

Cc: **Sen. The Hon. Marise Payne, Minister for Foreign Affairs**

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**The Hon. Andrew Constance MP, Minister for Transport and Roads NSW**

Transport for NSW,  
PO Boc K659,  
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**Howard Collins, Chief Executive**

RailCorp,  
PO Boc K659,  
Haymarket NSW 1240

02 Oct 2019

Dear Chief Executive

**Request for a review of contract with  
Mass Transit Railway Corporation Limited in light of its recent conduct**

We are writing to you as recent events indicates that the Mass Transit Railway Corporation Limited of Hong Kong (“MTRCL”) has been heavily affected by the growing intervention of the government of the People’s Republic of China on the public transport in Hong Kong, and China’s coercion tactics to disrupt pro-democracy peaceful movements. Its Fitch rating was downgraded in line with Hong Kong, reflecting its significant linkage and strategic importance to the government<sup>1</sup>. We believe the MTRCL’s questionable management would pose a serious threat to Australia’s public safety.

We urge your office to raise these concerns to Metro Trains Sydney Pty. Ltd. (a joint venture that MTRCL has control over, i.e. shareholding of 60%) and reconsider its proposals should they enter into any bidding for procurement in the future. Given the questionable management of MTRCL, we believe that the Australian government will highly scrutinise any proposals by a joint venture which involves MTRCL.

**Failure to ensure the safety of passengers and provide assistance during emergencies**

MTRCL failed to provide assistance to passengers during an emergency. On 21 July in Yuen Long station, a violent mob entered the station and indiscriminately attacked the passengers. MTRCL should have notified the

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<sup>1</sup> Fitching Ratings, “Fitch Downgrades Hong Kong’s MTRCL to ‘AA’ on Sovereign Rating Action; Outlook Negative”  
<https://www.fitchratings.com/site/pr/10088596>

police immediately as the CCTVs inside the station are linked directly to the police stations.<sup>2</sup> Before the arrival of the police, MTRCL should have acted reasonably to ensure the safety of the passengers.

On the contrary, the train conductor concerned did not evacuate passengers to safety and even left the train doors open to the mob, leaving all passengers vulnerable to the danger and violence which resulted in heavy casualties. Reports also show that the injured were denied access to basic first aid kit by the station staff.<sup>3</sup> The incident highlights a key failure of MTRCL in crisis management. It is clear that no disaster plans were implemented, even if one indeed exists; further, we doubt there is sufficient training in disaster response provided to staff.

## Drastic drop in management performance due to political pressure

As the sole railway operator in Hong Kong, MTRCL is a crucial means of transportation and is heavily relied on by Hongkongers. MTRCL is a listing company, and it remains to be one of the few profitable public transport systems in the world. It is worth noting that the government of the Hong Kong Special Administrative Region is MTRCL's biggest shareholder (about 75%).

MTRCL's service has remained reasonable and normal amidst the recent protests until 22 August 2019. A drastic turn occurred the day after MTRCL was named by The People's Daily, a Chinese state media. MTRCL was criticised for offering special trains to transport the protesters away from the protest areas and for providing service to "rioters"<sup>4</sup>. Nevertheless, it is clear that MTRCL has taken the article from the state media as a decree.

Following the publication of the above article, MTRCL took a sharp turn. On 23 August 2019, MTRCL issued a Press Release<sup>5</sup> which states that train service and concerned station may be **stopped immediately**, and/ or the station may be closed, with **little or no prior notice**." Thus, suspension of metro service and closure of stations occur almost on a daily basis. Typical examples are highlighted below while the appendix shows more examples.

Since then, MTRCL has colluded with the government in disrupting the whole community and for the rallies. Many suspect that this is an attempt by MTRCL to help the government to reduce the participation of the rallies

<sup>2</sup> Ming Pao. 21 August 2019. 【逃犯條例】警方承認鐵路警區可實時看港鐵閉路電視 [Extradition Bill, Hong Kong Police Admit they have access to CCTVs in MTRCL in real time]

<https://m.mingpao.com/ins/港聞/article/20190821/s00001/1566384583712/>

StandNews. 21 August 2019. 警：鐵路警區可實時觀看港鐵 CCTV 不可錄影索片刑事調查需取手令 [Hong Kong Police: Railway District can watch the CCTV in MTRCL in real time, a warrant is required to access recorded CCTV video]

<https://thestandnews.com/politics/%E8%AD%A6-%E9%90%B5%E8%B7%AF%E8%AD%A6%E5%8D%80%E5%8F%AF%E5%AF%A6%E6%99%82%E8%A7%80%E7%9C%8B%E6%B8%AF%E9%90%B5-cctv-%E4%B8%8D%E5%8F%AF%E9%8C%84%E5%BD%B1-%E7%B4%A2%E7%89%87%E5%88%91%E4%BA%8B%E8%AA%BF%E6%9F%A5%E9%9C%80%E5%8F%96%E6%89%8B%E4%BB%A4/>

<sup>3</sup> HK01. 30 July 2019. 【元朗黑夜】有人頭頂被打爆 目擊者不滿港鐵職員拒給急救用品 [Yuen Long Attack, assault led to head injuries, witnesses discontent with MTRCL staff for refusal to provide First Aid kits]

<https://www.hk01.com/社會新聞/358192/元朗黑夜-有人頭頂被打爆-目擊者不滿港鐵職員拒給急救用品>

<sup>4</sup> 立場新聞. 22 August 2019. 《人民日報》：港鐵護送「暴徒」免費乘車揚長而去 [People's Daily: MTRCL safeguarding "rioters" to leave the scene for free]

<https://thestandnews.com/politics/%E4%BA%BA%E6%B0%91%E6%97%A5%E5%A0%B1-%E6%B8%AF%E9%90%B5%E8%AD%B7%E9%80%81-%E6%9A%B4%E5%BE%92-%E5%85%8D%E8%B2%BB%E4%B9%98%E8%BB%8A-%E6%8F%9A%E9%95%B7%E8%80%8C%E5%8E%BB/>

<sup>5</sup> [https://www.mtr.com.hk/archive/corporate/en/press\\_release/PR-19-049-E.pdf](https://www.mtr.com.hk/archive/corporate/en/press_release/PR-19-049-E.pdf)

in Hong Kong, after the Chinese state media whipped it into line. Nevertheless, MTRCL is obliged to “take reasonable measures to avoid and/or reduce the impact of any disruption to the Franchise services having regard to all circumstances”. However, given the response of MTRCL to the article of the People’s Daily, it casts doubts on MTRCL’s fulfilment of obligations when it is under political pressure.

Fitch Ratings has recently downgraded Hong Kong’s sovereign rating, one of the reasons being “[t]he gradual rise in Hong Kong’s economic, financial, and socio-political linkages with the mainland implies its continued integration into China’s national governance system, which will present greater institutional and regulatory challenges over time.”<sup>6</sup> This echoes with MTRCL’s irresponsible behaviour following Chinese state media’s criticism on them.

### **Suspension of metro service and closure of stations**

As the main means of public transportation in Hong Kong, the MTRCL plays an important role in crowd control for demonstrations. However, in the past two months, MTRCL has shutdown the metro service in selected stations in Hong Kong under the pretext of requests from the police and ongoing protests in the vicinity. Such suspension of service has brought chaos and fear upon both the civilians who take part in lawful demonstrations and other passengers.

On 24 August, MTRCL shut down half of the Kwun Tong line (7 out of 17 stations) from midday where protests were permitted by the police to take place. Also on 31 August, two busiest interchange stations, Prince Edward and Mong Kok were shut down again due to protests on Hong Kong Island. These two days of protests also saw a significantly higher number of casualties, mass terror and arrests.<sup>7</sup> In reality, protesters were evacuating as instructed using the metro services, but they were trapped when the service was suspended by MTRCL without prior notice. On 1 October, the MTRCL shut more than half of their stations in Hong Kong (45 out of 93 stations). Stations are also more frequently used by police as resting points and launching surprise attacks on protesters on the ground.

Another disaster occurred on 31 August in Prince Edward MTRCL station. The police besieged Prince Edward station and indiscriminately attacked commuters at the platform and inside train compartments with baton and pepper spray. No MTRCL staff was present at the scene to ensure the safety of passengers. Ambulance crew and first aiders were denied entry into the station. MTRCL even closed the whole Prince Edward station upon the police’s request. None of the passengers were evacuated from the station for several hours. As a result, many were injured. The collusion between MTRCL and the police becomes obvious as MTRCL refused to hand out the CCTV footages for public interest—showing police’s controversial operation on 31 August—by hiding behind a “personal data” excuse.

Since the happenings of the above incidents, MTRCL has suspended the metro service in particular stations or even the whole line<sup>8</sup> more frequently in the first week of September. MTRCL again allowed the police to enter

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<sup>6</sup> New York Times. 6 September 2019. Fitch Downgrades Hong Kong Over China’s Stronger Hand. <https://www.nytimes.com/2019/09/06/business/hong-kong-fitch-downgrade.html>

<sup>7</sup> RTHK. 6 September 2019. 警方稱8月31日晚上在太子站拘捕54男9女 [Police claimed that 54 men and 9 women were arrested in Prince Edward on 31 August 2019] <https://news.rthk.hk/rthk/ch/component/k2/1479209-20190906.htm>

<sup>8</sup> Ming Pao. 9 September 2019. 港鐵稱停5線「迫不得已」 32車站設施受損 [MTRCL: metro services of 5 main lines forced to be suspended and station facilities in 32 stations were damaged]

the stations, such as Sha Tin, Tseung Kwan O and Tai Po Market on 7 September, even though there were no conflicts inside the stations. Businesses inside stations were affected as shops were forced to shut early. More importantly, its decisions adversely affected the safety of passengers and destroyed passengers' confidence in MTRCL.

These incidents highlight the major failures of MTRCL as a company, and its inability to operate an essential and reliable public service whilst ensuring the safety of its passengers. Although the recklessness of the company has so far only affected those in Hong Kong, it is highly worrying that a corporation that is running essential services in the UK is choosing to actively damage its own profitability in its endeavour to toe the Chinese Party line, whilst bringing unnecessary suffering to the people it is supposed to serve. It is fair to deduce that MTRCL will take side with the Chinese government whenever it deems necessary. As such, it is doubtful whether it is safe to do business with MTRCL, in terms of both passengers' safety, profit maximization and national security as a whole.

### Urge for actions

As service users, we are worried about our safety on the trains managed by MTRCL, in view of the above track records of events. As citizens in Australia, we are worried that MTRCL, which has obviously been controlled by its biggest shareholder the Hong Kong government or even ultimately the Chinese government, will sacrifice our interests and national security at large, similar to the case of Huawei.<sup>9</sup> As such, we urge you to:

- (a) review existing contracts with Metro Trains Sydney Pty. Ltd. to ensure its ongoing compliance to the terms within by the corporation;
- (b) take into consideration of the above mentioned events when the contracts approach their renewal dates;
- (c) take into account MTRC's lack of commitment to corporate social responsibilities in your negotiations with the company;.

We would greatly appreciate it if you could carefully consider the above three suggestions and take actions in due course to ensure that the train operator provides a safe, comfortable and reliable train service to all passengers in Australia.

Yours faithfully,



A group of concerned Australian residents with ties to Hong Kong

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<https://news.mingpao.com/pns/%E8%A6%81%E8%81%9E/article/20190902/s00001/1567363064145/%E6%B8%AF%E9%90%B5%E7%A8%B1%E5%81%9C5%E7%B7%9A%E3%80%8C%E8%BF%AB%E4%B8%8D%E5%BE%97%E5%B7%B2%E3%80%8D-32%E8%BB%8A%E7%AB%99%E8%A8%AD%E6%96%BD%E5%8F%97%E6%90%8D>



<sup>9</sup> SCMP. 8 June 2019. US national security under threat due to Huawei ban, technology companies warn Trump administration. <https://www.scmp.com/news/world/united-states-canada/article/3013656/us-national-security-under-threat-due-huawei-ban>

**Appendix - List of events****(Note: This list includes major events and is not an exhaustive list.)**

Date	Details	News with photos/links
21 Jul 19	<b>Mob attack in Yuen Long</b>	<p>A mob of over 100 armed men dressed in white indiscriminately attacked civilians on the streets and passengers in the Yuen Long MTRCL station.</p>  <p>The Guardian - "Where were the police?" Hong Kong outcry after masked thugs launch attack, dated 22 Jul 2019  <a href="https://www.theguardian.com/world/2019/jul/22/where-were-the-police-hong-kong-outcry-after-masked-thugs-launch-attack">https://www.theguardian.com/world/2019/jul/22/where-were-the-police-hong-kong-outcry-after-masked-thugs-launch-attack</a></p>
11 Aug 19	<b>Collection of video clips</b>	<p>Police shot at passengers within a short distance in Tai Koo station  <a href="https://drive.google.com/open?id=1oiEXr4_8rtGAzBu98cSsnAOSuXvmzIFp">https://drive.google.com/open?id=1oiEXr4_8rtGAzBu98cSsnAOSuXvmzIFp</a></p>  <p>Tear gas was deployed at the ground-level concourse of Kwai Fong MTR station on Sunday evening.  Photo: SCMP/Felix Wong</p> <p>Police fired tear gas in Kwai Fong station</p> <p>Youngpost - Hong Kong protests: What happened on Aug 11 in Tsim Sha Tsui, Sham Shui Po, Wan Chai and Kwai Chung, dated 12 Aug 2019  <a href="https://yp.scmp.com/news/hong-kong/article/113873/hong-kong-protests-what-happened-Aug-11-tsim-sha-tsui-sham-shui-po">https://yp.scmp.com/news/hong-kong/article/113873/hong-kong-protests-what-happened-Aug-11-tsim-sha-tsui-sham-shui-po</a></p>
21 Aug 19	<b>Yuen Long</b>	SCMP - Chaos at Hong Kong's Yuen Long MTRCL station as protesters confront

Date	Details	News with photos/links
	station was suspended.	<p>police while marking one month since mob attack, dated 21 Aug 2019  <a href="https://www.scmp.com/news/hong-kong/politics/article/3023806/chaos-mtr-station-hong-kong-protesters-confront-police">https://www.scmp.com/news/hong-kong/politics/article/3023806/chaos-mtr-station-hong-kong-protesters-confront-police</a></p>
23 Aug 19	Kwai Fong station was suspended from 7:00 pm.	 <p>HK01 - 【香港之路】港鐵今晚9時暫時關閉葵芳站 荃灣線列車將飛站 [Kwai Fong station was suspended due to protest, the Hong Kong Way], dated 23 Aug 2019</p>
24 Aug 19	Choi Hung and Tiu Keng Leng stations were suspended from noon till midnight	 <p>SCMP - Angry residents confronted Hong Kong's MTRCL staff over closure of train services and stations on Kwun Tong line before protest march, dated 24 Aug 2019  <a href="https://www.scmp.com/news/hong-kong/transport/article/3024198/hong-kongs-mtr-corp-announces-suspension-train-services">https://www.scmp.com/news/hong-kong/transport/article/3024198/hong-kongs-mtr-corp-announces-suspension-train-services</a></p> <p>SCMP - As it happened: more than two dozen arrests after chaotic day of protests in Hong Kong, as police were attacked with petrol bombs and tear gas was fired, dated 24 Aug 2019  <a href="https://www.scmp.com/news/hong-kong/politics/article/3024202/tensions-rise-kwun-tong-march-protesters-block-roads">https://www.scmp.com/news/hong-kong/politics/article/3024202/tensions-rise-kwun-tong-march-protesters-block-roads</a></p>
25 Aug 19	Kwai Fong, Tsuen Wan and Tsuen Wan West stations were closed from 1:30pm.	<p>SCMP - As it happened: shot fired as police drew revolvers after officers were chased down street by protesters in Hong Kong, dated 25 Aug 2019  <a href="https://www.scmp.com/news/hong-kong/politics/article/3024259/hong-kong-protesters-back-out-streets-mtr-corporation-again">https://www.scmp.com/news/hong-kong/politics/article/3024259/hong-kong-protesters-back-out-streets-mtr-corporation-again</a></p>

Date	Details	News with photos/links
<p>31 Aug 19</p>	<p><b>Sai Ying Pun station was closed at 1:30pm.</b></p> <p><b>Admiralty station was closed at 8:30pm.</b></p> <p><b>Jordan and Wan Chai stations were closed at 10:30pm.</b></p> <p><b>Kwun Tong, Tsuen Wan, Tsueng Kwan O, Island and South Island lines all suspended from 11:20pm earliest.</b></p> <p><b>Service was suspended on at least two key lines.</b></p> <p><b>Prince Edward station was shut down for two days.</b></p>	 <p>Passengers were beaten and pepper-sprayed on train. Police attacked civilians indiscriminately in Prince Edward on 31 Aug 2019.  <a href="https://twitter.com/Hk60740379Hk/status/1167850921549688837">https://twitter.com/Hk60740379Hk/status/1167850921549688837</a></p>  <p>A first aider was blocked from entering into the Prince Edward station to rescue.  <a href="https://twitter.com/Hk60740379Hk/status/1167841101245485057">https://twitter.com/Hk60740379Hk/status/1167841101245485057</a></p>  <p>SCMP - As it happened: stand-off outside Mong Kok Police Station as protesters vent</p>

Date	Details	News with photos/links
		<p>anger over beatings on MTRCL train, dated 31 Aug 2019  <a href="https://www.scmp.com/news/hong-kong/politics/article/3025194/recreational-facilities-and-mtr-station-closed-hong-kong">https://www.scmp.com/news/hong-kong/politics/article/3025194/recreational-facilities-and-mtr-station-closed-hong-kong</a></p>
31 Aug 19	Collection of video clips	<p>Police attacked civilians in Prince Edward station  <a href="https://drive.google.com/open?id=1ppj_pp57YDWhA6gvzHIIMqSvy0vlpjZX">https://drive.google.com/open?id=1ppj_pp57YDWhA6gvzHIIMqSvy0vlpjZX</a>  <a href="https://drive.google.com/open?id=19Xv367x9IPscf2LxltG6mJ6pJMj8qQsC">https://drive.google.com/open?id=19Xv367x9IPscf2LxltG6mJ6pJMj8qQsC</a></p> <p>Police attacked a foreigner in Lai King station  <a href="https://drive.google.com/open?id=15KV_S32NZQdkb4e6LzTACuIH3vI88JRa">https://drive.google.com/open?id=15KV_S32NZQdkb4e6LzTACuIH3vI88JRa</a></p>
1 Sep 19	<p>The Airport Express services from the airport to Hong Kong station were canceled at about 4:30pm. Tung Chung station was suspended at around 6:00pm.</p>	 <p>Long queues for buses and taxis due to suspension of Airport Express  SCMP - As it happened: Tung Chung mayhem after Hong Kong airport protesters went on rampage, shutting down train service, dated 1 Sep 2019  <a href="https://www.scmp.com/news/hong-kong/politics/article/3025242/airport-express-trains-suspended-hong-kong-protesters-kick">https://www.scmp.com/news/hong-kong/politics/article/3025242/airport-express-trains-suspended-hong-kong-protesters-kick</a></p>
6 Sep 19	<p>Prince Edward station was suspended at around 5:15pm. Mong Kok and Yau Ma Tei stations were also closed later.</p> <p>Closure of most of the Tsuen Wan line, with all services suspended between Central and Mei Foo.</p>	<p>SCMP - Hong Kong protests: tear gas fired on Nathan Road as demonstrations inside the station, leading to closure of multiple MTRCL stations, including Prince Edward, Mong Kok and Yau Ma Tei, dated 6 Sep 2019  <a href="https://www.scmp.com/news/hong-kong/transport/article/3026054/prince-edward-mtr-station-closed-crowds-gather-inside">https://www.scmp.com/news/hong-kong/transport/article/3026054/prince-edward-mtr-station-closed-crowds-gather-inside</a></p>  <p>HK01 - 【太子站衝突】示威者毀港鐵設施 防暴警在油麻地清場 [Protesters stormed Prince Edward MTRCL station, riot police dispensed at Yau Ma Tei], dated 6 Sep 2019  <a href="https://www.hk01.com/%E7%AA%81%E7%99%BC/372278/%E5%A4%AA%E5%AD%90%E7%AB%99%E8%A1%9D%E7%AA%81-%E7%A4%BA%E5%A8%81%E8%80%85%E6%AF%80%E6%B8%AF%E9%90%B5%E8%A8%AD%E6%96%BD-">https://www.hk01.com/%E7%AA%81%E7%99%BC/372278/%E5%A4%AA%E5%AD%90%E7%AB%99%E8%A1%9D%E7%AA%81-%E7%A4%BA%E5%A8%81%E8%80%85%E6%AF%80%E6%B8%AF%E9%90%B5%E8%A8%AD%E6%96%BD-</a></p>



Date	Details	News with photos/links
<p>7 Sep 19</p>	<p>Prince Edward station was closed at around 4:00pm.</p>	<p><a href="#">%E9%98%B2%E6%9A%B4%E8%AD%A6%E5%9C%A8%E6%B2%B9%E9%BA%BB%E5%9C%B0%E6%B8%85%E5%A0%B4</a></p>  <p>HK01 - 【9.7機場】四人太子請願 撞示威者轉車 港鐵離奇封站記 [A group of four protested in Prince Edward, the station was closed afterwards], dated 7 Sep 2019  <a href="https://www.hk01.com/18%E5%8D%80%E6%96%B0%E8%81%9E/372730/9-7%E6%A9%9F%E5%A0%B4-%E5%9B%9B%E4%BA%BA%E5%A4%AA%E5%AD%90%E8%AB%8B%E9%A1%98-%E6%92%9E%E6%AD%A3%E7%A4%BA%E5%A8%81%E8%80%85%E8%BD%89%E8%BB%8A-%E6%B8%AF%E9%90%B5%E9%9B%A2%E5%A5%87%E5%B0%81%E7%AB%99%E8%A8%98">https://www.hk01.com/18%E5%8D%80%E6%96%B0%E8%81%9E/372730/9-7%E6%A9%9F%E5%A0%B4-%E5%9B%9B%E4%BA%BA%E5%A4%AA%E5%AD%90%E8%AB%8B%E9%A1%98-%E6%92%9E%E6%AD%A3%E7%A4%BA%E5%A8%81%E8%80%85%E8%BD%89%E8%BB%8A-%E6%B8%AF%E9%90%B5%E9%9B%A2%E5%A5%87%E5%B0%81%E7%AB%99%E8%A8%98</a></p>
<p>1 Oct 19</p>	<p>Large scale closure of a total of 45 stations (out of 93 stations), with the closure of two of the major stations, namely Admiralty and Prince Edward, from 08:00 onwards for the whole day.</p>	 <p>The above map shows the updated information about the closure of stations as at 20:30 on 1 Oct.</p>

Date	Details	News with photos/links
		 <p><b>【最新】港鐵關閉錦上路、天水圍及寶琳站</b></p> <p>🕒 0分鐘前  </p> <p><b>【Now新聞台】港鐵重鐵列車服務安排總結如下：</b></p> <ul style="list-style-type: none"> <li>• 目前以下車站關閉，列車不停這些車站：  港島綫：(中環站)、(金鐘站)、灣仔站、銅鑼灣站、天后站、西營盤站、香港大學站  觀塘綫：(油麻地站)、(旺角站)、(太子站)、樂富站、黃大仙站、鑽石山站、彩虹站、九龍灣站、牛頭角站、觀塘站、藍田站  荃灣綫：荃灣站、大窩口站、葵興站、葵芳站、荔枝角站、長沙灣站、深水埗站、(太子站)、(旺角站)、(油麻地站)、、佐敦站、尖沙咀站、(金鐘站)、(中環站)  西鐵綫：尖東站、荃灣西站、錦上路站、元朗站、朗屏站、天水圍站、兆康站、屯門站  東鐵綫：(大圍站)、沙田站  馬鞍山綫：(大圍站)、車公廟站、沙田圍站、第一城站、石門站、大水坑站、恆安站、馬鞍山站  將軍澳綫：寶琳站</li> </ul> <p>註：部分車站服務多於一條地鐵路綫，以括號顯示</p> <ul style="list-style-type: none"> <li>• 荃灣綫、馬鞍山綫列車服務暫停。</li> <li>• 免費接駁巴士來往海洋公園站及堅尼地城站</li> </ul> <p>The above is the screen capture of the Now news announcement about the further closure of MTR stations.</p>

**Title:** Hong Kong: Leighton controversy update  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : China Posts  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)

**Response:** Routine, Information Only

## Summary

In a statement the Hong Kong government said that further unapproved works had been discovered and documents certifying work standards relating to the construction of several facilities as part of the Shatin-Central Link rail project could not be found. MTRC chief executive Lincoln Leong reportedly said that Leighton Contractors (Asia) should be held fully accountable for the missing records. Chief Executive Carrie Lam announced that the government appointed commission of inquiry will expand its scope.

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s 33(a)(iii) , Hong Kong's railway operator Mass Transit Railway Corporation (MTRC) and its main contractor Leighton Contractors (Asia) are embroiled in a controversy over alleged substandard construction work relating to the HK\$97.1 billion Shatin to Central link (SCL) rail project. Leighton has denied all allegations. s 22(1)(a)(ii)

2. On 31 January, Secretary for Transport and Housing Frank Chan Fan told a press conference that further unapproved works had been discovered and documents certifying work standards for the SCL had gone missing. The revelations have raised major safety concerns, on top of existing allegations of a cover-up involving substandard construction and fake rebar installations at the station platforms on the Hung Hom Station.

3. On 1 February, MTRC's Managing Director Jacob Kam Chak-pui revealed at a Legislative Council (LegCo) meeting that more than 60 per cent of the Request for Inspection/Survey Checks (RISC) forms relating to part of the Hung Hom station expansion had never been submitted by Leighton to MTR to countersign. Unapproved design changes had also been made to the structures. MTRC chief executive Lincoln Leong reportedly said that Leighton should be held fully accountable for the missing records.

4. Civic Party lawmaker Tanya Chan Suk-Chong said that "there is a very high chance" that the records were deliberately destroyed. She plans on invoking the LegCo's Powers and Privileges Ordinance to investigate the issue. Under the ordinance, LegCo can summon anyone to give or produce evidence that they possess or control.

5. A government appointed commission of inquiry led by Justice Michael Hartmann has spent more than three months investigating the earlier allegations at the Hung Hom station project. On 31 January, Chief Executive Carrie Lam announced that the commission of inquiry would expand its scope to cover the new affected areas. The commission is expected to submit an interim report to the government before proceeding to the new investigations.

6. Secretary Chan said that the government has asked MTRC to conduct an internal audit of all stations along the SCL. The audit is expected to be completed by the end of March. The Highways Department will also inspect other station construction sites under the supervision of an expert team from the Transport and Housing Bureau.

7. Hong Kong Police continue to investigate the alleged substandard work involving the station platforms and is expected to investigate the new allegations. The MTRC has also reported some issues to the Independent Commission Against Corruption (ICAC).

s 33(a)(iii), s 33(b)

text ends

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**Sent by:** s 22(1)(a)(ii)

**Prepared  
by:**

**Approved  
by:**

**Topics:** POLITICAL-ECONOMIC/Domestic Political, TRADE/Market Access

▼ New Distribution

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s 22(1)(a)(ii)



s 22(1)(a)(ii)

**Title:** Hong Kong: Chief Executive Lee's Southeast Asia visit  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : China Posts, Indo-Pacific Posts  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)  
**Response:** Routine, Information Only

### Summary

s 22(1)(a)(ii)

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Between 23 and 29 July, Hong Kong Chief Executive John Lee led a 30-person delegation for a week-long trip to Singapore, Indonesia, and Malaysia. The delegation consisted of senior government officials (including Deputy Financial Secretary, Secretary for Financial Services and the Treasury, Secretary for Commerce and Economic Development, Secretary for Transport and Logistics, Secretary for Innovation, Technology and Industry) and business leaders (including Chief Executive Officer of HKEx Nicolas Aguzin, Chief Executive Officer of HSBC Hong Kong Luanne Lim, Chairman of MTR Corporation Rex Au Yeung, Chairman of Sino Group Robert Ng, Chairman of Hong Kong Telecom Richard Li, among others).

2. Southeast Asia is a long standing and critical trading partner, investment destination and s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

8. A total of 33 Memoranda of Understanding (MoUs) and agreements were signed across the three countries covering trading and commerce, investment, finance, innovation and technology, logistics, academic research and cultural exchange. Notably, Malaysian state-owned MRT corporation and Hong Kong MTR Corporation will co-develop six-acres in Bukit Chagar, near the Malaysia-Singapore border, as part of the cross-border rapid transit project. HKEx and Indonesia Stock Exchange (IDX) agreed to explore opportunities on cross-border listings, joint product development and promotion of sustainable finance.

s 22(1)(a)(ii)

text ends

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Sent by: s 22(1)(a)(ii)

s 22(1)(a)(ii)

**Prepared** s 22(1)(a)(ii)

**by:**

**Approved** HOP Ward

**by:**

**Topics:** POLITICAL-ECONOMIC/Domestic Political, TRADE/Policy General

▼ **New Distribution**

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s 22(1)(a)(ii)





**Title:** Hong Kong: First legal rally since mask ban attracts large gathering  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, China Posts, Indo-Pacific Posts, London, Ottawa, Washington, Wellington  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:** s 22(1)(a)(ii)  
**References:**

**Response:** Routine, Information Only

### Summary

s 22(1)(a)(ii)

A defacto curfew continues, with metro rail closures at night s 22(1)(a)(ii)

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s 22(1)(a)(ii)

What is described as a nightly de facto curfew, the MTR Corporation (75% owned by the Hong Kong government) will close all lines at 10pm except the Airport Express.



**Title:** Hong Kong: Protest update – 8 September  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, China Posts, G20 Posts, Geneva UN, Indo-Pacific Posts,  
London, Ottawa, UN New York, Washington, Wellington  
**Ministers:** Trade Minister  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)  
**Response:** Routine, Information Only

s 22(1)(a)(ii)

s 22(1)(a)(ii)

8. Protesters also staged peaceful sit-ins at shopping centres operated by the MTR Corporation (Citylink and Telford Plaza) for its perceived complicity in acting with the government and police.

s 22(1)(a)(ii)



**Title:** Hong Kong: Protest update - 10 September  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, G20 Posts, Indo-Pacific Posts, London, Ottawa, Washington, Wellington  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)

**Response:** Routine, Information Only

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

### **Lam draws criticism over MTR visit**

11. Carrie Lam has been criticised by protest groups for her 9 September visit to MTR stations damaged by protesters, which they said contrasted with her not visiting those injured by the police. In a press release, Lam expressed concern for MTR staff injured during the protests.



14. The MTR, s 33(a)(iii) continues to be a key target by protesters.

s 22(1)(a)(ii)

text ends

s 22(1)(a)(ii)

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**Sent by:**

**Prepared**

**by:**

**Approved**

**by:**

**Topics:** CONSULAR/Public Information, POLITICAL-ECONOMIC/Domestic Political, SECURITY/Threats & Risks

▼ New Distribution

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s 22(1)(a)(ii)





**Title:** Hong Kong: Protest update - 20 September  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, China Posts, G20 Posts, Indo-Pacific Posts, London, Ottawa,  
UN New York, Washington, Wellington  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)

**Response:** Routine, Information Only

s 22(1)(a)(ii)

s 22(1)(a)(ii)

### **MTR derailment investigation**

10. The MTR (metro) Corporation has advised a train derailment on Tuesday (17 September) which led to the evacuation of 500 passengers, will be investigated by international experts s 22(1)(a)(ii) Media reports speculated the derailment could have been a deliberate anti-government act. In a separate media interview MTR Chairman Rex Auyeung Pak-kuen has

denied allegations the company is politically biased towards Beijing. Auyeung said “the MTR is just a listed company. We are not running a political party or government unit.”

s 22(1)(a)(ii)







**Title:** Hong Kong: Update on protests - 23–24 August  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, Indo-Pacific Posts, London, Ottawa, Washington, Wellington  
**Ministers:** Prime Minister  
**From:** Hong Kong  
**From File:** s 22(1)(a)(ii)  
**EDRMS**  
**Files:** s 22(1)(a)(ii)  
**References:**

**Response:** Routine, Information Only

s 22(1)(a)(ii)

s 22(1)(a)(ii)

**MTR Corporation criticised by Chinese state media,** s 22(1)(a)(ii)

6. s 33(a)(iii)

. The state-backed Global Times accused MTRC of helping protesters avoid police by putting on extra trains to clear stations during and after protests. The South China Morning Post reported Chinese state media's warning to MTRC against any attempt to facilitate what they called "rioters" in destabilising actions, otherwise the company would run the risk of "derailing and slipping into the abyss."

s 22(1)(a)(ii)



**From:** s 22(1)(a)(ii)  
**To:**  
**Cc:** [Elizabeth Ward](#); s 22(1)(a)(ii)  
**Subject:** CG's introductory call with MTR [SEC [REDACTED]]  
**Date:** Tuesday, 24 November 2020 2:53:00 PM  
**Attachments:** [HOP introductory call with MTR.docx](#)

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[REDACTED]

Hi Team

Please find attached a quick overview of CG's meeting with MTR last Friday.

Many thanks

s 22(1)(a)(ii)

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Consul (Political)  
Australian Consulate-General, Hong Kong  
23<sup>rd</sup> Floor, Harbour Centre, 25 Harbour Road, Wan Chai  
Phone: s 22(1)(a)(ii) | Mobile: s 22(1)(a)(ii)  
[hongkong.consulate.gov.au](http://hongkong.consulate.gov.au)

















**Title:** Hong Kong: Protest update - 20 September  
**MRN:** s 22(1)(a)(ii)  
**To:** Canberra  
**Cc:** RR : Brussels, China Posts, G20 Posts, Indo-Pacific Posts, London, Ottawa,  
UN New York, Washington, Wellington  
**From:** Hong Kong  
**From File:**  
**EDRMS**  
**Files:**  
**References:** s 22(1)(a)(ii)

**Response:** Routine, Information Only

s 22(1)(a)(ii)

s 22(1)(a)(ii)

**MTR derailment investigation**

s 22(1)(a)(ii)

. In a separate media interview MTR Chairman Rex Auyeung Pak-kuen has

denied allegations the company is politically biased towards Beijing. Auyeung said “the MTR is just a listed company. We are not running a political party or government unit.”

s 22(1)(a)(ii)

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**Sent by:** s 22(1)(a)(ii)

**Prepared  
by:**

**Approved  
by:**

**Topics:** CONSULAR/Public Information, POLITICAL-ECONOMIC/Domestic Political, SECURITY/Threats & Risks

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s 22(1)(a)(ii)







