

14 MAY 2004



## PRESS RELEASE

### **PRE-INQUIRY CONFERENCE ON 14 MAY 2004 FOR THE INQUIRY INTO THE CAUSE OF THE INCIDENT AT THE MRT CIRCLE LINE WORKSITE THAT LED TO THE COLLAPSE OF THE NICOLL HIGHWAY ON 20 APRIL 2004**

The Chairman<sup>1</sup> and Members<sup>2</sup> of the Committee of Inquiry appointed by the Acting Minister for Manpower under Section 54 of the Factories Act (Chapter 104) to inquire into the cause of the incident at the MRT Circle Line worksite that led to the collapse of the Nicoll Highway on 20 April 2004 conducted a Pre-Inquiry Conference on 14 May 2004 which involved the interested parties and next-of-kin. The eight interested parties<sup>3</sup> were represented by Counsel. The next-of-kin of Mr Tan Lock Yong and Mr Vadivil s/o Nadeson were also represented by Counsel. Their involvement and interest in the Inquiry is as specified in Annex A. The next-of-kin of the other two deceased persons, Mr Heng Yeow Pheow and Mr Liu Rong Quan, a national from the People's Republic of China (PRC) were invited to, but did not attend the Pre-Inquiry Conference. However, a representative from the Embassy of the PRC<sup>4</sup>, attended the Pre-Inquiry Conference. The Chief Inspector of Factories<sup>5</sup>, Ministry of Manpower (MOM), Senior State Counsel<sup>6</sup> and the Singapore Police Force were also in attendance at the Pre-Inquiry Conference.

2 At the Pre-Inquiry Conference, the Committee reiterated its Terms of Reference, and gave various directions in respect of the procedural aspects of the Inquiry.

3 The Committee ascertained that the Investigators from the MOM and the Singapore Police Force, as well as Counsel representing the interested parties need

<sup>1</sup> Senior District Judge, Mr Richard Magnus

<sup>2</sup> Professor Teh Cee Ing and Mr Lau Joo Ming

<sup>3</sup> Nishimatsu-Lum Chang JV, the Land Transport Authority, Maunsell Consultants (Singapore) Pte Ltd, Bachy Soletanche Singapore Pte Ltd, Kori Construction (S) Pte Ltd, Hiap Shing Construction Pte Ltd, L&M Geotechnic Pte Ltd and Aviva Ltd

<sup>4</sup> Mr Wei Ning, Attaché from the Consular Department

<sup>5</sup> Mr Tan Pui Guan is Chief Inspector of Factories

at least an additional two and a half months to prepare for the Inquiry. This is due to the particularly complicated technical content, the subject depth of the evidence and the large number of witnesses estimated to be at least 80. These require extensive and thorough investigations into the probable causes of the incident.

4 The Investigators from the MOM and the Singapore Police Force and Counsel for six of the parties<sup>7</sup> will be engaging their own local and international experts to give evidence at the Inquiry. It is expected that seven to ten experts will be engaged by the parties. The final list of experts will be firmed up by 27 May 2004. These experts will need to review, analyse the evidence and prepare their reports to enable MOM, the Police and the parties' Counsel to be fully ready for the Inquiry. The Committee informed the parties that the MOM investigators had been directed to include in the investigations the technical evidence specified in Annex B. The overall preparation by all parties including the exchange and review of the Expert Reports and rebuttals will require at least two and a half months.

5 As such, the Committee directed that the Inquiry, which was tentatively scheduled for 1 June 2004, be now fixed to commence on 2 August 2004. The parties informed the Committee that the Inquiry will require a period of not less than four weeks in view of the complexities of the case. The Committee agreed and further directed that the Inquiry will proceed until completion beyond that period if necessary.

6 The specific directions given by the Committee to the parties included the following matters:

- a) Submission of a List of Expert Witnesses by 27 May 2004;
- b) Submission of a List of Witnesses by 4 June 2004;
- c) Submission of a Brief Summary of the Witnesses' evidence by 30 June 2004;
- d) Submission of an Agreed Statement of Facts and Issues;

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<sup>6</sup> Mr Ong Hian Sun, assisted by State Counsel Mr Edwin San and Mr Chew Chin Yee

<sup>7</sup> Nishimatsu-Lum Chang JV, the Land Transport Authority, Maunsell Consultants (Singapore) Pte Ltd, Bachy Soletanche Singapore Pte Ltd, L&M Geotechnic Pte Ltd and Aviva Ltd

- e) Preparation and Submission of Agreed Bundle of Documents;
- f) Preparation and Submission of Case and Literature Authorities;
- g) Exchange of Documents including Expert Reports;
- h) Leading of Evidence by Senior State Counsel;
- i) Cross-examination and Re-examination of Witnesses after Examination-in-Chief by the Parties and the order thereof;
- j) Written Closing Submissions by all Parties; and
- k) The application of the normal rules of evidence as in criminal proceedings to the Inquiry.

7 The Committee also directed that the next Pre-Inquiry Conference be held on 10 June 2004 in District Court 1 to determine the final timelines for the directions relating to items (d) to (g). It will then also ensure compliance of the Committee's directions.

**Issued by:-**

**Secretary  
Committee of Inquiry  
into the Collapse of Nicoll Highway**

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**LIST OF INTERESTED PARTIES & THEIR INVOLVEMENT**

<b>No</b>	<b>Name of Parties</b>	<b>Represented By</b>	<b>Involvement</b>
1	Land Transport Authority of Singapore	M/s Allen & Gledhill  i. Mr K Shanmugam SC ii. Mr Edwin Tong iii. Mr Andrew Yeo	The Developer of the MRT Circle Line worksite at Nicoll Highway
2	Nishimatsu-Lum Chang JV	M/s Rodyk & Davidson  i. Mr Philip Jeyaretnam SC ii. Mr Paul Wong	The Main Contractor
3	Maunsell Consultants (S) Pte Ltd	M/s Chantan LLC  i. Mr Raymond Chan ii. Ms Monica Neo	The Design Consultants to the Main Contractor
4	Bachy Soletanche Singapore Pte Ltd	M/s TSMP Law Corporation  i. Mr Thio Shen Yi ii. Mr Derek Loh iii. Ms Adeline Lee	The Sub-Contractor for the construction of the diaphragm walls
5	Kori Construction (S) Pte Ltd	M/s Justicius Law Corporation  i. Mr Woon Wee Teng ii. Mr Muthu Kumaran	The Sub-Contractor for the strutting system
6	Hiap Shing Construction Pte Ltd	M/s Gurbani & CO.  i. Mr R. Govintharasah ii. Ms Angel Lum	The Sub-Contractor for the excavation work at the site
7	L&M Geotechnic Pte Ltd	M/s Unilegal LLC  Mr Eric Low Eng Wan	The Sub-Contractor for the instrumentation and jet grouting work
8	Aviva Ltd	M/s Harry Elias Partnership	The Insurer for the entire project

		<ul style="list-style-type: none"> <li>i. Mr Tan Chee Meng</li> <li>ii. Mr Latiff Ibrahim</li> <li>iii. Mr Kelvin Tan</li> <li>iv. Ms Tan Lee Cheng</li> </ul>	
9	Next-Of-Kin of Mr Tan Lock Yong	M/s Drew and Napier LLC <ul style="list-style-type: none"> <li>i. Mr Raj Singam</li> <li>ii. Ms Tan Siu-Lin</li> <li>iii. Ms Anand Suyin</li> </ul>	
10	Next-Of-Kin of Mr Vadivil s/o Nadeson	M/s Allagarsamy & Co  Mr K P Allagarsamy	

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## TECHNICAL EVIDENCE

1. Geotechnical information
2. Concepts and design of the soil retention system
3. Support system
4. Excavation sequence and procedures
5. Instrumentation and monitoring mechanisms