

The Independent Commission Against Corruption (ICAC) was set up in 1974 to tackle corruption, marking a milestone in Hong Kong's anti-corruption history.

**Anti-Corruption Work Before 1974:** As early as 1898, bribery was made an offence with the enactment of the Misdemeanours Punishment Ordinance. Replaced by the Prevention of Corruption Ordinance in 1948, the legislation was enforced by the Anti-Corruption Office of the Police Force. In May 1971, the Ordinance was further strengthened with new offences, heavier penalties and stronger investigative powers to become the Prevention of Bribery Ordinance of today.

In June 1973, a police chief superintendent fled Hong Kong while under investigation by the Anti-Corruption Office. The then Governor, Lord Murray MacLehose, appointed a Commission of Inquiry to look into the circumstances of the case, advise on the effectiveness of the anti-corruption law and suggest possible amendments. In response to the findings of the Commission of Inquiry and prevailing public opinion, the Governor set up an independent organisation to tackle corruption, heralding a new era in the fight against corruption.

**The Birth of the ICAC:** The ICAC was established on February 15, 1974, with the enactment of the Independent Commission Against Corruption Ordinance. The Commission is independent of the civil service and the Commissioner is answerable directly to the Chief Executive of the Hong Kong Special Administrative Region. The ICAC is committed to fighting corruption through a three-pronged strategy of effective law enforcement, prevention and education to maintain Hong Kong's reputation as a fair and just society.

The ICAC comprises three functional departments: Operations, Corruption Prevention and Community Relations. As at the end of 2017, the Commission had an establishment of 1 472 posts.

The work of the ICAC is closely scrutinised by four independent committees comprising leading citizens as members and non-officials as chairmen. The Advisory Committee on Corruption advises on Commission-wide policies and issues. The Operations Review Committee examines and monitors all ICAC investigations. The Corruption Prevention Advisory Committee oversees the work in enhancing practices and procedures to minimise opportunities for corruption. The Citizens Advisory Committee on Community Relations advises on measures to foster public support in combating corruption and educate the public against the evils of corruption.

An independent ICAC Complaints Committee examines complaints against the ICAC or its staff, monitors the handling of complaints and advises on follow-up actions.

**Operations:** The Operations Department is the investigative arm of the Commission. The department is responsible for receiving, considering and investigating reports of alleged offences under the Prevention of Bribery Ordinance, the Independent Commission Against Corruption Ordinance and the Elections (Corrupt and Illegal Conduct) Ordinance.

Investigating officers are empowered to make arrests for alleged offences covered by the above three ordinances.

The Department of Justice examines evidence gathered by the department and advises on prosecutions. The consent of the Secretary for Justice is necessary before any prosecution for an offence under Part II of the Prevention of Bribery Ordinance can be instituted.

**Complaints:** The ICAC receives corruption complaints through its 24-hour report centre and hotline (2526 6366) as well as its Regional Offices in various districts. In 2017, there were 2 835 complaints (excluding elections), of which 2 129 were pursuable. Among those complaints, 1 885 (66 per cent) concerned the private sector, while 771 (27 per cent) related to government departments and 179 (7 per cent) involved public bodies. In 2017, 73 per cent of the complainants who reported corruption were willing to reveal their identities.

Reports that are found to relate to crimes outside the purview of the ICAC are referred to the Police or other law enforcement agencies. Reports that are found not to involve criminality, but disclose inappropriate conduct or systems considered conducive to corruption may be referred to relevant government departments for consideration of disciplinary or administrative actions or other relevant organisations for appropriate follow-up actions. Where identified, individual complainants' consent is sought for such referrals.

In 2017, a total of 500 election-related complaints were received, of which 237 (or 47 per cent) concerned the 2016 Legislative Council Election, and 228 (or 46 per cent) concerned the 2016 Election Committee Subsector Elections. Out of the 500 complaints, 490 were pursuable.

**Investigations and Prosecutions:** Altogether, 193 persons in 97 cases, including election-related cases, were prosecuted in 2017. Among those prosecutions completed in 2017, 142 persons were convicted, resulting in a person-based conviction rate of 80 per cent and a case-based conviction rate of 84 per cent. By the end of the year, the overall caseload stood at 1 647, including 266 election-related cases. A total of 127 persons in 56 cases were pending legal proceedings.

**Corruption Prevention:** The Commissioner has a statutory duty to examine the practices and procedures of government departments and public bodies and secure the revision of methods of work or procedures which may be conducive to corrupt practices. The Commissioner is also required by law to provide corruption prevention assistance on request to any member of the public. These duties are discharged by the Corruption Prevention Department.

The department conducts detailed studies of practices and procedures of public organisations, and assists them in the effective implementation of corruption prevention measures. Up to the end of 2017, 3 867 reports of these studies had been issued, of which 69 were completed within the year, covering areas such as law enforcement, public procurement, public works projects, funding schemes and licensing regulatory systems. The department also provides timely consultation service to government departments and public bodies on corruption prevention concerning new legislations, policies, public services, and major projects.

Corruption prevention advice is available to the private sector upon request. In 2017, private organisations were advised on as many as 610 occasions. Since its establishment

in 1985, the department's Corruption Prevention Advisory Service (formerly known as Advisory Services Group) has advised private organisations ranging from small companies to large corporations and listed companies on measures to prevent corruption through good governance, internal control and capacity building. The confidential and free consultation service can be obtained through the department's hotline (2526 6363). In addition, the Corruption Prevention Advisory Service Web Portal (<http://cpas.icac.hk>), launched in early 2017, provides handy online knowledge and resources for corruption prevention.

The department also produces user-friendly Best Practice Checklists to help both public and private sector organisations enhance their governance and internal control systems in areas such as procurement, staff administration and building maintenance.

**Community Relations:** The Community Relations Department (CRD) is responsible for educating the public against the evils of corruption and enlisting community support in the fight against corruption. ICAC's annual opinion surveys conducted by independent research agencies have consistently shown that over 96 per cent of respondents expressed their support for the ICAC and over 99 per cent of them considered keeping a corruption-free society was important to the overall development of Hong Kong. On a scale of 0 to 10, of which 0 represents total rejection and 10 total tolerance of corruption, the mean score for 2017 was 0.6, showing that the respondents were highly intolerant of corruption.

Anti-corruption messages are disseminated to the community through face-to-face liaison with the public, programmes tailor-made for different sectors as well as multimedia publicity.

A clean civil service is one of the pillars for the success of Hong Kong. Under the Ethical Leadership Programme, the CRD continues to foster a probity culture in the civil service through a network of over 150 Ethics Officers from all bureaux and government departments (B/Ds). Other than providing regular integrity training to government officers of various ranks, the department, in collaboration with the Civil Service Bureau, also strive to enhance ethical leadership training for senior civil servants and public officials. The department continues to promote to B/Ds the adoption of a training cycle for their staff and the use of ICAC's Web Learning Portal on Integrity Management as a training tool, especially for induction / refresher training.

To sustain a level-playing field in Hong Kong, the CRD established the Hong Kong Business Ethics Development Centre in 1995. With the support and steer of the Hong Kong Business Ethics Development Advisory Committee, comprising 10 major chambers of commerce in Hong Kong, the Centre actively promotes business ethics as the first line of defence against corruption. The CRD conducts talks and seminars for different trades and industries as well as professionals, including financial and insurance intermediaries, banking practitioners, as well as construction-related professionals and accountants, etc.

In 2015, in partnership with 18 institutional stakeholders, the Centre launched a three-year Ethics Promotion Programme for Listed Companies. Under the programme, scenario based teaching modules were used to promote ethical governance to company directors and related professionals. The programme culminated in a large-scale business ethics conference in 2017, with participation of about 500 corporate leaders and professionals of listed companies.

The CRD continues to nurture the core value of integrity in the young generation through various programmes, including a multimedia project and a new teaching package for primary students; interactive drama performances and an iTeen Leadership Programme for secondary students. An ICAC Ambassador Programme, a media advertising project

and a "Personal Ethics Module" have been introduced for tertiary students; while other online-to-offline activities have been designed for young people. Former and incumbent ICAC Ambassadors have formed the "i-League" to provide synergy to the anti-corruption cause. A two-year "Youth Integrity Fest" programme comprising a series of interactive campus activities and engaging primary, secondary and tertiary students with multimedia productions culminated in a youth art fair on integrity in June 2018.

Through its seven Regional Offices, the CRD continues to provide face-to-face preventive education to different groups and organisations in the community and receives corruption complaints from the public. The Regional Offices maintain close collaboration with District Councils and other organisations to spread anti-corruption messages to different sectors and gauge public feedbacks through district activities and meet-the-public sessions. In early 2018, the department launched a multi-language publicity package, including an animation video, to disseminate anti-corruption messages and Hong Kong's probity culture to ethnic minorities and new arrivals. In addition, the department continues to engage the ICAC Club and its Youth Chapter to provide voluntary service at various ICAC promotional activities and to initiate school projects on integrity themes respectively.

In 2017, the CRD augmented the impact of the multi-year "All for Integrity" territory-wide programme to enhance Hong Kong's probity culture by partnering with over 820 organisations from different sectors in probity promotion. An array of activities including ICAC Open Day 2017, bus parades, exhibitions and school-based activities were organised to spread integrity messages to the community, particularly among grassroots citizens.

To tie in with the 2017 Chief Executive Election, the CRD launched a series of educational and publicity initiatives to drive home the "Support Clean Election" messages. These included briefings, production of information booklets and guidelines as well as the provision of a dedicated website and an election enquiry hotline to promote for candidates, election helpers and members of Election Committee.

The CRD continues to use multimedia platforms to enhance the impact and penetration of anti-corruption messages in the community. A two-year multimedia advertising campaign was launched in 2017. The concept of sand painting was used to highlight the ICAC's partnership with every generation to fight corruption and uphold integrity. A multimedia television programme "Professional Agent", which introduced different facets of the ICAC's work through firsthand experience of artistes, was broadcast on a free TV channel.

The corporate website ([www.icac.org.hk](http://www.icac.org.hk)) and various online platforms of the ICAC and its partners, including the "All for Integrity" Facebook fanpage, attracted about 5.5 million visits in 2017. A virtual ICAC spokesman "iSir" was created and a YouTuber was engaged to produce an animation series to illustrate the importance of integrity in a lively way. Using an animated character "Greedy Kin", the department also launched an Instagram account in March 2018. Riding on innovative technology, CRD also developed Virtual Reality (VR) games and Augmented Reality (AR) applications to enable the younger generation to experience the evils of corruption in the bad old days.

The department continues to step up its efforts to promote Hong Kong's anti-corruption achievements and its clean business environment to the international community through visits and exchanges with international organisations, as well as online publicity via the dedicated "International Perspective" section on the ICAC corporate website.