

立法會
Legislative Council

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Panel on Transport

Subcommittee on matters relating to railways

**Minutes of meeting on
Friday, 5 March 2004, at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-ye, JP (Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHAN Kwok-keung, JP
Hon LAU Kong-wah, JP
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon LAU Ping-cheung
- Members absent** : Dr Hon David CHU Yu-lin, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
- Public Officers attending** : **Agenda item IV**
- Mr Arthur HO
Deputy Secretary for the Environment, Transport and Works
- Mr William SHIU
Principal Assistant Secretary for the Environment,
Transport and Works
- Mr K M WOO
Chief Inspecting Officer (Railways)

Miss LIU Ying
Principal Transport Officer/Management
Transport Department

Agenda item V

Mr Arthur HO
Deputy Secretary for the Environment, Transport and Works

Mr William SHIU
Principal Assistant Secretary for the Environment,
Transport and Works

Mr K M WOO
Chief Inspecting Officer (Railways)

Attendance by invitation : **Agenda items IV & V**

MTR Corporation Limited

Mr Phil GAFFNEY
Managing Director - Operations & Business Development

Mr Eric HUI
General Manager (Special Duties)

Mr Wilfred LAU
Head of Operations

Mrs Miranda LEUNG
General Manager (Corporate Relations)

Agenda item IV

Kowloon-Canton Railway Corporation

Mr Y T LI
Senior Director, Transport

Mr W K TSUI
General Manager, West Rail Operations

Mr Anthony YAN
General Manager, East Rail Operations

Mr Alex LAU
Safety and Quality Manager

Mrs Grace LAM
General Manager, Corporate Affairs

Clerk in attendance : Ms Alice AU
Senior Council Secretary (1)5

Staff in attendance : Mr Anthony CHU
Council Secretary (1)2

Miss Winnie CHENG
Legislative Assistant 5

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I Confirmation of minutes of meeting and matters arising

- (LC Paper No. CB(1)1085/03-04 - Minutes of meeting held on 19 December 2003; and
LC Paper No. CB(1)1087/03-04 - Minutes of meeting held on 8 January 2004)

The minutes of meetings held on 19 December 2003 and 8 January 2004 were confirmed.

II Information papers issued since last meeting

- (LC Paper Nos. CB(1)1089/03-04(01) - (03) - Three submissions from a property management company expressing concern about the provision of a station of the Whampoa People Mover System at outer Hunghom area)

2. Members noted the above information papers issued since last meeting.

III Items for discussion at the next meeting scheduled for 7 May 2004

- (LC Paper No. CB(1)1168/03-04(01) - List of railways and projects)

3. Members agreed to discuss the item on "Public transport interchange at Sheung Shui to Lok Ma Chau Spur Line Terminus" as proposed by the Administration at the next meeting scheduled for 7 May 2004.

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4. Some members referred to recent press reports on a proposal put forward by the MTR Corporation Limited (MTRCL) for extending the Kwun Tong Line to Whampoa via Homantin, and expressed concern that it would invariably impact on the Shatin to Central Link (SCL) project under final scheme preparation by the Kowloon-Canton Railway Corporation (KCRC). After deliberation, members agreed that the item on SCL which was originally scheduled for discussion in June 2004 should be advanced to the meeting in May 2004 so that due consideration could be timely given to any related developments of the project.

5. Members also agreed that they would like to review with the Administration the future plan for railway development in Hong Kong as outlined in the Railway Development Strategy 2000 at a special meeting to be scheduled in June 2004.

IV Railway corporations' preventive and response measures for emergency incidents

(LC Paper No. CB(1)1168/03-04(02) - Information paper provided by the Administration)

6. The Deputy Secretary for the Environment, Transport and Works (DS for ETW) introduced the information paper provided by the Administration (LC Paper No. CB(1)1168/03-04(02)) on the subject matter.

7. Mr Phil GAFFNEY, the Managing Director - Operations & Business Development of the MTR Corporation Limited (MD/O&BD, MTRCL), briefed members on the report prepared by MTRCL (Annex A to LC Paper No. CB(1)1168/03-04(02)) which set out the corporation's preventive and response measures for emergency incidents as well as the follow-up actions and proposed enhancement measures in the aftermath of the arson case on 5 January 2004. Mr Eric HUI, General Manager (Special Duties) of MTRCL (GM(SD), MTRCL), also highlighted the salient points of the incident report prepared by MTRCL on the arson case (Appendix of Annex A).

8. Mr Y T LI, the Senior Director, Transport of the Kowloon-Canton Railway Corporation (SD/T, KCRC), presented the report prepared by KCRC (Annex B to LC Paper No. CB(1)1168/03-04(02)) on KCRC's preventive and response measures for emergency incidents as well as other follow-up actions and proposed enhancements to be undertaken.

Contingency plans and procedures

9. Mr Albert CHAN said that passenger intervention and appropriate response from the Passenger Train Operator (PTO) were the key to the successful handling of the 5 January incident. Hence, there was no reason for MTRCL to be satisfied that comprehensive procedures and contingency plans for handling various disaster scenarios were already in place. In this connection, he pointed out that MTRCL

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should review how the Operations Control Centre (OCC) could expedite its notification procedures to relevant Government departments including the Fire Services Department (FSD), the Police and the Transport Department (TD) in case of an emergency. He was concerned that on 5 January, two minutes had lapsed before the OCC informed the relevant Government departments about the arson case.

10. In reply, MD/O&BD, MTRCL said that the OCC, with due consideration to the serious potential, had taken a series of actions immediately according to the established procedures upon receiving the PTO's report. Such actions included stopping and reversing the following train, notifying the Station Controller of the Admiralty Station for attendance and informing FSD, the Police and TD. Under the circumstances, two minutes was considered a very good response time achieved through proper staff training.

11. Notwithstanding MTRCL's explanation, Mr Albert CHAN said that the OCC should have a dedicated staff responsible for notifying the relevant government departments immediately in case of an emergency. Mr LAU Ping-cheung suggested that the notification process could be expedited by providing a direct link between the communication systems in the OCC and FSD.

12. Mr LEUNG Fu-wah asked whether MTRCL had reviewed the adequacy of its contingency plans and procedures if all the dangerous goods the culprit brought on board were ignited or discharged with no intervention by passengers. In reply, MD/O&BD, MTRCL confirmed that the fire load of the system could handle the situation cited by Mr LEUNG.

Equipment and systems

Detrainment

13. Mr LAU Kong-wah pointed out that as emergency doors were only provided at each end of MTR trains, evacuation of passengers would be extremely difficult in case the train was immobilized in a tunnel as a result of fire breaking out at both ends of the train. In view of this shortcoming, he called on MTRCL to consider the need for providing additional egress, such as the installation of removable window panels in the trains. Sharing similar view, Mr Albert CHAN said that the ventilation windows inside MTR train cars should allow for emergency evacuation of passengers. Mr LAU Ping-cheung stated that in considering the provision of additional emergency doors, due regard should be given to the dark and confining space within the tunnel environment which might create other risks for the passengers.

14. MD/O&BD, MTRCL responded that there were reports of difficulties in the operation of hopper windows to assist ventilation in the incident train. The corporation would also ensure clear operating instructions for the passengers. If passengers were to take part in future drills and exercises, their knowledge and awareness on the operation of emergency equipment could also be enhanced.

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15. MD/O&BD, MTRCL further said that a comprehensive and structured risk control system was adopted by MTRCL to identify any possible hazards in the system and to develop adequate measures to mitigate them. The scenario cited by Mr LAU Kong-wah would be a very extreme case as MTR trains were constructed with fire retardant and non-combustible materials. It would take at least 30 minutes before the fire could burn through the train flooring and train operation affected and subsequently halted. During that time, the train should be able to reach the next station for emergency evacuation of passengers.

16. MD/O&BD, MTRCL added that side windows were used as evacuation in some older railway systems overseas. Their evacuation arrangements were not as effective as the MTR system. He explained that even though additional egress features might be provided to allow passengers to get out of the train from the top or the side in the tunnel, the presence of overhead power cables, the height of the train and the small space between the train and tunnel walls could pose other safety risks for the passengers. As such, the corporation's view was that in such an eventuality, priority should be given to getting the incident train to the next station as quickly as possible where help was available to ensure the safe and orderly evacuation of passengers. Given these considerations, the scenario as envisaged by Mr LAU Kong-wah was not covered under the corporation's risk analysis.

17. Notwithstanding MTRCL's explanation, Mr LAU Kong-wah stressed the need for MTRCL to provide adequate means and equipment for the safe evacuation of passengers under any eventuality no matter how extreme it might be. Citing the provision of emergency doors on each KCR train car, he sought the view of the Railway Inspectorate on the different detrainment arrangements of the MTR and KCR systems.

18. The Chief Inspecting Officer (Railways) (CIO(R)) advised that due to historical reasons, the two systems were designed differently. For KCRC, East Rail (ER) ran mainly in open section where passengers could be detraind at the side of trains with little difficulties. West Rail (WR), being a new system, was designed with the provision of emergency walkways all along the viaduct and inside tunnels. On the other hand, MTR was an underground system that was designed and built earlier. Considering the space constraints inside the tunnels, he agreed that it might present other risks to the passengers if they were evacuated from the side of the incident train inside a tunnel, such as the risk of passengers being injured as a result of falling off from the windows and the resulting "domino effect" where people trampled on each other.

19. CIO(R) added that both side and end detrainment designs were adopted for railway systems overseas. It would be most important to give overall consideration to the distinct features of the railway system in question. MTR trains were constructed to contain fire and limit fire spread. The train floor could withstand a fire for 30 minutes which could protect the motors and the associated cables underneath the train from damages. For most parts of the MTR system, the distance and the

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journey time between stations was very short. Hence, the chance that a train was immobile in a tunnel as a result of a fire on board was quite small. Under the circumstances, it would be advisable to get the train to the next station where all passenger doors could be opened for speedy evacuation. The station would also be a well-lit and spacious environment for passengers to evacuate and more staff was also available to render the necessary assistance. He assured members that the Administration would liaise with the two railway corporations to ensure that various proposed improvements were followed through.

MTRCL 20. MD/O&BD, MTRCL also assured members that passenger safety was a matter taken seriously by MTRCL. He took Mr LAU's point on the need to contemplate the worst case scenario, and agreed that the corporation would revert to the Subcommittee after further looking into the associated risks.

Saloon closed-circuit television (CCTV)

MTRCL 21. Mr CHENG Kar-foo opined that notwithstanding the need to consider the relevant privacy issues, MTRCL should also give due consideration to the safety benefits to be achieved by the provision of CCTV on MTR trains. MD/O&BD, MTRCL replied that the corporation was reviewing the appropriateness and feasibility for the provision of saloon CCTV and other systems. The corporation was mindful of the need to balance privacy and safety concerns. Another consideration would be the effectiveness of such systems on the crowded trains. In considering the matter, the corporation would study relevant overseas experience and make reference to public views on CCTV systems on KCR trains. MTRCL would revert to the Subcommittee when a recommendation was made on this matter.

22. Advising members on the provision of CCTV on KCR trains, SD/T, KCRC said that all WR and new ER trains were equipped with CCTV systems to enable drivers to monitor train compartments. KCRC would also consider the technical feasibility of retrofitting CCTV systems on the old ER trains.

Smoke extraction

23. Ir Dr Raymond HO stressed the need for smoke extraction from train cars to prevent the build-up of smoke in arson cases. Necessary improvements should be sought together with those for enhancing the station and tunnel smoke extraction equipment.

24. MD/O&BD, MTRCL replied that as a result of the PSD retrofitting programme, station ventilation and extraction systems had been improved. As part of the improvements to be sought after the 5 January incident, MTRCL would also consider a similar suggestion made by a witness on smoke extraction from trains. SD/T, KCRC said that KCRC was still considering the suggestion of extracting smoke from train cars as it might create additional risks for the ensuing trains if they were immobilized in the tunnel.

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25. Mr WONG Sing-chi referred to some press reports about the high level of carbon dioxide inside MTR trains, and asked whether this indicator of inadequate air circulation inside train compartments might imply additional safety risks for passengers in case a fire broke out in the train as it would prevent effective smoke extraction.

26. In response, MD/O&BD, MTRCL assured members that the air quality on MTR trains was regularly monitored to ensure that it was acceptable as compared with overseas standards and requirements. There were also regular checks and maintenance on filters. He went on to explain that the air quality guideline cited by Mr WONG Sing-chi was intended for offices and public places based on an eight-hour average. Hence, it was not applicable to air quality of public transport. Moreover, there was no relationship between the level of carbon dioxide inside train compartments and the extraction of smoke.

Train car compartmentation

27. Mr LAU Ping-cheung suggested that the railway corporations should seriously consider the safety benefits of installing air curtain or water screen at gangways so as to confine the spread of smoke and/or fire in case of an emergency.

28. MD/O&BD, MTRCL stated that a balance would have to be struck between containment and movement of passengers. Generally speaking, train car compartments would hamper evacuation. Hence, MTR adopted an open system which allowed for free movement of passengers. GM(SD), MTRCL supplemented that MTRCL would follow up on one witness suggestion about the installation of air curtain at gangways against the spread of smoke.

29. SD/T, KCRC said that the possibility of installing air curtains had been considered but was found to be not feasible due to insufficient height on trains. KCRC would continue to explore the use of other alternatives if possible.

MTRCL & KCRC 30. At Mr LAU Ping-cheung's request, MTRCL and KCRC would revert on their consideration of his suggestion about train carriage compartmentation.

Maintenance of equipment

31. Mr LAU Kong-wah stressed the need for MTRCL to ensure the proper operation of passenger alarm devices (PADs) and hopper windows on the trains through regular checks and maintenance. Mr Albert CHAN also said that the failure of any such equipment could lead to disastrous consequences in case of an emergency. Mr LEUNG Fu-wah asked whether the presence of such faulty equipment was in any way related to the out-sourcing of maintenance works by MTRCL.

32. MD/O&BD, MTRCL responded that during the fleet check after the arson incident, a small number of PADs and hopper windows were found to be defective. But this did not indicate any major problem of maintenance work regardless of

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whether the same was carried out by the contractor or in-house staff. In fact, the incident train was maintained by MTRCL staff at the Tsuen Wan depot.

Manning level

33. Ir Dr Raymond HO referred to the two railway corporations' staff reduction programmes, and asked whether passenger safety would in any way be affected.

34. Mr LEUNG Fu-wah was concerned that the culprit could bring in a large quantity of dangerous goods without notice, and asked whether it was in any way related to the reduced manning level of MTRCL station staff.

35. MD/O&BD, MTRCL said that as improvements were being made to enhance passenger safety, such as the retrofitting of platform screen doors (PSDs), there was room for MTRCL to strive for more efficient deployment of staffing resources. He assured members that notwithstanding the overall reduction in the number of MTRCL staff, the manning levels had always followed emergency evacuation and safety requirements. Hence, there was no impact on the safety level. In addition, part-time staff were employed to take up platform assistance duties.

36. Regarding the checking of dangerous goods, MD/O&BD, MTRCL said that there were express provisions in legislation which prohibited against the bringing onto and usage of inflammable or dangerous substances in the railway. Public education would have to go hand in hand before such restriction could be enforced effectively. GM(SD), MTRCL added that as MTR was an automatic system, its orderly operation would also depend on the discipline and co-operation of the passengers. Spot checks would be undertaken by MTRCL staff against persons suspected of bringing in dangerous goods or substances onto MTR premises and trains. After the arson incident, MTRCL would step up actions in this respect to minimize the risk of similar incidents from occurring in future.

37. SD/T, KCRC stated that KCRC had been making efforts to improve staff productivity while maintaining high service levels. Due to the expansion of station facilities, KCRC had employed more than 500 part-time staff to undertake various support duties while full-time staff were re-deployed to take up more critical duties. KCRC would ensure an adequate manning level to meet the safety requirements. He added that in case of an emergency, additional staff would be deployed to the incident station to render the necessary assistance.

Interface with passengers

Radio broadcasting

38. Mr CHENG Kar-foo reiterated his long-standing request for MTR to provide radio reception on board MTR trains. He opined that this service was especially important in an emergency as critical information could be disseminated to the passengers efficiently and effectively.

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39. Mrs Miranda LEUNG, General Manager (Corporate Relations) of MTRCL, said that in case of an emergency, MTRCL's objective was to ensure that passengers on board could receive clear information and instructions from the Corporation and not from a third party who might not be fully in the picture. Hence it was important that this be done through the corporation's public address system. This objective was achieved during the 5 January incident. In considering the provision of commercial radio coverage on MTR trains, MTRCL would need to further study whether this purpose might be affected as a result.

40. Mr WONG Sing-chi was utterly not convinced by MTRCL's explanation as commercial radio broadcasts in tunnels could always be interrupted to allow for the transmission of urgent messages by the operator. Mr Albert CHAN also expressed grave dissatisfaction with the stance taken by MTRCL.

Public education and involvement

41. Ir Dr Raymond HO expressed support for the two corporations' proposal to involve the passengers in future drills and exercises to be conducted with relevant Government departments. This could help increase public knowledge and awareness on the use of emergency equipment and procedures. His view was shared by Mr LEUNG Fu-wah.

42. Summing up the discussion, the Chairman invited both railway corporations to take note of the views expressed by members on how the corporations' preventive and response measures for emergency incidents could be further improved. The Administration would liaise with the two railway corporations for their necessary follow-up actions in response to the suggestions made by members at the meeting as appropriate.

V Review of Mass Transit Railway By-laws

(LC Paper No. CB(1)1168/03-04(03) - Information paper provided by the Administration)

43. The Chairman invited members to note the paper provided by the Administration on the subject matter (LC Paper No. CB(1)1168/03-04(03)).

44. The Deputy Secretary for the Environment, Transport and Works (DS for ETW) drew members to the view of MTRCL that the present powers conferred by the Mass Transit Railway By-laws (the By-laws) to its staff were adequate for the maintenance of law, order and security of the railway premises and that no additional powers of searching passengers' belongings were required. Details of MTRCL's review on the matter was set out in Annex to the Administration's paper.

45. Ir Dr Raymond HO expressed reservation about the suggestion that the By-laws be amended to empower the staff of MTRCL to stop and search persons suspected of carrying inflammable or dangerous goods. Mr CHAN Kwok-keung also remarked

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that the existing practice was generally effective.

46. Mr CHENG Kar-foo referred to the increasing threat posed by terrorists attacks and acts of malicious vandalism, and stressed the utmost importance of ensuring the safety of millions of passengers who travelled on the MTR each day. While it was also important to consider the privacy issues concerned, he was convinced that an extra cautious approach should be adopted on this matter and the additional powers of search for MTRCL staff would be crucial in preventing similar incidents as the arson case on 5 January 2004 from occurring in future.

47. Mr LAU Kong-wah said that his concern was whether MTRCL staff were granted with adequate powers to enforce the existing restrictions stipulated in the By-laws. He pointed out that under the relevant provisions, MTRCL staff were empowered to ask suspected passengers for the relevant personal particulars and to produce identification documents, failure of which shall amount to an offence. They were also empowered to remove suspected passengers, if necessary by the use of reasonable force, from the railway premises; and to detain such persons for handover to the Police. Mr LAU queried how in practical situations, MTRCL staff could exercise such important powers without being empowered to stop and search the suspected passengers first. As such, he called on MTRCL and the Administration to consider how the situation could be improved.

48. In response, DS for ETW assured members that the issue had been carefully considered by MTRCL from all perspectives including safety benefits, privacy concerns and practical problems. According to the corporation's past experience, most passengers would agree to an inspection of their belongings upon request by MTRCL staff. As for those small proportion of passengers who did not agree to such inspection, Police assistance would be sought. Having reviewed the situation, MTRCL considered the present arrangement adequate and appropriate. He further said that even if MTRCL staff were given additional inspection powers, the passenger concerned might still refuse to comply and this could easily lead to confrontation. In that case, Police assistance would still be required, and the additional powers to be granted to MTRCL staff would become meaningless. Moreover, it would be important to consider the concern about undue intrusion into privacy as the passengers concerned might believe that such inspection should be done by Police which was a trained disciplined service.

49. MD/O&BD, MTRCL also said that the Police had a dedicated Railway Division to handle matters in relation to law and order within railway premises. The close rapport had worked well and proved to be effective in ensuring the safety of the MTR system and the passengers.

50. Mr CHENG kar-foo however pointed out that MTRCL staff were already given the power to detain suspected passengers. This power could also easily lead to confrontation. Hence, he believed that with proper training, MTRCL staff could also handle the associated responsibilities. After all, if MTRCL staff were given adequate powers to handle such cases, the Police would have more capacity to deal with more

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serious offences and contraventions.

51. Mr LAU Kong-wah also said that the purpose of granting additional inspection powers to MTRCL staff was to safeguard public interest. Hence, such powers must only be exercised on the condition of reasonable doubt and according to proper procedures.

52. DS for ETW said that as part of the improvements to be sought after the arson incident, both railway corporations had stepped up the enforcement of their respective by-laws, in particular, on those provisions relating to the prohibition of carriage of dangerous goods. Additional manpower resources would be deployed accordingly to carry out enforcement actions. The railway corporations would keep in view the effectiveness of such actions and consider introducing further improvement measures in future if necessary.

53. Supplementing on the enforcement situation of the existing By-laws, GM(SD), MTRCL said that most passengers would agree to a voluntary visual inspection of their belongings or goods upon request by its staff. If dangerous goods or substances were found, the passenger concerned would be asked to leave the railway premises. In most cases, the passenger concerned would comply. Hence, it was not envisaged that the additional powers of search would bring much difference in practice. Nonetheless, MTRCL would continue to monitor the situation.

54. Concluding the discussion, the Chairman called on MTRCL to step up its enforcement against suspected cases by deploying additional staffing resources to conduct more spot checks. The corporation should also keep in view the effectiveness of such actions and review the situation if necessary.

VI Any other business

55. There being no other business, the meeting ended at 1:00 pm.