

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

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Defendant: Dr LIU Hui Yin (廖許延醫生) (Reg. No.: M16862)
(formerly registered as Dr LIU Yin Lung 先前註冊為廖賢龍醫生)

Date of hearing: 30 July 2025 (Wednesday)

Present at the hearing

Council Members/Assessors: Prof. TANG Wai-king, Grace, SBS, JP
(Chairperson of the Inquiry Panel)
Prof. LIANG Hin-suen Raymond, SBS, JP
Dr WONG Lok-yu
Mr LAM Chi-yau
Mr LI Pak-ki

Legal Adviser: Mr Stanley NG

Defence Solicitor representing the Defendant: Miss Jennifer LEE of Messrs. Johnson
Stokes & Master

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

The Charge

1. The charge against the Defendant, Dr LIU Hui Yin, is:

“The particulars of the information are that he, being a registered medical practitioner, was convicted at the West Kowloon Magistrates’ Courts on 27 March 2024 of the offence of loitering causing concern, which is an offence punishable with imprisonment, contrary to section 160(3) of the Crimes Ordinance, Cap. 200, Laws of Hong Kong.”

Facts of the case

2. The name of the Defendant has been included in the General Register from 1 July 2012 to the present. His name has never been included in the Specialist Register.
3. Buddhist Tai Hung College, situated next to So Uk Estate, Cheung Sha Wan, is a co-ed secondary school (“the School”). The junior-form girl summer school uniform is a one-piece white dress. At 1233 hours on 20 November 2023, during lunch hour, a teacher of the School (“the Teacher”), while passing by the staircase area of 1/F, saw a girl student (later known to be the Defendant) walking up to 2/F. The Teacher intercepted the Defendant and asked where “she” was going. The Defendant said in a small voice that “she” was going up to the classroom. The Teacher then went on asking the Defendant which class “she” was in. The Defendant suddenly dashed down the staircase to G/F. The Teacher chased after the Defendant. The Defendant ran out of the campus through the main gate, crossed the road and ran to the direction of So Uk Estate.
4. The Teacher noticed that the Defendant’s voice was rather deep and “her” body shape was akin to a male. The Teacher then reported the matter to the principal and the vice principal. Upon reviewing the CCTV footage of the School, the School management believed that the girl student appearing at the staircase was actually a male who pretended to be a girl student of the School by wearing their school uniform. The case was reported to the police.
5. Upon police investigation, the CCTV of the School and the CCTV of the nearby So Uk Estate were viewed. It was revealed that the Defendant had driven his private car to So Uk Estate car park at 1207 hours on the same day, his face was clearly captured (and he was not wearing glasses) by the CCTV at the entrance gate of the car park. The CCTV also captured that the Defendant parked his car and stepped out of his car in girl school uniform. At 1233 hours, the Defendant was seen entering the School through the main gate in girl school uniform, together with a wig, a pair of glasses, a mask, a pair of socks and a pair of shoes. The CCTV of the school also captured at

1235 to 1236 hours that the Defendant was running toward the main gate of the School and left through the main gate.

6. Upon investigation, the police discovered the identity of the Defendant. At 2238 hours on the same day, police officers ambushed the Defendant at the basement of Sol City, Yuen Long. The Defendant drove his car into the car park there, and parked. After the Defendant alighted, the police arrested him. Upon searching the Defendant's car, the uniform of the School and the five clothing items, which were worn by the Defendant at the material time, as well as four uniforms of other secondary schools were found.
7. The Defendant was charged with the offence of loitering causing concern, contrary to section 160(3) of the Crimes Ordinance, Cap. 200.
8. On 27 March 2024, the Defendant was convicted on his own plea at the West Kowloon Magistrates' Courts in Case No. WKCC 5001/2023 of the offence of loitering causing concern.
9. On 24 April 2024, the Defendant was sentenced to a Probation Order for 12 months. On the same day, the Defendant reported his conviction to the Medical Council.

Burden and Standard of Proof

10. 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.

Findings of the Inquiry Panel

11. There is no dispute that the offence of loitering causing concern is punishable with imprisonment. By virtue of section 21(1) of the Medical Registration Ordinance, Cap. 161 ("MRO"), our disciplinary powers against the Defendant are engaged.
12. Section 21(3) of the MRO expressly provides that:

"Nothing in this section shall be deemed to require an inquiry panel to inquire into the question whether the registered medical practitioner was properly convicted but the panel may consider any record of the case in which such conviction was recorded and any other evidence which may be available and is relevant as showing the nature and gravity of the offence."

13. We are therefore entitled to take the aforesaid conviction as proven against the Defendant.
14. Accordingly, we find the Defendant guilty of the disciplinary charge.

Sentencing

15. The Defendant has a clear disciplinary record.
16. In line with our published policy, we shall give the Defendant credit in sentencing for his frank admission and not contesting the disciplinary charge. However, given that there is hardly any room for dispute in a disciplinary case involving criminal conviction, the credit to be given to him must necessarily be of a lesser extent than in other cases.
17. 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.

18. The offence of loitering causing concern committed by the Defendant was serious. The Defendant's cross-dressing behavior, although a result of his disorders, was alarming in this instance, as he not only cross-dressed, but loitered into a secondary school with female students. His behavior had caused concerns to the school management. In our view, any act of loitering causing concern like the present one must be condemned. However, we note that in this case there is no evidence of any malicious or sexual intent on the part of the Defendant or any actual harm caused to the school girls.
19. The Defendant told us that he had sought psychological treatment from a clinical psychologist to address his stress-coping strategies and issues with anger management, starting around 2021, which was before the date of his commission of the offence. As part of his treatment, his cross-dressing behavior was also addressed. We are satisfied that the Defendant had insight into his problems prior to his commission of the offence.
20. We have considered the character reference letters as submitted by the Defendant, showing that he is a conscientious, responsible and compassionate doctor. We have also considered the letter written by the Defendant. We note that he is remorseful.
21. The Defendant has since the commission of the offence consulted a Dr Cheng, a Specialist in Psychiatry, and a Dr Wong, a Clinical Psychologist. The Defendant has provided to us an updated medical report prepared by Dr Cheng and an updated psychological report prepared by Dr Wong. Both Dr Cheng and Dr Wong took the view that the Defendant does not pose a risk to the public in relation to his behavior and the risk of recurrence of loitering or cross-dressing is low.
22. It is essential in our view to maintain amongst members of the public a well-founded confidence that any medical doctor whom they consult will be a person of unquestionable integrity, probity and trustworthiness. Any person who lacks these essential attributes can hardly be a fit and proper person to practise medicine.

23. We need to ask ourselves whether the Defendant can be safely allowed to remain in practice, having regard to our responsibility to safeguard the public from persons who are unfit to practise medicine.
24. We agree that the risk of reoffending is likely to be low provided that the Defendant continues to receive treatments in accordance with his treating psychiatrist and clinical psychologist.
25. Having considered the nature and gravity of this case and what we have heard and read in mitigation, we order that the name of the Defendant be removed from the General Register for a period of 6 months. We further order that the operation of the removal order be suspended for a period of 18 months on the following conditions, namely, that:
- (a) the Defendant shall at his own expense submit himself to be examined by a psychiatrist nominated by the Council twice, at least every 6 months, during the suspension period;
 - (b) the examining psychiatrist shall be allowed full access to all treatment records kept on the Defendant by his treating psychiatrist and clinical psychologist; and
 - (c) the examining psychiatrist shall report directly to the Chairman of the Council after the examining report is available and to report any irregularity or non-compliance directly to the Chairman of the Council.

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