



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

Disciplinary Inquiry
Medical Registration Ordinance, Cap. 161

Date of hearing: 11 April 2001
Defendant: Dr. TUNG Hiu Ming (董曉明)

Perforation of the colon during colonoscopy is a well-recognized complication of the operation.

It was agreed by both parties and supported by expert witnesses that the perforation of the colon in this case was not the result of the telephone conversation by Dr. TUNG during the colonoscopy.

The Council finds that the complainant's evidence was not reliable because expert evidence indicated that the sedation drugs the complainant received would have given rise to amnesia and his recollection would be highly unreliable.

His account of the colour of the doctor's gown, the absence of face mask, his wearing of spectacles during operation and his return to the ward by wheelchair was not compatible with the routine practice in the Queen Mary Hospital.

The facts of the case found by the Council are quite different from what has previously been published by the media. These include:

1. The Council is convinced that the first telephone call by Dr. TUNG was made before the commencement of the colonoscopy;
2. The second telephone conversation was not made deliberately, but rather inadvertently. There was no evidence to show that Dr. TUNG intended to receive the telephone call. When he received the call, evidence showed that he took steps to stop the conversation and concentrate on the operation; and

3. The widely publicized story of the second telephone conversation about talking to a car salesman about sale of car was not supported by evidence. Indeed, evidence showed that no mention of car was ever made during the second telephone conversation.

The Council is aware that conversation during some part of medical and surgical procedures is not an uncommon practice in operating theatres. But attention to the patient and his condition must not be compromised in any way.

The Council finds that the defendant Dr. TUNG has given a credible account of the incident and supported by evidence. He has not disregarded his professional responsibility and he is not guilty of misconduct in a professional respect.