

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

DISCIPLINARY INQUIRY
MEDICAL REGISTRATION ORDINANCE, CAP. 161

Defendant: Dr TANG Fai Yu (鄧輝宇醫生) (Reg. No.: M11878)

Date of hearing: 24 October 2025 (Friday)

Present at the hearing

Council Members/Assessors: Dr CHOI Kin, Gabriel
(Chairperson of the Inquiry Panel)
Prof. LIANG Hin-suen Raymond, SBS, JP
Dr TAM Sau-man, Barbara
Ms FUNG Dun-mi, Amy, MH, JP
Mr MO Pak-kuen

Legal Adviser: Mr Stanley NG

Legal Officer representing the Secretary: Miss Agnes FONG,
Senior Government Counsel

The Defendant is absent and he is not legally represented.

The Charge

1. The charge against the Defendant, Dr TANG Fai Yu, is:

“The particulars of the information are that he, being a registered medical practitioner, was convicted at the West Kowloon Magistrates’ Courts on 27 July 2023 of the offence of indecent assault, which is an offence punishable with imprisonment, contrary to Section 122(1) 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 6 July 1998 to the present. His name has never been included in the Specialist Register.
3. There is no dispute that the Defendant was convicted after trial at West Kowloon Magistrates' Courts in Case No. WKCC 425/2023 on 27 July 2023 of the offence of indecent assault and was sentenced on 27 July 2023 to 9 months' imprisonment.
4. By an email dated 23 August 2023, the Defendant reported his criminal conviction to the Council.
5. The Defendant subsequently lodged an appeal against his conviction and sentence but was dismissed by the Court of First Instance on 13 December 2024 in Case No.: HCMA 294/2023. A copy of the Judgment on appeal ("Judgment") was adduced by the Legal Officer for the Secretary as part of the Secretary's case against the Defendant before us.
6. A gist of how the Defendant indecently assaulted the victim was set out in the following paragraphs of the Judgment:

"1. 上訴人經審訊後被裁判官裁定一項「猥褻侵犯」罪罪名成立，違反香港法例第 200 章《刑事罪行條例》第 122 (1) 條。罪行詳情指上訴人於 2022 年 7 月 18 日，在九龍荔枝角道 833 號昇悅商場 105A 號舖宏健醫療保健中心（下稱診所）內猥褻侵犯另一人，即女子 X。上訴人被判監 9 個月，上訴人不服定罪及判刑，提出上訴。

控方案情

2. 如答辯人扼要地指出，X 於 2011 年 4 月至 2012 年中曾在該診所任職牙醫助護。自此，她每有不適便會到該診所看醫生，在 2012 年中離職後亦是如此。其後，上訴人成為診所的長駐醫生，約 2019 年起，X 有到診所向上訴人求診，X 認為上訴人問診時很詳細，因此除了她自己不適會到診所向上訴人求診外，亦有介紹

家人和舊同事向上訴人求診。除此以外，X亦會以手提電話短訊為自己或家人的健康情況詢問上訴人的意見。

3. 2022年7月18日早上約11時，X因唇瘡問題向上訴人求診，上訴人檢查她的唇瘡完畢後，在X準備戴回口罩時，她的左邊乳房被人用手以中度力量「揸」了一下，當時醫生房內只有上訴人和X二人。隨即，上訴人將其坐著的椅子移後，稍微遠離X，X問上訴人做了甚麼，上訴人發出笑聲，便說他手抽筋。X再問一次上訴人做了甚麼，上訴人仍然笑著說手抽筋，並說X「胸大咗、形狀變靚咗」。
4. 對於上訴人的行為，X感到十分驚慌，於是在沒有付款或取藥的情況下離開了診所，並在診所外致電PW2（即她的男友）及報警。X沒有向診所內的護士張女士求助是因為她與張護士並不相熟，認為報警比較適合...”

Findings of the Inquiry Panel

7. There is no dispute that the offence of indecent assault 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.
8. 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.”
9. We are therefore entitled to take the aforesaid conviction as proven against the Defendant.
10. Accordingly, we find the Defendant guilty of the disciplinary charge.

Sentencing

11. The Defendant has a clear disciplinary record.
12. The Defendant's appeal against his criminal verdict and sentence was already dismissed by the Court. The Defendant however still contests the criminal verdict before us today. We do not see the Defendant is any remorseful.
13. 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.
14. The offence of indecent assault committed by the Defendant on X was very serious. It took place in his consultation clinic. What the Defendant did had tarnished the reputation of doctors in Hong Kong.
15. It is clearly stated in paragraph 27.2 of the Code of Professional Conduct (2022 edition) that a particularly serious view will likely be taken in respect of offences involving indecent behaviour.
16. 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.
17. 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 practice medicine.
18. Taking into consideration the nature and gravity of this case and what we have heard and read in mitigation, we order that in respect of the disciplinary charge the Defendant's name be removed from the General Register for a period of 9 months.

19. We have considered carefully whether the operation of the removal order should be suspended. We do not consider it appropriate to suspend the operation of the removal order for the reasons aforesaid.

Dr CHOI Kin, Gabriel
Chairperson of the Inquiry Panel
The Medical Council of Hong Kong