

**Submission by Dr. CHOI Kin**

The current PIC has only two clerical staff to handle 500 complaints. Only written complaints are accepted and complainants do not have a chance to ask questions directly. For two PIC to function, at least 8 clerical staff are needed to clear the back log.

Sometimes complainants wait for the doctor or the Hospital Authority to respond or to make compensation and sometimes PIC waits for months before a complainant decides not to proceed and not to provide a statutory declaration. This happens even with some of the cases handled by the legislative councilors.

After the statutory declaration, the PIC may ask the relevant hospital to submit the hospital records. PIC has waited over 6 years for such records because HA refused on the ground that the patient involved passed away and no consent was available from the relatives. There have been complaints by public members over mishaps that are of public concern but record release by HA was refused using privacy ordinance as a defense. PIC is still contesting over these cases.

Some cases are pending for legal advice from in house legal advisor or Department of Justice. Waiting time has been as long as over a year in the past.

PIC has to seek expert opinion to look at the cases. Since expert opinion is given pro bono, PIC may be refused by 5 experts before the 6<sup>th</sup> agree to write. Again over a year may be spent in the process. Sometimes, no expert is available and we may have to seek oversea expert advice. Without payment for written opinion, this is practically impossible.

When a case is deemed answerable, the defendant doctor may request extra time to submit his defense or ask for expert report. Up to 6 months may be allowed. After PIC decided that a case should be put up for inquiry, the current waiting time is about 2 years for the inquiry.

Without additional clerical staff, without payment for expert opinions, without HA releasing medical records, without additional professional council members to act as chairman and deputy chairman of the new PIC, the PIC process cannot be expedite even with the addition of 4 lay members and the addition of lay members into the PIC from 1 to 2.