

香港醫務委員會
The Medical Council of Hong Kong

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Defendant: Dr LEE Wai (李偉醫生) (Reg. No.: M08967)

Date of hearing: 29 May 2026 (Friday)

Present at the hearing

Council Members/Assessors: Prof. TANG Wai-king, Grace, SBS, JP
(Chairperson of the Inquiry Panel)
Prof. WONG Chi-sang, Martin
Dr PANG Chi-wang, Peter
Mrs BIRCH LEE Suk-yee, Sandra, GBS, JP
Ms CHAU Shuk-king, Kitty

Legal Adviser: Mr Stanley NG

Defence Solicitor representing the Defendant: Ms Carmen FUNG of
Messrs. Howse Williams

Legal Officer representing the Secretary: Miss Katrina CHAN,
Government Counsel

The Charge

1. The charge against the Defendant, Dr LEE, is:

“That in or about September 2023, he, being a registered medical practitioner, sanctioned, acquiesced in or failed to take any or adequate steps to prevent the use of title “皮膚學碩士醫生” on the signboard of “Med-Link Medical Centre” at Shop C, G/F, EIB Tower, 4-6 Morrison Hill Road, Wanchai, Hong

Kong, which misled the public that he was a specialist in “Dermatology and Venereology” when in fact his name was not included in the Specialist Register under the specialty of “Dermatology and Venereology” at the material times.

In relation to the facts alleged, he has been guilty of misconduct in a professional respect.”

Facts of the case

2. The name of the Defendant has been included in the General Register from 26 March 1993 and up to the present. His name has never been included in the Specialist Register.
3. Briefly stated, a complaint via email was received by the Medical Council (“the Council”) on 26 September 2023 against the Defendant for misleading the public that he was a specialist in dermatology by displaying the title “皮膚學碩士 醫生” beside his name on the shop front of his clinic. A photograph taken on 26 September 2023 showing the shop front of the clinic was enclosed (“the Photograph”). According to the Defendant, his clinic address is at Shop C, G/F, EIB Tower, 4-6 Morrison Hill Road, Wanchai, Hong Kong (“the Clinic”).

Burden and Standard of Proof

4. We bear in mind that the burden of proof is always on the Secretary and the Defendant does not have to prove his innocence. We also bear in mind that the standard of proof for disciplinary proceedings is the preponderance of probability. However, the more serious the act or omission alleged, the more inherently improbable must it be regarded. Therefore, the more inherently improbable it is regarded, the more compelling the evidence is required to prove it on the balance of probabilities.
5. There is no doubt that the allegation against the Defendant here is serious. Indeed, it is always a serious matter to accuse a registered medical practitioner of misconduct in a professional respect. Therefore, we need to look at all the evidence and to consider and determine the disciplinary charge against him carefully.

Findings of the Inquiry Panel

6. The Defendant admits the factual particulars of the charge against him but it remains for us to consider and determine on the evidence whether he is guilty of misconduct in a professional respect.
7. There is no dispute that the name of the Defendant has never been included in the Specialist Register under the specialty of “Dermatology and Venereology”.
8. We have looked at the Photograph. The title “皮膚學碩士醫生” was displayed next to the name of the Defendant at the shop front of the Clinic. Further, the title was displayed in a much larger font size than that of the rest of the quoted qualifications of the Defendant.
9. In the Defendant’s letter to the Preliminary Investigation Committee (“PIC”) of the Council dated 13 November 2025, the Defendant submitted to the PIC that he had obtained a Master degree in Dermatology and the title “皮膚學碩士醫生” only meant that he was a doctor possessing the Master degree.
10. We cannot accept the Defendant’s submission. According to the Code of Professional Conduct (2022 Edition) (“the Code”), quotable qualifications are allowed to be displayed on signboards. However, even if the Defendant’s qualification is a quotable one, the title “皮膚學碩士醫生” is clearly not in the format of a qualification.
11. In our view, the use of the title “皮膚學碩士醫生” would very likely mislead the public in thinking that the Defendant was a specialist in Dermatology and Venereology but when in fact he had not been approved by the Council to have his name included in the Specialist Register under the specialty of “Dermatology and Venereology”. The display of the title in a much larger font size, which placed emphasis on the title than other of his qualifications, would carry a more misleading effect.
12. In the Court of Appeal’s decision of *Ng Kin Wai v The Dental Council of Hong Kong* (CACV 194/2010) 14 October 2011, Fok JA (as he then was) emphasized (at paragraph 45 of the Judgment) the importance of quoting only such professional title which a dentist is entitled because “[p]rofessional titles are important and members of the public are likely to rely on the expertise implied by

those titles in choosing a dentist and submitting themselves to treatment by that dentist.”

13. Although the appellant in the *Ng Kin Wai* case was a dentist, Fok JA’s observation is in our view equally apposite to quotation of professional titles by registered medical practitioners.
14. It is stipulated in the Code that:-

“7. Specialist title

7.1 Only doctors on the Specialist Register are recognized as specialists, and can use the title of “specialist in a specialty”. A specialist can claim himself as a specialist only in the specialty under which he is included in the Specialist Register but not other specialties.

7.2 Doctors who are not on the Specialist Register cannot claim to be or hold themselves out as specialists. A non-specialist is not allowed to use any misleading description or title implying specialization in a particular area (irrespective of whether it is a recognized specialty) such as “doctor in dermatology” or “皮膚醫生”.

15. Clearly, the Defendant was in breach of section 7.2 of the Code, which expressly prohibited the use of “any misleading description or title implying specialization in a particular area (irrespective of whether it is a recognized specialty)”.
16. We are satisfied on the evidence before us that the Defendant has by his conduct in the present case fallen below the standards expected amongst registered medical practitioners in Hong Kong and we find him guilty of professional misconduct as charged.

Sentencing

17. The Defendant has one previous disciplinary record relating to unauthorized canvassing for the purpose of obtaining patients in 1995. After due inquiry held

on 22 May 1997, the Defendant was ordered to be reprimanded. The previous disciplinary offence took place many years ago and was not similar to the present charge.

18. In line with our published policy, we shall give the Defendant credit in sentencing for his admission and cooperation throughout these disciplinary proceedings.
19. We bear in mind that the primary purpose of a disciplinary order is not to punish the Defendant but to protect the public from persons who are unfit to practise medicine and to maintain public confidence in the medical profession by upholding its high standards and good reputation.
20. In mitigation, the Defendant's solicitor only submitted to us five character reference letters. We are invited to read the letters ourselves. No other mitigation submission whatsoever was made. We are not even told if the Defendant was remorseful.
21. On our own initiative, we have looked at the Defendant's letter to the PIC dated 13 November 2025. It was said in the letter that the offending title had already been removed from the shop front of the Clinic. We will take this into account.
22. Taking into consideration the nature and gravity of the disciplinary charge for which the Defendant is convicted and what we have read in mitigation, we shall order that the Defendant be reprimanded.

Prof. TANG Wai-king, Grace, SBS, JP
Chairperson of the Inquiry Panel
The Medical Council of Hong Kong