

Press Release

About the Direct Investigation Operation Report on the “Effectiveness of Administrative Support Provided for Complaint Handling by Secretariat of Medical Council of Hong Kong under Department of Health, and Department of Health’s Regulatory Role” released by The Ombudsman today (5 February), this Council noticed that apart from commenting on the administrative process of the Department of Health, the report also includes the mechanism of handling complaint investigation and disciplinary inquiries, which belongs to the statutory functions and authority of this Council.

The statutory procedures of complaint investigation and the mechanism of disciplinary inquiry against registered medical practitioners of this Council are all governed by the statutory framework established under the Medical Registration Ordinance (“MRO”) and its subsidiary legislation, the Medical Practitioners (Registration and Disciplinary Procedure) Regulation. The current framework establishes three-stage statutory procedures. Each stage involves multiple parties, including the complainant, the defendant medical practitioner, legal representatives of both parties, expert witnesses, as well as the Preliminary Investigation Committee and the Inquiry Panel, etc. All along, this Council handles complaints prudently according to relevant laws and regulations, and performs due diligence to conduct comprehensive and proper investigation in strict accordance with the statutory procedures under the existing legal framework. During the process, this Council strives to safeguard the legitimate rights and full participation of all relevant parties, including giving the complainant and the defendant medical practitioner reasonable time to respond, obtaining expert opinions and other necessary information in relevant fields, arranging for resumption of subsequent inquiries, etc. with a view to ensuring procedural justice and balanced judgement and effectively exercising the independent quasi-judicial functions and powers conferred upon this Council by the MRO. Nevertheless, this will inevitably lead to some extension in the processing time of individual cases.

In light of the above, over the years this Council has, within the existing legal framework, continuously been reviewing the current mechanism and implementing various improvement measures to expedite case processing while upholding the fundamental principles of fairness, openness and impartiality. These efforts have yielded positive results, which include the series of achievements upon the amendments to the MRO and its subsidiary legislation in 2018, namely significant improvement in the overall case processing speed, drastic decrease in the processing time of cases required for disciplinary inquiries and the number of cases awaiting inquiry; enhancement of transparency and public trust through increased participation of lay members in the abovementioned three stages; and the series of measures implemented since January 2025 to monitor case progress and optimize work assignment and workflow, and accord priority to expedite the processing of long-standing cases accumulated, etc. All these achievements have been mentioned in the relevant parts of Chapters 2, 3 and 4 of the report.

As the statutory functions and powers of this Council are governed by current legislation, any improvement measures for relevant statutory functions and powers must comply with the statutory procedures under the legal framework of the MRO and its subsidiary legislation, and follow the legal principles and guidelines of relevant cases. Whether or not legislative amendments are necessary falls within the jurisdiction of the Government and the Legislative Council. Should there be any amendments to the MRO and its subsidiary legislation made in the future, this Council will fully cooperate with the implementation and continue to carry

out its functions in an effective manner.

For over one and a half century since its founding, this Council has always been upholding its mission of “Ensuing Justice, Maintaining Professionalism, and Protecting the Public”. Under the principles of professional autonomy and self-regulation, this Council fulfills a series of independent statutory functions and powers closely related to the medical profession, including handling registration of medical practitioners, organizing Licensing Examinations, formulating professional codes and guidelines, handling complaints, accrediting medical education and training, etc. This Council will continue to uphold its goal of serving the public, according utmost importance to the rights and well-being of patients and the community, and humbly listening to the opinions of various stakeholders and general public.

This Council will carefully study the various recommendations put forward by The Ombudsman in the report and take appropriate follow-up actions within its statutory functions and powers, so as to optimize various regulations and mechanisms, promote professional standards and levels among medical practitioners, strengthen medical practitioners’ ethical conduct, and achieve progression alongside the society as a whole to foster the continuous improvement and development of Hong Kong’s medical services.

The Medical Council of Hong Kong
5 February 2026