

社會工作者註冊局
Social Workers Registration Board

投訴表格

COMPLAINT FORM

社工註冊條例 (第 505 章) 第 25(3)節指定表格

Prescribed Form under s25(3) Social Workers Registration Ordinance Cap. 505

一九九九年二月

February 1999

注意事項 Notes

- a) 所有投訴，須以書面形式提出。
All complaints must be lodged in writing.
- b) 閣下須以正楷清晰地填妥投訴表格各項，並提供正確無訛的資料。如空位不敷填寫，閣下可另頁詳列有關資料，隨投訴表格一併附上。
Please ensure that all parts in the form are completed in clear and legible manner and the information is accurate. If there is insufficient space, please use additional sheet to be attached to this form.
- c) 請提供閣下的個人資料。凡匿名的投訴、或提出投訴人的身份不能識別、或不能追查出投訴人的下落、或投訴表格未克填妥，社會工作者註冊局概不受理。
Please provide your personal particulars in the Complaint Form. The Social Workers Registration Board shall not deal with any complaint that is made anonymously, or when the complainant cannot be identified/traced, or if the form is not duly completed.
- d) 閣下所提供的資料，將用於處理及研訊涉及違紀行為的投訴及有關的紀律處分程序事宜上。所有資料絕對保密。
The information provided will be used in the processing of the complaint and in the conduct of disciplinary proceedings relating to the inquiry of an alleged disciplinary offence. The information will be kept in strict confidence.
- e) 根據社會工作者註冊條例第 25 條第 3 款的規定，閣下的投訴將呈交由兩位註冊局成員組成的「初步偵訊委員會」作初步研究。
In accordance with Section 25(3) of the Social Workers Registration Ordinance, your complaint will be submitted to the Preliminary Investigation Committee comprising two members of the Registration Board for initial consideration.
- f) 如註冊局委出紀律委員會對投訴進行研訊，則閣下所呈交有關投訴的全部資料副本，會交給被投訴的註冊社工作答辯。並請細讀附上的研訊前程序。
If a disciplinary committee is appointed by the Registration Board to inquire into the complaint, all the information relating to the complaint provided by you will be copied to the registered social worker being complained of to prepare for a defence. Please also make careful reference to the “Pre-hearing Procedures” attached.
- g) 如閣下對填寫此表格有任何問題或需要協助，請致電 2591 1955。
If you have any questions or need assistance in filling this form, please call 2591 1955.
- h) 閣下應保留一份填妥的投訴表格副本，以備參考。
You are advised to keep a copy of this completed form for reference.

甲部: 提出投訴人士資料

Part I: Particulars of Complainant

若提出投訴人士多於一位，請於(ii)部提供其他提出投訴人士的資料。

If there is more than 1 complainant, please provide particulars of other complainant in (ii) below.

i) 主要提出投訴人士資料 Particulars of Principal Complainant

姓名 (先生/女士/小姐)

Name (Mr/Mrs/Ms) 楊煒煒

聯絡電話號碼

Contact Tel. No. _____

傳真號碼

Fax. No. _____

聯絡地址

Correspondence Address _____

ii) 其他提出投訴人士資料 Particulars of other Complainants

姓名 (先生/女士/小姐)

Name (Mr/Mrs/Ms) _____

聯絡電話號碼

Contact Tel. No. _____

傳真號碼

Fax. No. _____

聯絡地址

Correspondence Address _____

乙部：被投訴註冊社工資料

Part II : Particulars of Registered Social Worker(s) being complained

若被投訴的註冊社工多於一位，請提供所有被投訴社工的姓名及有關的資料。

If there is more than 1 registered social worker being complained, please provide all the names and relevant information.

被投訴註冊社工姓名

Name of Registered Social Worker

李張一慧

受僱機構

Employing Agency

社會福利署

如知道其聯絡方法，請填寫以下資料：--

If contact information is known, please fill in the following:--

聯絡電話號碼

Contact Tel. No.

2575 4321 Ext.128

傳真號碼

Fax. No.

2573 9760

聯絡地址

Correspondence Address

香港灣仔愛群道44號

被投訴註冊社工姓名

Name of Registered Social Worker

受僱機構

Employing Agency

如知道其聯絡方法，請填寫以下資料：--

If contact information is known, please fill in the following:--

聯絡電話號碼

Contact Tel. No.

傳真號碼

Fax.No.

聯絡地址

Correspondence Address

丙部：投訴內容

Part III : The Complaint

- 閣下必須實際知悉現在投訴的事項，並提供該等事件發生的日期。
You must have actual knowledge of the alleged offence being complained of and give the date(s) when the complained event(s) occurred.
- 如果閣下填寫此投訴表格時，所投訴的事件已於兩年前發生，請解釋為何延遲至今才作出此投訴。
If you are making a complaint which occurred at a date more than two years from the date you fill in this Complaint Form, you must explain the special reasons which account for your delay in lodging this complaint.
- 閣下必須把投訴的內容分段填寫，並以數目字清楚分段，每段只包含一項投訴。假若閣下不依從這些指示填寫而引致社會工作者註冊局在處理此投訴時有任何遺漏，註冊局概不負責。
You must divide the content of the complaint in paragraphs, and number the paragraphs consecutively. Each paragraph must so far as convenient contains one complaint only. Where there are two or more complaints incorporated in one single paragraph, the Social Workers Registration Board shall not be held responsible for omission of dealing with more than one complaint in one paragraph.
- 請在適當的空格上「✓」。
Please tick in the appropriate box.

- *本人／我們已去函社會工作者註冊局投訴，現無任何補充。詳情請參照____年____月____日的文件，並附上副本一份。

I / We have lodged a complaint to the Social Workers Registration Board. There is no supplementary information. For details, please refer to the document dated _____ attached herewith.

- *本人／我們已去函社會工作者註冊局投訴，詳情請參照附上的____年____月____日的文件，及以下的補充資料。

I / We have lodged a complaint to the Social Workers Registration Board. For details, please refer to the document dated _____ attached herewith and the additional information provided below.

- *本人／我們現向社會工作者註冊局作出投訴，詳情如下：—

I / We hereby lodge a complaint to the Social Workers Registration Board. Details of the complaint are as follows.

***投訴事件撮要 / =補充資料=**

Summary of complaint / Supplementary information

社工李張一慧(社工註冊號碼03389) 在受僱於社署，任職總社會工作主任(員工發展及訓練) 期間，於2011年6月17日下午2:00，在社署戴麟趾夫人訓練中心舉辦Talk on Giving Guidance to Same Sex Attracted Youth 課程，邀請新造的人協會主席暨精神科醫生康貴華教授將同志拗直為異性戀的治療。

在社署內鼓吹拗直同志的治療，我認為李張一慧有違《註冊社會工作者工作守則》：

第一部分 - 基本價值觀及信念：

2 社工尊重每一個人的獨特價值和尊嚴，並不因個人的族裔、膚色、家庭/社會/國家本源、國籍、文化、出生、性別、年齡、語言、信仰、政治或其他主張、家庭/社會/經濟地位、殘疾、教育程度、對社會的貢獻或性傾向而有所分別。

4 社工有責任維護人權及促進社會公義。

- 拗直治療是將同性戀病態化，明顯是不尊重不同性傾向人士的尊嚴，亦沒有維護不同性傾向人士的人權及社會公義。

第二部分 - 原則及實務：

3 社工應對其服務對象的文化熟悉和敏銳，並明白到他們之間在族裔、國家本源、國籍、宗教和習俗各方面的分別。

- 在熟悉服務對象方面，明顯對同志的文化及次文化的熟悉及敏感度不夠（pt.3），更遑論督導及培訓。

26 負責督導的社工有責任監察其下屬按照本《工作守則》辦事。

- 李張一慧為高級社署職員，有監察的責任。

與社會有關：

49 當政府、社團或機構的政策、程序或活動導致或構成任何人士陷入困境及痛苦，又或是妨礙困境及痛苦的解除時，社工認同有需要喚起決策者或公眾人士對這些情況的關注。

51 社工認同有需要致力防止及消除歧視，令社會資源分配更為合理，務使所有人士有均等機會獲取所需的資源和服務。

52 社工認同有需要推動大眾尊重社會的不同文化

- 在社會層面方面，是次培訓增加對同性戀的誤解，從而增加歧視，誤導訓練班參與者以為同性戀可以通過「治療」來變直。違反「活動令人陷入困境或痛苦」pt.49、並不能達到「消除歧視」pt. 51 及「尊重不同文化」pt.52。

* 請把不適用者刪去。

Please delete if inappropriate.

丁部：聲明及同意

Part IV : Declaration and Consent

- *本人／我們謹聲明上述資料正確無訛。
*I / We declare that the information provided by *me/us in this form is true and correct to the best of *my/our knowledge.
- *本人／我們亦同意*本人／我們的投訴及所提供的証據，將交由兩位註冊局成員組成的「初步偵訊委員會」審閱，並在適當的情況下，這些資料將用於研訊涉及違紀行為的有關紀律處分程序事宜上及資料的副本會交與被投訴的社工作答辯。
* I / We also agree that this complaint and the supportive evidence provided would be examined by the Preliminary Investigation Committee comprising two members of the Social Workers Registration Board and, where appropriate, would be used in the conduct of disciplinary proceedings relating to the inquiry and copied to the registered social worker being complained of to prepare for a defence.

楊煒煒

主要提出投訴人士姓名

Name of Principal Complainant

主要提出投訴人士簽署

Signature of Principal Complainant

17 / 6 / 2011

日期

Date

其他提出投訴人士姓名

Name of Other Complainant

其他提出投訴人士簽署

Signature of Other Complainant

日期

Date

* 請把不適用者刪去。

Please delete if inappropriate.

Guidelines to Complainants
Pre-hearing Procedures

When lodging a complaint and filling in the Complaint Form, complainants should also take note of the following pre-hearing procedures which apply before a disciplinary inquiry is held.

Submission of Evidence

1. You may tender further written submission and documentary evidence to support your complaint, failing which the content of the complaint included in the Complaint Form will be your only witness statement to be considered in the hearing.
2. You may tender any other statements of other witnesses. Please note that such statements could only be submitted on condition that those witnesses making the statements would be present in the hearing for cross-examination.
3. You shall observe the following rules when preparing your written submission and all witness statements:
 - (a) your written submission and all witness statements shall be made in first person knowledge.
 - (b) your written submission and all witness statements shall be drafted in paragraphs numbered consecutively. Each paragraph must present at most one point or issue as far as practicable.
 - (c) if you adduce documents as evidence, you must adduce the original copies of these documents. Any photocopy or non-original documents shall only be adduced if you can give satisfactory reasons for doing so. The presiding member of the Disciplinary Committee has a discretionary power to exclude the use of photocopies or non-original documents.
4. Your written submission, witness statements, and other documentary evidence must be submitted to the Registrar not later than 3 weeks prior to the hearing. The presiding member of the Disciplinary Committee has a discretionary power to exclude the admission of any late submission of written submission, witness statements, and other documents submitted.
5. If you request to submit evidence at a date less than 3 weeks but more than 2 weeks prior to the first hearing, the presiding member of the Disciplinary Committee may exercise its discretionary power to admit such evidence if
 - (a) the evidence is relevant; and
 - (b) admission would not prejudice the interest of the other party; and
 - (c) it is fair and just to admit the same.
6. If you request to submit evidence at a date less than 2 weeks prior to the first hearing, then pending the written consent of subject of the complaint [to be obtained by you], the evidence may be allowed. Failing consent, upon good reasons supported in evidence submitted by you, the presiding member of the

Disciplinary Committee may exercise discretionary power, upon the fulfillment of conditions prescribed on you, to allow admission if it is fair and just to do so and if necessary to adjourn the hearing to another date.

Mutual Access to parties' evidence for hearing

7. If parties (you and the subject of the complaint) have submitted evidence within the prescribed time limit, then each party is entitled to obtain a copy of all the written submission, witness statements, and other documentary evidence of the other party 2 weeks prior to the date of the first hearing.
8. If you default in submitting evidence within the prescribed time limit, and late adducing is allowed pursuant to para. 6 above, then
 - (a) you can obtain a copy of the evidence provided by the subject of the complaint as soon as you have submitted your evidence, and
 - (b) the Disciplinary Committee can exercise discretionary power to determine the access to and the adducing of evidence to ensure fairness and justice.

Application for Adjournment of Inquiry

9. If there are good reasons you need to adjourn the fixed date of hearing notified, a written application to the Registrar is required, stating the grounds in support of adjournment with supportive documents where appropriate, not later than 3 weeks prior to the date of the hearing. The presiding member of the Disciplinary Committee shall consider such application, and may, where appropriate, impose conditions in allowing an adjournment of the hearing, for a period not more than 6 weeks.
10. Applications for adjournment outside of the prescribed time may only be considered if there are very good reasons supported in evidence. If the presiding member of the Disciplinary Committee forms the opinion that it would be unfair and unjust to parties not to allow an adjournment, he may, upon the fulfillment of conditions prescribed on you, including and not limited to the payment of administrative and other fees, grant an adjournment.

*Social Workers Registration Board
February 1999*

投訴人指引 — 研訊前程序

當投訴人提出投訴及填寫投訴表格時，請同時細閱以下程序，以便於投訴個案成立後，在紀律研訊前作好準備。

提交證據

1. 除了投訴表格內所提供的資料外，投訴人可進一步提交書面及文件證據以支持其投訴理據。若沒有進一步書面及文件證據，則投訴人於投訴表格內所提供的資料將被視為研訊中唯一的證據。
2. 投訴人亦可提供他人(證人)的書面及文件證據，但提供該等證據的人士亦必須出席研訊作證。
3. 投訴人在提出書面及文件證據時，請遵守以下規則：
 - (a) 投訴人及證人的書面及文件證據必須為第一手資料，不能為道聽途說。
 - (b) 投訴人及證人的書面證據須以數目字清楚分段。每段只包含一項要點或事宜。
 - (c) 投訴人提供作為證據的文件必須是正本。如不能提供文件正本，投訴人必須提出充份理由。紀律委員會主席有酌情權決定是否採納任何文件副本作為研訊用的證據。
4. 如有書面及文件證據，投訴人必須於首次研訊前不少於三星期向本局註冊主任提交。紀律委員會主席有酌情權決定是否採納任何未及於限期前提交的書面及文件證據。
5. 如投訴人要求於首次研訊前不足三星期但多於兩星期的期限內提交書面及文件證據，紀律委員會或行使其酌情權採納該等證據，但必須符合以下條件：
 - (a) 所有提出的證據是有充份相關理據的；及
 - (b) 採納該等證據不會損害答辯一方的公平利益；及
 - (c) 採納該等證據是公平及公正的。
6. 如投訴人要求於首次研訊前少於兩星期內提出書面及文件證據，則必須先得到答辯一方的書面同意（同意書須由投訴人親向答辯一方取得）。如投訴人未能取得此同意書，但有充份理由提出該等證據，則紀律委員會主席或將行使其酌情權，有條件地及在公平與公正的原則下，採納該等證據。如有需要，或將推遲首次研訊日期。

研訊前投訴及答辯雙方互通證據

7. 如投訴人及被投訴的當事人於所設定限期前均已提交所有證據，雙方均可於首次研訊日期前不少於兩星期獲得對方所提供的書面及文件證據的副本。

8. 如投訴人不能在設定限期前提交其書面及文件證據，而遲交的證據在上述第(6)項的情況下被採納，則：
 - (a) 投訴人於向本局註冊主任確認已交齊所有證據後，將會獲得答辯一方所提供的一切證據的副本；及
 - (b) 紀律委員會有酌情權決定是否於研訊中提交或使用該等證據，以保證公平及公正的原則。

申請延遲研訊日期

9. 投訴人如有充份理據，欲延遲首次研訊日期，可於研訊日期前不少於三星期以書面向本局註冊主任申請，函件內須詳列理據以支持該申請。紀律委員會主席將酌情考慮，如情況需要，或會有條件地批准延遲首次研訊日期，為期不超過六個星期。
10. 投訴人如欲申請延遲首次研訊日期但又未及於研訊前期限遞交申請，則必須提出十分充份理據。紀律委員會經考慮後若認為有必要批准延遲研訊日期以對投訴及答辯雙方維持公平及公正，將在有附帶條件下批准投訴人的延期申請，此附帶條件可能包括但不限於需繳付因是次延遲研訊所引起的行政及其他費用。

社會工作者註冊局
一九九九年二月