

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 laws 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, education and prevention to maintain Hong Kong as a fair and just society.

The ICAC comprises three functional departments: Operations, Corruption Prevention and Community Relations. As at the end of 2015, the Commission had an establishment of 1 443 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 to 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 Head of Operations is also the Deputy Commissioner. 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 complaints through its 24-hour report centre and hotline (2526 6366) as well as its Regional Offices in various districts. In 2015, there were 2 798 complaints (excluding elections), of which 1 950 were pursuable. Among those complaints, 1 831 (65 per cent) concerned the private sector while 767 (28 per cent) related to government departments and 200 (7 per cent) involved public bodies. In 2015, 71 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 the relevant government department for consideration of disciplinary or administrative action or to other relevant organisation for appropriate follow-up action. Where identified, individual complainants' consent is sought for such referrals.

In 2015, a total of 619 election-related complaints were received, of which 426 (or 69 per cent) concerned the 2015 District Council Election. Out of the 619 complaints, 566 were pursuable.

**Investigations and Prosecutions:** Altogether, 213 persons in 117 cases, including election-related cases were prosecuted in 2015. Among those prosecutions completed in 2015, 215 persons were convicted, resulting in a person-based conviction rate of 82 per cent and a case-based conviction rate of 84 per cent. By the end of the year, the overall caseload stood at 1 737. This included 418 election-related cases under investigation. A total of 102 persons in 57 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 to 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 sector organisations, and assists them in the effective implementation of corruption prevention measures. Up to the end of 2015, about 3 700 reports of these studies had been issued, of which 62 were completed in 2015. They covered areas such as law enforcement, public procurement, outsourcing of services, public works projects, funding schemes and licensing regulatory systems. The department also provides expeditious consultation service for government departments and public bodies when new legislation, procedures or policies are being formulated.

Corruption prevention advice is available to the private sector upon request. In 2015, private sector organisations were advised on as many as 644 occasions. Since its establishment in 1985, the department's Advisory Services Group (renamed as Corruption Prevention Advisory Service in 2015) has advised private companies on measures to enhance governance and tighten internal control. Most of

them were small businesses which lacked expertise or capability to put in place proper control measures. The confidential and free consultation service can be obtained through the department's hotline (2526 6363).

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

**Community Relations:** The Community Relations Department is responsible for educating the public against the evils of corruption and enlisting community support in the fight against graft. ICAC's annual opinion surveys conducted by independent research agencies have consistently shown that about 97 per cent of the respondents expressed their support for the ICAC.

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 the mass and the social media. The official website (<http://www.icac.org.hk>) and various online platforms of the ICAC and its partners attracted about 4.5 million visits in 2015.

A clean civil service is one of the pillars for Hong Kong's success. Under the Ethical Leadership Programme, the ICAC continues to help government bureaux and departments (B/Ds) foster a probity culture in the civil service through a network of 150 Ethics Officers. Training workshops are regularly organised to promulgate guidelines on integrity management and handling conflict of interest. To extend its reach, the department has joined hands with the Civil Service Bureau to launch the Web Learning Portal on Integrity Management for easy access by all civil servants. B/Ds can also make use of the Portal to complement and supplement face-to-face staff training.

To promote ethical business practices with a view to sustaining a level-playing field in Hong Kong, the department conducts talks and seminars for business organisations of different trades and professions. Continued efforts are made to strengthen its network with local and foreign business chambers as well as professional bodies to promote anti-corruption messages to their members through their web platforms and newsletters.

The Hong Kong Business Ethics Development Centre was established in 1995 by the department in collaboration with the business community to promote business ethics as the first line of defence against corruption. Its work is steered by the Hong Kong Business Ethics Development Advisory Committee, which comprises 10 major chambers of commerce in Hong Kong. The Centre launched a three-year Ethics Promotion Programme for Listed Companies in 2015, including the production of a Directors' Toolkit on ethical management, to enhance the awareness of listed company directors on their role in ethical leadership.

The department continues to promote probity message to young people through tailored programmes, including activity packages based on animated stories and Moral Education e-Book and e-Reading scheme for kindergarten and primary students; interactive drama performances for secondary students as well as a "Personal Ethics Module" for tertiary students. In the 2015-16 academic year, more than 130 students from 19 tertiary education institutions joined the ICAC Ambassador Programme to initiate and design integrity promotion projects for their peers. Incumbent ICAC Ambassadors, together with their predecessors, have formed the "i-League" to achieve synergy in contributing to the anti-corruption cause.

Over 500 senior secondary students from about 70 schools also served as "iTeen Leaders" to assist their teachers in organising integrity promotion activities. To

further engage young people in promoting integrity value, a Micro Film Production Project was also launched.

In 2015, the department participated in the Hong Kong Book Fair and the Hong Kong Brands and Products Expo to disseminate probity messages to teenagers, children, parents and the general public through a wide range of integrated online-offline activities.

Through its seven Regional Offices, the department continues to provide face-to-face preventive education to different groups and organisations in the community as well as receiving 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 about anti-corruption work through district activities and meet-the-public sessions. The department has also stepped up preventive education for ethnic minorities and new arrivals, in particular the young generation, in partnership with relevant government departments and non-governmental organisations. In addition, the department continues to engage members of the ICAC Club from different strata of the community providing voluntary service in various ICAC promotional activities.

To further consolidate public support in the fight against corruption, a multi-year territory-wide programme entitled "All for Integrity" was introduced on the International Anti-Corruption Day on December 9, 2015, with a slogan and icon design competition as a precursor. The programme would be officially launched in mid-2016 to kick off a series of public engagement activities involving different walks of life with the support of the business community, government departments, schools, universities and district organisations. The "All for Integrity" Facebook Fanpage was also launched in March 2016.

To tie in with the rural elections and District Council Election in 2015, the Legislative Council Election in 2016 and the Chief Executive Election in 2017, the department has launched a three-year "Support Clean Elections" education and publicity programme comprising briefings, production of information booklets and guidelines and provision of the election enquiry hotlines service, etc. to promote clean election messages to candidates, election helpers and electors. To maximise the reach to electors and candidates, the social media and online platforms are deployed to disseminate clean election messages. The department also incorporates clean election messages in student talks for post-secondary institutes. Education to senior voters is also strengthened through drama performances and talks.

To educate the general public and demonstrate the ICAC's determination to bring the corrupt to justice, a new television drama series, "ICAC Investigators 2016" adapted from real cases was launched in April 2016. Each of the five episodes attracted more than 1.1 million audience on average. In addition, an ICAC radio publicity programme, was broadcast in 2015, attracting an average daily audience of 1.3 million. The programme was supplemented by a series of ICAC videos with quiz posted on the Facebook Fanpage of the radio station, generating a reach of over 580,000. Leveraging on the new media to spread anti-corruption messages to the public, the ICAC continues to release feature videos on the web and its Smartphone App. About 1,250 videos have been uploaded and captured over 3.26 million accumulated views.