

Press Release

The Medical Council (Council) has recently discussed the issue of expediting the processing of complaint cases and the conduct of disciplinary inquiries and decided to set up a dedicated Task Force to explore and recommend proposal(s) to address the issue. The proposal of the Task Force has been agreed by the Council and made to the Administration for consideration.

It has long been the Council's mission to ensure justice, maintain professionalism and protect the public. As early as in 2001, the Council has been conducting reviews on the reform of the Council. The current proposal is a continuation of the Council's efforts in pursuit of its cause.

The Preliminary Investigation Committee (PIC) established by the Council is responsible for making preliminary investigations into complaints against registered medical practitioners. It is composed of 7 members, including 1 lay member of the Council. At present, the 4 lay members of the Council take turns to serve in the PIC on a quarterly basis.

Over the last decade, the number of complaints received by the Council has increased drastically from 236 complaints in 2001 to 397 in 2005, 493 complaints in 2009 and 452 in 2013. More than half of the complaints fell into the category of "*disregard of professional responsibility to patients*". During the period from 2009 to 2013 (past five years), the PIC deliberated about an average of 100 complaint cases annually, among which around 28 cases were referred to the Council for disciplinary inquiries.

The quorum of a disciplinary inquiry is either (i) 5 members of the Council (including 1 lay member); or (ii) not less than 3 members of the Council (including 1 lay member) and 2 assessors. The 2 assessors are drawn from a panel of 14 assessors (not members of the Council) comprising 10 registered medical practitioners and 4 lay persons (i.e. lay assessors). During the period from 2009 to 2013 (past five years), the average number of disciplinary inquiries conducted by the Council is around 24 per year.

The Council has set up earlier a dedicated Task Force to address the issue of expediting the processing of complaint cases and the conduct of disciplinary inquiries. The Council has accepted the proposal of the Task Force that the number of lay assessors of the panel of assessors should be increased from 4 to 14 and that flexibility be allowed for the lay assessors to perform the roles of lay members in the proceedings of PIC and disciplinary inquiries. The proposal will not only alleviate the workload of the lay members but also enhance the accountability of the Council by having more lay participation in disciplinary proceedings. More importantly, the waiting time for a complaint to be heard by the Council after referral by the PIC for inquiry will be shortened.

It is envisaged that upon implementation of the proposal, the number of disciplinary inquiries handled per year will be increased, and the overall efficiency in complaint handling enhanced.

The implementation of above proposal involves legislative amendments. The Council has made the proposal to the Food and Health Bureau and will continue to liaise with the Bureau with a view to enacting the necessary legislative amendments as early as practicable.

Medical Council of Hong Kong

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