



香港運動治療師總會  
SPORTS THERAPISTS ASSOCIATION OF HONG KONG

# **Disciplinary Procedures for Handling Complaints Against Registered Sports Therapists**

**January 2023**

## **Introduction**

The Sports Therapists Association of Hong Kong (STAoHK) is in charge of investigating complaints and disciplining registered sports therapists on matters pertaining to sports therapy practice. It is capable of dealing with the following issues:

- Allegations of professional misconduct or negligence;
- Convictions for crimes that could bring the sports therapy profession into disrepute;
- Convictions for STAoHK Code of Practice violations, and;
- Obtaining registration through deception or fraud, or when not legally entitled to be registered.

The Sports Therapists Association of Hong Kong has no jurisdiction over refund or compensation claims, which should be pursued in separate civil proceedings.

2. The STAoHK handles complaints against registered sports therapists. The steps are outlined in the following paragraphs.

## **Receipt of Complaint**

3. Upon receipt of a complaint, the Secretary will forward it to the **Preliminary Investigation Committee (PIC)** for review. The PIC is made up of two Association members, one of whom is not a sports therapy professional. If any member is or will be temporarily unable to perform the duties, the Committee may appoint another Association member as the acting member.

## **Consideration of PIC**

4. A complaint is dropped if both members of the PIC agree that it has no merit or is a waste of time. The Secretary notifies the complainant in writing of the decision, along with the reasons for it.

5. The PIC may require the complainant to provide the basis for the allegation in writing and to sign a statutory declaration.

6. If the PIC decides to pursue the complaint, the registered sports therapist who opposes the complainant is notified. He is informed of the nature of the complaint and given a copy of any statutory declarations made. He is given the opportunity to file a written response to the complaint.

## **The PIC meeting**

7. The PIC holds its meetings in private. It will take into account the information in the complaint, as well as any explanation provided by the registered sports therapist and any other relevant information that is available. It can conduct additional research and seek advice and assistance.

It will decide whether to make a recommendation to the Committee on whether to refer the complaint to an Inquiry Committee for a hearing. The recommendation is communicated in writing to both the registered sports therapist and the complainant.

### **Reference of complaint by the PIC to the Inquiry Committee**

8. When a complaint is referred to the **Inquiry Committee(IC)**, the IC decides whether or not to hold an inquiry. If it decides not to conduct an investigation, the complainant and registered sports therapist are notified in writing, along with the reasons.

### **Inquiry**

9. An Inquiry Committee will be formed if an inquiry is to be held. The IC will consist of at least three members, one of whom will be a non-sports therapy professional. The Chairman of the Inquiry Committee is usually the Council Chairman.

10. The procedure at the inquiry is set out in the Rules. The complaint is set out in the form of a charge. At the hearing, both sides are given the opportunity to present their case and adduce evidence in support. The complainant may be called upon to testify in person.

11. Following the conclusion of the hearing, the Inquiry Committee will make the following decision:

- (a) whether the charge's facts have been proven to its satisfaction, and;
- (b) whether this constitutes a disciplinary offense.

12. The Inquiry Committee explains its decision.

### **Committee for Disciplinary Orders of Inquiry**

13. If an Inquiry Committee determines that a registered sports therapist has committed a disciplinary offense, it may issue one or more of the following orders:

- (a) it can order the name of the registered sports therapist to be removed from the register;
- (b) it can order the name of the registered sports therapist to be removed from the register for a specified period;
- (c) where an order under (a) or (b) has been made against a registered sports therapist, it can order that the Committee does not accept an application for registration for him either for a fixed period or until that person satisfies the Committee that the registered sports therapist should be registered;
- (d) it can reprimand the registered sports therapist in writing. The reprimand is then recorded in the register;
- (e) it can order that the order is suspended, subject to conditions, for a period of not more than 2 years;
- (f) it can make any other order that it thinks fit, provided that it is not of a greater severity.

## **Appeal**

14. If the registered sports therapist is dissatisfied with the Inquiry Committee's decision, he/she has the right to appeal to the IC within 30 days.

He/she must file an appeal within three months of receiving the order.

## **Discipline Order Publication**

15. Following the expiration of the time for appeal, or where an appeal is filed and the order is affirmed, varied, or abandoned, the Committee:

- (a) publishes a copy of the final order in an English and a Chinese newspaper in Hong Kong, and;
- (b) may publish the order in any other publication or manner it deems appropriate.

## **Results notification**

16. Due to the need to comply with various legal requirements, as well as complications arising from individual complaints, it may take some time for a case to be resolved. In any case, a complainant will be kept up to date on the status of the disciplinary proceedings in writing as much as possible.

Secretariat of the Sports Therapists Association of Hong Kong  
January 2023