p>16 different speed limits on different roads in generating</p> <p>17 real-time alerts to the drivers. In other words, the</p> <p>18 black box could not tell whether the speed limit on</p> <p>19 a particular road was 50 kilometres per hour or</p> <p>20 70 kilometres per hour, so therefore the threshold for</p> <p>21 the driver to be alerted was simply set at 75 kilometres</p> <p>22 per hour, and then you also told us that that had been</p> <p>23 reduced to 70 after the accident at Tai Po.</p> <p>24 So is my understanding correct so far?</p> <p>25 MR JAMES WONG: Correct.</p>	Page 27	<p>1 MR JAMES WONG: (Via interpreter) This is a report</p> <p>2 formulated on 1 May 2018. It was rather recent.</p> <p>3 CHAIRMAN: By what means is the place at which the bus is</p> <p>4 identified doing a particular speed identified?</p> <p>5 MR LEUNG KIN WANG: (Via interpreter) At present, we look at</p> <p>6 the route of the bus. We, on our own computer system,</p> <p>7 have mapped the places for every route. How can we</p> <p>8 identify the location? We will look at the time, at the</p> <p>9 material time, and also the hourly speed of the bus.</p> <p>10 That is why this takes time for our staff to use the</p> <p>11 relevant software to tackle it.</p> <p>12 MR PETER DUNCAN: How long have you been able to produce</p> <p>13 this sort of report? Since when?</p> <p>14 MR LEUNG KIN WANG: (Via interpreter) We started to have</p> <p>15 this kind of black box in 2013 and we already had this</p> <p>16 kind of report; we use the same way to do it.</p> <p>17 MR PETER DUNCAN: You said that this report was produced on</p> <p>18 1 May this year. Were these sorts of reports being</p> <p>19 produced at the time of the Tai Po accident?</p> <p>20 MR LEUNG KIN WANG: (Via interpreter) This report was done</p> <p>21 on 1 May, but then this type of report, this type of</p> <p>22 exception report, had always been produced. We started</p> <p>23 to have this kind of exception report in 2013, and we</p> <p>24 could know whether the bus captain sped in 50km or 70km</p> <p>25 zones.</p>
Page 26	<p>1 MR PETER DUNCAN: Thank you. One of the explanations given</p> <p>2 I think, was that this was because, at that time, in</p> <p>3 fact before 7 June 2018, the company did not possess the</p> <p>4 digital mapping which was available through the</p> <p>5 Transport Department?</p> <p>6 MR JAMES WONG: Correct.</p> <p>7 MR PETER DUNCAN: Thank you.</p> <p>8 With all that in mind, and going back to this</p> <p>9 report, if the black box data does not tell you whether</p> <p>10 the bus is in a 50-kilometre zone or a 70-kilometre</p> <p>11 zone, how is it that this exception report is able to</p> <p>12 distinguish or pick out a bus which is speeding above</p> <p>13 the limit in a 50-kilometre zone?</p> <p>14 MR JAMES WONG: (Via interpreter) This is exactly why we</p> <p>15 needed time in order to make available this report. We</p> <p>16 would know the additional information, but our depot</p> <p>17 would have to use another computer program to check</p> <p>18 whether that is a 50-kilometre zone or a 70-kilometre</p> <p>19 zone, so that we could know whether the bus was in</p> <p>20 a 50-kilometre zone or 70-kilometre zone, so that we</p> <p>21 would have this report which you have now, so that I can</p> <p>22 check which bus captain, at what time, at what location,</p> <p>23 sped.</p> <p>24 MR PETER DUNCAN: So do I understand correctly this report</p> <p>25 has only been prepared very recently?</p>	Page 28	<p>1 MR PETER DUNCAN: How long after --</p> <p>2 CHAIRMAN: Would you just give me a moment, Mr Duncan.</p> <p>3 MEMBER LO: Can I ask you a question?</p> <p>4 MR LEUNG KIN WANG: Sure.</p> <p>5 MEMBER LO: Now, if the bus is speeding at 67.9, you should</p> <p>6 know that it was speeding beyond 50; right?</p> <p>7 MR LEUNG KIN WANG: (Via interpreter) Correct.</p> <p>8 MEMBER AU YEUNG: So in your company record, you should have</p> <p>9 a record of this segment is set a speed limit of 50;</p> <p>10 right?</p> <p>11 MR LEUNG KIN WANG: (Via interpreter) Correct.</p> <p>12 MEMBER LO: So you didn't need the TD's digital map to know</p> <p>13 that you have different speed limits for different</p> <p>14 sections of your routings?</p> <p>15 MR LEUNG KIN WANG: (Via interpreter) That is what we judged</p> <p>16 according to our own knowledge. So we judged which zone</p> <p>17 was 70km or 50km. Our staff had to do this manually</p> <p>18 that this particular section was 50km or another</p> <p>19 section 70km and we had to do it every day. If there</p> <p>20 are new road sections, we will have to update our own</p> <p>21 records, and if there are new routes or if there is</p> <p>22 diversion, we will have to update the records ourselves.</p> <p>23 This is what we have to do. Even if we have these speed</p> <p>24 limits for different road sections, we will still have</p> <p>25 to verify that with the black box data so that we know</p>

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<p>1 whether speeding happened in 50km or 70km zones.</p> <p>2 MR ROGER LEE: (Via interpreter) Maybe I can supplement.</p> <p>3 Actually, black box data will let us know the speed of</p> <p>4 the vehicle and the locations, but we will not know</p> <p>5 whether there has been speeding. From the start to the</p> <p>6 end of the journey, the black box will record the time</p> <p>7 at any X, Y, Z location and the speed that was used, and</p> <p>8 when this comes back to the company we have a system:</p> <p>9 knowing the speed limit of a particular road section, we</p> <p>10 superimpose the black box data on that, so we will know</p> <p>11 whether there has been speeding.</p> <p>12 But it takes a long time because we have over 400</p> <p>13 routes and you have two directions for each route and</p> <p>14 there are many, many buses running on these routes.</p> <p>15 That is why it takes a long time.</p> <p>16 As to your second point, the black box is two</p> <p>17 systems. The black box company can use a physical map</p> <p>18 and they can take the speed at any X, Y, Z location.</p> <p>19 This is what they can do but this was not done at that</p> <p>20 time.</p> <p>21 Secondly, the black box companies have suggested</p> <p>22 that if there can be a digital map, a live map, like the</p> <p>23 one from TD, if it has been installed, then the time</p> <p>24 could be much shortened. I think this is what Mr Leung</p> <p>25 was trying to say.</p>	<p>1 the 70 kilometre per hour?</p> <p>2 MR LEUNG KIN WANG: (Via interpreter) We had it since</p> <p>3 an early time. I have been told by some colleagues that</p> <p>4 we started to have this in 2007, but at that time the</p> <p>5 black box data were not as detailed, and in 2013, with</p> <p>6 this latest type of black box, we gathered more data and</p> <p>7 therefore we can conduct a more detailed analysis.</p> <p>8 MR PETER DUNCAN: So, if a bus driver exceeded</p> <p>9 a 50-kilometre speed limit on the first of the month,</p> <p>10 when would the report be compiled in order for you to</p> <p>11 conclude that? How much later?</p> <p>12 MR LEUNG KIN WANG: (Via interpreter) At present, it would</p> <p>13 take four days for the report to be produced, and</p> <p>14 Mr Wong would have received the same report, and Mr Wong</p> <p>15 would deal with it.</p> <p>16 MR PETER DUNCAN: Previously, how long did it take?</p> <p>17 MR LEUNG KIN WANG: (Via interpreter) Ten days, and in the</p> <p>18 more distant past, 14 days. In 2007, it would take even</p> <p>19 longer. At that point, the data from the black box were</p> <p>20 not transmitted through the server, and the physical</p> <p>21 downloading was required, so the time taken would be</p> <p>22 even longer.</p> <p>23 MR PETER DUNCAN: This is what the 37 people have been</p> <p>24 working on?</p> <p>25 MR LEUNG KIN WANG: (Via interpreter) Maybe more, if for</p>
<p>Page 30</p> <p>1 CHAIRMAN: Perhaps I can recapitulate. The black box that</p> <p>2 we can see, looking at it now, tells you the latitude</p> <p>3 and longitude. I think you call that X and Y.</p> <p>4 MR ROGER LEE: Correct.</p> <p>5 CHAIRMAN: The latitude and longitude is what it's described</p> <p>6 by a short form.</p> <p>7 That tells you where the bus is. At that point in</p> <p>8 time, because you get every one second a report of</p> <p>9 speed, you know what the speed of the bus is. The third</p> <p>10 step you take is to work out what the speed zone or</p> <p>11 limit is for that area.</p> <p>12 MR ROGER LEE: Yes.</p> <p>13 CHAIRMAN: So location, speed and then speed limit, and that</p> <p>14 is done manually because you hadn't found out about</p> <p>15 digital maps.</p> <p>16 MR ROGER LEE: Yes.</p> <p>17 CHAIRMAN: How many people have you been employing doing</p> <p>18 this manual job when it could have been done by digital</p> <p>19 map automatically?</p> <p>20 MR ROGER LEE: 37.</p> <p>21 CHAIRMAN: There's your cost-cutting.</p> <p>22 Yes, Mr Duncan.</p> <p>23 MR PETER DUNCAN: Just to clarify, at the risk of some</p> <p>24 repetition: when did the company start producing these</p> <p>25 sorts of reports, that distinguished between the 50 and</p>	<p>Page 32</p> <p>1 downloading of data, you will have to do it on board</p> <p>2 individual vehicles, so it may involve thousands of</p> <p>3 buses and many people at the repair/maintenance section.</p> <p>4 It's a very tedious task. So more than 70 people would</p> <p>5 have been involved. More than 37 people would be</p> <p>6 involved.</p> <p>7 MEMBER LO: Let me ask a question. So this 14 days or four</p> <p>8 days' delay would prevent basically real-time</p> <p>9 operations; right? If a driver taps in using his ID and</p> <p>10 the record is put into the black box, so this</p> <p>11 information is instantaneous, there's no need to go back</p> <p>12 14 days or four days to match it. Isn't that a very</p> <p>13 simple solution to fix it?</p> <p>14 MR LEUNG KIN WANG: Correct, correct, (Chinese words not</p> <p>15 interpreted).</p> <p>16 MEMBER LO: Why isn't that done?</p> <p>17 MR LEUNG KIN WANG: (Via interpreter) We are moving towards</p> <p>18 the same direction so we can have the black box data</p> <p>19 transmitted by the bus captain. One of the items in our</p> <p>20 submission to the committee is on this geo-fencing</p> <p>21 element. That is we will store the information of the</p> <p>22 bus captain in the black box as well. So we have</p> <p>23 a record pertaining to the bus captain and we will know</p> <p>24 on a second-to-second basis which bus captain is driving</p> <p>25 the vehicle.</p>

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<p>1 CHAIRMAN: That is not done at the moment?</p> <p>2 MR LEUNG KIN WANG: No.</p> <p>3 CHAIRMAN: The black box does not record the fact of the</p> <p>4 Octopus card of the captain logging on to take charge of</p> <p>5 that bus?</p> <p>6 MR LEUNG KIN WANG: No.</p> <p>7 MR ROGER LEE: That's why it takes at least ten days</p> <p>8 previously.</p> <p>9 CHAIRMAN: If you can do it briefly, how is the identity of</p> <p>10 the bus captain established? You've got the bus number,</p> <p>11 you've got the speed, you've got the location, you</p> <p>12 manually work out the speed limit. How have you been</p> <p>13 and do you at the moment establish the identity of the</p> <p>14 driver?</p> <p>15 MR LEUNG KIN WANG: (Via interpreter) It's not currently</p> <p>16 done, so we need to match the black box data with the</p> <p>17 terminus records, because through the terminus records</p> <p>18 we know which bus captain drove whatever bus in respect</p> <p>19 of whatever route at the particular time. Then we match</p> <p>20 the time of the records with the black box data, because</p> <p>21 the black box does record time, and then we know at</p> <p>22 a particular time that that bus was driven by</p> <p>23 a particular bus captain.</p> <p>24 MR ROGER LEE: (Via interpreter) Simply put, you have some</p> <p>25 data from the black box and you have some records from</p>	<p>1 received at, say, 5-second intervals, does your company</p> <p>2 provide the technology either in hardware or software to</p> <p>3 facilitate real-time monitoring of the data collected by</p> <p>4 the black box?"</p> <p>5 And his answer is, "Yes".</p> <p>6 Just to put this in context, you have told us at the</p> <p>7 moment, I think, that the data is provided at 30-second</p> <p>8 intervals, but it can be reduced down to 5 seconds? Is</p> <p>9 that a correct understanding?</p> <p>10 MR LEUNG KIN WANG: Yes.</p> <p>11 MR PETER DUNCAN: Thank you.</p> <p>12 Mr Chan continues:</p> <p>13 "So let me see if I get this right. Your company</p> <p>14 supplies the black box, it collects the data, and the</p> <p>15 system is able to transfer that data, say, every five</p> <p>16 seconds, to a defined server?"</p> <p>17 Mr Kulis: Mm-hmm.</p> <p>18 Mr Derek Chan: So as a supervisor, I'm sitting in my</p> <p>19 office, how do I monitor the driver, real-time? Do</p> <p>20 I need additional software, or does your company already</p> <p>21 provide the software for me to do so?</p> <p>22 Mr Kulis: There are two options, we can provide our</p> <p>23 software solution, which consists of the Openmatics</p> <p>24 portal and additional applications on the server side.</p> <p>25 That is one option, but some customers they are</p>
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<p>1 the terminus which is a separate system. Then we have</p> <p>2 the fleet management records. The terminus records are</p> <p>3 about the bus captains, the fleet management records</p> <p>4 about the vehicle, and then we would have to match the</p> <p>5 three sets of data to make the identification. So it</p> <p>6 takes a long time.</p> <p>7 CHAIRMAN: Is the terminus record done automatically through</p> <p>8 a computer by use of the Octopus card of the captain?</p> <p>9 MR LEUNG KIN WANG: (Via interpreter) Yes. That's one of</p> <p>10 the inputs.</p> <p>11 CHAIRMAN: Yes, Mr Duncan.</p> <p>12 MR PETER DUNCAN: Thank you, Chairman.</p> <p>13 I want to move slightly onwards now to another</p> <p>14 topic, not unrelated to this. That's the topic of</p> <p>15 real-time monitoring of the bus captains.</p> <p>16 Just so it's understood what I mean by this, can</p> <p>17 I take you back to the evidence of the gentleman from</p> <p>18 Openmatics, Mr Kulis, which we will find on Day 6 at</p> <p>19 page 158.</p> <p>20 That would be bundle 3, Mr Chairman.</p> <p>21 CHAIRMAN: Thank you.</p> <p>22 MR PETER DUNCAN: If I could ask you to turn to line 14 on</p> <p>23 that page, where Mr Chan, counsel for the commission,</p> <p>24 asks Mr Kulis this question:</p> <p>25 "Now if the data is capable of being transmitted and</p>	<p>1 preferring just to get the data, and they have their own</p> <p>2 IT systems behind. In that case we are just the data</p> <p>3 provider and we don't care about the utilisation or</p> <p>4 operating of that. Utilising that.</p> <p>5 Mr Derek Chan: In this case, KMB, is it the case</p> <p>6 that ZF only works as, as you describe it, a data</p> <p>7 provider, or are you aware of any more advanced use by</p> <p>8 [Kowloon Motor Bus] of your company's real-time</p> <p>9 monitoring capabilities?</p> <p>10 Mr Kulis: I think in this case [Kowloon Motor Bus]</p> <p>11 is the customer, at the current moment, they are using</p> <p>12 their own IT system to handle the data and work with the</p> <p>13 data. But, yes, it's by agreement, we can also change</p> <p>14 it if we want.</p> <p>15 Mr Derek Chan: I see. In your experience, how</p> <p>16 common is it around the world in terms of commercial</p> <p>17 fleet management for the company to monitor the driving</p> <p>18 behaviour of its drivers real-time? How common is that?</p> <p>19 Mr Kulis: I think this is quite a common request.</p> <p>20 Both from the safety and economic reason, the companies</p> <p>21 usually want to monitor the drivers. In some countries</p> <p>22 there is the conflict with the law regulation and</p> <p>23 protecting the driver safety, like in the West European</p> <p>24 countries, sometimes it is not so easy to introduce</p> <p>25 monitoring system, but the demand is always there."</p>

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<p>1 So that's the context in which I want to explore 2 this matter a little further with you, if I may. I want 3 to take it further firstly by referring you to KMB-4, at 4 page 1202. This is an extract from the 2013 annual 5 report. We have seen one of these before. 6 CHAIRMAN: Of KMB? 7 MR PETER DUNCAN: I think the holding company, first of all. 8 CHAIRMAN: Yes. 9 MR PETER DUNCAN: And then Kowloon Motor Bus Company and in 10 fact a number of other subsidiaries also of the listed 11 company. 12 CHAIRMAN: Thank you. 13 MR PETER DUNCAN: So if we look down the list of key 14 corporate executives in the Kowloon Motor Bus Company, 15 you will find the name of one Alok Jain, head of 16 planning and development department. Is that a name 17 which is known to some of you? 18 MR LEUNG KIN WANG: Yes. 19 MR PETER DUNCAN: We can see the position that he held at 20 that time. 21 Are you aware that Mr Jain has provided evidence to 22 the committee? 23 MR LEUNG KIN WANG: Yes. 24 MR PETER DUNCAN: In that respect, I'm going to ask you to 25 turn up, please, bundle FE-1 at page 40. In fact, the</p>	<p>1 (i) Improve safety -- through real-time alerts and 2 feedbacks to bus captains; 3 (ii) Improve fuel efficiency -- through enhanced 4 driving behaviour and performance management; and 5 (iii) Deliver reliable bus services -- through 6 active management of deployment and incident/disruption 7 management. 8 b. There were extensive discussions on type of 9 vehicle and driver performance parameters that will be 10 monitored through this ROM system including their 11 potential benefits. As the telematics data was still 12 available even after the scrapping of the project, there 13 was some level of monitoring but the real value of ROM 14 system was 'real-time' and this capability was 15 sacrificed. This was analogous to a port mortem ..." 16 I will leave out that sentence. 17 Then item (c): 18 "I was not much involved in the discussions 19 pertaining to exact cost implications of the project but 20 through meetings and discussions, was under the 21 impression that the project was planned to deliver 22 a positive ROI. 23 3. Many, if not the most, of the bus companies in 24 the developed world today deploy same or similar 25 functionalities as [Kowloon Motor Bus] had envisioned in</p>
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<p>1 document I wish to show you commences at page 39 of that 2 bundle, and it's a submission that the committee has 3 received from Mr Jain. 4 Have you had the opportunity of reading this 5 submission? 6 MR LEUNG KIN WANG: Briefly, yes. 7 MR PETER DUNCAN: Thank you. 8 If you have read it just briefly, perhaps I could 9 bring your attention, please, to page 40, paragraphs 2 10 and 3. Perhaps for the benefit of others than you and 11 me, I will read those paragraphs out. 12 Mr Jain says in paragraph 2: 13 "Real-time Operational Management (ROM) System was 14 a by-product of installation and telematics devices on 15 board the buses, which has been ongoing by the time 16 I joined the organisation. 17 a. I was involved in many meetings and discussions 18 about the technical specifications, features, technology 19 selection and so on in relation to ROM right after 20 I joined the company. I was not involved in discussions 21 related to funding, tendering and project management. 22 I also cannot remember when exactly the decision to 23 implement was undertaken but was aware that project 24 implementation was in progress. The primary reasons to 25 implement the project were --</p>	<p>1 the ROM system. Even at the time when KMB was drawing 2 up the plans, we were drawing heavily on the experiences 3 from Seoul, Singapore, London and Munich. Media reports 4 or company announcements from other cities have shown 5 clear benefits of such systems in terms of safety, fuel 6 efficiency and driver behaviour. In New Zealand [and 7 the source is the GreenRoad.com website] bus companies 8 achieved 4 per cent reduction in fuel consumptions and 9 81 per cent reduction in speeding infringements. Tower 10 Transit in Singapore achieved more than 7 per cent fuel 11 savings, and halving of 'incidents' of poor driving 12 behaviour. Accidents from collisions fell by half, 13 while accidents caused by bus drivers plunged by 14 70 per cent." 15 So that's the information that Mr Jain provided in 16 writing to the committee. Mr Jain has also given 17 evidence to the committee -- I will simply give you the 18 reference in the bundles; it's transcript bundle 8, and 19 on this topic -- 20 CHAIRMAN: I think it's bundle 3, is it not? 21 MR PETER DUNCAN: I see. It's Day 8 -- bundle 3, I beg your 22 pardon -- and it runs for some pages, 81 to 98. 23 By the way, have you had the opportunity of reading 24 that evidence, Mr Leung? 25 MR LEUNG KIN WANG: Yes, in Chinese.</p>

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<p>1 MR PETER DUNCAN: Thank you. So I won't take you through 2 it, but it amplifies what Mr Jain had said in this 3 submission, which was to the effect that the company had 4 considered a project which would involve real-time 5 monitoring, but according to Mr Jain, that project was 6 scrapped. 7 So what I would like to ask first of all is: do any 8 of you recall discussions pertaining to the possibility 9 of real-time monitoring? 10 MR LEUNG KIN WANG: (Via interpreter) ROM means real-time 11 operations management system. It's not a real-time 12 monitoring system. 13 MR PETER DUNCAN: So it doesn't live up to its name? 14 MR LEUNG KIN WANG: (Via interpreter) It is an operations 15 real-time management system. It is about bus operations 16 management. It has nothing to do with driving safety. 17 MR PETER DUNCAN: First of all, was there a real-time 18 monitoring system considered by the Kowloon Motor Bus 19 Company at some point, referred to by Mr Jain? 20 MR LEUNG KIN WANG: (Via interpreter) This is what we have 21 now. This is the on-board driver's alert and driver's 22 feedback. On board buses, there is a real-time alert to 23 bus captains. 24 (In English) Speeding, when he applies brakes 25 suddenly or with sudden acceleration.</p>	<p>1 saying in his letter and his evidence, what is your 2 understanding of what he was referring to? 3 MR LEUNG KIN WANG: (Via interpreter) I believe he was 4 talking about our real-time operations management 5 system. 6 MR PETER DUNCAN: I think, in that case, I will have to 7 refer you to some of Mr Jain's evidence explicitly. 8 Could I refer you, please, to Day 8, bundle 3 of the 9 transcripts, at page 86. 10 Can I bring your attention, please, to line 9 of 11 page 86. 12 CHAIRMAN: May I suggest that we begin at the top of the 13 page, because this might explain the marriage between 14 the two, the bus grouping and another use that might be 15 made of the data. 16 MR PETER DUNCAN: Certainly, Mr Chairman. So we go to 17 line -- is Mr Chairman referring to page 85 or page 86? 18 CHAIRMAN: You might begin at page 85. I think that puts it 19 into context. 20 MR PETER DUNCAN: Yes. 21 So line 2, Mr Leung, at page 85, Mr Jain says this: 22 "So until then, a lot of data in [Kowloon Motor Bus] 23 was residing in silos in individual departments. They 24 were collecting -- for example, engineering information 25 was available in engineering, operational information</p>
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<p>1 MR PETER DUNCAN: Right. Are you aware that the company at 2 one stage considered the type of system that Mr Kulis 3 referred to in his evidence? 4 MR LEUNG KIN WANG: (Via interpreter) I had knowledge that 5 there was this intention. I knew about it and I also 6 asked ZF that we should have real-time alert to bus 7 captains, that there should be a two-directional 8 communication in order to have real-time alerts sent to 9 bus captains about their behaviour. But at that time, 10 the starting point is not about safety but about keeping 11 distances between vehicles. This is just really for bus 12 operation. 13 MR PETER DUNCAN: So you can see what Mr Kulis has referred 14 to, and that's the concept of somebody receiving 15 information, seeing that a driver is speeding or seeing 16 that he's braking sharply or that he's accelerating, and 17 then making instant communication to the driver as to 18 his driving behaviour. That's what Mr Kulis is 19 referring to. 20 Has the company had a project to consider that sort 21 of facility? 22 MR LEUNG KIN WANG: (Via interpreter) No. 23 MR PETER DUNCAN: Never? 24 MR LEUNG KIN WANG: Never. 25 MR PETER DUNCAN: So your understanding of what Mr Jain was</p>	<p>1 was available in the operations department, and they 2 were all in different systems. The plan was to put this 3 all into a single data warehouse and create a single 4 version of truth. 5 Chairman: What use was to be made of the data 6 contained in this single data warehouse? 7 Mr Jain: So there were three stages. The first 8 stage was to establish the static, what is real, what is 9 happening on ground. The second stage was to put into 10 some level of modeling, where we could use it for 11 planning purposes, in short term. And the third 12 objective, eventually, was to take it into a predictive 13 level, where we could apply statistical tools and do 14 some forward projections. 15 Chairman: What use was to be made of the first 16 step, the real-time? 17 Mr Jain: That was primarily for management 18 information purposes, as well as for any investigations, 19 reporting, so on and so forth. 20 Chairman: Investigations into what? 21 Mr Jain: For example we used to receive a lot of 22 passenger complaints about services, we could go back 23 and look into the data and verify that information. 24 Chairman: So if the complaint had been made that 25 the bus had been driven at an excessive speed and braked</p>

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<p>1 harshly, could that be investigated by analysing the 2 data that had been put into this single data warehouse? 3 Mr Jain: Potentially, yes. 4 Chairman: That's a response to a complaint. Was 5 there any plan to use the data proactively? 6 Mr Jain: So the second stage was where we went into 7 real-time operations management system, because once we 8 built the data models on the historic data we could 9 translate the similar level of information and analyse 10 on a real-time basis, and the idea was of course to 11 monitor the whole operation on a real-time basis using 12 what we normally call an exception management, where 13 anything that goes beyond the threshold of normal 14 operation you start to actively manage it. 15 Chairman: How was it envisaged, if it was, that 16 this approach could address the manner in which a bus 17 was [being] driven? 18 Mr Jain: For example, if any bus that was being 19 driven beyond the parameters that were set as normal 20 operation, then it would raise an alert, and normally 21 the companies, or examples that I have seen around the 22 world, they use this green, amber, red approach. So 23 green is normal operation, anything that goes on the 24 outlines of threshold boundaries it starts to raise the 25 alert [is] an amber, and then of course once it crosses,</p>	<p>1 started but then being scrapped? 2 MR LEUNG KIN WANG: (Via interpreter) It was never scrapped. 3 This project started in October 2014. It has never been 4 terminated. It's ongoing. 5 MR PETER DUNCAN: In that context, just to be absolutely 6 clear, what do you say "this project" is? 7 MR LEUNG KIN WANG: (Via interpreter) This is about the 8 real-time operation management system by using the black 9 box and the availability of real-time location 10 information, so that we can be more efficient in bus 11 deployment. 12 CHAIRMAN: In what way? 13 MR LEUNG KIN WANG: (Via interpreter) For every route, the 14 buses at different locations, frontline people, 15 including the regulator, the officers, will know the 16 locations of the buses at any time. When there's 17 traffic congestion, some of the buses might be stuck in 18 certain location. Such information will allow us to do 19 a better deployment, because we would know that some of 20 the buses might not be able to return very quickly, so 21 deployment can be arranged in a more efficient manner. 22 That's the core of the facility of this real-time 23 management system which would facilitate the work of our 24 officers. 25 MR PETER DUNCAN: Just before we take a break, if I could</p>
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<p>1 it is a red alert. So at that time some intervention is 2 necessary. 3 Chairman: Was it envisaged that this alert raised 4 by a parameter being breached could occur real-time? 5 Mr Jain: The intent certainly at that time was 6 that." 7 Now, that's the passage that I was referring to. 8 What sort of system do you understand Mr Jain to be 9 referring to in that respect? 10 MR LEUNG KIN WANG: (Via interpreter) This is not in our 11 present system. 12 MR PETER DUNCAN: Is that something which you understand to 13 be the equivalent of the real-time monitoring system 14 that Mr Kulis was referring to? 15 MR LEUNG KIN WANG: No. 16 MR PETER DUNCAN: What's the difference? 17 MR LEUNG KIN WANG: (Via interpreter) ROM is real-time 18 operations management. It is about deployment of buses. 19 This has nothing to do with driving safety of bus 20 captains. 21 MR PETER DUNCAN: It would seem that Mr Jain understood it 22 differently. Is that correct? 23 MR LEUNG KIN WANG: (Via interpreter) I agree. 24 MR PETER DUNCAN: When he says that the project, as he 25 understood, was scrapped, do you recall a project being</p>	<p>1 return to Mr Kulis and what he was referring to in the 2 earlier passages to which I brought your attention. 3 That's Day 6, page 158, the same bundle 3. 4 Are you there, at page 158? 5 MR LEUNG KIN WANG: Yes. 6 MR PETER DUNCAN: I brought this to your attention earlier, 7 but at line 25, Mr Chan is asking him questions about 8 this situation: 9 "So as a supervisor ... [sitting in his office 10 monitoring the driver real-time] ..." 11 And implicitly in that, if he sees a problem, 12 communicating with the driver, he says, "You need to 13 change the manner in which you're your driving", that 14 sort of system. 15 First of all, that sort of system is quite 16 different, is it not, to what you had just been 17 adverting to? 18 MR LEUNG KIN WANG: (Via interpreter) Correct. 19 MR PETER DUNCAN: I don't want to confuse terms. If I could 20 refer to that as "real-time driver monitoring". 21 Mr Kulis has referred to the fact that this is quite 22 commonly used in other parts of the world. Have you 23 seen that in his evidence? 24 MR LEUNG KIN WANG: Yes. 25 MR PETER DUNCAN: Is this something which Kowloon Motor Bus</p>

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<p>1 has given consideration to?</p> <p>2 MR LEUNG KIN WANG: Yes.</p> <p>3 MR PETER DUNCAN: What is its position with regard to this?</p> <p>4 Because obviously Kowloon Motor Bus does not apply this</p> <p>5 system at the moment. What is the company's position?</p> <p>6 MR LEUNG KIN WANG: Not practical.</p> <p>7 MR PETER DUNCAN: So you have considered it and decided</p> <p>8 against it; is that the position?</p> <p>9 MR LEUNG KIN WANG: Correct.</p> <p>10 MR PETER DUNCAN: Could you explain to the committee why it</p> <p>11 is not practical?</p> <p>12 MR LEUNG KIN WANG: (Via interpreter) It would mean a lot of</p> <p>13 pressure for bus captains, and we may not have a system</p> <p>14 that can deal with so many bus captains at the same</p> <p>15 time. We have also consulted ZF and Openmatics, and the</p> <p>16 conclusion was that it was not practicable.</p> <p>17 CHAIRMAN: When were these consultations?</p> <p>18 MR LEUNG KIN WANG: (Via interpreter) They were some time</p> <p>19 ago.</p> <p>20 CHAIRMAN: Try and help us a bit more than that. When?</p> <p>21 MR LEUNG KIN WANG: (Via interpreter) It is not very formal</p> <p>22 discussion. We did talk to them, especially to</p> <p>23 Openmatics.</p> <p>24 CHAIRMAN: When?</p> <p>25 MR LEUNG KIN WANG: (Via interpreter) It is not by me. My</p>	<p>1 watch over 4,000 bus captains.</p> <p>2 CHAIRMAN: What did you talk to ZF about?</p> <p>3 MR LEUNG KIN WANG: (Via interpreter) Our design with ZF was</p> <p>4 how to transmit the real-time data to our company and</p> <p>5 how our company's data can produce real-time maps of</p> <p>6 where our bus captains are at any time so that we can</p> <p>7 have more efficient real-time operations management.</p> <p>8 That is the objective of designing the ROM at that time.</p> <p>9 MR ROGER LEE: (Chinese words not interpreted).</p> <p>10 CHAIRMAN: When were these discussions?</p> <p>11 MR LEUNG KIN WANG: (Via interpreter) It was in 2013. When</p> <p>12 we started to install black boxes, we were aware of how</p> <p>13 these black boxes would function.</p> <p>14 MR ROGER LEE: (Via interpreter) I would like to supplement</p> <p>15 here to what the operations director has said. There</p> <p>16 are two views on how to manage the fleet real-time. One</p> <p>17 is that there would be a central management system</p> <p>18 knowing how the vehicles are doing on the roads and then</p> <p>19 a central control room can communicate with the bus</p> <p>20 captains so that the buses would be at a suitable</p> <p>21 distance from one another to ensure smooth operation.</p> <p>22 But there is a big problem here. The real situation</p> <p>23 on the ground, unless you have very accurate information</p> <p>24 about the road conditions with a lot of CCTV monitoring</p> <p>25 the journey, because we are not a railway company, and</p>
<p>1 colleagues discussed the matter with them. We were</p> <p>2 aware of that.</p> <p>3 CHAIRMAN: Who?</p> <p>4 MR LEUNG KIN WANG: I can't recall now.</p> <p>5 CHAIRMAN: Let me give you some time to recall while we take</p> <p>6 a break.</p> <p>7 MR LEUNG KIN WANG: Okay.</p> <p>8 CHAIRMAN: We will take a break for 20 minutes.</p> <p>9 (11.36 am)</p> <p>10 (A short adjournment)</p> <p>11 (11.58 am)</p> <p>12 CHAIRMAN: Yes, Mr Duncan.</p> <p>13 MR PETER DUNCAN: Thank you, Mr Chairman.</p> <p>14 Mr Leung, do you have any further information for us</p> <p>15 as to who it was who spoke to Openmatics on this issue</p> <p>16 and when that was?</p> <p>17 MR LEUNG KIN WANG: (Via interpreter) I asked my colleagues</p> <p>18 to try to understand the situation. It was proposed</p> <p>19 that a supervisor could use a software to monitor the</p> <p>20 performance of each bus captain. We found that it was</p> <p>21 not practical. We will not take this further. We</p> <p>22 talked to ZF about another thing. In other words,</p> <p>23 having one supervisor watching over bus captains, we</p> <p>24 think that is not practicable because we have 4,000 bus</p> <p>25 captains. We cannot have that number of supervisors to</p>	<p>1 the communication with the bus captain would be</p> <p>2 a problem because they are already facing a lot of</p> <p>3 pressure on the road. So that's a worry.</p> <p>4 Now we have the data, and then at the back end we</p> <p>5 have the TER system, involving the regulators, the</p> <p>6 frontline staff at the bus termini. These people know</p> <p>7 the road conditions on the ground. When the bus captain</p> <p>8 reaches the terminus, of course the staff there know to</p> <p>9 what extent there has been a delay, then maybe something</p> <p>10 has to be done to catch up. It's more people-oriented</p> <p>11 as a management approach.</p> <p>12 Bus is different from railway. It would be</p> <p>13 difficult to have a central control system to manage</p> <p>14 4,000 bus captains on the roads. But the data provided</p> <p>15 by Openmatics can facilitate the work of the back-end</p> <p>16 operation, but it is not about a system of managing</p> <p>17 4,000 bus captains.</p> <p>18 CHAIRMAN: Yes. I think we've got that point; you have made</p> <p>19 it about three times.</p> <p>20 Thank you, Mr Duncan.</p> <p>21 MR PETER DUNCAN: Thank you, Chairman.</p> <p>22 Mr Lee, I am sorry, but I had the impression before</p> <p>23 the break that with regard to the real-time driver</p> <p>24 monitoring system that Mr Kulis was talking about --</p> <p>25 I had the impression from you that somebody in the</p>

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<p>1 company had spoken to Openmatics about that. Are you 2 saying that that has actually not happened? 3 MR LEUNG KIN WANG: (Via interpreter) We did discuss with 4 Openmatics about their black box. As regards the 5 software that would enable a supervisor to manage the 6 fleet, that was not discussed and we will not consider 7 doing that. 8 MR PETER DUNCAN: So you have decided against a real-time 9 driver monitoring system because it is not practical? 10 MR LEUNG KIN WANG: (Via interpreter) If we have a system 11 whereby a supervisor would be monitoring the bus 12 captains, we are of the view that it is not practicable. 13 If you take a look at ZF's reference to Western 14 countries, and then also for safety or commercial 15 reasons some of them have done this. We have had some 16 internal discussions. It's about whether we can 17 retrofit some vehicles to do the same, for example 18 vehicles to transport the coins or fueled vehicles, we 19 will consider whether those can be refitted to do the 20 same. 21 But we are not talking about buses, and he was also 22 talking about much smaller bus companies, not the bigger 23 ones like us. 24 CHAIRMAN: Who is "he"? 25 MR LEUNG KIN WANG: (Via interpreter) It's in the evidence,</p>	<p>1 some of the presentations and I knew about the concepts 2 behind and how real-time information could be made use 3 of to facilitate operations. 4 After I took over as operations director, I knew the 5 relevant programme in much more detail, and in 2016, 6 when I formally took over as head of operations, I knew 7 that there was a real-time operation management system 8 which was ongoing. I realised at that time that there 9 were real-time maps to show the locations of buses which 10 would facilitate the deployment of our fleet. It was in 11 January 2016 when I took over as head of operations. 12 At the same time, I realised that the project would 13 involve another function, that is a substitute for TER, 14 a substitute of the function of the TER system. The TER 15 is about the operations at the bus termini. When a bus 16 captain arrives, he would report for duty and start the 17 driving duty and then when he returns he also reports to 18 the terminus and we will know the time of arrival and 19 then the regulator can do the deployment duties based on 20 the information collected. 21 One of the proposed ROM functions was to replace the 22 TER, in that there will be a central control room to 23 remotely deploy bus captains and assign duties to 24 different routes and to adjust the headways, the 25 frequency of service, and also to receive reports from</p>
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<p>1 the representative of Openmatics. 2 CHAIRMAN: I see. You are referring to Mr Kulis, are you? 3 MR LEUNG KIN WANG: Correct. 4 CHAIRMAN: Thank you. 5 MR PETER DUNCAN: I'm sorry to have to go back to Mr Jain's 6 evidence, Mr Leung, but with regard to the project that 7 he described and in respect of which you seem to have 8 a different understanding from Mr Jain, were you 9 involved in that project to which he refers? 10 MR LEUNG KIN WANG: Yes. 11 MR PETER DUNCAN: I need, I think, to take you to another 12 part of his evidence, at Day 8, which will be in 13 bundle 3, and this time at page 89. 14 Before I take you to the evidence, perhaps you could 15 just describe to members of the committee what your 16 involvement in this project was. 17 MR LEUNG KIN WANG: (Via interpreter) This project was 18 considered in 2013. I was responsible for bus 19 maintenance at that time. I participated in some of the 20 presentations. It's because of the availability of 21 black box as a technology to help the company to develop 22 the bus operations. At that time, the company also 23 engaged a consultancy firm, and some recommendations 24 were made to KMB. I was responsible for managing people 25 in maintenance and repair, but I was also involved in</p>	<p>1 bus captains regarding breakdowns, accidents, and 2 matters relating to passengers. Under the proposed 3 design, it would be centrally managed. 4 MR PETER DUNCAN: Thank you, Mr Leung. 5 I want to bring to your attention, please -- 6 CHAIRMAN: Before you do that, Mr Duncan, before you pose 7 that question -- Mr Leung, in the course of your answer, 8 you said that the issue of the availability of black box 9 data was considered and consultants had been engaged. 10 What were they asked to do? 11 MR LEUNG KIN WANG: (Via interpreter) He was asked to look 12 into service delivery and service enhancement and to 13 make recommendations. 14 CHAIRMAN: Would that include avoiding, for example, 15 bunching up of buses? Is that what he was engaged for? 16 MR LEUNG KIN WANG: It's consultant services for operations 17 transformation. 18 CHAIRMAN: But dealing with service issues like bunching up 19 of buses? 20 MR LEUNG KIN WANG: Yes. 21 CHAIRMAN: Thank you. 22 Yes, Mr Duncan. 23 MR PETER DUNCAN: Thank you, Chairman. 24 The portion of Mr Jain's evidence to which I wish to 25 bring your attention, Mr Leung, is at page 89 of the</p>

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<p>1 transcript, Day 8. I think you have that in front of 2 you.</p> <p>3 At line 14, Ms Wong, counsel for the committee, asks 4 this question of Mr Jain:</p> <p>5 "Is it the case that throughout the time you joined 6 the company until the time you left, you were involved 7 in this ROM project?"</p> <p>8 Mr Jain: I wouldn't say until the time I left, but 9 during that period when it was being discussed as a part 10 of implementation process, yes, I was involved in the 11 project very actively.</p> <p>12 Ms Wong: And I notice in (i) of that paragraph (a) 13 you stated that the primary reasons to implement the 14 project were to improve safety through real-time alerts 15 and feedbacks to bus captains.</p> <p>16 The feedbacks to bus captains, can you tell us 17 whether it is intended to be real-time feedback or a 18 reactive feedback to bus captains after the complaint 19 has been received.</p> <p>20 Mr Jain: There were two things that happened. The 21 idea was to develop a two-way communication system 22 between the bus itself and the operation control centre, 23 and the bus drivers were supposed to have what we call 24 a DDU, driver display unit, and through this DDU there 25 are two ways to intervene with a driver. One is done at</p>	<p>1 Mr Jain: Well, display was almost there, and audio 2 was considered as an additional possibility.</p> <p>3 Chairman: Was audio going to be by radio or by some 4 other means?</p> <p>5 Mr Jain: Primarily by radio, or even 3G 6 communication. We had not gone that far, I think, at 7 that time.</p> <p>8 Ms Maggie Wong: You mentioned there were many 9 meetings or discussions about this ROM features. Can 10 you recall if there are minutes or documents recording 11 what was discussed?</p> <p>12 Mr Jain: There were a lot of presentations, if I 13 recall, and there were e-mails post meeting summarising 14 what was discussed, the key agenda, or key tasks to be 15 [borne] by respective people. But as formal minutes, as 16 we know them, I cannot recall if they were prepared."</p> <p>17 Now, you see that evidence, Mr Leung. It would 18 appear that Mr Jain's description of the project is 19 totally at odds with your understanding of the project. 20 Is that correct?</p> <p>21 MR LEUNG KIN WANG: Correct.</p> <p>22 MR PETER DUNCAN: Do you have any idea of any project that 23 was being undertaken in the company with regard to the 24 type of response to the drivers to which Mr Jain was 25 referring?</p>
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<p>1 the bus level where the bus, you can pre-programme the 2 parameters that bus -- any time transcends, it creates 3 an alert for the driver.</p> <p>4 The second level of alert could be triggered by 5 somebody sitting in the operation control centre. Let's 6 say, for example, if a bus is running too fast, but 7 still within the speed limit, and the on-board device 8 does not detect any anomaly. However, at the OCC, 9 a supervisor detects that on a particular section the 10 bus driver, probably because of weather conditions or 11 because of any accident or road conditions, they should 12 be driving slower, then a supervisor can technically 13 intervene and alert the driver or remind the driver to 14 go slow in that section.</p> <p>15 So there are two levels of interventions that can be 16 done.</p> <p>17 Chairman: On the second intervention, that is the 18 supervisor in the OCC, how would he communicate his 19 intervention to the driver?</p> <p>20 Mr Jain: So we had many options being discussed at 21 the time. We were talking about just a display system. 22 The second was we were also talking about an audio 23 system.</p> <p>24 Chairman: So there were two possibilities. One was 25 through the display system or otherwise by audio?</p>	<p>1 MR LEUNG KIN WANG: (Via interpreter) Right now we don't 2 have any such project going on. At present, the ROM 3 does not have this function.</p> <p>4 CHAIRMAN: You were asked about at that time, when Mr Alok 5 Jain was in the company. Was there any such project 6 going on that you are aware of, perhaps not the one 7 you've told us about?</p> <p>8 MR LEUNG KIN WANG: No.</p> <p>9 MR PETER DUNCAN: Mr Jain at line 19 on page 91 has referred 10 to "presentations". You also had referred to 11 presentations, I think, in your evidence earlier, with 12 regard to the same ROM project. Do those presentations 13 still exist?</p> <p>14 MR LEUNG KIN WANG: I have to find out.</p> <p>15 MR PETER DUNCAN: I would be grateful if you could look 16 further into that, so the committee can view 17 presentations, emails, and so on, regarding the ROM 18 project at the time that Mr Jain was at the company. 19 Could you have somebody explore that for us?</p> <p>20 MR LEUNG KIN WANG: Yes.</p> <p>21 CHAIRMAN: Thank you.</p> <p>22 MR PETER DUNCAN: Just before we leave this --</p> <p>23 CHAIRMAN: Before we move on, Mr Duncan.</p> <p>24 MR PETER DUNCAN: Thank you.</p> <p>25 CHAIRMAN: In that context -- this was a matter that arose</p>

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<p>1 earlier -- would you provide us with information as to 2 the company system of the preservation of these kinds of 3 records? Mr Duncan has already mentioned the 4 preservation of emails, but of other records. In this 5 case, we are talking about presentations. Could we have 6 some information about what the company policy is? Not 7 necessarily now but when you come back to us. 8 MR LEUNG KIN WANG: (Via interpreter) I would like to add 9 one point. With regards to ROM, we do have the entire 10 ROM proposal for October 2014. We have it here. It 11 talks about what the ROM is for. Some parts are about 12 using the central control room to replace regulators, 13 but it was not done because I thought that it was not 14 practical. And it was not discussed by the board of 15 directors. 16 So if you are talking about the ROM, the information 17 is here. What the ROM is, it is here. I can submit it 18 to the IRC so you will know what the ROM is. As I was 19 saying, ROM is real-time operations management system, 20 which has nothing to do with driving safety. 21 CHAIRMAN: We understand your evidence. We also have 22 Mr Alok Jain's evidence, and clearly he speaks about 23 what you are talking about, but he also speaks about 24 another allied use of the data. The data is generated 25 for one purpose but could be used for another. That's</p>	<p>1 other words, on the dashboard, there will be an audio 2 alert if there is speeding beyond 50km or 70km. 3 This was started on 31 July. That is, a trial was 4 started. And on the day before yesterday, we submitted 5 papers to explain to you that this was being done. 6 MR PETER DUNCAN: Yes. That covers speed. What about 7 excessive braking, excessive acceleration, other aspects 8 of the driver's behaviour that might constitute unsafe 9 driving? 10 MR ROGER LEE: (Chinese words not interpreted). 11 CHAIRMAN: Forgive me, are you putting your question in the 12 context of real-time information? 13 MR PETER DUNCAN: Yes, real-time driver monitoring. 14 CHAIRMAN: May I invite you to rephrase it with that 15 included? 16 MR PETER DUNCAN: Certainly. 17 Has the company taken any steps in respect of 18 real-time driver monitoring with regard to matters other 19 than speed, specifically matters such as harsh braking, 20 excessive acceleration? 21 MR ROGER LEE: (Via interpreter) Today, on board the buses, 22 sudden acceleration and harsh braking are already 23 subjects of alert sent to bus captains. We already have 24 it today. But in this past period, we discovered that 25 apart from Openmatics, passengers should be alerted as</p>
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<p>1 what we are asking about. But we will happily receive 2 the material that you have. 3 Mr Duncan. 4 MR PETER DUNCAN: Thank you, Mr Chairman. 5 Just before I leave this topic, Mr Leung -- and I'm 6 talking about real-time driver monitoring, you 7 understand; that's the system that Mr Kulis was 8 referring to -- I understand your position, that you say 9 it's just not practical. What I do want to have clearly 10 understood is how far the company has looked into this. 11 You mentioned some discussions with Openmatics but 12 with regard to other sorts of vehicles. Has the company 13 undertaken any study at all as to how this system is 14 engaged, for example, in Western European countries as 15 per the evidence of Mr Kulis? 16 MR ROGER LEE: (Via interpreter) Let me answer the question 17 Yes, on Tuesday, we said that some colleagues went to 18 Northern Ireland to learn about this, and talking about 19 Openmatics and real-time systems. 20 In the past, when bus captains drove, they knew 21 whether they were speeding, and today, when the 22 speedometer points to 70 kilometres, he will be 23 reminded. At present, Openmatics and our company are 24 doing a study. There will be speed limits set on the 25 map; whether it is 50km or 70km, it will be seen. In</p>	<p>1 well because we have found that apart from elderly 2 people, young people may be using their handphones and 3 they may have accidents caused to them when there is 4 sudden acceleration or harsh braking. 5 We have done a lot in order to avoid those 6 accidents. My colleagues, say along Cheung Sha 7 Wan Road, we have done something to distribute leaflets 8 there to remind people that they should not concentrate 9 on their mobile phones when they travel on buses. 10 As for Openmatics, we have done something as well 11 and we are working on geo-fencing. We are testing it 12 out on our fleet. But this is a little complicated, 13 because the vehicle itself has a speed and then the 14 black box would identify the location of the bus and 15 what the speed should be, and number three, it is 16 geo-fencing. This will feed the information back to the 17 vehicle. This is electronic. Say, for example, the 18 brake, the gas pedal, and how this is controlled -- 19 well, we are going in that direction. 20 We can give you supplementary information but this 21 is being done. 22 MR PETER DUNCAN: Yes. I think we understand that, Mr Lee, 23 and thank you for that. But my question is specifically 24 aimed at the system that Mr Kulis was describing, where 25 there is active supervision within a central control</p>

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<p>1 unit of a driver's speed and other aspects of his 2 driving.</p> <p>3 I have asked Mr Leung about that and he says, "No, 4 it's not practical; it's been considered and we are not 5 doing it."</p> <p>6 My question is what investigations, if any, has the 7 company conducted with regard to how that system is 8 incorporated in other jurisdictions and whether, 9 therefore, it might be suitable in Hong Kong?</p> <p>10 MR LEUNG KIN WANG: (Via interpreter) Let me say something 11 else about this issue. Technological advance is such 12 that if we can have data to know whether a bus captain 13 is speeding and if the information can be seen real-time 14 and can be transmitted real-time and so we can identify 15 the bus captains -- well, we will be able to take care 16 of all the problems we thought we might have. So it 17 depends on technological advance. We hope technology 18 can help us. That is why now we have the 30-second 19 interval. We hope it will be reduced to 10 seconds and 20 maybe down to 2 seconds, 1 second. This is about 21 technology. We wait for this to happen.</p> <p>22 MR PETER DUNCAN: I don't think you have answered my 23 question, but I conclude from that that you have done 24 very little about what I had asked about, because you 25 believe there are better ways of achieving it through</p>	<p>1 not practical?</p> <p>2 MR LEUNG KIN WANG: (Via interpreter) At that time, the 3 decision not to do it was based on the fact that it was 4 not practicable, but later on, if there is a practicable 5 real-time monitoring system, we will be very happy to 6 adopt it.</p> <p>7 MR PETER DUNCAN: But it is not something which the company 8 is currently considering; is that correct?</p> <p>9 MR LEUNG KIN WANG: (Via interpreter) For the time being, we 10 cannot see a practicable solution. If there is one, we 11 would be very happy to adopt it immediately.</p> <p>12 MR PETER DUNCAN: Mr Lee, a few moments ago, mentioned the 13 matter of passengers on the bus. I'm going to move to 14 an aspect of passengers. That's the question of 15 passenger behaviour on your buses.</p> <p>16 I think you are aware that the committee has heard 17 that it is a daily occurrence almost that your drivers 18 will be subjected to verbal and sometimes even physical 19 abuse. Is that a fair summary of the present 20 unfortunate situation?</p> <p>21 MR ROGER LEE: Yes.</p> <p>22 MR PATRICK PANG: (Via interpreter) Let me respond to this 23 question. Yes, indeed it is.</p> <p>24 MR PETER DUNCAN: I'm going to ask you, please, to turn to 25 bundle KMB-1 at page 203.</p>
<p>1 different technology. Is that a fair summary of the 2 situation?</p> <p>3 MR LEUNG KIN WANG: (Via interpreter) What I mean is if 4 technology will allow us to have real-time monitoring -- 5 you are talking about monitoring -- not real-time assist 6 or real-time alert but real-time monitoring, that 7 someone can be watching over the bus captains. Just now 8 we talked about Western countries where a supervisor 9 will be watching over a bus captain, for safety reasons, 10 for commercial reasons. But talking about our buses, we 11 have 4,000 of them. 90 per cent of the bus captains are 12 competent and safe drivers. Do we have to have 3,999 13 people watching over 4,000 drivers? That is a technical 14 issue.</p> <p>15 If technology can help us, say two persons can watch 16 over 4,000 bus captains and if every bus captain drives 17 well, then I will be embracing that system.</p> <p>18 MR PETER DUNCAN: So because of those matters, the matter 19 has not been explored; is that the situation? You have 20 simply concluded it is not practical so it would be 21 a waste of time exploring it?</p> <p>22 MR LEUNG KIN WANG: (Via interpreter) We have an open mind.</p> <p>23 MR PETER DUNCAN: I'm sorry but when you say you have 24 an open mind, is it something that is on the table for 25 your consideration, or have you concluded that it's just</p>	<p>1 At this page, we will see a letter from the 2 committee to the company, dated 20 July this year. If 3 I could remind you that the letter seeks further 4 information with regard to physical assaults on bus 5 captains. In paragraphs 2 to 4, which you will see on 6 page 204, you are requested to supply details pertaining 7 to five particular assault cases. Do you see those 8 references?</p> <p>9 MR PATRICK PANG: (Via interpreter) Yes, I can see them.</p> <p>10 MR PETER DUNCAN: Thank you.</p> <p>11 If you then turn to page 212 of the bundle, you will 12 see the response from the company, and the number of 13 statistics relating to assault cases which occurred 14 between the period of January 2015 to 22 July 2018.</p> <p>15 At page 218 -- I'm looking at the translation -- you 16 will see particulars of the five cases to which the 17 committee have referred in its letter. Those cases 18 having existed -- the dates were all in the month of 19 April of this year.</p> <p>20 Are you at page 218?</p> <p>21 MR PATRICK PANG: Yes.</p> <p>22 MR PETER DUNCAN: Thank you. Of those five cases, if we 23 look at the "Penalty/Imprisonment" column there, we see 24 that the first two are classified as "Not pursued by 25 police", and we see the last referred to as "Still under</p>

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<p>1 investigation".</p> <p>2 MR PATRICK PANG: (Via interpreter) That's correct.</p> <p>3 MR PETER DUNCAN: At items 3 and 4, we have the defendant</p> <p>4 having pleaded guilty in each case, and having been</p> <p>5 fined \$3,000 and \$1,000 respectively.</p> <p>6 Are you aware that the maximum term of imprisonment,</p> <p>7 maximum term of sentence that a magistrate can award for</p> <p>8 a case of common assault is a fine of up to \$100,000 and</p> <p>9 imprisonment for six months? Are you aware of that?</p> <p>10 MR PATRICK PANG: (Via interpreter) Yes.</p> <p>11 MR PETER DUNCAN: It would be fair to say, would it not,</p> <p>12 that in the light of those maximum sentences, these</p> <p>13 particular sentences seem to be rather light; would you</p> <p>14 agree with that?</p> <p>15 MR PATRICK PANG: (Via interpreter) I agree.</p> <p>16 MR PETER DUNCAN: Is this something of a problem that -- is</p> <p>17 this seen by the company as something of a problem, the</p> <p>18 lightness of these sentences?</p> <p>19 MR PATRICK PANG: (Via interpreter) This is, to us, one of</p> <p>20 the problems and one of our concerns.</p> <p>21 MR PETER DUNCAN: I wonder, please, if you could look at</p> <p>22 page 293 of the same bundle. This is a translation of</p> <p>23 a document which you will see, I think, around about</p> <p>24 page 286.</p> <p>25 MR PATRICK PANG: (Via interpreter) I can see that.</p>	<p>1 cases, and requested that the Hong Kong Police may</p> <p>2 prosecute the suspects in accordance with section 13A of</p> <p>3 the Regulations (the relevant statements are attached</p> <p>4 herewith for your reference) ..."</p> <p>5 And the various cases are set out. I pick up the</p> <p>6 letter again on page 294:</p> <p>7 "Subsequently, our company had written to the</p> <p>8 Hong Kong Police to enquire the developments of the</p> <p>9 above cases, but were told by the Hong Kong Police that</p> <p>10 the offenders involved in the cases were only prosecuted</p> <p>11 for common assault (the relevant letters exchanged with</p> <p>12 the Hong Kong Police in respect of the cases ... are</p> <p>13 attached herewith).</p> <p>14 Recently, when our company met with the frontline</p> <p>15 bus captains, the captains have repeatedly indicated</p> <p>16 their wishes that the Hong Kong Police would strictly</p> <p>17 enforce section 13A of the Regulations to warn people</p> <p>18 who affect bus service operations, or even the offenders</p> <p>19 who attack our staff.</p> <p>20 In this regard, we now earnestly request that the</p> <p>21 Hong Kong Police do, in future cases of assaults on bus</p> <p>22 captains, seriously consider charging the offenders</p> <p>23 under section 13A of the Regulation, in addition to the</p> <p>24 charge of common assault. Our company will definitely</p> <p>25 cooperate with the Hong Kong Police to offer our</p>
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<p>1 MR PETER DUNCAN: Reading from the translation at page 293</p> <p>2 is this a letter which is dated -- you can see the date</p> <p>3 under the signature of the Kowloon Motor Bus legal</p> <p>4 department -- 8 March 2018, under the heading, "Multiple</p> <p>5 Cases of Assault on Bus Captains"?</p> <p>6 MR PATRICK PANG: (Via interpreter) Correct.</p> <p>7 MR PETER DUNCAN: Is it addressed to the police force and in</p> <p>8 particular to the Commissioner of Police?</p> <p>9 MR PATRICK PANG: (Via interpreter) That's correct.</p> <p>10 MR PETER DUNCAN: Does the second paragraph of the letter</p> <p>11 read this:</p> <p>12 "In May last year, we wrote to the Police expressing</p> <p>13 that our bus captains had been assaulted one after</p> <p>14 another. Upon considering the relevant cases, we found</p> <p>15 that certain offenders not only committed the offence of</p> <p>16 common assault but were also likely to be in violation</p> <p>17 of section 13A(1)(c) of the Public Bus Services</p> <p>18 Regulations ... no passenger or intending passenger</p> <p>19 shall wilfully do or cause to be done with respect to</p> <p>20 any part of the bus or its equipment, anything which --</p> <p>21 (i) obstructs or interferes with the workings of the bus</p> <p>22 or cause damage: or (ii) causes injury, discomfort,</p> <p>23 annoyance or inconvenience to any other person.</p> <p>24 As such, our company had specially sent our staff to</p> <p>25 the police station to provide evidence for the following</p>	<p>1 assistance. If you have any enquiries concerning the</p> <p>2 above matters, please feel free to contact our</p> <p>3 Counsel ..."</p> <p>4 Then at page 296 do we see the response from the</p> <p>5 police dated 17 May:</p> <p>6 "I acknowledge receipt ...", the first paragraph,</p> <p>7 then the second paragraph:</p> <p>8 "Regarding the follow-up action of the meeting with</p> <p>9 your company on 28 March, you are hereby notified that</p> <p>10 the division has notified the regions in writing to</p> <p>11 remind the frontline staff to be fair and professional</p> <p>12 when handling the cases of assault or harassment of bus</p> <p>13 captains, and shall understand the nature of the case</p> <p>14 and the injury of the injured to properly categorise the</p> <p>15 case and seriously consider whether Public Bus Services</p> <p>16 Regulations ... of the Laws of Hong Kong should apply."</p> <p>17 A few questions arising from that correspondence, if</p> <p>18 I may. First of all, with regard to assaults on your</p> <p>19 drivers, have the police instituted any prosecutions</p> <p>20 since 17 May this year?</p> <p>21 MR PATRICK PANG: (Via interpreter) Not that I'm aware of.</p> <p>22 MR PETER DUNCAN: So we don't know as yet whether the police</p> <p>23 have heeded the request to charge under the regulations;</p> <p>24 we have yet to find that out?</p> <p>25 MR PATRICK PANG: No.</p>

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<p>1 MR PETER DUNCAN: But do I understand that to date that has 2 not been the practice at all?</p> <p>3 MR PATRICK PANG: Sorry, you mean prosecution under 230A?</p> <p>4 MR PETER DUNCAN: Yes.</p> <p>5 MR PATRICK PANG: (Via interpreter) From the records of the 6 company, I would say there has never been a case 7 invoking Cap 230A for a prosecution.</p> <p>8 MR PETER DUNCAN: Are you aware that the maximum penalty 9 provided for by the regulations is a fine of \$3,000 and 10 six months' imprisonment?</p> <p>11 MR PATRICK PANG: (Via interpreter) I know that.</p> <p>12 MR PETER DUNCAN: So what is the point of asking the police 13 to prosecute under a section which carries a maximum 14 penalty less than that for common assault?</p> <p>15 MR PATRICK PANG: (Via interpreter) The company is of the 16 view that in respect of cases like common assault, the 17 investigation by the police is a difficult process. If 18 Cap 230A is invoked in the investigation or in the 19 prosecution, it would be relatively easier to prove the 20 offence or the offending act.</p> <p>21 We also hope that those who abuse or attack our bus 22 captains, those passengers would be made known that 23 there is this regulation, Cap 230A, in regard to 24 passengers' behaviour, and it doesn't take physical 25 abuse or physical contact to constitute a breach, and</p>	<p>1 (c) willfully do or cause to be done with respect to 2 any part of the bus or its equipment anything which: 3 (i) obstructs or interferes with the workings of the 4 bus or causes damage; or 5 (ii) causes injury, discomfort, annoyance or 6 inconvenience to any other person."</p> <p>7 Is that the regulation you have in mind?</p> <p>8 MR PATRICK PANG: (Via interpreter) Yes, Mr Duncan.</p> <p>9 MR PETER DUNCAN: Just going back to the question of 10 assaults, have you at any stage asked the police to 11 bring to the attention of the magistrates the prevalence 12 of this behaviour of passengers?</p> <p>13 MR PATRICK PANG: (Via interpreter) Yes, we did, Mr Duncan 14 That is why, on 28 March, Mr Leung, our head of the 15 legal department, myself and another colleague 16 responsible, another manager, responsible for traffic 17 accident and investigation, we initiated to go to the 18 police headquarters to meet with a chief superintendent 19 and his superintendent. We discussed for an entire 20 morning, to express what our company and other public 21 bus operators are concerned about.</p> <p>22 At that meeting, we gave a lot of figures to the 23 police, because we felt that if you just looked at the 24 figures, we would be concerned.</p> <p>25 Allow me to use a little time. With regard to</p>
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<p>1 the spirit behind Cap 230A is that the behaviour of 2 passengers can sometimes go against the law.</p> <p>3 MR PETER DUNCAN: So are you of the view that it would be 4 easier to establish an offence under the regulations 5 than it would to prove common assault?</p> <p>6 MR PATRICK PANG: (Via interpreter) I think we have to leave 7 this question to the police, but as a public bus service 8 provider, since we have a piece of legislation which is 9 there to protect the bus company and our frontline 10 colleagues, then why don't we try to use this regulation 11 to institute prosecutions?</p> <p>12 MR PETER DUNCAN: I'm going to ask for that regulation to be 13 pulled up, just so that we understand exactly what it 14 contains. The regulations are in the bundles.</p> <p>15 CHAIRMAN: Whilst that's being done, Mr Pang, the offence is 16 wider, is it not, under the regulation? The conduct 17 that it catches is wider?</p> <p>18 MR PATRICK PANG: Yes, Mr Chairman.</p> <p>19 MR PETER DUNCAN: I think we've found them, Mr Chairman, at 20 THB-2, page 132.</p> <p>21 CHAIRMAN: Thank you.</p> <p>22 MR PETER DUNCAN: So 13A(1)(c), which is the regulation you 23 have in mind, reads: 24 "No passenger or intending passenger shall -- 25 ...</p>	<p>1 assault on bus captains, in 2017 there were 35 cases 2 only, but in 2018, up till 27 July, there were 41 cases 3 already. We could see that the situation is 4 deteriorating. That is why we hope the police could 5 seriously conduct in-depth investigations into such 6 cases, so as to allow our bus captains to drive in 7 a safe environment.</p> <p>8 CHAIRMAN: Are the figures that you gave the chief 9 superintendent at this meeting the same figures that 10 you've given us for those periods, 2017, 2018?</p> <p>11 MR PATRICK PANG: (Via interpreter) Mr Chairman, on 12 28 March, our figures were only up to the month of March 13 but --</p> <p>14 CHAIRMAN: We are aware of that. But in other respects, 15 were they the then current figures that we've got?</p> <p>16 MR PATRICK PANG: (Via interpreter) That is correct, 17 Chairman.</p> <p>18 CHAIRMAN: Did you give them the same data, in the same 19 format, that we've got?</p> <p>20 MR PATRICK PANG: (Via interpreter) I should have done so.</p> <p>21 CHAIRMAN: And did you go back -- because we asked you to 22 provide these figures -- as far as 2015, in the figures 23 you gave the police?</p> <p>24 MR PATRICK PANG: (Via interpreter) Yes, we did.</p> <p>25 CHAIRMAN: One looks at those figures. No one has been</p>

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<p>1 imprisoned in all that time, have they?</p> <p>2 MR PATRICK PANG: (Via interpreter) That is correct,</p> <p>3 according to our records.</p> <p>4 CHAIRMAN: Yes, Mr Duncan.</p> <p>5 MR PETER DUNCAN: What sort of response did you receive from</p> <p>6 the police?</p> <p>7 MR PATRICK PANG: (Via interpreter) At that meeting, on</p> <p>8 28 March, I could see that the police were also</p> <p>9 concerned. The chief superintendent promised at the</p> <p>10 meeting that he would issue guidelines to the frontline</p> <p>11 policemen to first allow them to seriously investigate</p> <p>12 into all alleged assaults, and he would remind his</p> <p>13 frontline staff to see whether there would be cases</p> <p>14 where Cap 230A could be applied for investigation and</p> <p>15 prosecution.</p> <p>16 MR PETER DUNCAN: By bringing these matters to the attention</p> <p>17 of the police, what were you trying to achieve?</p> <p>18 MR PATRICK PANG: (Via interpreter) Our objectives are</p> <p>19 simple. We don't want our frontline bus captains to</p> <p>20 continue to be subject to excessive abuse. This is our</p> <p>21 objective.</p> <p>22 Or, Mr Duncan, if you would allow me, Mr Chairman,</p> <p>23 to respond to your question: actually, common assault</p> <p>24 and Cap 230A -- now, why do we also want to bring in Cap</p> <p>25 230A? Please allow me to cite an example.</p>	<p>1 away. The bus captain suspected and in fact he heard</p> <p>2 some kicks against the bus body, and the bus captain</p> <p>3 suspected that, one, the men switched off the "off</p> <p>4 engine" button near the end of the bus body, but the</p> <p>5 four men ran away, and since there were passengers on</p> <p>6 the bus, the bus captain boarded the bus again and</p> <p>7 re-started the engine and then he continued with the</p> <p>8 journey.</p> <p>9 Then, about 15/20 minutes later, after he went to</p> <p>10 the terminus and then he went back to the traffic light</p> <p>11 at Tat Chee Avenue in Yau Yat Chuen, the bus driver</p> <p>12 stopped because of the traffic lights, and then suddenly</p> <p>13 the bus company discovered that the engine was switched</p> <p>14 off. Then, from his rear view mirror, he saw those four</p> <p>15 men again. The bus captain alighted from the bus again,</p> <p>16 and again he found that the engine button was pushed so</p> <p>17 it was switched off, and then the four men ran away; he</p> <p>18 could not apprehend them. The bus captain immediately</p> <p>19 informed our inspector on duty and reported to the</p> <p>20 police.</p> <p>21 After the police came on the scene to understand the</p> <p>22 incident, that policeman classified the case as</p> <p>23 "dispute". The bus went back to the depot and that was</p> <p>24 it for the day.</p> <p>25 I would like to point out that cases like this one</p>
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<p>1 CHAIRMAN: It's obvious, looking at it. It's very wide, is</p> <p>2 it not?</p> <p>3 MR PATRICK PANG: (Via interpreter) Chairman, can you please</p> <p>4 allow me to mention a case which is very recent? If Cap</p> <p>5 230A was applied, our bus captains' work would be made</p> <p>6 more safe and more efficient.</p> <p>7 CHAIRMAN: Certainly. Please do so.</p> <p>8 MR PATRICK PANG: (Via interpreter) The case happened on</p> <p>9 29 July. I can tell you the gist of what happened. It</p> <p>10 was around 11 pm. Four male passengers who were in</p> <p>11 their 20s boarded a bus. They did not pay the full</p> <p>12 fare. At that time, the bus captain asked them to pay</p> <p>13 up the full fare, but the four men did not pay any</p> <p>14 regard to the bus captain. The bus captain continued</p> <p>15 with his driving because there were other passengers.</p> <p>16 When he was at Festival Walk and Yau Yat Chuen, where</p> <p>17 passengers disembarked, these four men also wanted to</p> <p>18 disembark, and then the bus captain asked them to pay</p> <p>19 again.</p> <p>20 The four men paid no regard to the bus captain and</p> <p>21 they disembarked from the bus. Then the bus captain --</p> <p>22 at that time, the engine was running but the bus captain</p> <p>23 suddenly found that the bus broke down; the engine was</p> <p>24 in an off position. The bus captain immediately</p> <p>25 alighted from the bus and he saw the four men running</p>	<p>1 showed clearly, very clearly, that Cap 230A could have</p> <p>2 been contravened, but in the end, the case was just</p> <p>3 classified as "dispute".</p> <p>4 I therefore very much hope that in protecting the</p> <p>5 personal safety of bus captains and in ensuring the</p> <p>6 provision of efficient service to the public, I really</p> <p>7 hope and I do earnestly hope that the relevant</p> <p>8 authorities can seriously consider applying Cap 230A.</p> <p>9 Thank you, Mr Duncan.</p> <p>10 MR PETER DUNCAN: Have you asked the police to bring to the</p> <p>11 attention of the Magistrates' Courts the prevalence of</p> <p>12 the behaviour to which your drivers seem to be</p> <p>13 subjected? Have you asked them that?</p> <p>14 MR PATRICK PANG: (Via interpreter) Absolutely, yes.</p> <p>15 MR PETER DUNCAN: Have they done that? Have they stood up</p> <p>16 in court and said to the magistrate, "This is a very</p> <p>17 prevalent offence which we think requires a deterrent</p> <p>18 sentence"? Has that step been taken?</p> <p>19 MR PATRICK PANG: (Via interpreter) We did say this to the</p> <p>20 police, but, Mr Duncan, I hope you understand, with</p> <p>21 regard to 2017 and up to 22 July 2018, there are</p> <p>22 altogether 76 common assault cases against bus captains,</p> <p>23 but only ten of those were convicted. Six were resolved</p> <p>24 and seven were not pursued by the police. Another one,</p> <p>25 the police said they issued a verbal warning. So there</p>

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<p>1 were ten convictions.</p> <p>2 Whether the case officer of the police told the</p> <p>3 court about the seriousness of the offence or whether</p> <p>4 the magistrate meted our sentences according to the</p> <p>5 mention of seriousness of the case, I don't think I can</p> <p>6 answer that here. Perhaps you can ask the police</p> <p>7 whether they did it.</p> <p>8 MR PETER DUNCAN: Have you considered taking this issue up</p> <p>9 with the Secretary for Justice?</p> <p>10 MR PATRICK PANG: (Via interpreter) Whatever we can do to</p> <p>11 protect our bus captains, we will do. We have even</p> <p>12 considered if we can bring follow-up civil claims in</p> <p>13 these cases, and also to inform the public that such</p> <p>14 cases seriously affect bus operations and safety.</p> <p>15 CHAIRMAN: Could you answer the question?</p> <p>16 MR PATRICK PANG: (Via interpreter) We haven't thought about</p> <p>17 talking to the Secretary for Justice, at this time.</p> <p>18 CHAIRMAN: What about the Director of Public Prosecutions?</p> <p>19 MR PATRICK PANG: (Via interpreter) No, not at this moment.</p> <p>20 We don't intend to do this now. We hope by talking to</p> <p>21 the police we can achieve what we want.</p> <p>22 CHAIRMAN: In view of the time, if that's convenient,</p> <p>23 Mr Duncan --</p> <p>24 MR PETER DUNCAN: Certainly, Mr Chairman.</p> <p>25 CHAIRMAN: -- we will take the lunch adjournment and we will</p>	<p>1 The question is: has KMB passed any by-laws?</p> <p>2 MR GODWIN SO: (Via interpreter) No.</p> <p>3 MR PETER DUNCAN: Has it ever considered passing by-laws?</p> <p>4 MR GODWIN SO: No.</p> <p>5 MR PETER DUNCAN: Has the company given any consideration to</p> <p>6 whether the passing of a by-law may offer some</p> <p>7 assistance with regard to the current situation that its</p> <p>8 drivers face with regard to passenger behaviour?</p> <p>9 MR GODWIN SO: (Via interpreter) My understanding is that if</p> <p>10 we are to pass by-laws, then the company will have the</p> <p>11 responsibility to enforce the by-law. We need to</p> <p>12 consider whether the company has got the resources, the</p> <p>13 capability, to do so.</p> <p>14 Moreover, in the case of contravention of the</p> <p>15 by-laws, when it does take place, do we have staff</p> <p>16 on site to deal with it immediately? That's our</p> <p>17 consideration.</p> <p>18 Currently, what happens is that Cap 230A is being</p> <p>19 enforced by the police, they have the resources, they</p> <p>20 are professional and that's much better than the case of</p> <p>21 a franchised bus company.</p> <p>22 MR PETER DUNCAN: So does the company have any intention to</p> <p>23 consider this aspect?</p> <p>24 MR GODWIN SO: (Via interpreter) Not for the time being.</p> <p>25 MR PETER DUNCAN: We have received evidence from the company</p>
<p>1 resume at 2.30 this afternoon. Thank you.</p> <p>2 (1.01 pm)</p> <p>3 (The luncheon adjournment)</p> <p>4 (2.30 pm)</p> <p>5 CHAIRMAN: Good afternoon, gentlemen.</p> <p>6 Mr Duncan.</p> <p>7 MR PETER DUNCAN: Good afternoon, Chairman.</p> <p>8 Gentlemen, I wonder if you could have in front of</p> <p>9 you, please, bundle TD-2, at page 1.</p> <p>10 Here we have a copy of the Public Bus Services</p> <p>11 Ordinance. If you could go through, please, to page 58</p> <p>12 of the bundle, you will see there section 36, which is</p> <p>13 concerned with the question of by-laws. Subsection (1)</p> <p>14 of section 36 states:</p> <p>15 "Subject to this ordinance and its franchise,</p> <p>16 a grantee may make by-laws for all or any of the</p> <p>17 following matters ..."</p> <p>18 And we see them set out -- (a), (b), (c), (d) -- and</p> <p>19 (e) has a number of subparagraphs; and there are also</p> <p>20 subsections (2), (3) and (4) on the following page.</p> <p>21 Of particular relevance with regard to the</p> <p>22 discussion we were having before lunch is perhaps</p> <p>23 (1)(e), in that a grantee has the power to make by-laws</p> <p>24 for the purpose "generally as to the conduct of</p> <p>25 passengers while using grantee's buses".</p>	<p>1 that in some buses, cameras have been installed to</p> <p>2 assist the detection and hopefully the prosecution of</p> <p>3 offenders.</p> <p>4 Could I take you, in that context, to KMB-1 at</p> <p>5 page 82. We can see the question that was posed by the</p> <p>6 committee, as follows:</p> <p>7 "Is there any customer services training provided to</p> <p>8 bus captains to equip them with the relevant skills to</p> <p>9 handle difficult passengers?"</p> <p>10 The company's answer, which was contained in the</p> <p>11 first of the submissions, included the following, and</p> <p>12 I'm referring to the third bullet on that page:</p> <p>13 "Apart from training, we have taken the following</p> <p>14 measures to assist [bus captains] in handling difficult</p> <p>15 passengers:</p> <p>16 ...</p> <p>17 -- Surveillance cameras, including forward-looking</p> <p>18 cameras and a camera covering the driver seat, have</p> <p>19 become standard features on all new buses since 2015.</p> <p>20 Up to February 2018, surveillance cameras were installed</p> <p>21 in 2,319 KMB buses and 146 [Long Win] buses. The</p> <p>22 remaining buses will be equipped with surveillance</p> <p>23 cameras phase by phase. Surveillance cameras capture</p> <p>24 the behaviour (with audio recording) of difficult</p> <p>25 passengers. It will protect the interest of [bus</p>

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<p>1 captains] in subsequent investigation by the police or 2 legal proceedings." 3 So my first question is: have these cameras resulted 4 in evidence which has yielded successful prosecutions 5 against offenders? 6 MR GODWIN SO: Yes. 7 MR PETER DUNCAN: According to what I have just read out, 8 2,319 KMB buses have had the cameras installed. That 9 leaves how many at the moment without cameras? 10 MR LEUNG KIN WANG: (Via interpreter) As of now, almost 11 2,800 buses are equipped with the cameras. The entire 12 fleet is 4,300. 13 MR GODWIN SO: (Via interpreter) Among the KMB buses, about 14 1,800 are not yet equipped, and then for Long Win, 70 to 15 80 buses haven't got the CCTV cameras. 16 MR PETER DUNCAN: Have there been occasions when the drivers 17 themselves have endeavoured to capture these unruly 18 passengers by use of their mobile phones? 19 MR GODWIN SO: (Via interpreter) Bus captains are not 20 allowed to use their own mobile phones while they are 21 driving. 22 MR PETER DUNCAN: I suppose while they are driving it is 23 pretty obvious why that would be, because of the effect 24 on their safety. What about when the bus is stationary, 25 are they permitted to use their phones in those</p>	<p>1 committee, please. 2 MR GODWIN SO: (Via interpreter) Yes. May I explain the 3 reason? 4 MR PETER DUNCAN: Certainly. 5 MR GODWIN SO: (Via interpreter) My understanding is that as 6 far as the Commissioner of Personal Data is concerned, 7 he has got guidelines concerning the use of cameras to 8 collect personal data, including images. First of all, 9 there must be a notice to tell others that they are 10 being captured on camera. There must be an intention 11 policy. 12 Moreover, if someone would like to get the 13 information, there should be guidelines as to how to 14 deal with that, and if it is no longer of use it has to 15 be destroyed. 16 For individual bus captains, if they are to set up 17 their own CCTV on board, I don't think they have ways to 18 ensure that they can meet the three guidelines that 19 I have just referred to. 20 As far as the company is concerned, the company can 21 do so. Clearly, there is a notice to say that there is 22 a CCTV on board and the bus company has the policy to 23 retain or retrieve the images already captured. 24 So we won't stop at 2,400 buses as I referred to. 25 Before the end of the year, 90 per cent of the buses</p>
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<p>1 circumstances? 2 MR LEUNG KIN WANG: (Via interpreter) We do not allow bus 3 captains to use their own recording devices to carry out 4 the recording. 5 MR PETER DUNCAN: One of the witnesses who gave evidence 6 from the unions to the committee -- I will simply give 7 everyone the reference; I won't go to his evidence, but 8 it's at Day 10, pages 128 to 130 -- was effectively 9 complaining to the committee that bus drivers were not 10 allowed to use their phones. 11 CHAIRMAN: Did he say phones or cameras? 12 MR PETER DUNCAN: I think he mentioned cameras. 13 CHAIRMAN: Yes, because there's a distinction, is there not, 14 between the kind of camera that one often sees in taxis 15 and a camera on a telephone? 16 MR PETER DUNCAN: Yes. I will rephrase that. 17 One of the union representatives, I think it was 18 from the Monthly-rated Drivers Union, stated that some 19 of the drivers wanted to use a camera, but there was 20 a circular which had been issued prohibiting such use. 21 Are you aware, first of all, of that evidence? 22 MR GODWIN SO: (Via interpreter) Yes, correct. 23 MR PETER DUNCAN: Is there a circular? 24 MR GODWIN SO: (Via interpreter) We do have it. 25 MR PETER DUNCAN: I wonder if that can be provided to the</p>	<p>1 will be equipped with the CCTV facility. For the 2 remaining 10 per cent, they are not getting it for the 3 moment, and but then they will be retired from the fleet 4 in the coming year, 16 to 18 years old, they will be 5 replaced by new buses. 6 In other words, within the year, all the buses will 7 be equipped with the CCTV facility. 8 CHAIRMAN: So the rights of privacy transcend the rights of 9 protecting your own safety; is that it? 10 MR GODWIN SO: (Via interpreter) We have to strike 11 a balance. 12 CHAIRMAN: It's not your balance; it's a legislative 13 balance, isn't it? 14 MR PETER DUNCAN: Is this something on which you have taken 15 legal advice? 16 MR GODWIN SO: (Via interpreter) I think the guidelines are 17 clear and comprehensible. For this circular, by this 18 circular, we do not allow the bus captains to have 19 install their own devices, but I can't answer this 20 question because I hadn't joined the company at that 21 time. But surely I can ask for advice again, because 22 there is still time before the end of the year. 23 MR PETER DUNCAN: Has it been a matter which the company has 24 raised with the privacy commissioner? 25 MR GODWIN SO: Yes.</p>

Page 89	<p>1 MR PETER DUNCAN: You had discussions with the privacy 2 commissioner?</p> <p>3 MR GODWIN SO: (Via interpreter) No, I mean I have read the 4 guidelines and the guidelines have already set out those 5 points.</p> <p>6 CHAIRMAN: Have you raised with the privacy commissioner 7 whether or not the use of cameras by bus captains, who 8 intend to record people abusing them or physically 9 assaulting them, would contravene the legislation.</p> <p>10 MR GODWIN SO: (Via interpreter) No, I didn't.</p> <p>11 MR PETER DUNCAN: I'm going to move to the matter now of 12 protective shields for the drivers. In this respect, 13 could I ask you to turn, please, to page 62 of KMB-1. 14 In one of its answers in its initial submission, the 15 company said the following: 16 "In response to increasing number of assaults 17 against [bus captains], we have taken the following 18 measures ..." 19 And the third-to-last paragraph: 20 "We will install a protective shield near the 21 driver's seat starting from June 2018." 22 Has that process started?</p> <p>23 MR LEUNG KIN WANG: Yes.</p> <p>24 MR PETER DUNCAN: And what sort of numbers now of buses have 25 installed the protective shield?</p>	Page 91	<p>1 MR LEUNG KIN WANG: (Via interpreter) I don't have the 2 information on hand.</p> <p>3 MR PETER DUNCAN: Would you be able to obtain that 4 information?</p> <p>5 MR LEUNG KIN WANG: Yes.</p> <p>6 CHAIRMAN: Please provide that. 7 Was this design based on protective shields that one 8 finds elsewhere in the world in buses or not?</p> <p>9 MR LEUNG KIN WANG: (Via interpreter) For other countries, 10 especially those in UK, might not be suitable for us. 11 First of all, our buses are air-conditioned, so the 12 design cannot be a full enclosure. For our bus 13 captains, they are not covered to their left. So the 14 design offers protection to the bus captains on their 15 left. You might see that there is an opening which 16 could be -- allows the shield to be opened. That's why 17 we designed our own shield, to offer protection to our 18 bus captains, and hopefully they are happy with the 19 design. 20 When we carried out the design, there were some 21 teething problems during installation and we are dealing 22 with these. In some cases, the magnets were loose, and 23 we found out a way to carry out the installation 24 properly. There were views that there is light 25 reflection and we served to solve that as well.</p>
Page 90	<p>1 MR LEUNG KIN WANG: (Via interpreter) 1,500.</p> <p>2 MR PETER DUNCAN: What is the intention with regard to the 3 remainder of the fleet?</p> <p>4 MR LEUNG KIN WANG: (Via interpreter) We will complete the 5 installation by the end of the year.</p> <p>6 MR PETER DUNCAN: I want to take you to another bundle, 7 miscellaneous number 2, at page 913. 8 At the right-hand-bottom corner, do we see one of 9 the installed protective shields?</p> <p>10 MR LEUNG KIN WANG: Yes.</p> <p>11 MR PETER DUNCAN: Who was responsible for designing the 12 shield?</p> <p>13 MR LEUNG KIN WANG: (Via interpreter) Our engineering 14 section.</p> <p>15 MR PETER DUNCAN: Who was responsible for manufacturing the 16 shield?</p> <p>17 MR LEUNG KIN WANG: (Via interpreter) It was designed by KMB 18 itself. It is procured by KMB. We carried out the 19 installation and we submitted it to the TD for approval, 20 and upon their agreement they were installed in June.</p> <p>21 MR PETER DUNCAN: When you say you procured these, you 22 procured them from whom?</p> <p>23 MR LEUNG KIN WANG: (Via interpreter) From an overseas 24 supplier.</p> <p>25 MR PETER DUNCAN: From which country?</p>	Page 92	<p>1 MR PETER DUNCAN: Are you aware that representatives from 2 two of the unions have indicated to the committee that 3 they are not entirely happy with the design?</p> <p>4 MR LEUNG KIN WANG: (Via interpreter) I received comments 5 from some unions on this issue. There was 6 dissatisfaction. I also received some views from unions 7 that we should speed up the installation.</p> <p>8 MR PETER DUNCAN: I will simply give you the references and 9 then I will take you through the issues which seem to 10 have arisen. There was a representative from the Motor 11 Transport Workers General Union who gave evidence on 12 Day 9. If you want to see his evidence, you will find 13 it at pages 33 to 36. Then on Day 11, there was 14 a representative from the Federation of Bus Industry 15 Trade Unions who gave evidence, and that can be found at 16 pages 150 to 151.</p> <p>17 CHAIRMAN: Also of Day 9?</p> <p>18 MR PETER DUNCAN: Sorry, that's Day 11.</p> <p>19 CHAIRMAN: Thank you.</p> <p>20 MR PETER DUNCAN: Have you read that evidence, Mr Leung?</p> <p>21 MR LEUNG KIN WANG: I should have.</p> <p>22 MR PETER DUNCAN: I am not asking if you should have, if you 23 have. 24 I will just take you to it quickly. First of all, 25 Day 9, bundle 4, page 33.</p>

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<p>1 If you commence to read to yourself from line 18 on 2 page 33, you will see reference to the installation of 3 a protective shield. Then, at the top of page 34, 4 I bring your attention to this: 5 "It may look to be some protection, but the opening 6 of the shield is very big, it is not easy for you to 7 switch it on and off, and it is very reflective and then 8 there is a magnet at the very tip, and while the bus is 9 moving there may be noise." 10 There seems to be three complaints in that sentence: 11 reflection, the magnet, and noise. Have those 12 complaints been communicated to the company? 13 MR LEUNG KIN WANG: (Via interpreter) Yes. 14 MR PETER DUNCAN: Is anything being done about that? 15 MR LEUNG KIN WANG: (Via interpreter) We dealt with most 16 issues and we are dealing with the problem of 17 reflection. 18 MR PETER DUNCAN: So reflection remains an outstanding 19 issue; correct? 20 MR LEUNG KIN WANG: (Via interpreter) Correct, but our 21 intention is to protect the bus captains. As for the 22 reflections, the shield is located on the bus captain's 23 left, and normally we feel that this would not affect 24 the bus captains in their driving, but we are still 25 looking to get around the issue and hopefully we can</p>	<p>1 captains. 2 That said, we are still rectifying the protective 3 shield in order to do even better. For example, for 4 reflections, is there something we can do? On each bus, 5 we have an arrival reminding device, and on that device 6 we added a message that if our bus captains are 7 disturbed, we might stop the vehicles. And with our bus 8 captains being disturbed or possibly being disturbed, we 9 hope to do something for our bus captains, in order to 10 help them. 11 Apart from these protective devices, the arrival 12 reminding device and the slogans, our legal department 13 has also been very down-to-earth in offering help to 14 assaulted bus captains. For our frontline inspectors 15 and terminus supervisor, they are offering plenty of 16 support to our captains. If a captain is assaulted, our 17 inspectors would arrive on site immediately and they 18 would accompany our bus captains to a doctor, and our 19 legal department colleagues might take statements from 20 our captains if necessary. So these are things we are 21 doing. 22 So in terms of protecting our bus captains, I feel 23 that our company has a responsibility, and I hope that 24 the police would offer as much support as possible. We 25 have a string of measures in place.</p>
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<p>1 improve upon that. 2 MR PATRICK PANG: (Via interpreter) Mr Duncan, I would like 3 to add something. The reason for installing these 4 protective devices in June was that, as I said before 5 the lunch break today, in the year 2018, the number of 6 assaults on our bus captains rose sharply, which was why 7 our management felt that this issue should be dealt with 8 immediately. Therefore, in terms of design, procurement 9 and installation of the device, we made a decision 10 within a very short period of time. 11 After installation, we realised there were some 12 teething problems. For example, the magnets might be 13 too tightly attached. And when bus captains get on or 14 off, in an environment with a high light contrast, there 15 might be reflections. However, some bus captains 16 strongly welcomed our decision. 17 As I said, our bus captains were victims of assaults 18 and we felt we had to address the sentiments of our bus 19 captains. We hoped the police would make more 20 prosecutions and we would speed up the installation of 21 CCTVs. Apart from installing the protective shield in 22 April, next to the driver's cabin we also put up 23 a warning message, saying that disturbing the bus 24 captain is a criminal matter or a criminal offence. We 25 try to offer a safe driving environment for our bus</p>	<p>1 CHAIRMAN: Mr Pang, could you provide the committee with 2 a photograph of the warning that you say is being 3 displayed on buses, and also the warning, if it's in 4 visual form, about the bus captain stopping the bus if 5 there is a disturbance? 6 MR PATRICK PANG: (Via interpreter) Yes, it is certainly 7 possible. For the reminding device, the bus captain 8 would have a button to press. So let's say if the next 9 stop is on Nathan Road or a certain building or park, 10 when the captain presses the button, it would show that 11 the bus captain is being disturbed. I would offer that 12 photograph. 13 Thank you, Mr Chairman. 14 MR PETER DUNCAN: The arrival reminding device, is that 15 something in writing or is that audio? 16 UNIDENTIFIED SPEAKER: Both. 17 MR PETER DUNCAN: If you turn up, please, miscellaneous 18 file 2, page 913, the photograph we had open before. 19 Are you able to see the warning device in that 20 photograph, the warning sign? 21 MR PATRICK PANG: (Via interpreter) Mr Duncan, yes, indeed, 22 there's the sticker we have put up: it is a criminal 23 offence to cause nuisance to bus captains. 24 MR PETER DUNCAN: Thank you. 25 With regard to these issues that the representatives</p>

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<p>1 from the union raised, what is the current situation</p> <p>2 between the company and the unions? Are the unions</p> <p>3 supportive of what you are doing? Are they objecting to</p> <p>4 what you are doing?</p> <p>5 MR PATRICK PANG: (Via interpreter) Mr Duncan, are you</p> <p>6 saying that whether they are in support of the</p> <p>7 installation of the protective shield, or are you</p> <p>8 referring to something else?</p> <p>9 MR PETER DUNCAN: I'm referring in particular to the</p> <p>10 problems which they identified: the magnets, the</p> <p>11 reflection, the noise, and so forth, which you say are</p> <p>12 being addressed. What's the status of the communication</p> <p>13 between you and the unions on these matters?</p> <p>14 MR PATRICK PANG: (Via interpreter) They are aware of the</p> <p>15 fact that the company is in the process of dealing with</p> <p>16 the problems. They are satisfied. But of course, in</p> <p>17 future, as to what the end product will be like, we will</p> <p>18 not just talk to the trade unions. We will also listen</p> <p>19 to the views of all the bus captains.</p> <p>20 MR PETER DUNCAN: Can I bring your attention, please, to</p> <p>21 page 35 of the transcript that you have in front of you.</p> <p>22 That's Day 9. There's another issue which one of the</p> <p>23 representatives raised at line 7. There was concern</p> <p>24 that the protective shield might affect the sight line</p> <p>25 of the bus captains, and that they cannot see clearly</p>	<p>1 Perhaps just before I leave that subject of the</p> <p>2 plastic protection shields, when was consideration first</p> <p>3 given to the installation of the shields?</p> <p>4 MR LEUNG KIN WANG: (Via interpreter) It was July last year,</p> <p>5 2017. There was an increasing number of bus captains</p> <p>6 being assaulted. So we decided that we had to act on</p> <p>7 it, to help the bus captains, and in fact some bus</p> <p>8 captains did make such a suggestion. So it was last</p> <p>9 year that we started to think about it and we started to</p> <p>10 have our own designs.</p> <p>11 MR PATRICK PANG: (Via interpreter) Mr Duncan, let me give</p> <p>12 you a response. From my contacts with the bus captains,</p> <p>13 I think the majority of them are happy to see that the</p> <p>14 bus company has taken a step forward. But of course, as</p> <p>15 to whether we can fine-tune the details, and with</p> <p>16 hindsight, if you put this question to me, of course we</p> <p>17 could have done better. However, at least we have taken</p> <p>18 the first step. When we have taken the first step,</p> <p>19 there will be a second step. By the second step, we are</p> <p>20 here sourcing some materials which can avoid the problem</p> <p>21 of reflection, and we will try to see if we can source</p> <p>22 another magnet.</p> <p>23 What I want to say is that, after all, we need to</p> <p>24 make the first step forward and for the bus captains at</p> <p>25 the front line, they are aware that the company has</p>
<p>1 the getting on and getting off of the passengers. Is</p> <p>2 that something which has been communicated to the</p> <p>3 company?</p> <p>4 MR PATRICK PANG: (Via interpreter) Mr Duncan, let me answer</p> <p>5 your question like this. I also have a driving licence</p> <p>6 for buses. I had experience of getting on board a bus</p> <p>7 with the protective shield. For the driver's cabin, to</p> <p>8 the left-hand side we have the protective shield. For</p> <p>9 this protective shield, it is transparent. Unless we</p> <p>10 have a major contrast in terms of the lighting, the</p> <p>11 sight line would not have been affected substantially.</p> <p>12 But of course we do appreciate individual bus</p> <p>13 captains may have concerns and therefore, in the course</p> <p>14 of it, we tried to modify the protective shield. We are</p> <p>15 working on it.</p> <p>16 MR PETER DUNCAN: Are you satisfied yet that the protective</p> <p>17 shield will not materially affect the sight line?</p> <p>18 MR PATRICK PANG: (Via interpreter) Well, I won't say it</p> <p>19 would affect substantially, but of course, in the past,</p> <p>20 there was nothing at all. Now you have got</p> <p>21 a transparent plastic panel to your left-hand side. As</p> <p>22 far as habits are concerned, maybe bus captains may find</p> <p>23 they are not yet used to it.</p> <p>24 MR PETER DUNCAN: I wonder if you can pick up now, please,</p> <p>25 file KMB-1 again, at page 83.</p>	<p>1 taken the first step.</p> <p>2 Thank you, Mr Duncan.</p> <p>3 MR PETER DUNCAN: I understand that the company, in the</p> <p>4 context of bus drivers, has to deal with something like</p> <p>5 seven different unions; is that correct?</p> <p>6 MR ROGER LEE: (Via interpreter) For the time being, we</p> <p>7 mainly communicate with two trade unions, but in fact we</p> <p>8 do communicate with every colleague via different</p> <p>9 channels.</p> <p>10 CHAIRMAN: In the capacity of trade unions, two unions who</p> <p>11 constitute 90 per cent of your bus captains; is that</p> <p>12 right?</p> <p>13 MR GODWIN SO: Yes.</p> <p>14 CHAIRMAN: And when you communicate with the others, it's</p> <p>15 not in any capacity as a trade unionist; it's as</p> <p>16 an employee?</p> <p>17 MR GODWIN SO: (Via interpreter) Well, we don't count the</p> <p>18 capacity. Other than the two unions I have referred to,</p> <p>19 for each bus captain, we do have a channel for them to</p> <p>20 speak up, and we will also take the initiative to listen</p> <p>21 to them. Say, for example, as Mr Pang has said, our</p> <p>22 depot officers, inspectors at the front line, and even</p> <p>23 Mr Pang himself, are regularly at the depots and at the</p> <p>24 terminus during the course of duty, and after they have</p> <p>25 knocked off will listen to them.</p>
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<p>1 We have got a JCC, joint consultation committee. It</p> <p>2 holds meetings on a monthly basis. We listen to the</p> <p>3 suggestions of the bus captains as far as work is</p> <p>4 related, and if the suggestions are relevant and</p> <p>5 appropriate, they will be taken on board. This is</p> <p>6 a regular arrangement.</p> <p>7 CHAIRMAN: The question was simply this. I'm sure you</p> <p>8 understand the question. Do you deal other than with</p> <p>9 the two main unions you have described as unions, not as</p> <p>10 bus captains but as unions?</p> <p>11 MR GODWIN SO: Yes.</p> <p>12 CHAIRMAN: And which unions do you deal with then, other</p> <p>13 than the two main ones?</p> <p>14 MR PATRICK PANG: (Via interpreter) Mr Chairman, in our</p> <p>15 company, we have two so-called major unions. In</p> <p>16 addition, we have also liaised with the other so-called</p> <p>17 unions. Say, for example, in this hall, we have got</p> <p>18 Mr Kwok Chi Shing, a retired bus captain. He is sitting</p> <p>19 right here in the audience. I have personally talked to</p> <p>20 Mr Kwok for more than two hours.</p> <p>21 CHAIRMAN: If my memory is correct, you told him that you'd</p> <p>22 deal with him as a bus captain but not as an unionist.</p> <p>23 That's why I am raising the question, not you</p> <p>24 personally, the company.</p> <p>25 MR PATRICK PANG: (Via interpreter) In my context, whether</p>	<p>1 CHAIRMAN: Thank you.</p> <p>2 I think it is now being displayed in Chinese</p> <p>3 characters for you.</p> <p>4 And the other one?</p> <p>5 MR GODWIN SO: (Via interpreter) It so happens that I found</p> <p>6 the submission. KMB Workers General Union.</p> <p>7 CHAIRMAN: What is the reference page number for the</p> <p>8 submission where this is dealt with?</p> <p>9 MR GODWIN SO: TU-1(A), page 130 to 131, and their</p> <p>10 submission is 133.</p> <p>11 CHAIRMAN: Thank you.</p> <p>12 Could that page that Mr So has referred to be put up</p> <p>13 on the screen, please.</p> <p>14 MR GODWIN SO: Yes.</p> <p>15 CHAIRMAN: Thank you.</p> <p>16 MR PETER DUNCAN: So did I understand you to say that</p> <p>17 90 per cent of the bus drivers belong to one of the</p> <p>18 unions?</p> <p>19 CHAIRMAN: One of the two unions?</p> <p>20 MR PETER DUNCAN: It could be one of the two unions or one</p> <p>21 of the seven unions.</p> <p>22 CHAIRMAN: No. My memory -- it's either in a submission or</p> <p>23 in oral testimony -- is that it was identified that KMB</p> <p>24 dealt with two unions.</p> <p>25 I see Dr Leung nodding. If someone can find me that</p>
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<p>1 somebody is a union member, that's not the main reason.</p> <p>2 CHAIRMAN: Yes, Mr Duncan.</p> <p>3 MR PETER DUNCAN: Thanks, Chairman.</p> <p>4 I think we actually have a list of the unions on</p> <p>5 a slide. I wonder if that can be brought up, please,</p> <p>6 just while we are on this topic.</p> <p>7 We see there the names, I believe, of seven unions</p> <p>8 whose representatives have given evidence to assist the</p> <p>9 committee. Which are the two major unions?</p> <p>10 CHAIRMAN: By that you mean the two major unions that KMB</p> <p>11 deal with?</p> <p>12 MR PETER DUNCAN: Correct.</p> <p>13 CHAIRMAN: Yes.</p> <p>14 MR GODWIN SO: (Via interpreter) Well, you are showing the</p> <p>15 English name. I think it should be the Motor Transport</p> <p>16 Workers General Union, the KMB branch. Is it possible</p> <p>17 to show the Chinese names of the unions?</p> <p>18 MR PETER DUNCAN: Certainly. We will arrange for that and</p> <p>19 bring it up later on.</p> <p>20 CHAIRMAN: Mr Duncan, perhaps Mr Chan could just deal with</p> <p>21 that orally.</p> <p>22 MR DEREK CHAN: The Motor Transport Workers General Union,</p> <p>23 the Chinese for that is "(Chinese spoken)".</p> <p>24 MR GODWIN SO: (Via interpreter) Yes, right, that's correct.</p> <p>25 That's one of the two.</p>	<p>1 reference, then we can put that up.</p> <p>2 MR PETER DUNCAN: Thank you, Chairman. We will find that</p> <p>3 and come back.</p> <p>4 Did I understand you to say correctly -- would it</p> <p>5 follow from what you have said that it is just about</p> <p>6 10 per cent of the drivers who do not belong to any</p> <p>7 union?</p> <p>8 MR GODWIN SO: (Via interpreter) First of all, each captain</p> <p>9 can take part in more than one union, so the total might</p> <p>10 not equate to our total number of bus captains, at</p> <p>11 8,600.</p> <p>12 As for the number of members cited by each union,</p> <p>13 the information is provided by the unions themselves,</p> <p>14 but we would judge whether or not the numbers cited are</p> <p>15 reasonable. According to the numbers reported by the</p> <p>16 two unions, they make up about 90 per cent of our total</p> <p>17 number of bus captains.</p> <p>18 MR PETER DUNCAN: Do I understand correctly that those two</p> <p>19 unions that you've identified are the unions that you</p> <p>20 deal with most?</p> <p>21 MR GODWIN SO: (Via interpreter) Correct, but may I add</p> <p>22 something?</p> <p>23 MR PETER DUNCAN: Yes.</p> <p>24 MR GODWIN SO: (Via interpreter) As I said, some bus captain</p> <p>25 do not belong to any union, so on the request of unions</p>

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<p>1 we would discuss some matters with them. But regardless</p> <p>2 of which unions they belong to, we would listen to our</p> <p>3 staff and we would consult them actively.</p> <p>4 MR PETER DUNCAN: So, if I understand you correctly, what</p> <p>5 you are saying is that your contact with the bus drivers</p> <p>6 is sometimes directly and is sometimes through the</p> <p>7 unions?</p> <p>8 MR GODWIN SO: Correct, but both simultaneously happen.</p> <p>9 MR PETER DUNCAN: Thank you.</p> <p>10 Now, I had directed you towards page 83 of KMB-1.</p> <p>11 CHAIRMAN: Are we moving to another topic?</p> <p>12 MR PETER DUNCAN: Yes, we are.</p> <p>13 CHAIRMAN: Before we do that, can I ask that KMB-1,</p> <p>14 page 218-1, be put up on the screen.</p> <p>15 You will see at paragraph 2 there was a request</p> <p>16 that -- in paragraph 3: Please provide a copy of what is</p> <p>17 called the "CCTV brief finding report".</p> <p>18 That related to the document that is at page 218,</p> <p>19 two of the five cases in which KMB described what had</p> <p>20 happened, and it's cases 3 and 4 where there is</p> <p>21 reference to that phrase, "CCTV brief finding report".</p> <p>22 Have you provided us with a copy of that?</p> <p>23 Can you give me the reference?</p> <p>24 MR GODWIN SO: Yes.</p> <p>25 You may turn to page 300.</p>	<p>1 assault cases. For traffic accidents, et cetera, we</p> <p>2 would submit CCTV footage to the police.</p> <p>3 CHAIRMAN: I'm asking about the audio track. Do you ever</p> <p>4 transcribe that so that the nature of the abuse can be</p> <p>5 identified, or do you just hand it over to the police?</p> <p>6 MR PATRICK PANG: (Via interpreter) Usually, we will send</p> <p>7 the whole set of information to the police.</p> <p>8 CHAIRMAN: By that you mean the CCTV?</p> <p>9 MR PATRICK PANG: (Via interpreter) Yes. We would submit</p> <p>10 both the video and audio recordings to the police.</p> <p>11 CHAIRMAN: The second matter that is dealt with in that</p> <p>12 schedule of those five unfortunate cases on 4, 5 and</p> <p>13 6 April -- page 218 of KMB-1 -- the second issue is the</p> <p>14 provision of information coming from the Octopus card</p> <p>15 used by the passenger.</p> <p>16 MR PATRICK PANG: (Via interpreter) Yes.</p> <p>17 CHAIRMAN: That's case 1; do you see that?</p> <p>18 Now, case 1 was marked as not being proceeded with,</p> <p>19 "No further action", despite the fact that KMB had</p> <p>20 already provided the police with Octopus card records of</p> <p>21 the assailant.</p> <p>22 MR PATRICK PANG: (Via interpreter) Yes, Chairman.</p> <p>23 CHAIRMAN: Had the Octopus card records been provided to the</p> <p>24 police?</p> <p>25 MR PATRICK PANG: (Via interpreter) For this case, I think</p>
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<p>1 CHAIRMAN: Yes. Thank you.</p> <p>2 The question I wanted to ask, arising out of this</p> <p>3 issue, is: in your experience, how good is the quality</p> <p>4 of the video and audio recordings when it comes to</p> <p>5 examining verbal or physical assaults on bus captains?</p> <p>6 MR PATRICK PANG: (Via interpreter) Mr Chairman, I can say</p> <p>7 that the quality of the CCTV recordings are adequate to</p> <p>8 identify the persons involved. So the quality is</p> <p>9 acceptable. It can also help the police roughly</p> <p>10 identify the assailant.</p> <p>11 CHAIRMAN: And what of the audio track in capturing, for</p> <p>12 example, the verbal abuse that might lead up to the</p> <p>13 physical assault?</p> <p>14 MR PATRICK PANG: (Via interpreter) Mr Chairman, it depends</p> <p>15 on how far you are from the microphone. Usually, sound</p> <p>16 from the driver's cabin can be captured.</p> <p>17 Chairman, I want to add that each bus is equipped</p> <p>18 with nine CCTV cameras. So the CCTVs do not just</p> <p>19 capture the driver's cabin. They can capture what</p> <p>20 happens elsewhere on the bus as well as what happens</p> <p>21 outside. We have a total of nine cameras.</p> <p>22 CHAIRMAN: Are there occasions when you transcribe what is</p> <p>23 captured on the audio track so that you can present that</p> <p>24 to the police, or do you leave that to them to do?</p> <p>25 MR PATRICK PANG: (Via interpreter) It's not just for</p>	<p>1 we had submitted the records. But, Mr Chairman, I want</p> <p>2 to stress that if the Octopus card was not</p> <p>3 a personalised card, if it was non-personalised, the</p> <p>4 follow-up work might be difficult. However, if the card</p> <p>5 carries an identity --</p> <p>6 CHAIRMAN: We understand that, because we have asked the</p> <p>7 police about the information that is obtainable.</p> <p>8 In your letter, which I think is at page 297 of</p> <p>9 KMB-1, in the reply to this letter of request, the</p> <p>10 second paragraph, you refer to case 1 and you say this</p> <p>11 in the last sentence:</p> <p>12 "In or around end of April 2018, we had a telephone</p> <p>13 conversation with the police concerning the Octopus card</p> <p>14 records and informed them to collect our written reply."</p> <p>15 Were they collected? Try "yes" or "no" on that, if</p> <p>16 you can.</p> <p>17 MR PATRICK PANG: No, they didn't come and collect.</p> <p>18 CHAIRMAN: Did you then supply them to the police, "yes" or</p> <p>19 "no"?</p> <p>20 MR PATRICK PANG: No, but --</p> <p>21 CHAIRMAN: By all means explain, but what happened was the</p> <p>22 Octopus card information never reached the police?</p> <p>23 MR PATRICK PANG: (Via interpreter) This is an assault which</p> <p>24 happened in Tin Shui Wai. As I recall, since I was on</p> <p>25 this case personally, in early April we received a fax</p>

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<p>1 from the police, requesting the Octopus card records, 2 and on 24 April we had the letter ready, and we also had 3 the Octopus card records ready.</p> <p>4 Our colleagues followed the guidelines. Since the 5 police faxed a memo to our company we had to verbally 6 ask them to send someone to collect it themselves, or 7 else we would not be able to identify the identity of 8 the sender.</p> <p>9 We made a phone call to Tin Shui Wai district of the 10 police; we asked them to come and collect the reply. 11 But the police never came and the letter is still with 12 us and the Octopus records are still with us.</p> <p>13 So that's what happened, Mr Chairman.</p> <p>14 CHAIRMAN: Since you were personally involved in this case, 15 what was the nature of the assault?</p> <p>16 MR PATRICK PANG: (Via interpreter) I remember that on B1 17 station, it is a cross-boundary route, it involved 18 a male bus captain, it was in Lok Ma Chau.</p> <p>19 CHAIRMAN: What was the nature of the assault -- a punch, 20 a bottle on the back of the head -- what was it?</p> <p>21 MR PATRICK PANG: (Via interpreter) Please give me some 22 time. We have too many of these assault cases, excuse 23 me.</p> <p>24 CHAIRMAN: Yes, please take your time.</p> <p>25 MR PETER DUNCAN: Mr Chairman, just while that's being</p>	<p>1 MR PATRICK PANG: Mr Chairman --</p> <p>2 CHAIRMAN: If you are trying to protect your bus captains, 3 how does this happen?</p> <p>4 MR PATRICK PANG: (Via interpreter) Mr Chairman, I did ask 5 this question, when I became aware that the Octopus card 6 records are not been collected. It was the end of last 7 month that I became aware of it. So I'm sorry, perhaps 8 the follow-up work should have been done better. 9 I think that's the case, that it should have been done 10 better.</p> <p>11 CHAIRMAN: Mr Pang, am I correct in thinking that you were 12 formerly a gazetted officer of the Hong Kong Police?</p> <p>13 MR PATRICK PANG: (Via interpreter) Correct.</p> <p>14 CHAIRMAN: Is this something that both in your current job 15 and with your former occupation you would be able to 16 deal with so that the information does get where it 17 should get?</p> <p>18 MR PATRICK PANG: (Via interpreter) Certainly, I can do 19 that.</p> <p>20 CHAIRMAN: Thank you. 21 Mr Duncan.</p> <p>22 MR PETER DUNCAN: Thank you, Chairman. 23 I was asking you now, please, to turn to page 83 of 24 KMB-1. The question that you were asked and to which 25 you responded in your initial submission was:</p>
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<p>1 looked for, Mr Chan has brought my attention to page 101 2 of bundle 1 --</p> <p>3 CHAIRMAN: Thank you.</p> <p>4 MR PETER DUNCAN: -- in regard to the 90 per cent 5 representation, and he suggests that that may be the 6 evidence to which Mr Chairman was referring, paragraph 4 7 on that page.</p> <p>8 CHAIRMAN: Yes, that is what I had in mind. 9 Yes. Nature of the assault.</p> <p>10 MR PATRICK PANG: Mr Chairman, it should be page 216.</p> <p>11 CHAIRMAN: Yes. Just tell me the nature of the assault, 12 that's all.</p> <p>13 MR PATRICK PANG: The bus captain was pushed onto the ground 14 and then sustained injuries to his hip and the head.</p> <p>15 CHAIRMAN: And any medical treatment?</p> <p>16 MR PATRICK PANG: I'm sorry, it doesn't contain any medical 17 checkup, et cetera, et cetera, here. 18 (Via interpreter) It's not indicated here. I'm 19 sorry about that.</p> <p>20 CHAIRMAN: What I'm concerned about is that the ball has 21 been allowed to drop between the police and KMB, 22 involving one of your bus captains pushed to the ground 23 and injured on his head and his hip, and the situation, 24 you tell us, is that the information on the Octopus card 25 is sitting in an envelope in KMB. How does this happen?</p>	<p>1 "Is there any counselling service provided to bus 2 captain [s] in need?"</p> <p>3 The second bullet answers that question in the 4 following way: 5 "A task force comprise KMB's deputy operations 6 director, depot heads, head of training and quality 7 assurance department, head of communications and public 8 affairs and manager, talent acquisition of human 9 resources department has been formed to look into 10 enhancing the provision of emotional support for [bus 11 captains] and frontline staff. The task force will 12 engage a professional consultant to provide 13 a comprehensive review of the current practice and make 14 recommendations in areas including but not limited to 15 recruitment, assessment on [bus captains] emotional 16 intelligence and stress tolerance, training, counselling 17 and performance management. It is expected that the 18 recommendations will be implemented phase by phase to 19 address immediate concerns."</p> <p>20 Could I ask, firstly, when was that task force 21 formed?</p> <p>22 MR JAMES WONG: (Via interpreter) Around about the end of 23 May of this year.</p> <p>24 MR PETER DUNCAN: And what prompted its formation?</p> <p>25 DR NORMAN LEUNG: Mr Duncan, this is an initiative from me,</p>

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<p>1 because when I learned that our bus captains are often 2 abused, I thought that we should seek professional 3 advice on how to handle the situation and how to offer, 4 in particular, counselling service to our bus captains 5 in need of counselling.</p> <p>6 I happened to learn from the vice-president of the 7 Chinese University that they had previously offered 8 consultancy service to the police some years back, 9 during the occupation movement, and I thought that this 10 might be useful to our bus captains who are often abused 11 by passengers. As a result, because we are a utility 12 company, we have to invite tender from different 13 interested parties, and in the end the Chinese 14 University of Hong Kong was selected. I did not take 15 part in the selection exercise, to avoid any conflict of 16 interest, because I happen to be the council chairman of 17 the Chinese University of Hong Kong.</p> <p>18 They are now working on a proposal that hopefully 19 will assist us in the recruitment exercise and to offer 20 emotional support to our bus captains, if in need.</p> <p>21 That's basically how it comes about, Mr Duncan.</p> <p>22 MR PETER DUNCAN: Thank you, Dr Leung.</p> <p>23 Can I ask you please to refer to page 229 of this 24 same bundle.</p> <p>25 CHAIRMAN: Before we move to that, Dr Leung, can you assist</p>	<p>1 side, with the current situation, which I will read out: 2 "The consultancy team from the psychology department 3 of a local university was appointed on 31 May 2018. In 4 June 2018, the team has kicked off its review of the 5 current practice in relation to the provision of 6 emotional support through visiting depots, BCTS and 7 hotline centre, and meetings with deputy operations 8 director, depot staff, zone heads, driving instructors, 9 recruitment team and employee relations team of HR 10 department." 11 "BCTS" would be? 12 MR ROGER LEE: Bus Captain Training School. 13 MR PETER DUNCAN: Thank you. 14 Continuation: 15 "In July 2018, the consultancy team has shared their 16 initial observations with the task force. Both parties 17 have worked out the general approach in delivering the 18 project and the key activities in the coming months, 19 namely to set up some focus groups to collect views 20 directly from [bus captains] and frontline staff on 21 their needs in terms of psychological support and 22 wellbeing, to plan the training of driving instructors 23 which was scheduled to start in September 2018, to 24 further review the recruitment process so as to maximise 25 its effectiveness, and to develop supporting activities</p>
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<p>1 us if you have any indication so far as to how it is 2 that you might be assisted by this advice, professional 3 advice, in the recruitment of bus captains?</p> <p>4 DR NORMAN LEUNG: Basically in the recruitment exercise, 5 they will make an assessment of the emotional 6 attributes, if I may use the word, of any candidates. 7 So basically their advice would be in assisting us in 8 the assessment of their emotional attributes.</p> <p>9 CHAIRMAN: Thank you.</p> <p>10 MR PETER DUNCAN: Could I ask you please to go to page 220 11 of bundle 1. At page 220, you will see a letter from 12 the company to the committee, dated very recently, 13 6 August, and it refers to the action plan for 14 implementation of the key recommendations.</p> <p>15 You can see that action plan commencing from 221, 16 and what I wish you to do, please, is to turn to page 17 229. At page 229, can we see reflected, first of all, 18 on the left-hand side of the page, the position at the 19 initial stage of this psychological support proposal? 20 Is that correct? Does that show the initial proposal?</p> <p>21 DR NORMAN LEUNG: Yes.</p> <p>22 MR PETER DUNCAN: Then, in the middle of the page, do we see 23 the action plan with milestone dates as at 10 April?</p> <p>24 DR NORMAN LEUNG: Correct, yes.</p> <p>25 MR PETER DUNCAN: Are we then provided, on the right-hand</p>	<p>1 for building a balanced and healthy work life." 2 Are you able to provide any more information as to 3 when the results of this enterprise are likely to bear 4 some fruit? 5 MR JAMES WONG: (Via interpreter) According to information 6 from CU Hong Kong, the project is ongoing. Soon, we are 7 going to make arrangements to let bus captains of 8 different experiences and frontline staff members to 9 form focus groups so that zero Hong Kong can understand 10 the stress of frontline staff as well as the 11 difficulties that they face. According to our plan, we 12 are going to carry out a questionnaire/survey for all 13 frontline staff of the company so as to find out further 14 from them about the difficulties and then CU Hong Kong 15 will formulate a programme so that we know how to tell 16 bus captains ways to ease their stress, and it will 17 start with the driving instructors of BCTS. 18 The instructors will soon be given courses so that 19 they know how to relieve their work stress, so that they 20 can in turn teach the bus captains. 21 So we start with the driving instructors and the 22 instructors will teach the bus captains. 23 As far as timing is concerned, it is ongoing. In 24 August, we are going to have the focus groups. In 25 September, it is hoped we can finish the questionnaire</p>

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<p>1 and then we can train the driving instructors. It will 2 continue and we hope that by the end of the year we are 3 able to complete the whole exercise.</p> <p>4 The target is we want to train the trainers, that is 5 the driving instructors. We hope they will stay with 6 the company and they will continue to train the 7 frontline staff members.</p> <p>8 DR NORMAN LEUNG: Mr Chairman, perhaps I should add that my 9 initiative goes beyond that. I am hoping we are going 10 to set up a department consisting of professional 11 industrial psychologists and they will form part of the 12 set-up of the company, so that they can stand ready to 13 offer whatever might be needed by other colleagues in 14 the company. So there would be a new department. You 15 know, I don't know, subject to the consultancy 16 recommendation, there might be, say, one unit in one of 17 the four major depots. There might be someone posted to 18 the recruitment department. It all depends. I am 19 working on that. It's not just an ad hoc project, no.</p> <p>20 MR PETER DUNCAN: Thank you, Doctor.</p> <p>21 CHAIRMAN: Forgive me, Mr Duncan. 22 Dr Leung, when, if you have any idea, do you hope 23 that this advice could be acted on in the recruitment 24 process? What timescale do you have for that?</p> <p>25 DR NORMAN LEUNG: I don't have a ready answer to that,</p>	<p>1 of the emotional intelligence and stress tolerance of 2 a candidate played and plays in the previous and 3 existing system for the recruitment of bus captains. In 4 such previous recruitment and in the current system of 5 recruitment are any enquiries directed at an assessment 6 made of a prospective bus captain's ability to 'handle 7 difficult passengers'? If so what was ... the nature of 8 those enquiries and the related assessments?"</p> <p>9 I just want you to confirm for the record that we 10 will find the answer to that question on page 185 and 11 186. Is that correct?</p> <p>12 MR GODWIN SO: Yes.</p> <p>13 MR PETER DUNCAN: Just one aspect of that I would like to 14 confirm, please. Page 186, the second bullet: 15 "A sample [bus captain] candidate interview 16 evaluation form is annexed ..."</p> <p>17 And you have given the annex reference. We might 18 just take a quick look at that. We will find that at 19 KMB-10 at page 4439.</p> <p>20 Is that the form, at KMB-10/4439, which is currently 21 used at the evaluation form in this context?</p> <p>22 MR GODWIN SO: Yes, but some columns are no longer 23 applicable.</p> <p>24 MR PETER DUNCAN: Please explain.</p> <p>25 MR GODWIN SO: (Via interpreter) We can look at the next</p>
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<p>1 Mr Chairman, I'm sorry.</p> <p>2 CHAIRMAN: No, I understand.</p> <p>3 DR NORMAN LEUNG: But I hope that it can be done as soon as 4 possible. Basically, I want to set up this new 5 department as soon as possible and to have in place 6 professional psychologists working as colleagues in our 7 company.</p> <p>8 CHAIRMAN: Thank you.</p> <p>9 MR JAMES WONG: (Via interpreter) I have something to add 10 with regards to your question. I am the project manager 11 for this project. During recruitment, we consider the 12 fact that bus captains are a professional role, so the 13 work nature is closely related to work attitude. So, 14 with the help of psychologists, we hope to identify the 15 right candidates during recruitment, and in turn they 16 can help fulfil the roles of bus captains.</p> <p>17 Thank you.</p> <p>18 CHAIRMAN: Mr Duncan.</p> <p>19 MR PETER DUNCAN: Thank you, Chairman. 20 Could you go, within the same file, please, to 21 page 185. This is an extract from the second submission 22 by the company to the committee. 23 I just want to bring to your attention the third of 24 the questions that was asked at that stage. That is: 25 "Please describe what part, if any, of an assessment</p>	<p>1 page, 4440. You can see there is a box called "DISC 2 Test Evaluation". This is a personality check. 3 A professional firm would conduct some questionnaires 4 for the candidates. The candidates can make choices. 5 For example, the candidate can describe their own 6 personality as outgoing or any other adjective. The 7 candidate can tick the most applicable or the least 8 applicable boxes that describe them.</p> <p>9 After review in 2014, the form was deemed to be 10 ineffective, so this field was no longer included. The 11 rest are still in use now.</p> <p>12 CHAIRMAN: Although it's been discontinued, can you help me 13 at least with the acronym, "DISC"?</p> <p>14 MR GODWIN SO: (Via interpreter) "DISC" is an acronym. It 15 refers to a form; I can provide that after the meeting.</p> <p>16 CHAIRMAN: Thank you.</p> <p>17 MR GODWIN SO: Can I continue?</p> <p>18 CHAIRMAN: Please do.</p> <p>19 MR GODWIN SO: (Via interpreter) Even without the DISC test, 20 there was still something to assess the EQ and tolerance 21 of the candidates. Currently, our interviewers would 22 interview the bus captain candidates. There would be 23 more questions. For instance, "If you face rude 24 passengers or difficult passengers", we would assess how 25 the candidate would react. So we would offer</p>

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<p>1 hypothetical scenarios to see how candidates would 2 react. That way, we can assess the candidate's EQ, 3 their attitude, whether they are polite, et cetera. So 4 we currently use interviews as a way of assessment. 5 Apart from interviews, each candidate would have to 6 undergo an on-the-wheel test. Our assessors would 7 embark on a 30-minute trip together with the candidate 8 on the road, and we can assess the personality of the 9 candidates and in turn we can make a holistic assessment 10 on whether a candidate is fit for the role of bus 11 captain. 12 CHAIRMAN: Mr Duncan. 13 MR PETER DUNCAN: Thank you, Chairman. 14 Having touched now on the matter of recruitment, I'm 15 going to ask you, please, to look at page 60 of KMB-1. 16 Again, this is an extract from the initial 17 submission of the company to the committee on 24 April. 18 The first of two questions asked on that page is 19 this: 20 "What are the problems encountered in recruiting and 21 retaining bus captains?" 22 If you could just read to yourself the first two 23 paragraphs on that page. You have brought to the 24 attention of the committee the issue of the shortage and 25 aging problem of commercial vehicle drivers generally in</p>	<p>1 question in full, but is it concerned with this matter 2 of the manpower shortage? 3 MR GODWIN SO: Yes. 4 MR PETER DUNCAN: If we go down to the bottom of the page, 5 do we see the reply from the Secretary for Transport and 6 Housing? 7 Can I read the first paragraph of the answer: 8 "The Government is mindful of the manpower situation 9 of the transport industry. Different transport trades 10 have repeatedly relayed that the labour market has 11 become tighter in recent years. Staff recruitment is 12 not easy and there are signs that the workforce of the 13 industry is aging. In response to the situation, the 14 Government will formulate strategies together with the 15 industry and will work with the trades at policy level 16 if it is feasible and desirable. We also hope that the 17 trades will strive to improve working environment and 18 remuneration and help young people understand more about 19 the trades through different platforms, thereby 20 attracting new blood." 21 If I could just pause there, could I ask you this: 22 has the government in fact formulated strategies 23 together with the industry to address this problem? 24 MR GODWIN SO: (Via interpreter) Personally speaking, 25 I don't think I have got any such information.</p>
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<p>1 the transport industry in Hong Kong. Do you see that? 2 MR GODWIN SO: Yes. 3 MR PETER DUNCAN: Is this a matter, the shortage, that has 4 existed for some years? 5 MR GODWIN SO: Yes. 6 MR PETER DUNCAN: I would like you to turn up, please, 7 KMB-9, at 3840. 8 Has the company from time to time raised this 9 shortage issue with the authorities in Hong Kong? 10 MR GODWIN SO: (Via interpreter) The shortage of bus 11 captains started in 2016 and TD was aware of the 12 situation. 13 CHAIRMAN: Thank you, Mr So. 14 MR PETER DUNCAN: At page 3840 of the bundle, do you see 15 that there is a press release with regard to the matter 16 having reached the attention of the Legislative Council; 17 do you see that? 18 MR GODWIN SO: Yes. 19 MR PETER DUNCAN: Is it introduced by saying: 20 "Following is a question by the [honourable] Frankie 21 Yick and a reply by the Secretary for Transport and 22 Housing, Professor Anthony Cheung Bing Leung, in the 23 Legislative Council today (June 29) ..." 24 25 We can see that's 2016. I won't read out the</p>	<p>1 From the guidelines of the THB in the IRC bundles, 2 it has been said that they encourage the recruitment of 3 sufficient bus captains, but as to whether the 4 government has got strategies, I don't think I have seen 5 any. 6 MR PETER DUNCAN: If I could move to the next page, 3842, 7 and the third full paragraph on that page, if I could 8 bring that to attention, the secretary says this: 9 "In terms of staff qualifications, drivers of 10 franchised and non-franchised buses, PLBs, taxis and 11 container trucks have to hold the relevant driving 12 licences of commercial vehicles. The law requires that 13 an applicant of these driving licences must hold a valid 14 licence to drive a private car or light goods vehicle 15 for at least three years ... [Transport Department] is 16 reviewing whether it is possible to shorten the 17 requirement with a view to attract more new entrants. 18 The target is to strive to complete the review within 19 this year." 20 My question is: has the law been changed in that 21 respect so that the period is shortened? 22 MR GODWIN SO: No. 23 MR PETER DUNCAN: Has anything happened in that regard? 24 MR GODWIN SO: No. 25 MR PETER DUNCAN: Is the company supportive of such</p>

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<p>1 a change?</p> <p>2 MR GODWIN SO: (Via interpreter) I think we need to carry</p> <p>3 out consultation and I want to know about the</p> <p>4 compensation. If somebody has only got one year's</p> <p>5 experience as a holder of a private car, I just doubt</p> <p>6 whether he can drive a franchised bus carrying 150</p> <p>7 passengers. There is a safety consideration. Somebody</p> <p>8 gets a driving licence but it's not the same as having</p> <p>9 driving experience.</p> <p>10 As to whether a year's duration is adequate, I think</p> <p>11 we need to study the matter and discuss about it.</p> <p>12 MR PETER DUNCAN: Has the Transport Department come to you</p> <p>13 and said, "Look, let's discuss this, see what the issues</p> <p>14 are"?</p> <p>15 MR JAMES WONG: (Via interpreter) The Transport Department</p> <p>16 did invite different franchised bus companies to discuss</p> <p>17 the matter, but no decision has been made. I think it</p> <p>18 was sometime last month. But no conclusion has been</p> <p>19 reached.</p> <p>20 At that time, there was no clear position being</p> <p>21 stated. They merely tried to consult the different</p> <p>22 franchised bus operators.</p> <p>23 MR PETER DUNCAN: Had they approached your company before</p> <p>24 last month on this issue?</p> <p>25 MR JAMES WONG: (Via interpreter) No, not before that.</p>	<p>1 Then (c):</p> <p>2 "The shortage of manpower in drivers for public</p> <p>3 transport services and container trucks has remained for</p> <p>4 a long time. Will there be any supplementary for</p> <p>5 whether the position of driver be included into the</p> <p>6 programme by the Labour Department? If yes, what's the</p> <p>7 plan? If not, what measures to help the industry in</p> <p>8 employing drivers effectively and also the relevant</p> <p>9 staffing arrangements and expenditure budget?"</p> <p>10 If we go through the three answers, at item (a):</p> <p>11 "From 2013 to 2017, the age distribution of drivers</p> <p>12 for franchised buses is as follows".</p> <p>13 One will see the figures there, with in particular</p> <p>14 the age of 25 to 29-year-olds, 2013, 341; 2017, 449. At</p> <p>15 the other end of the scale, 60 to 69, in 2013, 1,167;</p> <p>16 and in 2017, 2,022 in that category. The previous</p> <p>17 category, 50 to 59, in 2017, 5,886 in that category.</p> <p>18 Then (b):</p> <p>19 "From 2013 to 2017, the number of job vacancies for</p> <p>20 drivers of franchised buses is as follows".</p> <p>21 Then we can see a job vacancy in 2013 of 192, and</p> <p>22 a vacancy last year, 2017, of 366.</p> <p>23 Then at 3847-4 we have the answer to the third</p> <p>24 question, item (c):</p> <p>25 "Pursuant to the Transport Department, as of the end</p>
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<p>1 MR PETER DUNCAN: Can you look now, please, at KMB-9,</p> <p>2 page 3844. I think it will be 3855 that I want you to</p> <p>3 look at. I will be working off the translation at</p> <p>4 page 3847-1.</p> <p>5 You should be looking at a document which is headed,</p> <p>6 "2018 [to] 19 audit", "Expenditure budget".</p> <p>7 MR GODWIN SO: Yes.</p> <p>8 MR PETER DUNCAN: I believe this to be a record regarding</p> <p>9 a discussion at a meeting of the Legislative Council</p> <p>10 earlier this year on 20 April.</p> <p>11 MR GODWIN SO: Yes, but the data is on page 3847-3?</p> <p>12 MR PETER DUNCAN: Yes. I want to take you through the</p> <p>13 questions first that were apparently asked of the</p> <p>14 government regulatory officer, who in this case seems to</p> <p>15 be the Commissioner for Labour.</p> <p>16 The first question, reading from page 3847-1:</p> <p>17 "Request is made to the concerning authority to</p> <p>18 inform us about the followings:</p> <p>19 (a) Please provide the following statistics on the</p> <p>20 aging issue of drivers for public transport services and</p> <p>21 container trucks."</p> <p>22 That's question (a), and then question (b), on the</p> <p>23 translation 3847-2:</p> <p>24 "For job vacancy in (a), please provide the</p> <p>25 following statistics."</p>	<p>1 of 2017, there were more than 370,000 holders of</p> <p>2 effective 'commercial vehicle' (note) driving licence"</p> <p>3 -- Commercial vehicles refer to private light buses,</p> <p>4 public light buses, taxis, private buses, public buses,</p> <p>5 franchised public buses, medium truck, heavy truck,</p> <p>6 articulated vehicles and special purpose vehicles --</p> <p>7 "but only more than 90,000 commercial vehicles with the</p> <p>8 licences, therefore the key is how to attract qualified</p> <p>9 individuals to join the industry. In view of this, the</p> <p>10 government should not make a hasty consideration on the</p> <p>11 proposal of importing drivers for commercial vehicles</p> <p>12 but must take into account the livelihood of local</p> <p>13 drivers."</p> <p>14 Now, you can see that a point which has been raised</p> <p>15 is the possibility of persons from outside Hong Kong</p> <p>16 being allowed to come in in order to alleviate the</p> <p>17 situation which appears to exist generally in the</p> <p>18 transport industry as far as drivers are concerned.</p> <p>19 Does the company have any particular position on</p> <p>20 a proposal such as this?</p> <p>21 MR GODWIN SO: (Via interpreter) No. May I explain?</p> <p>22 CHAIRMAN: Yes.</p> <p>23 MR PETER DUNCAN: Nothing to explain or ...?</p> <p>24 MR ROGER LEE: I think so.</p> <p>25 MR PETER DUNCAN: So you are neither for this nor against</p>

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<p>1 it; is that the position?</p> <p>2 DR NORMAN LEUNG: May I say this: this is a very political</p> <p>3 issue. I can anticipate that there would be strong</p> <p>4 objection from the trade unions in Hong Kong to</p> <p>5 introduce import of labour. In Singapore, they do it.</p> <p>6 SBS, they have drivers imported from the mainland of</p> <p>7 China, thereby solving the problem of driver shortage.</p> <p>8 They do that in Singapore. But I doubt if we can do it</p> <p>9 in Hong Kong, in view of the current political</p> <p>10 situation.</p> <p>11 CHAIRMAN: Didn't they have a lot of trouble with striking</p> <p>12 imported labour drivers?</p> <p>13 DR NORMAN LEUNG: I think sometime -- yes, a few months ago,</p> <p>14 perhaps sometime last year, because of the</p> <p>15 differentiation of remuneration package, but I think the</p> <p>16 problem was solved eventually.</p> <p>17 CHAIRMAN: But you identify this as a political issue?</p> <p>18 DR NORMAN LEUNG: Here in Hong Kong.</p> <p>19 MR ROGER LEE: (Via interpreter) I think, in reality, there</p> <p>20 is also another point. Hong Kong is a unique city. It</p> <p>21 is quite unlike the case in Shenzhen or Shanghai or in</p> <p>22 Taipei. In those cities, they have a larger context,</p> <p>23 and in Hong Kong we have got double-decked buses and we</p> <p>24 have the right-wheel drive. So it is quite different</p> <p>25 and this is the difficulty. For the roads in Hong Kong</p>	<p>1 MR JAMES WONG: (Via interpreter) We would have to look into</p> <p>2 the issue. The current requirement is that someone must</p> <p>3 hold a private vehicle licence for three years. If the</p> <p>4 requirement is shortened, we may have to consider</p> <p>5 passenger safety and driving safety. I have no personal</p> <p>6 stance on this, but our company would have to look into</p> <p>7 this before replying to the TD.</p> <p>8 CHAIRMAN: When do you expect to reply to the Transport</p> <p>9 Department?</p> <p>10 MR JAMES WONG: (Via interpreter) This is in process. There</p> <p>11 is no fixed deadline for us to give a reply.</p> <p>12 MR PATRICK PANG: (Via interpreter) Mr Duncan, when we</p> <p>13 approach this issue, I think we need to strike a balance</p> <p>14 among a number of factors.</p> <p>15 First of all, there is no compromise on safety. If</p> <p>16 we are to reduce the requirement of three years, if you</p> <p>17 simply look at the duration or the number of years, you</p> <p>18 are losing sight of the whole picture. Can we reduce</p> <p>19 the number of years required but at the same time</p> <p>20 requiring the candidate to give us information that for</p> <p>21 two years he has been driving all the time or he has</p> <p>22 such driving skills that it is up to a particular</p> <p>23 standard, or maybe we can consider having another test</p> <p>24 so that he doesn't need three years, he can have</p> <p>25 a shorter duration, but he must pass a particular</p>
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<p>1 and for the passengers in Hong Kong, when compared with</p> <p>2 other cities and when compared with the mainland,</p> <p>3 I think we are very different.</p> <p>4 CHAIRMAN: Mr Duncan, I propose taking a break to give</p> <p>5 everyone a little rest, and I propose taking 15 minutes.</p> <p>6 Is this a suitable moment?</p> <p>7 MR PETER DUNCAN: Indeed it is, Mr Chairman.</p> <p>8 CHAIRMAN: Very well. We will take a break for 15 minutes.</p> <p>9 (4.13 pm)</p> <p>10 (A short adjournment)</p> <p>11 (4.29 pm)</p> <p>12 CHAIRMAN: Yes, Mr Duncan.</p> <p>13 MR PETER DUNCAN: Thank you, Mr Chairman.</p> <p>14 Mr Wong, you assisted the committee in respect of</p> <p>15 the suggestion that one of the measures that might be</p> <p>16 taken to ease the manpower shortage would be to reduce</p> <p>17 the time that a person has to hold a licence before</p> <p>18 applying for a heavy duty licence from three years to</p> <p>19 one year. I think you expressed some reservations about</p> <p>20 that.</p> <p>21 Do you have some reservations?</p> <p>22 MR JAMES WONG: (Via interpreter) Just now, I said that TD</p> <p>23 approached the trades to discuss this issue.</p> <p>24 MR PETER DUNCAN: Did you agree that reducing it would be</p> <p>25 a good idea or did you express some reservations?</p>	<p>1 test -- can such be considered?</p> <p>2 Of course I know that the industry, not just KMB,</p> <p>3 suffers from driver shortage, but still the prerequisite</p> <p>4 is as follows. First, we give priority to safety, and</p> <p>5 then for the other factors we have an open attitude.</p> <p>6 Thank you, Mr Duncan.</p> <p>7 MR PETER DUNCAN: I want you, please, to have in front of</p> <p>8 you the transcript bundle for Day 1, at page 66, so that</p> <p>9 will be bundle 1. Day 1 at page 66.</p> <p>10 At page 66, line 8, you will see that I have asked</p> <p>11 a question of Mr Joseph Lai:</p> <p>12 "Does that reflect the Government's position</p> <p>13 accurately with regard to the manpower shortage?"</p> <p>14 And there is a response from Mr Lai, Mr Joseph Lai,</p> <p>15 who I can tell you was a representative from the</p> <p>16 Transport and Housing Bureau, permanent secretary.</p> <p>17 If I can just bring to your attention, please, the</p> <p>18 answer which he provided to that question, and if</p> <p>19 I could pick it up at line 16:</p> <p>20 "The other part of our position, regarding the</p> <p>21 chronic problem of shortage in commercial drivers, is</p> <p>22 that we are taking steps to try to -- a full legislative</p> <p>23 amendment, and I would be happy to elaborate on that in</p> <p>24 a moment or two -- full legislative amendment to relax</p> <p>25 the licensing requirement for commercial drivers.</p>

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<p>1 So, basically, what happens is that, at present, if</p> <p>2 you want to apply for a licence, a driving licence, to</p> <p>3 be a commercial vehicle driver, you will have to have</p> <p>4 had a private ... driving licence for three years before</p> <p>5 you are eligible to make the application public ie the</p> <p>6 application for a driving licence for commercial</p> <p>7 vehicles.</p> <p>8 Because of the chronic manpower shortage, we have</p> <p>9 proposed, and the trade as well as Legislative Council</p> <p>10 have agreed, that the three-year period could be reduced</p> <p>11 to a one-year period. So in future, all you need is to</p> <p>12 have a private car driving licence for one year before</p> <p>13 you can apply for a driving licence for a commercial</p> <p>14 vehicle. Commercial vehicles include, of course, buses,</p> <p>15 and that includes of course franchised buses.</p> <p>16 We are drafting the amendment legislation, and we</p> <p>17 hope to be able to introduce that into the Legislative</p> <p>18 Council before the end of this year. If that is passed</p> <p>19 by the Legislative Council, that should also go some way</p> <p>20 towards relieving the private shortage problem. It may</p> <p>21 not provide a total answer, but hopefully it will</p> <p>22 provide some relief.</p> <p>23 On our part, that's what we have been doing. But</p> <p>24 yes, having said that, we do also think that it's part</p> <p>25 of the franchised bus companies, as the franchisee, to</p>	<p>1 training, as Mr Lai states?</p> <p>2 MR ROGER LEE: (Via interpreter) Half-half. Some in the</p> <p>3 trade of course would think about their interests, and</p> <p>4 then for the other half, fewer and fewer people are</p> <p>5 driving commercial vehicles. I think the most important</p> <p>6 threshold is whether you can pass the bus driving</p> <p>7 licence exam. For KMB, we have got two parts. The</p> <p>8 first part, you sit and pass the bus driving examination</p> <p>9 and there's a licence from the Transport Department.</p> <p>10 With this licence, basically, you can drive a bus and</p> <p>11 you can also drive vehicles like tourist coaches. So</p> <p>12 there will be more for the industry -- there would be</p> <p>13 more applicants. So I would say half-half.</p> <p>14 CHAIRMAN: Thank you.</p> <p>15 MR PETER DUNCAN: So, Mr Wong, when you indicated before</p> <p>16 that the government had discussed this with you, was</p> <p>17 this something which was discussed with KMB alone or was</p> <p>18 it discussed with other interested parties as well?</p> <p>19 MR JAMES WONG: (Via interpreter) With all the bus companies</p> <p>20 together.</p> <p>21 MR PETER DUNCAN: How many meetings were held?</p> <p>22 MR JAMES WONG: (Via interpreter) I recall there was only</p> <p>23 one meeting. One.</p> <p>24 CHAIRMAN: That was last month, as you put it?</p> <p>25 MR JAMES WONG: (Via interpreter) Correct. I said it was</p>
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<p>1 take all reasonable measures to ensure that they have</p> <p>2 the necessary number of drivers to provide service."</p> <p>3 So you can see from that extract that apparently the</p> <p>4 government is firmly advocating reducing the three-year</p> <p>5 period to a one-year period and is drafting legislation</p> <p>6 accordingly.</p> <p>7 Before I read this extract to you, was the company</p> <p>8 aware of this?</p> <p>9 MR ROGER LEE: (Via interpreter) Well, what is clear is</p> <p>10 that -- well, first of all, I know it -- now, regarding</p> <p>11 the three years' driving experience, I think that</p> <p>12 requirement, to one extent or other, has discouraged</p> <p>13 some candidates from applying. Cutting it from three</p> <p>14 years to one year means that more people can go to the</p> <p>15 school to sit for the bus driving licence exam.</p> <p>16 Ultimately, you need to take the exam for class 17 and</p> <p>17 then you will qualify as a bus driver.</p> <p>18 Now, if you reduce it from three years to one year,</p> <p>19 it means that more people will be going to the bus</p> <p>20 training school, but ultimately the threshold is whether</p> <p>21 you can pass the driving examination. It helps, because</p> <p>22 people, some people, do have the ability to do so.</p> <p>23 Whether it's three years or one year, it is still being</p> <p>24 discussed; we haven't got a timetable.</p> <p>25 CHAIRMAN: Were you aware that the trade supports this</p>	<p>1 last month. I need to look up my schedule before I can</p> <p>2 recall the exact date.</p> <p>3 CHAIRMAN: But you went on to say no clear position was</p> <p>4 stated.</p> <p>5 MR JAMES WONG: (Via interpreter) We were told about what</p> <p>6 they generally have planned to do. If the number of</p> <p>7 years required is to be reduced, then there is</p> <p>8 a requirement for passenger service cost. But then such</p> <p>9 were preliminary ideas. Therefore, we have yet to get</p> <p>10 the overall picture as to what would be done.</p> <p>11 CHAIRMAN: Mr Lai was giving evidence three months ago,</p> <p>12 telling us that the trade supported it, and you say he</p> <p>13 was asking the bus companies last month about the same</p> <p>14 issue?</p> <p>15 MR JAMES WONG: (Via interpreter) Correct.</p> <p>16 CHAIRMAN: Thank you.</p> <p>17 MR PETER DUNCAN: In February this year, the new guidelines</p> <p>18 with respect to shifts and rest times, and so forth,</p> <p>19 were issued. Has the issue of those guidelines affected</p> <p>20 the ability of the company to recruit staff for bus</p> <p>21 driving positions?</p> <p>22 MR PATRICK PANG: (Via interpreter) Mr Duncan, if I am to</p> <p>23 answer your question directly -- well, maybe first of</p> <p>24 all let me say this. The Transport Department revised</p> <p>25 the guidelines this year, but then the revised</p>

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<p>1 guidelines are supposed to be fully implemented in the 2 second quarter of next year. But our initial assessment 3 is that -- and in fact we are already carrying out some 4 system modifications; in other words, we are upgrading 5 the computer programs so as to tie in with the revised 6 guidelines. Well, for the new guidelines -- 7 CHAIRMAN: Mr Pang, this was not an open-ended question. 8 The question was simply this: has it affected the 9 recruitment of bus captains? You can probably answer 10 that "yes" or "no". 11 MR PATRICK PANG: (Via interpreter) If you only talk about 12 recruitment, yes, it will be affected. 13 CHAIRMAN: That was Mr Duncan's question. 14 Yes, Mr Duncan. 15 MR PETER DUNCAN: In what way has it been affected? 16 MR PATRICK PANG: (Via interpreter) We have done some 17 calculations. If we are to follow the revised 18 guidelines, we need to recruit an extra 200 bus 19 captains. Then, under the revised guidelines, we have 20 the special shift, and for this special shift, in 21 future, if we are to do away with it and if we have 22 a strict shift, then we need another extra 1,000 bus 23 captains. 24 MR PETER DUNCAN: I will come to the ramifications of the 25 extra shift somewhat later, but I'm sorry I haven't made</p>	<p>1 MR PETER DUNCAN: The decision you have made with part-time 2 captains, does that mean that number of 200 will 3 actually increase? 4 MR GODWIN SO: (Via interpreter) The 200 extra bus captains 5 to deal with the new guidelines, we were referring to 6 full-time captains. In February, we made a change to 7 our policy on part-time captains. The percentage of 8 part-time captains in terms of the total captains of our 9 captains was only 3 to 4 per cent before -- after that 10 change in February. 11 MR PETER DUNCAN: Thank you. I'm going to ask you to go to 12 page 58 of KMB-1, please. 13 The question you are asked -- again, this is the 14 first submission: 15 "Does your company have adequate full-time bus 16 captains to provide proper and efficient service? Is 17 there a need for your company to continuously employ bus 18 captains on a part-time basis to make up for the 19 manpower shortfall and/or to augment the core staff 20 complement to cover special events and absences? Please 21 also furnish the number of bus captains on different 22 employment terms and the extent to which the current 23 staff complement can meet your operational 24 requirements?" 25 If I could go to the last bullet on the page. You</p>
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<p>1 myself clear. Since February, has the issue of the 2 guidelines made it easier or made it harder, or has it 3 had no effect, on the company's ability to recruit 4 people to the position of a bus captaincy? 5 MR GODWIN SO: (Via interpreter) This depends on how 6 candidates respond to the new guidelines. The company 7 did a lot in February when the guidelines were revised. 8 I do not feel that candidates knew or cared much about 9 these guidelines, or the new guidelines. 10 MR PETER DUNCAN: So I infer from that that it has had no 11 effect; the position is much the same now as it was in 12 January; is that correct? 13 MR GODWIN SO: (Via interpreter) We did not feel that there 14 was an effect. 15 MR PETER DUNCAN: Now, you have indicated that in order to 16 comply with the new guidelines, you are going to have to 17 engage something like 200 additional captains. 18 Since the Tai Po accident, it is true, is it not, 19 that you have altered your policy with regard to the 20 work of part-time captains and to the engagement of 21 part-time captains? 22 MR ROGER LEE: (Via interpreter) Yes. 23 MR PETER DUNCAN: Does the figure you have given us, the 24 extra 200, take that into account? 25 MR ROGER LEE: (Via interpreter) No.</p>	<p>1 have said there that: 2 "[bus captains] are employed in the following types 3 of employment based on [the] date of appointment: 4 -- Daily-rated [bus captains]: those who were 5 employed before May 1999." 6 Forgive me for asking this, but does that mean these 7 are bus captains whose salary is based on so much per 8 day? 9 MR GODWIN SO: Yes. 10 MR PETER DUNCAN: And equally, monthly-rated bus captains, 11 they are paid by the month, a monthly amount; is that 12 correct? 13 MR GODWIN SO: Monthly amount, yes. 14 MR PETER DUNCAN: Then the third group, the retired bus 15 captains who are engaged for re-employment, they can be 16 paid either on a monthly rate or a third way, on the 17 basis of so much per hour; is that correct? 18 MR GODWIN SO: (Via interpreter) This depends on the 19 employment mode. If they choose an hourly rate, they 20 would be rostered and paid on an hourly basis. For 21 monthly-rated BCs, they would be rostered and paid on 22 a monthly basis. 23 MR PETER DUNCAN: Thank you. We can see the numbers, at 24 least as they were at the time of the return, 24 April, 25 on page 59. Those on a daily rate, 2,105 for KMB; those</p>

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<p>1 on a monthly rate, 5,201; retired folk who are</p> <p>2 re-employed, rated on an hourly basis, 577; retired who</p> <p>3 have come back on a monthly basis, 383; and then</p> <p>4 external hourly-rated bus captains, 371.</p> <p>5 Do I infer correctly that external hourly-rated bus</p> <p>6 captains would all be part-time?</p> <p>7 MR GODWIN SO: (Via interpreter) Correct.</p> <p>8 MR PETER DUNCAN: Then you have the figure of bus captain</p> <p>9 vacancies at the end: 28 February, 280.</p> <p>10 MR GODWIN SO: Yes, at that moment.</p> <p>11 MR PETER DUNCAN: If we go back then to page 58, and if</p> <p>12 I could bring to your attention the second-last bullet</p> <p>13 on that page, concerning part-time bus drivers:</p> <p>14 "Since mid-February 2018, KMB has stopped recruiting</p> <p>15 new external hourly-rated [bus captains] who work short</p> <p>16 hours (ie below 18 hours per week)."</p> <p>17 Is a consequence of that that KMB will still engage</p> <p>18 new part-time workers as long as they work more than</p> <p>19 18 hours per week?</p> <p>20 MR GODWIN SO: Yes.</p> <p>21 MR ROGER LEE: (Via interpreter) I have something to add.</p> <p>22 Part-time and full-time captains are different. With</p> <p>23 a threshold of 18 hours per week, we would have to know</p> <p>24 any employment of the bus captains prior to their work</p> <p>25 and we know whether they were engaged with other</p>	<p>1 that sort of person?</p> <p>2 MR GODWIN SO: (Via interpreter) If the applicant does not</p> <p>3 provide the information, we cannot take the reasonable</p> <p>4 step to concern -- to find out about their total number</p> <p>5 of work hours or the possible problem of fatigue. We</p> <p>6 require applicants to make several declarations. First</p> <p>7 of all, their work outside, and from our records, for</p> <p>8 the 300-odd captains, 40 per cent are clerical post</p> <p>9 workers, and the remaining 30 per cent have no other</p> <p>10 employment and about 25 per cent are engaged in other</p> <p>11 driving duties or employment. They have to assure us</p> <p>12 that their work does not contravene with the work at KMB</p> <p>13 and there is no objection from their other employers.</p> <p>14 So we want to make sure that there will not be</p> <p>15 driving fatigue from captains engaging in two driving</p> <p>16 jobs. For those who work below 18 hours per week, it</p> <p>17 would be hard for them to provide such information. For</p> <p>18 part-time captains, even though they are part-timers,</p> <p>19 they must take their work seriously. If they have to</p> <p>20 work 18 hours per week, we have to make sure that their</p> <p>21 driving skills are sharp.</p> <p>22 So this is one of the factors we would consider.</p> <p>23 MR PETER DUNCAN: But the bottom line with that system, if</p> <p>24 I may observe, is the quality of the information you are</p> <p>25 getting back with regard to the other employment of the</p>
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<p>1 vehicles, et cetera. So it might be hard to define</p> <p>2 part-time or full-time work by the threshold of 18 hours</p> <p>3 per week, so that's why we drew the line at 18 hours per</p> <p>4 week for part-time drivers.</p> <p>5 MR PETER DUNCAN: I do infer from that that you consider it</p> <p>6 is more likely that people who work more than 18 hours</p> <p>7 will not have another job which interferes with their</p> <p>8 driving? Is that the rationale?</p> <p>9 MR ROGER LEE: Yes and no.</p> <p>10 (Via interpreter) Yes, if someone works continuously</p> <p>11 more than 18 hours every week, we would ask if the bus</p> <p>12 captain has other work. If the answer is yes, we must</p> <p>13 understand the nature of such work and whether their</p> <p>14 employers allow them to drive. This is very important.</p> <p>15 Let's assume the bus driver also drives a taxi. If</p> <p>16 he drives 18 hours at KMB, we might not know the total</p> <p>17 number of hours spent driving. We have rules in place.</p> <p>18 That is, we have to find out about the other employment</p> <p>19 of the driver or else we won't be able to understand</p> <p>20 their profile.</p> <p>21 MR PETER DUNCAN: And what's the perceived problem with</p> <p>22 respect to a person, say, who wanted to work for you</p> <p>23 just 12 hours a week?</p> <p>24 MR ROGER LEE: No. Simply just reject.</p> <p>25 MR PETER DUNCAN: Yes, but why do you have no interest in</p>	<p>1 individual. The quality of that will not necessarily</p> <p>2 depend on whether a person works for you for 12 hours or</p> <p>3 whether he works for you for 20 hours. Do you</p> <p>4 understand my point?</p> <p>5 MR GODWIN SO: (Via interpreter) I do not agree.</p> <p>6 MR PETER DUNCAN: Why do you not agree?</p> <p>7 MR GODWIN SO: (Via interpreter) We know that a lot of</p> <p>8 people love driving buses of different models, that's</p> <p>9 why they become part-time captains. But do they have</p> <p>10 the right mindset? This is something I will not comment</p> <p>11 on. As I said, our company has guidelines in place, so</p> <p>12 we must apply these standards.</p> <p>13 So, for continuous employment of someone who works</p> <p>14 18 hours per week, we can ask them what other jobs they</p> <p>15 have outside. That's why we set the threshold at</p> <p>16 18 hours. We feel that we would not recruit less bus</p> <p>17 captains on shorter hours, which would affect our</p> <p>18 productivity, so the threshold of 18 hours is the right</p> <p>19 trade-off between productivity, and that's why we set</p> <p>20 this threshold.</p> <p>21 MR ROGER LEE: (Via interpreter) If you do not set such</p> <p>22 threshold, even if a captain has great driving skills,</p> <p>23 if the captain only works one or two hours, it would be</p> <p>24 very difficult to roster them. So this is something we</p> <p>25 must bear in mind.</p>

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<p>1 CHAIRMAN: Mr Duncan, do you propose taking the 2 representatives to the declarations? 3 MR PETER DUNCAN: I do ultimately, but not at this point. 4 CHAIRMAN: Thank you. 5 MR PETER DUNCAN: We will come to those later, in 6 a different context, Mr Chairman. 7 CHAIRMAN: Of course. 8 But whilst we are on this topic -- you have given 9 some overall statistics for the jobs -- the fact they 10 don't have jobs, and those that have driving, 11 40 per cent clerical, 30 per cent no other employment, 12 25 per cent engaged in driving. Can you provide those 13 statistics to the committee? 14 MR GODWIN SO: (Chinese words not interpreted). 15 CHAIRMAN: And in particular details of the other driving 16 jobs? 17 MR GODWIN SO: (Via interpreter) Yes, it's possible. 18 CHAIRMAN: For example, presumably -- 19 MR GODWIN SO: (Via interpreter) Like driving goods vehicles 20 or chauffeurs. 21 CHAIRMAN: Yes, that's what I have in mind: coaches, 22 chauffeurs, taxis, PLBs, and so on. If you could 23 provide that, that would be helpful. 24 MR GODWIN SO: Yes. 25 CHAIRMAN: Thank you.</p>	<p>1 to the Transport Department following the accident at 2 Tai Po, so it's actually earlier in time. It's dated 3 12 March. Part 4 is concerned with recruitment, and the 4 first heading is, "Discontinuance of Employment of Part 5 Time [bus captains]". What is said in this paragraph 6 is, firstly, that: 7 "KMB has discontinued the employment of all 8 part-time [bus captains] whose working hours fall below 9 18 hours per week." 10 So you will see it's slightly differently expressed 11 from what is at page 58, in that 58 talks about stopping 12 the recruiting of new hourly-rated BCs, whereas this 13 mentions the discontinuance of all part-time BCs whose 14 working hours fall below 18 hours per week. 15 Leaving aside how it is expressed, are you conveying 16 the same message in each of these communications? 17 MR GODWIN SO: (Via interpreter) The two are consistent. 18 They all talked about those working short working hours, 19 that is less than 18 hours per week. First of all, 20 there won't be recruitment of new candidates in this 21 category. Second, for the one shown on the screen, for 22 the existing employees -- now, the two are different. 23 Just now I talked about stop recruiting new candidates, 24 and then here we talk about the existing staff; we talk 25 about discontinuing the employment. We weren't talking</p>
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<p>1 MR PETER DUNCAN: Was this change prompted by the accident 2 at Tai Po? 3 MR GODWIN SO: (Via interpreter) Yes, triggered by this 4 incident. This is because at that time, in the society, 5 there was this idea; that is, we as a bus company had 6 been engaging part-time bus captains. We weren't 7 talking about the skills of the part-time bus captains. 8 The question was maybe the bus captain had started with 9 us in the evening, we didn't know about his daytime job, 10 whether he was very tired. At that time, we thought we 11 could have done better, so we paused and then we 12 fine-tuned the arrangements and then we came up with the 13 criteria that it should be drawn at 18 hours, and we 14 have got 300-plus bus captains, we offered them the 15 chance to convert and the new policy has been in place 16 since then. 17 MR PETER DUNCAN: Prior to the Tai Po accident, how many 18 part-time bus captains did you have working less than 19 18 hours a week? 20 MR GODWIN SO: (Via interpreter) Among the 300-plus bus 21 captains, I can't give you the exact figure, 200-plus 22 could work for more than 18 hours. Less than 100 worked 23 less than 18 hours. 24 MR PETER DUNCAN: Could I take you, please, to page 104 of 25 the same bundle. This is the part 4 of the report sent</p>	<p>1 about dismissing them because they are hourly-rated, 2 it's just that at that time we stopped rostering them, 3 we didn't assign jobs with them, and then we discussed 4 with them, as mentioned in the second paragraph, that is 5 we persuaded them to convert into contract hourly-rated. 6 That is whether they could work longer hours. Because 7 some of them didn't have an alternative job or their 8 income would be affected. So at that time we said, "You 9 have been working shorter hours, maybe you would like to 10 take up another role, say for example being an assistant 11 at the terminus." 12 So we are talking about different things. For that, 13 we didn't want to affect their income. 14 MR PETER DUNCAN: I understand. Thank you very much. 15 What is meant by "convert to contract hourly-rated 16 BCs"? Would they not have been contract hourly-rated 17 before this change? 18 MR GODWIN SO: (Via interpreter) Correct. In the past, we 19 just called them part-time BCs. Since February, for the 20 newly recruited, they would fit the arrangement of four 21 weeks in a row, 18 hours a week, and we talk about 22 continuous work. So it would be confusing to use 23 "part-time", and that's why we use the term "contract 24 hourly-rated BC". 25 For this group of employees, they worked for less</p>

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<p>1 than 18 hours in the past, then we talked to them. If 2 they could take up more work, then that means they would 3 drive for more than 18 hours. That's one way out. 4 Another way is they could take up other posts. 5 MR PETER DUNCAN: Thank you. 6 Could I take you through to page 145, please. This 7 is the first of two action plans which you have 8 provided. This first one was provided to the Transport 9 Department on 10 April. I am sorry, I should have 10 referred you to page 138. You can see the letter there 11 at 138, and the second paragraph refers to an action 12 plan. 13 Do you have page 138? 14 MR GODWIN SO: Yes. 15 MR PETER DUNCAN: Thank you. This response of 10 April -- 16 so again, it was before the first submission to the 17 committee -- contained the action plan and I am asking 18 you to turn up, please, page 145. 19 We can see the first of the topics there, consistent 20 with what you have told us, number 1: 21 "To discontinue the employment of part-time [bus 22 captains] whose working hours fall below 18 hours per 23 week." 24 The action plan: 25 "No more new employment of part-time [bus captains]</p>	<p>1 If you have been previously employed by the company, you 2 can work, say, for 12 hours a week, provided there is 3 a declaration that the employment contract with other 4 employer is not breached? 5 MR GODWIN SO: Yes. 6 MR PETER DUNCAN: What about those who agree to work more 7 than 18 hours a week? There is nothing in this 8 particular box which suggests that they have to make 9 a declaration with regard to whether or not they are 10 breaching their employment contract. So what is the 11 position with those who agree to work more than 18 hours 12 a week? Do they have to make a declaration? 13 MR GODWIN SO: Can I one by one to explain slowly? 14 MR PETER DUNCAN: Please. 15 MR GODWIN SO: (Via interpreter) Someone was previously 16 a part-time BC, now he opted to become a BC with more 17 than 18 hours; he signed a new contract, and he is 18 regarded as a contract hourly-rated BC. He has to 19 disclose his outside employment. He has to disclose his 20 outside employment. So this is the first category: 21 agreed to work for more than 18 hours. 22 For the second group, they are still part-time BCs. 23 This is because at that time there was a group of 24 part-time BCs, they have been working for us, and all of 25 a sudden they haven't been assigned work. They talked</p>
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<p>1 with working hours below 18 hours per week since 2 15 February 2018." 3 So that was done? 4 MR GODWIN SO: Yes. 5 MR PETER DUNCAN: Secondly, number 2: 6 "To offer the previous part-time [bus captains] the 7 option to convert to contract hourly-rated [bus 8 captains] or to take up alternative duties in the 9 company." 10 Then the action plan states this: 11 "Status of the 209 previous part-time [bus 12 captains]: 13 Agreed to work [more than] 18 hours a week: 78. 14 Agreed to work over 10 hours a week; declare doing 15 part-time [bus captains] at KMB will not breach the 16 employment contract with their employer", and then 17 a third row, "Quitted". 18 So if I could concentrate on the middle 19 classification, do I read that correctly that some of 20 the previously employed part-time bus captains are now 21 permitted to work more than 10 hours a week but less 22 than 18 hours a week, provided they are not breaching 23 the employment contract with their employer? 24 MR GODWIN SO: Yes. Can I supplement? 25 MR PETER DUNCAN: It is not universally more than 18 hours?</p>	<p>1 to us. They have expectations of us. We have been 2 employing them. We have stopped new employment. We 3 know about their driving skills. So we tried to do 4 something which is a compromise to both parties. They 5 can continue to drive, but then, as Mr Lee has said, we 6 don't want them to drive an hour or two. At least they 7 should drive 10 hours. And they have to declare that 8 doing so would not breach the employment contract of the 9 other job, because I know that for some employment 10 contracts part-time work would not be allowed and they 11 shouldn't have been working for us. 12 CHAIRMAN: Before you go on, Mr So, we have received 13 evidence from drivers in this very category, Part-time 14 Drivers Union. 15 Carry on. 16 MR GODWIN SO: (Via interpreter) I have finished. 17 MR PETER DUNCAN: I'm just wondering why, in the first 18 category, there is no reference to the requirement for 19 a declaration. 20 MR GODWIN SO: (Via interpreter) We have omitted -- well, in 21 fact, the 78 of them did declare, they did report to us 22 about their alternative employment. 23 CHAIRMAN: So was this done in a form? 24 MR GODWIN SO: (Via interpreter) Yes, and I can supply 25 a copy.</p>

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<p>1 CHAIRMAN: Please do.</p> <p>2 MR PETER DUNCAN: So whether you work more than 10 or</p> <p>3 whether you work more than 18, you have to sign the same</p> <p>4 declaration; is that correct?</p> <p>5 MR GODWIN SO: (Via interpreter) They are two different</p> <p>6 documents, but I can provide both to you.</p> <p>7 MR PETER DUNCAN: Thank you.</p> <p>8 While we are on the subject of these sorts of</p> <p>9 documents, I don't believe in the bundle we have any</p> <p>10 example of an employment contract with the bus captain.</p> <p>11 Is there a standard letter of employment that is entered</p> <p>12 into?</p> <p>13 MR GODWIN SO: Yes.</p> <p>14 MR PETER DUNCAN: Could you also provide that, please?</p> <p>15 MR GODWIN SO: I will.</p> <p>16 MR PETER DUNCAN: Is there just one form for all bus</p> <p>17 captains or are there different forms depending on their</p> <p>18 status?</p> <p>19 MR GODWIN SO: (Via interpreter) For the new recruits, one</p> <p>20 form, and then there is another one. That's for the</p> <p>21 re-employment of retired BCs. So two types.</p> <p>22 MR PETER DUNCAN: Thank you. We would be grateful if you</p> <p>23 could make available the two types. Thank you.</p> <p>24 MR GODWIN SO: Yes.</p> <p>25 MR PETER DUNCAN: Now, if we could go back, please, to</p>	<p>1 "Part-time BCs are subject to the same assessment of</p> <p>2 instructors ..."</p> <p>3 Then we get the third one:</p> <p>4 "Part-time BCs receive appropriate training before</p> <p>5 passing out for duty ..."</p> <p>6 So it's not "the same training", it is "appropriate</p> <p>7 training".</p> <p>8 If I could just try to identify any differences</p> <p>9 which existed at least at this time, that's February</p> <p>10 2018, between the training which was provided to</p> <p>11 full-time bus captains and the training which was</p> <p>12 provided to part-time captains respectively.</p> <p>13 In that respect, can I take you, please, to</p> <p>14 page 120. I think the first difference -- sorry, is</p> <p>15 there a difference in the qualification and recruit</p> <p>16 requirements in that for a full-time candidate, the</p> <p>17 alternative requirement is the holder of a private car</p> <p>18 licence for at least three years, or the holder of</p> <p>19 a valid class 10 or class 17 licence, whereas for</p> <p>20 a part-time candidate, in (ii), you must have either the</p> <p>21 class 10 or the class 17? Is that the first difference?</p> <p>22 MR GODWIN SO: Yes.</p> <p>23 MR PETER DUNCAN: Thank you.</p> <p>24 CHAIRMAN: Presumably, that's because you weren't prepared</p> <p>25 to bear the cost of training someone to be a part-time</p>
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<p>1 page 124. I have a few more questions about part-time</p> <p>2 bus drivers, bus captains.</p> <p>3 In fact, I think if you start with page 117 in the</p> <p>4 bundle. This I think is the first letter which was</p> <p>5 written by the Transport Department to the company after</p> <p>6 the Tai Po tragedy. The letter is dated 12 February,</p> <p>7 and there are a number of -- (a), (b), (c), (d) --</p> <p>8 questions, and the first of those questions we can see</p> <p>9 at (a). At the moment, I'm concerned with question (b):</p> <p>10 "KMB's policy on part-time bus captains and details</p> <p>11 of these captains, including the number of part-time</p> <p>12 captains, deployment and working hours, et cetera".</p> <p>13 If you then turn to page 124, you will pick up the</p> <p>14 question at the top of that page.</p> <p>15 KMB's response is described to issue (b), as we can</p> <p>16 see it in (i):</p> <p>17 "KMB's policy on part-time [bus captains]".</p> <p>18 If you go through the bullets, there are seven of</p> <p>19 them, they basically say that part-time bus captains are</p> <p>20 treated in the same way as full-time bus captains in</p> <p>21 each instance, save for the third, which is concerned</p> <p>22 with training. So the first bullet:</p> <p>23 "Part-time BCs have the same entry requirements as</p> <p>24 full-time BCs ..."</p> <p>25 The second requirement:</p>	<p>1 captain if all he held was a driving licence; would that</p> <p>2 be it?</p> <p>3 MR GODWIN SO: Yes.</p> <p>4 MR PETER DUNCAN: Thank you.</p> <p>5 The second matter to which I wish to bring your</p> <p>6 attention is (iii), "General training", and for</p> <p>7 full-time candidates, I refer to the bullet under (iii),</p> <p>8 he is required to "undergo an 18-day training (9.5 hours</p> <p>9 a day) (subject to extension based on assessment of the</p> <p>10 candidate's performance by instructor)."</p> <p>11 And if we turn the page to page 121, we will see the</p> <p>12 comparable requirement for the part-time bus captain.</p> <p>13 Under (iv), he or she is required to undergo a training</p> <p>14 of 2.5 days, as compared to 18 days, of 9 hours a day.</p> <p>15 Is that the difference?</p> <p>16 MR GODWIN SO: Yes, but I mention that for the (vi), this</p> <p>17 part-time BC with class 10 or class 11 driving licence.</p> <p>18 MR PETER DUNCAN: Yes. There is still a difference, is</p> <p>19 there not, between the length of the training, in that</p> <p>20 the full-time bus captain has to undergo an 18-day</p> <p>21 training, whereas the part-timer has to undertake only</p> <p>22 a 2.5-day training?</p> <p>23 MR GODWIN SO: Yes, at the moment.</p> <p>24 MR PETER DUNCAN: Then a third difference, if I understand</p> <p>25 this correctly, if you look at page 121, "Phase 2", the</p>

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<p>1 route training at the bottom of that box is conducted on</p> <p>2 two routes; whereas if you look at the part-time</p> <p>3 position at page 122, the route training is for one</p> <p>4 route. Is that a difference?</p> <p>5 MR GODWIN SO: Yes.</p> <p>6 MR PETER DUNCAN: Then a further difference, if I understand</p> <p>7 this correctly, at page 121, the full-time -- I'm</p> <p>8 looking at the bullet just above (iv):</p> <p>9 "A full-time [bus captain] candidate will have</p> <p>10 a total of at least 68 hours of on-the-wheel bus driving</p> <p>11 training (inclusive of the time for route training)</p> <p>12 under the supervision of instructors."</p> <p>13 And the equivalent at page 122, just under the box:</p> <p>14 "A part-time [bus captain] candidate will have</p> <p>15 a total of at least 16 hours of on-the-wheel bus driving</p> <p>16 training (inclusive of the time for route training)</p> <p>17 under the supervision of instructors."</p> <p>18 So is that a fourth difference?</p> <p>19 MR GODWIN SO: Yes.</p> <p>20 MR PETER DUNCAN: Do you consider that the difference in the</p> <p>21 training between full-time captains and part-time</p> <p>22 captains is justified?</p> <p>23 MR JAMES WONG: (Via interpreter) First of all, during the</p> <p>24 time of -- that was the training situation at that time</p> <p>25 around the incident, but not the current training</p>	<p>1 part-time captains it would be one to one, and for</p> <p>2 full-time captains they would train on four to five bus</p> <p>3 types, whereas for part-time bus captains, they would be</p> <p>4 trained on two bus types. For the number of routes</p> <p>5 trained, for full-time BCs, two, and for part-time BCs,</p> <p>6 only one.</p> <p>7 So the scope of education would be less diversified</p> <p>8 for part-time captains because they are likely to only</p> <p>9 operate one to two routes, and the training given by</p> <p>10 instructors would be on a one-to-one basis.</p> <p>11 CHAIRMAN: So is the short answer to the question "yes"?</p> <p>12 MR GODWIN SO: Yes, it's satisfied.</p> <p>13 CHAIRMAN: Yes.</p> <p>14 MR PETER DUNCAN: Do the full-time drivers and part-time</p> <p>15 drivers drive the same buses?</p> <p>16 MR GODWIN SO: Yes.</p> <p>17 MR PETER DUNCAN: And leaving aside the number of routes,</p> <p>18 the number of different routes that drivers drive on, do</p> <p>19 they drive on the same routes?</p> <p>20 MR GODWIN SO: (Via interpreter) It's hard to give a direct</p> <p>21 answer. We have more than 400 routes. For our new bus</p> <p>22 captains, whether or not they are full-time or</p> <p>23 part-time, at the beginning they would drive the easier</p> <p>24 routes. As to whether all captains would drive the same</p> <p>25 routes -- well, we have four depots, but at the</p>
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<p>1 situation now.</p> <p>2 Mr Duncan just now cited a number of training</p> <p>3 requirements or factors. For training on full-time</p> <p>4 captains, for the 18 hours, each instructor would train</p> <p>5 two candidates. For part-time BCs, the training would</p> <p>6 be one-to-one. So in terms of direct guidance and</p> <p>7 education for bus captains, the time allocated would be</p> <p>8 greater. At that time, the thinking was that this could</p> <p>9 achieve the objective of enabling them to drive. So</p> <p>10 that was the situation at the time.</p> <p>11 Meanwhile, the requirements of 18 days and 2.5 days</p> <p>12 refer to general training -- if a captain cannot fulfil</p> <p>13 the requirements within 18 days, the period might be</p> <p>14 extended, and likewise, for part-time captains, if the</p> <p>15 training cannot be completed within 2.5 days, the</p> <p>16 training would be extended.</p> <p>17 MR GODWIN SO: (Via interpreter) I would like to add to</p> <p>18 that. In terms of justification, in the past, the 18</p> <p>19 days of training was provided in two phases. With the</p> <p>20 first phase, the driver can secure a driving licence.</p> <p>21 The captain would have held a licence already, ahead of</p> <p>22 the training. So the direct comparison should be</p> <p>23 between 2.5 days and nine days.</p> <p>24 Secondly, for full-time captains, the ratio of</p> <p>25 instructors to candidates is two to one, whereas for</p>	<p>1 beginning drivers would drive the easier routes.</p> <p>2 MR PETER DUNCAN: I know you have reviewed the training</p> <p>3 provisions in recent times, and we will come to those in</p> <p>4 the morning, but can I just ask you this question.</p> <p>5 Under the new proposals -- leave aside the practice note</p> <p>6 but just your new proposals -- will the training for bus</p> <p>7 captains be the same whether they are full-time or</p> <p>8 whether they are part-time?</p> <p>9 MR GODWIN SO: Yes.</p> <p>10 CHAIRMAN: Mr Duncan, thank you. If that's a convenient</p> <p>11 moment, then we have reached the end of our day, tiring</p> <p>12 no doubt as it was for everyone, not least the</p> <p>13 stenographers.</p> <p>14 We will adjourn now and we will resume tomorrow at</p> <p>15 10 o'clock. Thank you.</p> <p>16 (5.30 pm)</p> <p>17 (The hearing adjourned until 10.00 am the following day)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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