

J. R. M. P.

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\$57,000 in fines for safety rules breaches

By JANITA WONG

The Artistic Hair Products Co Ltd where 11 people died in a fire on January 20 was yesterday fined a total of \$57,000 on 11 summonses issued by the Labour Department and two by the Fire Services Department.

The company, at 206-208 Tsat Tse Mui Road, second floor, North Point, pleaded guilty to all summonses through Mr Adrian Huggins.

Mr Paul Trehey at Causeway Bay Court imposed the maximum fine on all summonses except the three for exits not kept closed by a self-closing mechanism.

Mr Huggins said in mitigation that the main lesson to be learned was that the factory failed to keep a clearly defined management structure with a clearly delineated responsibility at each level.

The factory, which was a family business, had been making wigs for 17 years.

Prior to the fire the bulk of management was passed from the mother to the son, Mr

Chiu Chun-kwok.

Mr Chiu was away from the factory for 50 per cent of the time selling wig products in Europe, the United States and Southeast Asia and he relied heavily on the factory manager, Mr Yiu Chi-man.

Under Mr Yiu were two assistant managers, Miss Tang Mei-ling and Mr Ng Pik-wan, who was promoted last year.

Mr Ng was the son-in-law of the managing director and both Mr Yiu and Miss Tang resented his promotion, said counsel.

Mr Yiu then left the factory, leaving Miss Tang in charge of the second floor and Mr Ng operating between the second floor and seventh floor, resulting in the breakdown of the areas of responsibility.

Regarding the summonses for storing category five, class one, dangerous goods without a prescribed label stating them to be highly inflammable and storing them in excess of the total permit-

ted unlicensed quantity of eight gallons, Mr Huggins said neither Mr Chiu, nor Mr Ng nor Miss Tang knew anything about the matter.

It was unfortunate that the regulations were in English and not in Chinese, and it might be a fault of the Government.

In 1976 the Labour Department visited the factory, but no reference was made to the regulations, counsel said.

The department also did not point out it was wrong that the metal gates at the side exit leading to Model Lane were not constructed to open outwards.

Mr Huggins said he was not trying to shift the blame to anyone, but it showed one could be wise after the event.

He said a great deal of publicity had been given to the case and a number of people in the press and media had used this to illustrate the exploitation of workers in Hongkong.

However, of the 10 or so witnesses at the inquest, only one was employed less than five years — the others had served between six and 15 years.

No complaints had been made about the working conditions and the average wage had been \$2,500 to \$3,000.

Passing sentence, Mr Trehey said the agreed facts showed there was a lack of care by the factory proprietor.

Almost every breach which led to death or injury of workers was committed by the company.

Although the company did have fire-fighting appliances, it was extremely difficult if not impossible to get access to them.

Mr Trehey said he was unable to accept that factory management did not know the regulations, adding that Mr Chiu was a man of some sophistication who spent a lot of time travelling and doing business.

The factory's conduct regarding the regulations was reckless, irresponsible and ultimately lethal.

Simply because nothing had gone wrong before, the management and proprietor allowed conditions to get worse which led to people finding it difficult to escape when the fire broke out, Mr Trehey said.

Crown counsel Simon Westbrook prosecuted.
(Court reports on Pages 16 and 17)