

## Disciplinary Inquiry

Preliminary Investigation Committee members:

Dr. Lau Ka Ming, Speech Therapist  
Mr. Ng Kwok Hang, Speech Therapist  
Dr. Tsui Pui Wang Ephraem, Lay Member

Appeal Panel members:

Prof. Kathy Lee, Speech Therapist  
Mr. Tony Leung, Speech Therapist  
Ms. Sylvia Lam, Lay Member

### Summary of the case

1. HKIST received a written complaint about a possible breach of *Code of Ethics for Speech Therapy in Hong Kong* (Code of Ethics) against a member of the HKIST (the “**Member**”) on 31 May 2022.
2. The Preliminary Investigation Committee (PIC) considered the complaint to be a case requiring further investigation and an Investigation Panel was formed.
3. The Member was informed of the complaint, and provided a written reply related to this complaint on 30 June 2022.
4. The PIC held the first meeting on 21 July 2022.
5. The Member was invited to provide clarifications on the evidence.
6. The PIC held the second meeting on 10 October 2022.
7. HKIST Professional Council received the report on the complaint from the PIC, endorsed the outcome of the investigation and recommended disciplinary actions against the Member on 9 May 2023.
8. Notice of Appeal from the Member was received on 8 June 2023.
9. Further representations from the legal representative of the Member was received on 22 August 2023 and 23 February 2024 respectively.
10. The Appeal Panel held meeting on 22 April and 22 May 2024.
11. HKIST Board of Directors received the decision letter from the Appeal Panel, and endorsed the findings and recommended disciplinary actions on 18 July 2024.

### Outcome of the investigation

12. The complaint is upheld. There had been: -
  - **a breach** of Code of Ethics 5.8 (Ethics Principle: Speech therapists’ statements to the public should not deviate from the prevailing professional norms or contain misrepresentations when advertising, announcing, and promoting their professional services and products).

### Findings of the Appeal Panel

13. The Appeal Panel considered a promotional leaflet which describes a therapy for 2 to 3 years old child suffering from “自閉症或發展遲緩” in the wordings of “跟據語言發展里程碑，訓練兒童的理解不同問題及跟從指令的能力，並促進語言表達和組織技巧。透過多元化及有趣味性的活動，由淺入深，教導兒童說話的連貫性、敘事技巧和演說能力。”
14. The Appeal Panel agreed that there is a deviation of professional norm and a misrepresentation that (a) an inaccurate and hence misleading description of therapy and language development stages of children; (b) an inaccurate impression that there would be a possibility that child under therapy may out-perform children of the same age in terms of expressive ability and language development, in particular for narrative abilities. It is particularly considered whether a misrepresentation would be readily understood by parents and carers of children who may be less sophisticated and considered it more likely than not

that parents and carers who are targeted audience of the leaflet may be misled by the statement of the Leaflet.

**Decision**

15. The breach is considered a minor breach.

16. The Appeal Panel considered that a written warning is an appropriate penalty. However considering the impact of penalty on the Member, the Appeal Panel suggested to limit the publication of this disciplinary decision against the Member for 1 year (i.e. until 17 July 2025) without mentioning or implicating the identity of the Member.

17. In light of all of the above, the Board of Directors endorsed the view of the Appeal Panel.

Board of Directors  
Hong Kong Institute of Speech Therapists Limited

18 July 2024