

The former Dean of the Faculty of Medicine of the University of Hong Kong (HKU), charged by the ICAC, was today (Thursday) sentenced to 25 months' imprisonment at the District Court for misconduct in public office by pocketing donations intended for HKU and deceiving medical fees from private patients under his care at a public hospital.

Lam Shiu-kum, 66, earlier pleaded guilty to an amended charge of misconduct in public office, which embraced the criminality of some of the 30 counts of fraud and three counts of theft originally laid against him.

Chief Judge Patrick Li Hon-leung ordered those fraud and theft charges be left on court file.

In sentencing, the judge said misconduct in public office was a serious offence which called for an immediate custodial sentence.

"Given the defendant's position, this court expects the highest standard of integrity. Regrettably, the conduct of the defendant is a serious breach of trust owed to his patients, the Faculty, and the Hospital Authority," the judge said.

The judge said the defendant's jail term was reduced from a starting point of five years to 25 months in view of his guilty plea, full restitution as well as good character.

The court heard that at the time of the offence, the defendant was the Dean of the Faculty of Medicine of HKU.

Between September 2003 and January 2007, the defendant, in the course of or in relation to his public office, without reasonable excuse or justification, wilfully misconducted himself.

The defendant failed to declare a conflict of interest arising from his capacity as Dean of Faculty of Medicine of HKU and the sole proprietor of Gastrointestinal Research (GR). The latter was a private company wholly controlled by him.

The court heard that the defendant procured or caused donations, totalling \$3.8 million, intended for HKU made by three persons, to be paid to the bank account of GR.

The defendant also falsely represented to 12 private patients under his care at the Queen Mary Hospital that GR was the organisation to whom medical fees owed by them should be paid, and induced the patients or their family members to make payments to GR.

As a result of the false representations, the defendant caused those private patients to pay medical fees totalling \$130,000 to GR.

The defendant also failed to account for the funds received by GR and made the funds available for his personal use, the court was told.

The prosecution was today represented by prosecuting counsel Newman Wong, assisted by ICAC officers Winnie Lee and Zoe Lau.