

Employees' Compensation & Medical Negligence



by

Mr. Jackson C.P. Poon,
Barrister-at-Law,
Cheng Huan Q.C., S.C.'s Chambers;
Mr. Edward Poon,
Barrister-at-Law, 601 Dina House
and
Dr. Chak Hing Chung, Eric,
Specialist of
Orthopedic & Traumatology



Mr. Jackson Poon was called to the Hong Kong Bar in 1986. He is experienced in dealing with civil and criminal cases. In 1994 and 1995, he sat as a Deputy Magistrate for the Judiciary. In 1995, he joined the then Legal Department (now Department of Justice) directly as a Senior Crown Counsel. In 2006, he returned to private practice. He is now in Cheng Huan Q.C., S.C.'s Chambers involved in civil cases and criminal litigation. In August 2015, he sat as a Deputy District Judge.



Mr. Poon has handled numerous personal injury cases and has given many lectures on personal injury. He has also handled cases involving Employees Compensation, Incorporated Owners disputes, Lands Tribunal trials, Trust, Commercial disputes, Sales of Goods, Manufacturing of Goods, Construction, Dishonoured Cheques, Defamation, Landlord and Tenant disputes, Conveyancing disputes, Employment disputes, Land disputes, Company matters and Judicial Reviews. He has handled various criminal cases and he is a listed mediator of the Bar Association.

Various law lectures had been delivered by him for the University of Hong Kong, Hong Kong Polytechnic University, City University, Law Society, Butterworths, Police Detective Training School and Criminal Advocacy Courses of the Department of Justice.

Edward Poon obtained his L.L.B. (Hons) in 2004 in the University of Nottingham and P.C.L.L. in 2005 from the University of Hong Kong. He was called to the Bar in 2006. He obtained a Masters in Counseling from the University of Monash in 2012. He obtained his accreditations as a general mediator and family mediator from the HKIAC in 2011 and 2013 respectively. Edward is now practicing as a barrister and mediator in the 601 Dina House. He is regularly instructed to appear in criminal cases at trial and appeal level. He is often instructed to prepare pleadings and advices in personal injuries cases. Edward assisted in designing the HKU PCLL personal injuries course as a part-time lecturer in 2008 - 2009. As a barrister and mediator, he strives to be mindful to both the legal and psychological aspects of the dispute. Litigation presents a great challenge to many peoples' lives. Psychotherapeutic techniques can be helpful in assisting clients, particularly those who are in denial, angry or depressed.



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55 Des Voeux Road Central, Central, Hong Kong

Dr. Chak Hing Chung, Eric, *Specialist of Orthopedic & Traumatology*

Education

Basic Degree	Bachelor of Medicine and Bachelor of Surgery, The Chinese University of Hong Kong
Higher Qualification	F.R.C.S (Edinburgh), 1999 F.R.C.S Edin.(Ortho), 2003 F.H.K.C.O.S., 2003 F.H.K.A.M., 2003

Teaching Post

01.2005 - Present	Trainer of Hong Kong College of Orthopedic Surgeons
09.2006	Faculty of Basic Surgical Skill Course of Royal College of Surgeon of Edinburgh
06.01.2007	Speaker of Hospital Authority Commissioned Training for Radiographer
15.10.2011	Instructor Basic Surgical Skill Course of Hong Kong College of Orthopedic Surgeon



Working Experience

07.1995 - 06.1996	House Officer in TMH, PWH
07.1996 - 03.2007	Medical Officer in Dept. of O&T, TMH
03.2007 - Present	Private Practice

Social Service

2010 - 2011	Member of Rotary Club of Peninsula
2011 - 2012	Vice President Rotary Club of Peninsula
2012 - 2013	President Elect Rotary Club of Peninsula

Presentations

10.11.2005	Geriatric Hip Fractures in a Regional Hospital HKOA Annual Congress 2001
10.11.2005	Facet fracture dislocation in a Regional Hospital HKOA Annual Congress 2005

Course Objective:

To provide the attendants with the law related to Employees' Compensation claims and Medical Negligence claims, focusing on the liability of employers to pay Employees' Compensation, the various heads of quantum of Employees' Compensation and the cause of action and cases for Medical Negligence cases. Dr. Eric Chak (a Orthopedic & Traumatology Specialist) will speak from the viewpoint of a medical expert and give you some tips in how to read medical reports as well.

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Employees' Compensation Cases

- Introduction
- Liability
 1. Liability to Pay Employees' Compensation
 2. Time Limit
 3. Personal Injury by Accident
 - Accident
 - Arising Out of and In the Course of Employment
 - Employment
 4. Employee's Compensation Assistance Fund Board
- Quantum
 1. Compensation in Fatal Cases
 2. Compensation in Non-fatal Cases
 - Permanent Total Incapacity
 - Constant Care and Attention
 - Permanent Partial Incapacity
 - Temporary Incapacity
 - Medical Expenses
- Case Study
 1. *Chen Can Hui v. Lau Chung Ming* DCEC 671/2006
 2. *譚權光 v. 臧蘭英* DCEC 312/2006

Medical Negligence

- Negligence
- Contractual Duty
- Bolam Test
- Liability and Causation
- Informed Consent
 1. Duty to Patients
 2. Explanation to Patients
 3. Emergency Treatment
- Risks
- Minors
- Unconscious or Mentally Incompetent Patients
- Limitation
- Who to Sue, the Doctor or the Hospital?
- Experts
- Alternative Remedies

Scan to Calendar



Medical Aspects of Usual Injuries at Work

Code:	EVT000000196	Level:	Intermediate
Date:	30 September 2017 (Saturday)	Language:	Cantonese (Course Materials in English)
Time:	09:30 - 12:45 (Reception starts at 09:00)	Accreditation(s):	LSHK 3.0 CPD Points (LSHK Allocated Number: 20173077)
Venue:	Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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