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**ANNUAL REPORT ON THE ACTIVITIES
OF THE
INDEPENDENT COMMISSION AGAINST CORRUPTION
FOR 1978**

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Commissioner of the Independent
Commission Against Corruption

NCJRS

JUN 26 1979

Prepared for
submission to His Excellency the Governor
in accordance with Section 17 of
the Independent Commission Against
Corruption Ordinance 1974

ACQUISITIONS

TABLE OF CONTENTS

CONTENTS

<u>Chapter</u>		<u>Page</u>
	DIRECTORATE OF THE ICAC	3
	ADVISORY COMMITTEES - TERMS OF REFERENCE AND MEMBERSHIP	4
	INTRODUCTION	6
1	COMMISSIONER'S REVIEW	8
2	ADMINISTRATION	11
3	OPERATIONS DEPARTMENT	16
4	CORRUPTION PREVENTION DEPARTMENT	38
5	COMMUNITY RELATIONS DEPARTMENT	47

APPENDICES

Appendix

I	Duties of the Commissioner	59
II	Deployment of Senior Posts, Organisation of Office of the Commissioner and Administration Branch	60
III	Organisation of Operations Department	61
IV	Organisation of Corruption Prevention Department	62
V	Organisation of Community Relations Department	63
VI	Staffing Position - Analysis by Origin of Candidates and Strength by Departments	64
VII	Statement of Accounts for the Year ended 31st March 1978 - Report and Certificate of the Director of Audit	65
VII(a)	Statement of Estimated and Actual Expenditure for the Year ended 31st March 1978	66

VIII	Comparative Statement of Approved and Revised Estimates of Expenditure and Draft Estimates for 1979-80	67
IX	Corruption Reports Received and Investigated	68
X	Non-Corruption Reports Received	69
XI	Corruption Reports By Modes of Report	70
XII	Corruption and Related Offences Prosecuted (Classified By Type of Offences)	71
XIII	Corruption and Related Offences Prosecuted (Classified By Government Departments And Others)	72
XIV	Corruption Reports Investigated (Classified By Government Departments And Others)	73
XV	Corruption Reports Investigated	74
XVI	Corruption Reports Received and Investigated And Persons Prosecuted (Classified By Government Departments And Others)	75
XVII	Corruption Reports (Classified By Government Departments And Others)	76
XVIII	Cases Referred To Government Departments And Others For Disciplinary Or Administrative Action	77
XIX	Corruption Prevention Reports Forwarded to Client Organisations in 1978	78
XX	Studies Being Conducted By Corruption Prevention Department	86
XXI	Terms of Reference And Membership of Sub-Committees of Citizens Advisory Committee on Community Relations	90
XXII	Community Relations Department Liaison Functions	92
XXIII	Activities Undertaken by ICAC Local Offices	93
XXIV	A Sampling of Special Activities Organised By Local Offices in 1978	94

DIRECTORATE OF THE ICAC

AS AT 31ST DECEMBER 1978

Commissioner Sir Donald Luddington, KBE, CMG, CVO

Secretary to the Commission Mr. J.J. Ridge

Operations Department

Director Mr. G.A. Harknett, QPM, CPM

Deputy Director Mr. H.N. Whiteley, CPM

Assistant Director Mr. D.B. Sutherland

Assistant Director Mr. N. Mattin

Assistant Director Mr. C.A. Lenehan

Corruption Prevention Department

Assistant Director Mr. A.F. Neoh

Assistant Director Mr. J.A. Harrison, MBE, MC

Community Relations Department

Senior Assistant Director Mrs. Helen CP Lai YU

Assistant Director Mr. Rafael HUI Si-yan

Assistant Director Mrs. Lily LAM KWAN Pui-ying

ADVISORY COMMITTEES - TERMS OF REFERENCE AND MEMBERSHIP

AS AT 31ST DECEMBER 1978

A. Advisory Committee on Corruption

<u>Terms of Reference</u>	<u>Membership</u>
(1) To advise the Commissioner of the Independent Commission Against Corruption on any aspect of the problem of corruption in Hong Kong, whether within or outside the Government Service, and, to this end :	The Hon. Sir Yuet-keung KAN, C.B.E., J.P. (Chairman)
	The Rev. the Hon. Joyce Mary BENNETT, J.P.
	The Hon. J.H. BREMRIDGE, O.B.E., J.P.
	Dr. the Hon. R.L. HUANG, C.B.E., J.P.
	The Hon. R.H. LOBO, C.B.E., J.P.
(a) to keep the policies of the Commission under review;	Commissioner of the Independent Commission Against Corruption
(b) to consider the annual estimates of expenditure of the Commission;	Secretary for the Civil Service
(c) to scrutinise the annual report of the Commission before its submission to the Governor	Director of Operations
	Secretary : An officer of the I.C.A.C.
(2) To draw to the Governor's attention, as it considers necessary, any aspect of the work of the Commission or any problems encountered by it.	

B. Operations Review Committee

<u>Terms of Reference</u>	<u>Membership</u>
(1) To receive from the Commissioner information about all complaints of corruption made to the Commission and progress reports on the manner in which the Commission is dealing with them.	Commissioner of the Independent Commission Against Corruption (Chairman ex officio)
	Dr. the Hon. R.L. HUANG, C.B.E., J.P.
	The Hon. Mrs. Joyce SYMONS, C.B.E., J.P.
	Mr. Paul K.C. TSUI, C.B.E., J.P.
(2) To receive from the Commissioner reports on action taken by the Commission in the investigation of offences within its jurisdiction and to advise the Commissioner which complaints should no longer be pursued.	Attorney General (or his representative)
	Commissioner of Police
	Director of Operations
	Secretary : An officer of the I.C.A.C.
(3) To advise the Commissioner on what information revealed by investigations into offences within its jurisdiction shall be passed to Government Departments or public bodies, or other organisations and individuals.	
(4) To advise on such other matters as the Commissioner may refer to the Committee or on which the Committee wish to advise.	

C. Corruption Prevention Advisory Committee

Terms of Reference

- (1) To receive and call for reports from the Commission about practices and procedures of Government Departments, public bodies and the private sector which may be conducive to corruption and to advise the Commissioner what areas should be examined and the degree of priority to be accorded to each.
- (2) To consider recommendations arising from such examinations and to advise the Commissioner on further action to be taken.
- (3) To monitor action taken to implement recommendations made on the advice of the Corruption Prevention Advisory Committee.

Membership

Commissioner of the Independent Commission Against Corruption (Chairman ex officio)
Mr. Eric CUMINE, O.B.E., J.P.
Dr. L.K. DING
Mr. Gerald FORSGATE, O.B.E., J.P.
Mr. S.V. GITTINS, Q.C., J.P.
Mr. Gallant Y.T. HO, J.P.
Rev. Sister Jeanne HOULIHAN
Mr. Edmond T.C. LAU
Miss Elsie LEUNG
The Hon. R.H. LOBO, C.B.E., J.P.
Mr. G.M. MACWHINNIE, O.B.E., J.P.
Mr. Jack C.C. TANG, O.B.E.
Mr. WONG Po-yan, O.B.E.
Director of Administration and Management Services } (ex officio)
Director of Corruption Prevention }
Secretary : An officer of the I.C.A.C.

D. Citizens Advisory Committee on Community Relations

Terms of Reference

- (1) To advise the Commissioner of the Independent Commission Against Corruption on the measures to be taken to enlist and foster public support in combatting corruption and to educate the public against the evils of corruption.
- (2) To receive and call for reports on action taken by the Community Relations Department of the Commission in pursuance of (1) above.
- (3) To monitor community response to the Commission's work and public attitudes towards corruption in general.

Membership

Commissioner of the Independent Commission Against Corruption (Chairman ex officio)
Mr. Louis L.Y. CHA
Mr. Stephen K.C. CHEONG
Mrs. CHEUNG CHAN Miu-yin
Mr. Wilson CHEUNG
Ms Sansan CHING
Dr. HWANG King-hung
The Hon. Sir Yuet-keung KAN, C.B.E., J.P.
Dr. Ambrose KING
The Hon. Mrs. KWAN KO Siu-wah, O.B.E., J.P.
Mrs. LEE LO Yuk-sim
Mr. Andrew K.N. LI
Mr. PONG Ding-yuen, O.B.E.
Mr. SO Cherk-ming
Mr. Michael STEVENSON
Mr. TONG Big-chuen, M.B.E.
Dr. Daniel C.W. TSE, J.P.
Mrs. WONG LEUNG Chiu-ping
Secretary for the New Territories } (ex officio)
Director of Community Relations }
Secretary : An officer of the I.C.A.C.

INTRODUCTION

The Independent Commission Against Corruption (ICAC) was brought into existence on 15th February 1974 with the enactment of the Independent Commission Against Corruption Ordinance 1974.

2. Prior to this, detection and investigation of corruption were the responsibility of the Anti-Corruption Office of the Royal Hong Kong Police Force. Following the publication of the report of a Commission of Inquiry held by Sir Alastair Blair-Kerr into corruption in Hong Kong and other related matters, His Excellency the Governor announced at the opening session of the Legislative Council on 17th October 1973 that the responsibility for the detection and investigation of corruption would be transferred from the Police Force to an independent organisation.

Constitution

3. The Commission derives its existence and charter from the Independent Commission Against Corruption Ordinance 1974. The independence of the Commission is established by the Commissioner being apart from the Civil Service and formally responsible directly to the Governor. The Commissioner and his staff are not subject to the purview of the Public Services Commission and are, therefore, not part of the Civil Service.

Finance

4. The Commission is financed from a single expenditure vote in the Estimates, which is administered in accordance with the usual Government procedures. All requirements for funds are first considered by the Advisory Committee on Corruption and are then processed by the Government Secretariat through the Finance Committee of the Legislative Council. The Commission's accounts are subject to examination by the Director of Audit in the same way as the accounts of Government Departments.

Responsibilities of the Commissioner

5. The Commissioner is directly responsible to His Excellency the Governor for the duties set out in Section 12 of the Independent Commission Against Corruption Ordinance. These are given in detail at Appendix I.

Establishment and Organisation

6. The Commission comprises the Office of the Commissioner and three functional Departments - Operations, Corruption Prevention and Community Relations - serviced by a central administrative unit. The establishment of the Commission numbers 1121 posts, deployed as shown at Appendices II to V. As at 31st December 1978 the Commission's strength was 957 : 580 in Operations, 80 in Corruption Prevention, 235 in Community Relations and 62 in Administration.

CHAPTER 1

COMMISSIONER'S REVIEW

1978 was a year of re-dedication for the staff of the Commission. They had to accept the fact of the partial amnesty and get on with the business of eradicating active corruption. Paying less attention to the past meant that more resources were available to prevent future corruption and to detect corruption which was still taking place. The clearly expressed support of a large body of public opinion for the Commission as an organisation and for its aims helped the staff to make the necessary mental adjustment.

1.2 Despite the determination of the staff of the Commission to answer the public's call to get on with the job, there were setbacks. Two major conspiracy cases, details of which are given in Chapter 3, resulted in the great majority of the accused being acquitted. In one case, no less than six of the witnesses for the prosecution were, during the trial, declared hostile. However, in both cases the judge made it clear that there was ample evidence that a major syndicate devoted to the collection and distribution of corrupt money had existed in the Police Divisions concerned. Participants in a further major conspiracy were still on trial at the end of the year. With the end of this trial, it could be said that the Commission's determination to "break the back" of large-scale syndicated corruption had been both justified and achieved.

1.3 At the end of the year, there was still no evidence of the existence of any major corruption syndicate. However, this represents only a tactical victory for there is all too much evidence of small groups of officials, both in the Police and in other Departments of Government, co-operating to extort money from people they should either be serving or dealing with in accordance with the law. It is rather as though after some set-piece battles one side had decided to resort to guerrilla warfare.

1.4 Guerrilla wars are seldom short and invariably require, in addition to active operations to find and capture the guerrilla bands, protective measures to make it difficult for the guerrillas to infiltrate and intimidate the population and considerable political effort to convince the people that they should co-operate in the fight against the guerrillas.

1.5 One should not carry this metaphor too far for there is no central organisation of these guerrilla groups of corrupt officials apart from the common aim to extort as much money as possible from the weak and the gullible. But it is against

these small groups that the Commission must now concentrate its three pronged campaign. The campaign must continue until the groups are broken up and their members unwilling to take risks on their own.

1.6 The chapters following give details of the work of the three Departments which are now established close together in two floors of Hutchison House and the top three floors of the neighbouring Murray Road Carpark Building.

1.7 The spearhead in the campaign remains the Operations Department, on whose continued efforts to detect the corrupt and bring them to justice the credibility of the Commission rests. There is not a glamorous role for their investigations and arrests are seldom dramatic. Evidence is normally only gathered by meticulous checking of detail, a long and laborious process but necessary to prove innocence as well as guilt.

1.8 The preventive measures recommended by the Corruption Prevention Department have during the year been recognised as helpful to good government and the work of offices concerned, as well as a means of reducing the possibilities for corruption. It has been increasingly emphasised in discussions of particular assignments that the basic work of Government must not be slowed down by excessive precautions. Delays, however well justified, in themselves encourage corruption.

1.9 By the end of the year, the major report on Supervisory Accountability had been distributed to all Government Departments for study prior to a discussion in January 1979. The distribution of this report coincided with the issue by the Civil Service Training Division of a 'Guide to New Managers'. The many similarities in the recommendations contained in these reports illustrated the need for more co-ordination of efforts in the training of civil servants. The Commission is now increasingly involved in training at different levels, both within Government Departments and in general courses run by the Civil Service Training Division. This involvement will be increased during 1979.

1.10 During the year there was a good deal of public concern about the possibility that the Commission was likely to be wound up. A sample survey undertaken early in the year indicated clearly that the events of November 1977 had shaken public confidence in the Government's determination to combat corruption. A number of later occurrences were interpreted as indicators of a general decline. Considerable effort had therefore to be devoted to reassuring both the Commission's staff and the public that Government had no intention of reducing its efforts to combat and steadily to eradicate corruption as a feature of life in Hong Kong and that there were no plans to reduce the efforts or the strength of the Commission. The Community Relations Department has had a hard year not only

reassuring the public about the future of the ICAC but also trying to expand its influence on attitudes towards civic rights and duties within the community.

1.11 A major factor which gave rise to public concern was the departure of the Commissioner, Jack Cater, in July prior to taking up his new post as Chief Secretary. He had been responsible for establishing the Commission and had inspired and directed its activities for its first four years. It is a great reassurance to all to know that he will now be in an even more influential position in the Civil Service.

1.12 I must record my personal appreciation of the manner in which all staff of the Commission have accepted and supported a new arrival at the head of the Commission. As usual it has been a hard year: for all the staff there have been setbacks and disappointments. Despite these, I have been greatly encouraged to find a high morale and cheerful dedication to the aims of the Commission.

1.13 I am also grateful for the strong support I have had from all members of the Commission's Advisory Committees and Sub-Committees. They play a vital role in the work of the Commission as critics as well as active supporters.

1.14 Finally I must thank every member of the public who has supported the Commission whether by making a direct report of corruption, by taking part in its educational activities, by declining to associate with any corrupt practice or even by just accepting that it is possible for Hong Kong to rid itself of the stigma of corruption. With the support of the public and of the Government, the Commission is confident of ultimate success.

CHAPTER 2

ADMINISTRATION

The Administration Branch, headed by the Secretary to the Commission, is responsible for the management of the establishment, general and accounting services of the Commission. The structure and establishment of the Administration Branch is shown at Appendix II.

Establishment and Recruitment

2.2 The establishment of the Commission numbers 1,121 posts, an increase of 40 posts over the previous year. These are deployed as shown at Appendices II to V. Special grades have been established for the Commission with the following titles and salary scales :-

Senior Commission Against Corruption Officer
(\$9,330 - \$10,100) - Grade I

Commission Against Corruption Officer
(\$6,795 - \$8,945) - Grade II (Upper)
(\$2,695 - \$6,485) - Grade II (Middle/Lower)

Assistant Commission Against Corruption Officer
(\$1,520 - \$2,560) - Grade III

Specialist posts have also been created in the following ranks :-

Senior CAC Controller	(\$3,665 - \$4,435)
CAC Controller	(\$2,695 - \$3,320)
CAC Team Leader	(\$2,290 - \$2,560)
Assistant CAC Investigator	(\$1,520 - \$2,155)

Directorate posts and posts for supporting general grades and common grades staff attract the same salaries as their counterparts in the public service. In order to differentiate between general and common grades posts in the Civil Service, Commission posts in these grades carry the suffix "Commission Against Corruption" (CAC). Appointments are normally on gratuity-bearing agreements although a small number of officers are serving in the Commission on secondment from the Hong Kong Government and British Police Forces.

2.3 Post allowances, representing a non-gratuity earning

supplement to salary, are paid to Commission staff in accordance with the following scale :-

	<u>Allowance</u> <u>Per Month</u>
Staff paid on Directorate salaries on point 2 (\$12,400) and points 46 - 48 (\$9,330 - \$10,100) of the Master Pay Scale	\$1,000
Staff paid on points 20 - 45 (\$2,695 - \$8,945) of the Master Pay Scale	\$ 700
Staff paid on points 11 - 19 (\$1,520 - \$2,560) of the Master Pay Scale	\$ 400
Staff paid on points 1 - 10 (\$825 - \$1,410) of the Master Pay Scale and on the MOD 1 Scale	\$ 200

2.4 Section 8 of the Independent Commission Against Corruption Ordinance provides for the Commission to follow the rules which apply generally to the public service, but the Commissioner may, with the prior approval of His Excellency the Governor, by standing order modify the application of these rules to meet the special requirements of the Commission.

2.5 After attempts to recruit experienced investigators locally, it was again necessary to conduct a recruitment exercise in the United Kingdom. As a result, 11 experienced British police officers were appointed. An analysis of the Commission's staffing position is at Appendix VI.

2.6 During the year, Finance Committee approved adjustments to the establishments of the Community Relations and Operations Departments. The net result was an overall increase of 40 posts.

Financial and Accounting Arrangements

2.7 On financial and accounting matters the Commission is required to operate within Government regulations and the Administration Branch is charged with the responsibility for ensuring that Government Financial and Accounting Regulations, Stores Regulations and other standing procedures are followed as far as possible. The annual estimates of expenditure are first considered by the Advisory Committee on Corruption and are then processed by the Government Secretariat before submission to His Excellency the Governor for approval in accordance with Section 14(1) of the Independent Commission Against Corruption Ordinance. The Statement of Accounts for

the financial year ending 31st March 1978, as required by Section 15(2) of the Independent Commission Against Corruption Ordinance, together with the Director of Audit's report thereon, is at Appendix VII.

2.8 The original and revised estimates of expenditure for 1978 - 79 and the Commission's draft estimates for 1979 - 80 are shown in tabulated form at Appendix VIII.

Accommodation

2.9 The move of the Operations Department's offices from Hutchison House to the Murray Road Carpark Building was completed in March. Upon completion of the refurbishing of the accommodation vacated by the Operations Department, the Corruption Prevention Department occupied Hutchison House in mid-July and the Community Relations Department's Headquarters and the Administration Branch moved there early in August. The fitting out work and the moves were completed in stages in order to economise on the rental charges in respect of both Hutchison House and the Commission's previous accommodation. Upon the completion of these moves, about 22,000 square feet of leased accommodation in Sincere Building and United Chinese Bank Building in Central and in J. Hotung House, Tsim Sha Tsui, were surrendered. In addition, an area of approximately 5,000 square feet in New Rodney Block was returned to Government for re-allocation. Although all the Departments of the Commission are now within easy reach of each other, the ultimate objective is to house the whole Commission in custom-built accommodation.

Review of Administration, Training and Support Services

2.10 Following the relocation of the Commission's offices in Hutchison House and the Murray Road Carpark Building a Steering Committee was set up to review administrative, training and support services throughout the Commission to determine the most efficient and economical method of providing these services. The Steering Committee's recommendations envisage greater centralisation of general, personnel and financial functions which will result in considerable staff savings.

Training

2.11 The Administration Branch is also responsible for the co-ordination of training activities throughout the Commission and operates two training schools, in Murray Road Carpark Building and Hutchison House respectively. During the year the Commission organised 42 courses which were attended by 398 officers, and made arrangements for a further 95 Commission officers to attend 20 courses run by the Civil Service Training Division. In addition, 47 Commission officers participated in 13 training courses offered by outside agencies such as the Universities and Technical Colleges.

Staff Relations and Welfare

2.12 The Independent Commission Against Corruption Staff Committee, which comprises the Commissioner as Chairman and 38 elected staff representatives drawn from the various Departments and grades, met three times during the year. The Committee's main objectives are to provide an effective means by which all Commission staff can express their views on matters affecting them and their welfare and to help the Commission to hear the views of the staff. It provides a central forum for the discussion of subjects of mutual interest and concern, in addition to the other channels of communication which exist within the Departments.

2.13 The Staff Relations Officer continued to provide personal help & advice to officers in the Commission, thereby improving communication between management and staff. This officer is also responsible for career counselling and welfare duties.

2.14 A Credit Union was formed in the latter part of the year and was formally registered in November. By the end of December there were 387 members with total savings in excess of \$35,000.

2.15 The ICAC Staff Club, set up to encourage, promote and co-ordinate sporting, recreational and social activities and to provide relaxation for officers after working hours, came into its fourth year of existence in 1978. During the year a varied programme of events was organised, including participation in a number of fund-raising events for charity. New Club premises in the Murray Road Carpark Building were opened by the Commissioner in April. Meals, snacks and drinks are served in the Clubhouse, which also provides a focal point for Club activities.

Discipline within the Commission

2.16 During the year the appointment of one officer was terminated under Section 8(2) of the Independent Commission Against Corruption Ordinance. This Section empowers the Commissioner to terminate the services of an officer without giving any specific reason, provided he is satisfied that it is in the best interests of the Commission to do so. This is an exceptional power, but in the circumstances of the Commission a necessary one. All dismissals in this category are reported to the Advisory Committee on Corruption.

Advisory Committee on Corruption

2.17 During the year under review the Advisory Committee

on Corruption, which is chaired by the Honourable Sir Yuet-keung KAN, CBE, JP, met on four occasions. The Committee advised the Commission on proposed amendments to the anti-bribery laws and on policy matters affecting the Commission's activities and organisation. Members of the Committee were briefed regularly on the activities of the three departments of the Commission. The membership and terms of reference of this Committee are described on page 4.

ICAC Complaints Committee

2.18 The ICAC Complaints Committee met on five occasions during 1978 and considered 21 complaints against the ICAC and its officers. Only two of these complaints were considered justified and ICAC procedures were subsequently changed to avoid re-occurrence of the incidents which were the subject of these complaints.

CHAPTER 3

OPERATIONS DEPARTMENT

Responsibilities, and powers of arrest, search and investigation

The Operations Department is the investigative arm of the Commission and is the largest of its three Departments. The establishment of 633 comprises 56.5% of the Commission's present establishment of 1121 posts.

The Director of Operations is responsible to the Commissioner for :-

- (a) receiving and considering complaints alleging corrupt practices and investigating such complaints whenever practicable;
- (b) investigating any alleged or suspected offences under the Independent Commission Against Corruption Ordinance, the Prevention of Bribery Ordinance, and the Corrupt and Illegal Practices Ordinance; and
- (c) investigating any conduct of a Crown servant which, in the opinion of the Commissioner, is connected with or conducive to corrupt practices and reporting thereon to the Governor.

3.2 The Department's investigating officers have full powers of arrest without warrant for offences under the three Ordinances mentioned, and have additional powers of arrest without warrant for any other offence disclosed during the investigation of a suspected offence under the Prevention of Bribery Ordinance, where a suspect is reasonably suspected of being guilty of that offence, and which other offence is itself reasonably suspected of either being connected with or being facilitated by the suspected offence under the Prevention of Bribery Ordinance. If the other offence is a specified offence, however, it need not be connected with or be facilitated by a suspected offence under the Prevention of Bribery Ordinance for the powers of arrest to operate. The specified offences are :-

- (a) perverting or obstructing the course of justice;
- (b) blackmail under section 23 of the Theft Ordinance;
- (c) obtaining property by deception under Section 17 of the Theft Ordinance;
- (d) obtaining pecuniary advantage by deception under

Section 18 of the Theft Ordinance;

- (e) assisting an offender under Section 90 of the Criminal Procedure Ordinance;
- (f) conspiracy to defraud and the offence of conspiracy to commit any of the offences referred to in sub-paragraphs (a) - (e), above;
- (g) an attempt to commit any offence referred to in sub-paragraphs (a) to (e) above, or aiding, abetting, counselling or procuring any offence so referred to.

These are wide powers but they have been found necessary for effective investigation as many enquiries into allegations of suspected corruption reveal facts which amount in law to some other offence.

3.3 These powers of arrest are backed up by various powers of search, seizure and detention of anything which is believed to be evidence of the offences for which the power of arrest exists. Certain of these powers of search can be exercised on the issue of a warrant or authorization by the Commissioner, who has delegated his powers to the Director of Operations; others require the issue of a warrant by a magistrate.

3.4 Special powers of investigation also are conferred by the Prevention of Bribery Ordinance, including the power to examine bank accounts; to require suspects to provide statutory declarations in respect of certain matters under investigation; to question other persons on oath; to restrict the disposal of property while an investigation is underway; to obtain, through order of a magistrate, the surrender of a suspect's travel documents while an investigation is in progress; and, where a suspect appears to be about to leave Hong Kong, to bring him, under a magistrate's arrest warrant, before a magistrate in Chambers who can place the suspect on bail while the investigation continues.

3.5 Evidence resulting from investigations by the Operations Department, is submitted to the Assistant to the Attorney General and he decides, on behalf of the Attorney General, which cases should be prosecuted or, where necessary, refers the case to the Attorney General for his personal consideration.

3.6 The Assistant to the Attorney General and other officers of the Attorney General's Office also advise at various stages of an investigation on problems which arise from the exercise of the extensive investigatory powers vested in the Commission. In addition, the Director of Operations has access whenever necessary to the Attorney General on matters not directly connected with prosecutions.

The Year in review

3.7 The tenor of 1978 is perhaps best exemplified by quoting from His Excellency the Governor's speech to the opening session of the Legislative Council on 11th October 1978, in which he said :-

"The Independent Commission Against Corruption has continued its successful and many-sided operation.

"Since the 'partial Amnesty' on 5 November last year the question in many minds has been whether things would slip back into the bad old ways, in spite of the apparent determination of the Government not to allow them to do so. The Commissioner assures me that there is no evidence that anything of the sort has happened, nor has there been any retrogression as far as syndicated corruption is concerned. We should remember that the resources of the powerful Operations Department are now freed from delving into the past and able to concentrate on investigating and monitoring the present. The whole position within both the public and private sectors is transformed from what it was four or five years ago. This is an extraordinary achievement in which many have played a part as well as the ICAC, and in which all of us can take pride.

"In most other communities there is an element of corruption. Here, where recently there has been so much public revelation of widescale corruption, we must accept that there is much more still to be done. There will always be some people ready to indulge in corruption, and we must therefore be vigilant and equipped to prevent a relapse into the situation from which we have just extricated ourselves so painfully. This special vigilance will have to be continued for many years. So there can be no question of relaxing the efforts of the ICAC, and no question of reducing its strength. But with the high degree of success already achieved, it will be possible to place increasing emphasis and reliance on the activities of its Prevention and Community Relations Departments."

3.8 The 'partial amnesty' for alleged or suspected offences committed prior to 1st January 1977 became law on the 16th February 1978, and the question which naturally loomed large during the year was the effect the amnesty would have on corrupt activity and on the Commission's ability to tackle it. The answer to the first part of the question was given in H.E.'s quoted speech. There was no evidence during 1978 of any resurrection of the massive syndicates of corrupt officers which had for so long plagued the community.

3.9 As 1978 progressed, the first tentative signs of an improving atmosphere emerged in those areas of the public service which had been most afflicted by large-scale syndicates. Freed from fear of investigation and prosecution for misdeeds committed prior to 1st January 1977, the effective date of the partial amnesty, an increasing number of officers in the public service showed a new willingness to assist the Commission. Even those officers who had not yet reached the stage where they could perhaps look upon the Commission with enthusiasm, no longer resorted to open displays of hostility and aggressive attitudes when the Commission carried out - as it is by law obliged to - investigations into reports of suspected corrupt activity which touched upon their areas of work.

3.10 Although large-scale syndicates were a thing of the past, individual corruption, or corruption by small groups of officers in the public sector, or of persons in the private sector, was reported at a steady rate. Time after time, individuals were caught red-handed following a report made to the Commission. By the year's end the Operations Department had under investigation a total of 332 cases, considerably more than at the end of 1977, or even immediately prior to the partial amnesty declaration on 5th November 1977.

3.11 These 332 cases, however, involved a smaller number of suspects than at the height of the 1977 investigative case-load, due to the absence of large-scale syndicates.

3.12 The various systems and methods employed by the Operations Department in its investigations were shown and explained in detail to a distinguished team of senior police officers from the United Kingdom, headed by Mr. J.W.D. Crane, CBE, one of Her Majesty's Inspectors of Constabulary, which arrived in Hong Kong in January, 1978, and remained for four months. Mr. Crane's team was invited to Hong Kong by H.E. the Governor principally to advise the Commissioner of Police on the organisation and operation of the Royal Hong Kong Police, with particular regard to discipline, staff management and morale, chain of command and channels of communication at all levels, sources and standards of recruitment, relations with ICAC, and other matters considered relevant to these. The team was required also to advise the Commissioner of the Independent Commission Against Corruption on existing ICAC procedures, particularly the investigative procedures of the Operations Department, which had been the subject of criticism.

3.13 To enable it to carry out its task, the team was given full access to Operations Department files and records and had many discussions and interviews with investigating officers of all ranks.

3.14 At the conclusion of his visit, Mr. Crane indicated his team was impressed with the standard achieved. Investigative

processes laid down were seen by them to be clearly defined and well understood by case officers, with appropriate supervisory checks at the right levels on the progress of individual cases. Confidence was expressed that the degree of supervision they had seen was such that deviation, if any, would be quickly identified and remedied, and that the methods of investigation and operational tactics used were in line with those adopted by special squads of major British Police Forces.

3.15 The visit of Mr. Crane and his team, and their conclusions, has, it is hoped, finally laid to rest uninformed and emotional criticisms of "ICAC methods."

3.16 A number of recommendations were made by the team to improve relations between officers of the Royal Hong Kong Police and the Commission, and these are steadily being implemented. Joint seminars of senior officers took place during 1978 and there has been increased involvement in each other's training. A number of joint police/ICAC operations were also carried out and an improved exchange of intelligence and information has developed.

3.17 A number of cases investigated during 1978 brought up problems connected with the partial amnesty, particularly where there was some doubt as to the date the suspected corrupt activity started or ceased. In some cases the suspected activity straddled the effective date of the partial amnesty. The most difficult cases were those where suspected assets acquired prior to the partial amnesty date were evident after the amnesty date. Very careful investigation was needed to ensure that corrupt activity was not continuing under cover of the partial amnesty.

3.18 In a lengthy judgement by His Honour Judge Rhind (Case No. 25 of 1978 - The Queen against CHEUNG Sou-yat) in which he found the accused guilty, Judge Rhind saw the amnesty as having no effect in a Section 10 charge (involving maintaining a standard of living or being in control of assets not commensurate with, or disproportionate to, present or past emoluments), because the offence was not complete in all its ingredients until the date the accused failed to give a satisfactory explanation to the court, thus putting it outside the orbit of the amnesty. Following this judgement the Attorney General issued a public statement in which he said :-

"In the Legislative Council on November 7, 1977, the Governor said that the new policy with respect to ICAC operations, which he had announced on November 5, was intended to remove thenceforth, with limited exceptions, all cause for fear from all who keep straight. That new policy was subsequently confirmed by the enactment of Section 18A of the Independent Commission Against Corruption Ordinance. Section 10

of the Prevention of Bribery Ordinance relates to assets in the control of a Crown servant at any time, and the date of actual acquisition of corrupt money is not the decisive factor. So it extends to money acquired before January 1, 1977, which is the date from which the new policy operates, if they continue to be in the control of the Crown servant thereafter. Such cases were not included within the new policy because they were not considered at the time.

"However, I think it appropriate to say, having regard to some of Judge Rhind's observations, that if I am called on to consider a case, not being within the statutory exceptions, in which the entire amount of unexplained money was actually acquired before January 1, 1977 and assets held thereafter, I shall give great weight to the object of the new policy as confirmed by Section 18A of the Independent Commission Against Corruption."

3.19 There was no occasion during 1978 in which the Governor exercised his power to consider an offence committed prior to the effective date of the partial amnesty sufficiently heinous for it to warrant action by ICAC, as an exception to the amnesty. As the lapse of time from the effective date of the partial amnesty increases, problems arising from it should steadily decrease to the point where they will be of little consequence.

3.20 A problem which did not diminish during 1978 was, however, that of vital prosecution witnesses who go back on statements made to Operations Department investigators prior to the trial. On a number of occasions, in different cases, these vital witnesses stepped into the witness box and gave evidence completely at variance with their statements, with not the slightest warning. The motives for such turnarounds may be varied. In some cases, undeniably, the witnesses are in fear of the accused, and an earlier firm resolve to tell the truth weakens when there is a face to face confrontation in court. In other cases the accused is suspected to have found some way of influencing the witness in the period prior to trial, often a lengthy period when there is ample time and opportunity to approach a vulnerable prosecution witness. Fortunately, the displays of open hostility towards prosecution witnesses in the precincts of a court have stopped, but the continuing vulnerability of prosecution witnesses is viewed with grave concern. At the end of 1978, one case of a prosecution witness who had given evidence at variance with his statements made earlier, was with the Attorney General for consideration of prosecution on a charge of attempting to pervert the course of justice.

3.21 During February 1978, the Operations Department moved from its accommodation in Hutchison House to the top three floors

of the neighbouring Murray Road Carpark Building. This new accommodation sees the Operations Department suitably housed for the first time.

New Legislation

3.22 The Independent Commission Against Corruption (Amendment) Ordinance 1978 enacted in February gave legal sanction to the partial amnesty.

3.23 A second piece of legislation resulted from a case in which a retired police station sergeant, charged with a Section 10 offence of being in control of pecuniary resources and property disproportionate to his then present or past official emoluments. The accused was discharged by the court on a submission by the defence that his official emoluments had not been strictly proven despite reliance by the prosecution on such official records as existed.

3.24 Under the Prevention of Bribery (Amendment) Ordinance, No. 69 of 1978 enacted in August, it is possible to prove the official emoluments of an accused officer by way of a certificate signed by the Chief Secretary.

Operations Review Committee

3.25 In July 1978, H.E. the Governor approved a change in the title of the Operations Target Committee (OTC) to Operations Review Committee (ORC), and its adoption of the new terms of reference which are set out on page 4. These reflect more accurately the functions of the Committee with regard to the work of the Operations Department.

3.26 The processes by which a report is received, considered and investigated by the Commission provide for scrutiny at separate stages by different officers. This ensures that no individual officer may dispose of a report or unwittingly overlook something which is of importance. Ultimately, every report alleging corruption which is received by the Operations Department, and which does not result in a prosecution after investigation, must be scrutinised by the Operations Review Committee (ORC) or its sub-committee (ORC(SC)), before it can be written off.

3.27 The ORC studies reports on all investigations which have not resulted in a prosecution, and gives advice and makes recommendations whenever it considers further action is necessary. Where an investigation has resulted in a criminal prosecution, the outcome of the prosecution is reported back to the Committee, which may advise that there are further matters to be considered.

3.28 Where there has been no criminal prosecution, but where there is still evidence or suspicion of corruption, or a disciplinary offence, or malpractice, or other undesirable behaviour on the part of a Crown servant, the Committee may recommend that a report with full details be sent to the Secretary for the Civil Service, or the officer's Head of Department, for whatever action is deemed necessary.

3.29 The Committee may also advise that reports arising from the Operations Department investigations be passed to the Corruption Prevention Department for further scrutiny of practices and procedures which may present opportunities for corruption.

3.30 The main Committee met on eight occasions in 1978 and gave advice and guidance on 209 cases. The sub-committee, comprising Operations Department Directorate officers, under the Chairmanship of a Committee Member, met on 12 occasions and considered reports on 378 minor investigations and 415 non-pursuable allegations of corruption. The advice and recommendations of the sub-committee were subsequently endorsed by the next meeting of the main Committee.

3.31 The appointment on 4 July 1978 of Sir Donald Luddington, KBE, CMG, CVO, to succeed the then Mr. Jack Cater, CBE, JP, as Commissioner of the Independent Commission Against Corruption, meant that Sir Donald became ex-officio Chairman of the ORC, and having previously been a Committee member, this created a vacancy which was temporarily filled by Mr. TSUI Ka-cheung, CBE, JP, Member, Public Services Commission, until the end of the year.

3.32 In October, 1978, the Committee lost the valued services of a founder member when Dr. the Honourable Rayson Lisung HUANG, CBE, JP, had to step down because his increasing responsibilities as Vice Chancellor of the University of Hong Kong and as a Member of the Legislative Council left him insufficient time to continue his customary devotion to the Committee's work.

3.33 Arrangements were in hand at the year's end for the two vacancies on the Committee to be filled by Dr. the Honourable HO Kam-fai, of the Chinese University of Hong Kong, and Mr. J.L. SOONG, Chairman and Managing Director of Mobil Oil Hong Kong Limited.

Structure, Establishment and Systems

3.34 The present basic structure of the Operations Department together with figures relating to the establishment and strength is shown in the organisation chart at Appendix III.

3.35 As at 31st December 1978, the Operations Department was organised into 11 groups, with a total establishment of 633, an increase of 10 over the establishment as at 31st December 1977. Seven of the 11 groups are primarily investigating and/or monitoring groups, while the other four provide a full range of support services, including surveillance, intelligence collation, detention of suspects, and bank enquiries.

3.36 External monitoring has evolved into an important aspect of Operations Department work. It is used as an early-warning system for the detection of signs which may indicate a revival of corrupt activity. Basically, it involves the investigation of areas where corruption was once known to be prevalent. If this investigation reveals nothing the area is quietly passed over, with those concerned none the wiser, and another area is selected for the same treatment. If something suspicious is seen, then a full scale investigation focuses on the suspicious signs detected. A principal advantage of this external monitoring is that it does not rely on a report from a member of the public to reveal corrupt activity, and a steady stream of investigations has resulted from it.

Detention Centre and Security

3.37 The Detention Centre took over security functions for the three floors of the new accommodation in the Murray Road Carpark Building, while continuing to be responsible for detained persons arrested by the Operations Department. This dual role allows the Centre staff to be fully engaged even when there are no detainees. Detention Centre staff have been specially trained by the Prisons Department Training Institute, and their responsibilities for detainees include general safety and welfare, fingerprinting, safe keeping of detainees' property, case property, bail procedures, and the conduct of identification parades.

3.38 During the year there have been 21 inspections of the Detention Centre by Justices of the Peace, whose visits are made in accordance with the Independent Commission Against Corruption (Treatment of Detained Persons) Order. Comments are entered by these visiting Justices in a book which is required by law to be kept by the Operations Department. Following the visit, a verbatim report of the entry, together with any comments of the Director of Operations, is sent to the Councils Section of the Government Secretariat, for information.

3.39 During 1978, a total of 218 persons was detained in the Detention Centre, after arrest by ICAC, while 19 others were arrested and bailed without detention.

Staff

3.40 Fifteen British police officers on secondment to the Commission completed their period of secondment during 1978 and returned to their parent forces. A further ten British police officers were recruited in U.K. and seconded to the Commission for initial periods of 2½ or 3 years.

3.41 One of the seconded officers, a Detective Chief Superintendent in the West Midlands Police, was recruited at Assistant Director level, as a replacement for an officer who had completed his service.

3.42 As at 31st December 1978, the number of British police officers on secondment to the Commission totalled 42, with an additional 27 retired British police officers serving on agreement terms. A further 37 expatriate officers were also serving with the Department, making an expatriate strength of 106 officers out of the total establishment of 633. This compares with 120 expatriates at the beginning of the year.

3.43 Recruitment continued throughout 1978, both to fill existing vacancies in the establishment and to replace those officers, whether expatriate or Chinese, who left the Department on completion of their agreements or periods of secondment. During the year, a total of 102 officers in the Department renewed their agreements or periods of secondment for periods of 2½ years, or 3 years, depending on rank level. In some cases, linked agreements comprising two tours of service were given to officers, the second tour being subject to satisfactory completion of the first. A total of 61 local officers were recruited, of whom nine were graduates of universities or post-secondary colleges.

3.44 Twenty three local officers, and four expatriate officers, were promoted during the year, six local officers now occupy substantive posts of Section Head, which equates with a local police superintendent, while three local officers have acted in the posts.

Training

3.45 The move of the Operations Department into its new accommodation provided it, for the first time, with training classrooms and supporting offices inside its own premises. This represents a big step forward as the training school previously operated in separate premises in Kowloon.

3.46 For the purposes of centralising Commission training facilities, the Operations Department Training Section is placed under the Administration Branch, but the Operations Department provides and rotates the Section Head and his

instructors for its own specialised subjects, ensuring that instruction keeps pace with developments in investigation and the changing law. It also supervises and provides material for the curricula on Operations Department topics, and sets and marks question papers in examinations.

3.47 A total of 29 courses, of ten different types, was run for 242 students by the Training Section, during 1978.

3.48 By kind consent of the organisations concerned, the Operations Department sent two of its local investigating officers, both holding the posts of Section Head, on short attachments to the Corrupt Practices Investigation Bureau, Singapore, and the National Bureau of Investigation, Kuala Lumpur, in November 1978, where they were given every courtesy and facility in studying the organisation, procedures, and problems of the two Bureaux, with a view to developing their own expertise. This type of attachment will continue, with reciprocal attachments of officers to the Operations Department.

Complaints and Reports

3.49 Complaints and reports are received by the Operations Department in a number of ways. The majority of reports are still received by telephone calls to the Report Centre, which is manned throughout the year, 24 hours a day, and which is now sited in the Department's accommodation in Murray Road Carpark Building. Complaints and reports are also received by telephone calls to the local offices of the Community Relations Department, of which there were seven by the end of the year; and through, visits, in person, either to the Report Centre, or to the local offices. Another method of reporting is by letter addressed directly to the Commission or to its post-office box number, which is widely publicised.

3.50 Complaints and reports are also sent on by Government Departments in accordance with Civil Service instructions which require all reports, allegations or indications of corruption to be referred to the Commission for investigation.

3.51 The Commission received a total of 5175 reports during 1978, of which 1234 involved corruption, resulting in 836 investigations by the Department. Comparable figures for 1977 were 5865 total reports, and 1700 corruption reports, resulting in 999 investigations. Reports of corruption during the year 1978 thus dropped 27.4%, from the total number of corruption reports received in 1977, which in turn dropped 30% from the total number received during 1976. The number of investigations opened on the corruption reports was, however, proportionately greater, the figure of 836 for 1978 being 68% of the 1234 reports received, while the 999 investigations for 1977 comprised 59% of the 1700 corruption reports received in that year.

3.52 Non-corruption reports dropped by 5% in 1978, compared to a drop of 7% in 1977. Corruption reports in 1978 comprised 24% of the total reports received, compared to 29% of the total received during 1977.

3.53 There has been a further increase in the proportion of non-anonymous reports of corruption in comparison with anonymous reports, the percentage for 1978 being 55%, compared to 51% in 1977. This is the highest percentage achieved so far, and may be contrasted with the low point of 35% for the year 1974, the first year of the Commission's existence. Identifiable complaints are preferable for a number of reasons. When investigating an offence the veracity of the complaint can be assessed much more readily when the complainant is identifiable, which is a protection for honest officers who may be the subject of a complaint. It is also possible to obtain more information from the complainant, information which he may not have felt to be important enough to include in his original report. Ultimately, if a prosecution ensues, there is always the possibility that an identifiable complainant will be willing to give evidence in court.

3.54 The high proportion of non-corruption reports made to the Commission is a continuing feature, but one which is seen as a sign of confidence in the Commission. Non-corruption reports encompass almost any topic, such as matrimonial problems, legal problems, business disputes, quarrels with neighbours, housing problems and many other matters which trouble the individual citizen. If a non-corruption report involves crime then it is passed to police for action, and the complainant is informed that this action is being taken. Where appropriate, other reports may be passed on to some Government Department or public body for whatever action the Department or public body deems necessary. Some complainants seem to prefer to make their reports in the first instance to the Commission, asking the Commission to refer the report on to the Department concerned. In a number of instances detailed enquiries are carried out by the Department and the result is often notified to the Operations Department.

3.55 The incidence, modes and general trends of complaints are collated by the Department's statistics section, and are used as research material by the Community Research office of the Community Relations Department. Collated statistics are reported at each meeting of the Operations Review Committee, (see paragraphs 3.25 - 3.33) and are studied by senior officers of the Department for trends in specific areas.

3.56 Analysis of the modes of reporting and the breakdown of corruption complaints set out at Appendices IX to XVII reflects these trends for 1978 :-

- (a) the reduction in corruption reports being received is consistent with the lowered incidence of corrupt activity detectable by the Commission's investigations and monitoring activity;
- (b) of the total corruption complaints, 72% alleged corruption offences in Government Departments, 3% in scheduled Public Bodies, and 25% in the private sector. Of the allegations against Crown servants, more than half concerned the police; the next highest number concerned Urban Services Department, which attracted 7%;
- (c) complaints of illegal commissions in the private sector continued to decrease as in previous years, being 427 in 1976, 314 in 1977 and 252 in 1978. A number of these complaints were made by management in relation to their own staff, which shows an encouraging change in attitudes over the years. Practices once regarded as tolerable are becoming unacceptable;
- (d) a significant decrease occurred in the number of complaints made by letter, 286 in 1978 compared with 537 in 1977. Of the total complaints received over the years 1975 - 1977, 40% were by letter, but only 23% were by letter in 1978. Written complaints have invariably been the least productive for the Department, perhaps because of the high percentage (88%) of anonymous letters in the total received;
- (e) reports alleging corruption, which are known to be false to the person making the reports occur from time to time, and in such cases prosecutions have been instituted against those responsible. This offence passed into law in 1976, since when 23 cases have been prosecuted to conviction, often attracting near maximum penalties. During 1978, 11 cases were prosecuted of which seven involved malicious complaints against members of the RHKP. There is a vast difference between an incorrect report made in good faith, and one made which the person reporting knows to be false. The former will never be prosecuted, while the latter will always risk prosecution;
- (f) a certain number of offences of corruption are, by consent of the Commission, dealt with by the RHKP. These are usually instances where members of the public offer bribes to police officers as inducements not to take action against them for offences they have committed. In such cases, the police notify the Operations Department, which has the option of taking on the case or of leaving it to police to charge the individual with the

additional corruption offence. The criterion usually applied in these instances is that where a crime has been committed with which the bribery offence is interwoven, then it is preferable for the various offences to be dealt with as a whole. During 1978 there were 33 such cases dealt with by police.

Investigations and Prosecutions

3.57 An investigation by the Operations Department into what was known as the "Yaumati Fruit Market drug syndicate" became by far the largest enquiry ever carried out by the ICAC, and was successfully concluded in 1978.

3.58 The investigation began in late 1976, after a Royal Hong Kong Police Narcotics Bureau team had arrested a number of drug traffickers, and seized documents indicating that about \$10,000 per day had been paid by operations of the syndicate in bribes to unspecified persons, listed in the documents mainly by nickname. Police successfully prosecuted the principals on narcotics charges (long terms of imprisonment being imposed) and passed the documents to ICAC for investigation.

3.59 A massive enquiry was launched by the Operations Department as a result of which, by the end of October 1977, 262 serving or former Government officers and 13 civilians had been identified and were suspected of having had corrupt dealings with the syndicate between May 1975 and August 1976.

3.60 Between January and October 1977, 119 Government officers were arrested, questioned and bailed, and an additional 84 were interviewed without arrest. The whereabouts of 3 former officers could not be traced, while one had died. In November 1977, the remaining 55 officers, who were then still under investigation, were precluded from further enquiry because of the announcement of the partial amnesty.

3.61 In March 1978, the Attorney General consented to the prosecution for conspiracy of 26 serving or former officers in three separate cases. In connection with these three cases, reports in respect of 162 other officers were forwarded by the Operations Department to the Secretary for the Civil Service.

3.62 Of the 26 officers in respect of whom a decision was made to prosecute for conspiracy to obstruct the course of public justice, 24 were serving or former police officers, and 2 were Customs and Excise officers. One former police officer had already left Hong Kong, and a warrant for his arrest was issued. The others were prosecuted in the district court, in separate trials which commenced on 19th September 1978, 6th November 1978, and 27th November, 1978 respectively.

3.63 As at 31st December 1978, one trial of four police officers had concluded, with the conviction of two, both of whom were sentenced to two years imprisonment, while two had been acquitted. The largest of the three trials, that of 19 police officers, had resulted in four having No Case to Answer, while 15 had a Case to Answer, and in the 3rd trial, that of the two Customs and Excise officers, both had been found to have a Case to Answer. These two trials were approaching their conclusion at the year end.

3.64 Since the inception of the ICAC, 37 Crown servants have been charged with offences under Section 10 of the Prevention of Bribery Ordinance, that is, with maintaining a standard of living above that which is commensurate with past or present emoluments, or, of being in control of pecuniary resources or property disproportionate to their present or past official emoluments. Of these 24 were convicted, and one was still pending trial at the end of the year.

3.65 During 1978 prosecutions against five persons were commenced in respect of offences under Section 10. These resulted in three convictions, one acquittal, and one was still pending trial at the end of the year. The prosecutions of seven other persons for offences under Section 10, which had commenced in 1977 were concluded in 1978, resulting in four convictions and three acquittals.

3.66 The seven prosecutions concluding with a conviction in 1978 were :-

- (a) A Senior Engineer of the Highways Office, Public Works Department, who was found guilty on 17th February 1978 of a Section 10(1)(b) offence between 1st December 1972 and 1975. He was sentenced to 2½ years' imprisonment, and to a fine of \$50,000, and ordered to forfeit \$9,200 to the Crown. An appeal was pending at the year end.
- (b) A Senior Foreman of the Public Works Department was convicted on 10th March 1978 of a Section 10(1)(b) offence on 26th September 1975. He was sentenced to 15 months' imprisonment, and ordered to forfeit \$57,005 to the Crown.
- (c) An Acting Highways Superintendent of the Public Works Department was convicted on 17th March 1978 of a Section 10(1)(b) offence on 29th June 1971, and was sentenced to 2½ years' imprisonment and ordered to forfeit \$207,434.83 to the Crown. An appeal on 29th September 1978 resulted in the conviction being upheld.

- (d) An Assistant Superintendent of the Customs and Excise Service, Trade, Industry and Customs Department, was convicted on 28th April 1978, of a Section 10(1)(b) offence on 3rd December 1973. He was sentenced to 15 months' imprisonment, and fined \$75,000. (An appeal pending at the year end resulted in his conviction being quashed in January 1979).
- (e) A retired Detective Sergeant of the RHKP was found guilty on 12th October 1978, of a Section 10(1)(b) offence on 18th December 1972. He was sentenced to 2 years' imprisonment, and ordered to forfeit \$138,000 to the Crown. An appeal was pending at the year end.
- (f) A retired Detective Station Sergeant of the RHKP was found guilty on 22nd December 1978, of a Section 10(1)(b) offence on 13th April 1972. He was sentenced to 2 years' imprisonment and ordered to forfeit \$806,000 to the Crown. An appeal was pending at the year end.
- (g) A retired Staff Sergeant of the RHKP was found guilty on 24th November 1978, of a Section 10(1)(b) offence on 22nd September 1971, but had not been sentenced by the end of the year.

3.67 A retired Detective Staff Sergeant of the RHKP, who was arrested in 1977 for a suspected offence contrary to Section 10(1)(b) of the Prevention of Bribery Ordinance, brought legal proceedings to seek certain declarations from the High Court, including a declaration that he could not be prosecuted under Section 10(1)(b) of the Ordinance because he was not, and had not been, a Crown servant at the time of, and since, the Ordinance came into force.

3.68 The declarations were not granted by the High Court, and an appeal by the Detective Staff Sergeant to the Court of Appeal was dismissed, whereupon he appealed to the Privy Council.

3.69 In November 1978 the Privy Council, in advising Her Majesty that the appeal should be dismissed, stated :-

"..... It has also been argued that the object of the Ordinance was to prevent bribery after it came into operation, since it is impossible for the Ordinance to prevent bribery which has already taken place. No doubt this is true, but there is no ground for thinking that the operation of Section 10(1)(b) as construed by the Court of Appeal would not constitute a strong deterrent against any Crown servant accepting bribes in the future.

It has been said that the Ordinance is a draconian measure. No doubt it is. But when bribery and corruption become so rife that they seriously undermine the whole fabric of society, such measures may well be necessary. In any event, it is not for the Courts to decide whether or not an Ordinance ought to have been passed but only what it means once it is passed, and then to enforce it. Their Lordships consider that the language of Section 10(1)(b) is clear and unambiguous and can bear only the meaning attributed to it by the Court of Appeal."

3.70 The retired Detective Staff Sergeant has now been charged with a Section 10(1)(b) offence and his trial is due for hearing early in 1979.

3.71 Prosecutions were also instituted during the year against 176 persons for a variety of other offences under the Prevention of Bribery Ordinance, the Independent Commission Against Corruption Ordinance, and other criminal Ordinances. Amongst these cases, the following are of interest :-

- (a) A sixty-year old Executive Officer of the Royal Fleet Auxiliary Recruiting Office was charged with accepting advantages from seven seamen applicants for employment between 20th March, 1978 and 11th May 1978, in return for arranging employment for them with the RFA of HMS Tamar. He pleaded guilty to the charges on 11th August, 1978, and was sentenced to 6 months' imprisonment, suspended for 2 years, and was fined \$25,000 with an order to pay \$4,400 to the Crown. This is the first prosecution by the Commission of a person engaged in recruiting seamen, an area in which malpractice is believed to be wide-spread, but in which it is difficult to secure witnesses because of the constant travelling of seamen.
- (b) Three Assistant Prison Officers and two civilians were found guilty on 5th October 1978 of conspiracy to solicit \$15,000 and blackmailing an ex-prisoner, between a date on or about 1st April 1978, and 31st May 1978, for showing favour to a prisoner in Chi Ma Wan Prison. They were all sentenced to 4 years' imprisonment.
- (c) Two Postal Officers and an Assistant Postman were charged with conspiracy to accept advantages between 1st January 1977, and 18th January 1978, for accepting sub-standard packets from packaging agents, containing peanut-oil destined for Mainland China. They pleaded guilty on 20th March 1978, and were sentenced to 21 months', 15 months', and 18 months' imprisonment, respectively. The sentences

were later reduced on appeals to 15 months', 3 months' and 12 months' imprisonment.

3.72 During the year 73 convicted persons appealed against their conviction and/or sentences, and of these 13 appellants succeeded in having their convictions quashed, 28 failed in their appeal, 10 had their sentences reduced, and 22 appeals are still pending.

3.73 Three other cases concluded during 1978 are worthy of mention, being important cases, despite the difficulties encountered in prosecution.

(a) Wong Tai Sin Conspiracy

A total of 17 persons was charged with conspiracy, including one Superintendent, one Chief Inspector, one Senior Inspector, one Inspector, three Detective Station Sergeants, four Detective Sergeants, three Detective Constables, one Constable, one retired Sergeant and a merchant. The trial commenced on the 26th October 1977 and concluded on 16th March 1978.

The prosecution alleged that the defendants, all of whom with the exception of the merchant had served in Wong Tai Sin Police Division at some time during the period between September 1971 and January 1976, were participants in a corrupt scheme whereby operators of vice establishments within the Division, such as opium or gambling dens, enjoyed a relatively safe environment, with only minimal police interference, provided they made regular payments of money to be shared among police officers who participated in the conspiracy. At the commencement of the trial, the Crown entered a 'nolle prosequi' in respect of two of the defendants, and in the course of the trial the Court ruled No Case to Answer in respect of five defendants.

In a judgement which acquitted the remaining 10 defendants on 16th March 1978 the judge said :-

"although Crown's evidence had well established beyond reasonable doubt the existence of a highly sophisticated organisation engaged in systematically collecting bribes from vice operators for a group of corrupt police officers, it failed to prove that any of the defendants participated in it. The tainted evidence of the crucial accomplices cried out for corroboration but none was forthcoming."

(b) Mong Kok Special Duty Squad Conspiracy

A Police Station Sergeant, a Sergeant and four

Constables, were alleged to have conspired together to demand money from divan operators to secure the release of certain suspects suspected of having committed offences contrary to the Dangerous Drugs Ordinance. During the trial it was ruled that the four Constables had No Case to Answer, there being insufficient evidence to indicate their actual participation in the conspiracy. At the conclusion of the trial on 28th March 1978, the Sergeant was acquitted, while the Station Sergeant was found guilty as charged, and was sentenced to 2 years' imprisonment. However, on appeal, the Station Sergeant was also acquitted, on the grounds that he could not conspire with himself.

(c) Mongkok Conspiracy

Some 34 defendants, including three Police Superintendents, four Chief Inspectors, one Senior Inspector, two Station Sergeants, 18 Sergeants, one Constable, one retired Station Sergeant, three retired Sergeants and a former Police Constable, were alleged to have conspired together and with other persons to obstruct the course of public justice, and to accept advantages, between 1st January 1970 and 30th November 1976, in that they acted contrary to their duty as police officers in connection with the responsibilities of the Special Duty Squads, Hawker Control and Nuisance Squads of the Mong Kok Division and the proper administration of the law.

At various stages of the trial, which started on 17th April 1978, one defendant had a 'nolle prosequi' entered against him by the Crown after he became seriously ill, while 13 defendants were discharged and three defendants were found to have No Case to Answer after six of the witnesses for the prosecution were declared hostile.

The Judge said the Crown had proved beyond reasonable doubt that a corruption syndicate had existed in the Mong Kok Police Station, but he was not satisfied with the evidence given by the Crown's witnesses. He rejected the evidence of the principal Crown witness and found the evidence of other Crown witnesses unacceptable for lack of corroboration. He found two defendants guilty; one was sentenced to 18 months' imprisonment and the other 12 months' imprisonment, and on 24th July 1978 the remaining 15 defendants were acquitted.

Warrants of Arrest

3.74 During the year of 1978, eight warrants of arrest for corruption or other offences were obtained by the Operations Department, but due to the decision of the District court not to accept the evidence of certain witnesses in the Mong Kok Conspiracy case, two warrants issued in 1977 against individuals involved in that case were withdrawn. Three further warrants issued in 1977 were also withdrawn, for similar reasons, in relation to the Wong Tai Sin conspiracy case, also completed in 1978. One further warrant issued in 1976 was withdrawn in 1978 in relation to another case, because certain evidence was no longer available.

3.75 The result of these additions and deletions is that, as at 31st December 1978, the Operations Department held warrants of arrest for 40 persons on various offences. Additionally, the RHKP held four warrants of arrest for desertion in respect of former police officers of special interest to the ICAC.

Disciplinary or administrative action against Crown Servants

3.76 Over the past year, acting on the recommendations of the Operations Review Committee, the Operations Department forwarded reports to the Secretary for the Civil Service, or to Heads of Departments, as appropriate, for consideration of disciplinary or administrative measures in respect of serving or former Government officers who had :-

- | | |
|--|---------------|
| (a) been investigated for alleged or suspected corruption, but not prosecuted - | 179* officers |
| (b) been investigated for alleged or suspected corruption, and prosecuted, convicted, but whose convictions were quashed on appeal - | 13 officers |
| (c) been investigated for alleged or suspected corruption, and prosecuted, but acquitted - | 67 officers |

*(These figures do not include the 162 officers mentioned in paragraph 3.61)

Details of disciplinary or administrative action taken against Crown Servants in connection with alleged or suspected corruption offences are given at Appendix XVIII.

Internal Monitoring

3.77 Internal monitoring of ICAC officers continued during the year, in addition to the normal processes of command and close supervision. Procedures laid down require that every allegation of corruption involving an ICAC officer must be referred to the Attorney General for a decision on action to be taken. If the Attorney General decides that an investigation should be undertaken by the ICAC then a report on the investigation is also subsequently placed before the A.G., with whatever recommendations are appropriate.

3.78 The Operations Review Committee similarly is informed of the allegation and outcome of the investigation.

3.79 Two allegations of corruption were received by the Commission in respect of two ICAC officers during 1978. Both were referred to the Attorney General who advised that investigation be carried out by ICAC.

3.80 One of these investigations was completed, and the allegation of corruption, which involved a claimed loan of money, a possible Section 3 offence, was found to be false. The report on this investigation was placed before the Attorney General who instructed that other facts which had been revealed by the investigation indicating a possible offence of blackmail by the person who had made the complaint, be passed to the police for investigation. However, on the facts revealed, the officer's services were terminated by the Commissioner under Section 8 of the ICAC Ordinance.

3.81 In this same enquiry, two other ICAC officers, found to be involved in a personal relationship with the complainant and the dismissed officer, were interdicted from duty. One of these, whose contract expired during the investigation, was not offered further employment, while the other remained under enquiry, and interdicted from duty as at 31st December 1978.

3.82 The investigation into the second allegation of corruption received during 1978 had not been completed as at 31st December 1978.

The Future

3.83 The end of the year 1978 saw the Operations Department busier than it had been at any time since the events of late 1977. Paradoxical though it may seem, corrupt activity in many of the cases under investigation still contained encouraging signs. A number of individuals who would previously have been securely cocooned in a corrupt syndicate, receiving a lucrative illegal income without jeopardising themselves by exposure to

the victims, were having to go out, for the first time, to risk arrest by personal confrontation with the intended victim to solicit bribes. In many instances, an apparently acquiescent victim was able to report in secret to the ICAC that an attempt to solicit a bribe was in progress, enabling the Operations Department to step in and arrest the culprit. Every such arrest makes the attempt by the corrupt officers to continue preying on the public that much more hazardous and it is this that augurs well for the future.

3.84 Concurrent with these signs is the improving attitude in the public service towards the Commission's endeavours to root out corruption, itself a further indication of progress.

3.85 Officers suspected of having been steeped in corrupt activity are gradually leaving the public service, being replaced by a new type of officer, better motivated and certainly less exposed to the temptations of corruption than was the case in the recent past. If the momentum built up over the past five years can be maintained, the situation must further improve, year by year. However, the Commission, the public service and the public must be continuously vigilant against any attempted revival of corruption, particularly by the hard-core of corrupt officers who remain if, ultimately, corruption is to be eliminated.

CHAPTER 4

CORRUPTION PREVENTION DEPARTMENT

The Corruption Prevention Department's role is to assist the Commissioner in discharging the duties set out in Section 12(d), (e) and (f) of the Independent Commission Against Corruption Ordinance. The functions of the Department are to advise Government Departments, Public Bodies listed in the Schedule to the Prevention of Bribery Ordinance and, upon request, any person on how best to reduce opportunities for corruption which may exist in their practices and procedures. The Commissioner also has a statutory duty to secure the revision of those methods of work or procedures which may be conducive to corrupt practices in Government Departments and Public Bodies. It must, of course, be emphasised that the identification of corruption opportunities by itself does not necessarily mean that such opportunities are being exploited.

Corruption Prevention Advisory Committee

4.2 In discharging his corruption prevention functions, the Commissioner is assisted by the Corruption Prevention Advisory Committee, the membership and Terms of Reference of which are described at page 5. The progress made in all aspects of the Corruption Prevention Department's work is monitored closely by the Advisory Committee, which met on 11 occasions during the year.

4.3 A Sub-Committee of the Corruption Prevention Advisory Committee advises on priority that should be accorded to the study of any information received which discloses opportunities for corruption. The Sub-Committee also considers the Department's own recommendations for new assignment work. During 1978 the workload of the Main Committee was reduced by transferring to the Sub-Committee responsibility for considering minor monitoring and miscellaneous studies. The Sub-Committee also considers monthly progress reports by the Department on all assignments. Eleven meetings of the Sub-Committee were held in 1978.

4.4 The knowledge and experience possessed by members of the Corruption Prevention Advisory Committee and their understanding of and interest in corruption prevention continues to be a source of encouragement to the staff of the Department at every level.

Structure and Establishment

4.5 The structure of the Corruption Prevention Department provides for a Director of Corruption Prevention and two Assistant Directors. There are two Examination Divisions served by a Management Group. Under each Examination Division there is provision for four Assignment Groups. The present establishment of the Department is 104 posts with a concentration of posts at the Senior Assignment Officer level. The strength of the Department at 31.12.78 was 80. An assessment has been made of the level of productivity of the Department during the year, the known and projected future workload, the range of experience of the staff and the difficulty in finding suitable candidates from outside the Commission to fill the vacant assignment posts. It has been concluded that the present staffing level is about right, and rapid recruitment to full establishment is not contemplated. The post of Director of Corruption Prevention remained vacant but at the end of the year a trial was being given to the appointment of a Senior Assistant Director to head the Department. The structure, establishment and strength of the Department at 31st December 1978 are shown in Appendix IV.

General Review of Corruption Prevention Work

4.6 1978 was a year of consolidation. There was a strengthening of the relationships with Government Departments and Public Bodies which have been developed over four years and during the course of more than 200 formal corruption prevention studies. There is now a widespread awareness within client Departments of the value of corruption prevention work to staff at managerial, supervisory and operational levels. There is also a more general recognition by clients that corruption opportunities which have been identified are not just self-contained areas of weakness to be dealt with as problems entirely divorced from the Department's other activities. In most cases they are manifestations of more general managerial and supervisory problems.

4.7 The joint efforts of Corruption Prevention and client Department staff to solve these problems have therefore resulted in remedial measures which not only serve to reduce corruption opportunities but also make a positive contribution to the greater efficiency of the client Department. It would be wrong were assignment officers not to draw attention to managerial weaknesses discovered in the course of a study: it would be equally wrong were they to lose sight of their main aim which is to identify and reduce corruption opportunities. A careful balance has therefore to be kept between the special task of the Corruption Prevention Department and the consequential but incidental advantages in terms of general management improvements.

4.8 In 1977, increasing numbers of Government Departments, Public Bodies and some private organisations began to seek advice and assistance in the study of areas where they felt corruption could exist. This trend has continued during 1978. There is a reservoir of knowledge in the Corruption Prevention Department of both general and precise patterns of corruption within administrative systems and a cadre of experienced officers with specialist knowledge of different areas of Government activity and of functions common to many Government Departments. The Department relies increasingly on the identification of further areas for study by its officers, who recognise other potential danger spots during assignments. This is in marked contrast to the position two years ago when the Department was almost entirely dependent on complaints from the public as a means of identifying possible areas of corruption.

4.9 This collective experience has tended to confirm that certain common characteristics are associated with the existence of corruption opportunities within any organisation. Experience has also shown that, while there are no standard remedial measures that can be automatically applied to eradicate, or substantially reduce, such opportunities, recommendations to clients often differ on points of detail rather than in the principles involved.

4.10 Monitoring the implementation by clients of recommendations made after corruption prevention studies was an important element of the year's work. Further experience gained in monitoring has confirmed the need for systematic and regular checks with clients to ensure that full and effective implementation has taken place. Only on rare occasions will a single check suffice, because circumstances have often changed since the original reports were received, and modifications to the remedial measures recommended are necessary. Monitoring exercises conducted during the year brought to light the need for several new studies. In addition, client departments are now approaching the Corruption Prevention Department to seek advice before making procedural changes in areas where assignments had previously been completed.

4.11 Some Government Departments have received more assistance than others. Because of the order in which the assignments had been undertaken and the need to define with precision the area of each study, there are inevitably significant gaps in the coverage. Therefore in 1978, "profile studies" were undertaken in two large Government Departments to survey all areas of work, to establish the relationship of areas already covered to practices and procedures not yet examined and, in consultation with the clients, to decide on remaining work. This Departmental review approach is likely to become an established technique and another "profile study" of a major Government Department is planned for early 1979.

4.12 In 1978 the Department brought into use an information storage and retrieval system. The card index system is based on three principal cross-referenced indices; a Department/organisation index, a subject matter index and a corruption opportunities/recommendations index. The system aims to establish a "data bank" of information collected from all assignment work, to enable assignment officers to retrieve information which may be of relevance and assistance in new assignments. It will also serve as a basis for future detailed research in corruption prevention. All newly completed assignments are analysed and fed into the system and amendments are made to information stored to reflect any changes in agreed recommendations.

4.13 In 1978 the close and effective liaison between the Corruption Prevention Department and the Community Relations Department continued. The Community Relations Department provides feedback of opinion and problems associated with proposed assignment studies, where it is considered that the studies have implications for large sections of the community. The need for publicity and public education is an important consideration in corruption prevention studies and the two Departments work closely to ensure implementation through the media and through general public education. There has been regular contact during the year with staff of the Operations Department to assist them in their intelligence and monitoring activities, and to brief CPD officers on the background to corruption opportunities identified during the course of investigation.

4.14 Consolidation of the experience gained in corruption prevention studies has enabled the Department to progress into an area of work which was seen in early 1977 as a natural development of its overall aims and objectives. This is to impart to Government officers the knowledge gained in corruption prevention as a means of strengthening their ability to identify and monitor areas where corruption could develop. Thus corruption prevention becomes more generally accepted as an integral part of the day to day activity of Government's managers and supervisors.

4.15 In August 1978 a small External Training Section was set up to try out the basic idea with two selected Government Departments. There was continuous appraisal of the training material, audience reaction and, insofar as possible, effectiveness. By the end of the year, sufficient progress had been made for an External Training Section to be formed as an independent unit within the Department. Research was being conducted on further Government Departments to identify the material necessary for training supervisory personnel in corruption prevention principles and practice. Discussions had also started with the Civil Service Training Division to explore areas for future co-operation.

Overseas Liaison

4.16 In September 1978 the Senior Assistant Director, Community Relations and a senior officer of the Corruption Prevention Department went to the USA to undertake a programme of meetings with officers of the New York Police Department, various New York City Government Agencies and staff from academic institutions. The visit included discussions with staff of Cornell University in New York State and the Stanford Research Institute (International) in California. The programme was arranged by staff of the John Jay College of Criminal Justice in New York.

4.17 The purpose was to enable the ICAC officers to gain an insight into the resources used and methods employed to fight corruption in New York, to make and develop contacts between the ICAC and these bodies, to examine current research in academic fields into corruption and to determine the possibility of a future staff exchange programme and training attachments. The New York authorities and the academic staff were naturally interested in the work of the ICAC in Hong Kong. It became clear from discussions in New York that in the fields of corruption prevention and community relations Hong Kong is relatively well advanced. A great deal of material was brought back to Hong Kong for further study and evaluation. It is hoped that this visit will have laid the foundation for a wide range of contacts in the future for the mutual benefit of the ICAC and of similar organisations in the USA.

Corruption Prevention Studies

4.18 60 formal Corruption Prevention Department reports were forwarded to client organisations in 1978, plus 11 miscellaneous study reports and four miscellaneous studies were conducted by correspondence. Two major and 17 minor monitoring studies were also completed. A synopsis of the Corruption Prevention Department reports completed in 1978 is given at Appendix XIX. Twenty-eight formal studies were under way at 31st December 1978 and these are summarised at Appendix XX.

4.19 Reports in 1978 varied greatly according to the type of client organisation. Subject matter ranged from two assignments covering the whole of the Civil Service through those affecting the public as a whole or affecting several Government Departments, to purely procedural activities in one Department. Several assignments were particularly significant in terms of their widespread application or particularly interesting in terms of their subject matter.

4.20 The Corruption Prevention Department report on "Supervisory Accountability in the Civil Service", one of the longest and more complex assignments undertaken by the

Department, was forwarded to the client, the Chief Secretary, in May 1978. Preliminary consideration of the report took place at the Chief Secretary's Committee in July and at the Chief Secretary's request the Corruption Prevention Department and the Director of Administration and Management Services produced a digest of the report for distribution to Heads of Departments. The digest report was approved at the Chief Secretary's Committee in November. It was forwarded to all Heads of Departments in December 1978 with a covering letter from the Chief Secretary stating that the report had been considered and accepted by the Chief Secretary's Committee, and had the general support of His Excellency the Governor.

4.21 The digest report sets out the principles of supervisory accountability and the manner in which these principles should be applied in the Civil Service. Heads of Departments were requested to regard the document as a yardstick against which they should judge their current arrangements for supervision and communication. It was emphasised that the standards set in the document represented only one aspect of the overall responsibility of managers, and that managers are to be judged as much for their achievement of objectives as for effective supervision. The position at the end of the year was that the digest report was to be considered at a meeting of Heads of Departments on 17th January 1979.

4.22 Corruption Prevention Department work in the Public Works Department centred on two main studies. That concerning the "Buildings Ordinance Office - Issue of Occupation Permits" continued and is nearing completion. It has been undertaken jointly with staff of the PWD, and is a comprehensive review of all the individual but interrelated elements involved in the process leading to the issue of an Occupation Permit. Questionnaires were sent out to all Authorised Persons seeking information and opinions and statistical information was extracted from a study of over 500 case files in the Buildings Ordinance Office. This information helped considerably in identifying the problem areas in the existing system.

4.23 Proposals for a new system have been formulated and agreed in principle with the Director of Public Works. The details necessary for implementation are being worked out in consultation with the Offices of the Public Works Department and others who are involved. Without this degree of mutual co-operation and advice, so long and complex a study would not have been possible. It demonstrates the way in which Corruption Prevention Department and Government Departments can work together and complement each other's efforts in pursuit of better and corruption free procedures. It is hoped that it will be the first of many such joint studies.

4.24 The second study in the Public Works Department related to the policies and procedures of the Town Planning

Office on the statutory rezoning of leased land. The report recommended, inter alia, that a resume of Town Planning Board decisions, with reasons, be released to the public. Previous Town Planning studies had come to the conclusion that more information on planning matters should be released to the public and it was agreed between the Director of Public Works and the Corruption Prevention Department that a Planning Information Unit should be set up. The unit would have, amongst its responsibilities, the handling of public enquiries on zoning matters.

4.25 A study completed in 1978 with service-wide implications was that concerning procedures within Government Departments for dealing with complaints received from the public. The study identified some areas of weakness and examined the use of complaints as management information to identify procedural or publicity deficiencies in terms of the service a Department gives to the public. The situation at the end of the year was that the Director of Administration and Management Services was drafting an administrative circular to be issued to all Heads of Departments. The circular will lay down the minimum standards required to be established by Government Departments in dealing with complaints from the public.

4.26 In 1978 the Corruption Prevention Department continued to assist the Board of Directors of the Tung Wah Group of Hospitals in the implementation of their proposals to reorganise the Non-Medical Division of the Group and to advise on practices and procedures which were potentially conducive to corruption. A Corruption Prevention Department officer sat as an adviser on a Steering Committee formed to discuss recommendations for reorganisation made by management consultants engaged by the Group. Agreement on the form of reorganisation is now virtually complete. Corruption Prevention Department will continue its involvement with the Tung Wah Group during this reorganisation and is giving training seminars in corruption prevention principles for senior and middle level management of the Non-Medical Division. This study has been of great value to the Department by extending its range of experience.

4.27 By mid-1978 the Corruption Prevention Department had completed a number of studies concerning the management, staffing and financial control of aided schools. The Department was therefore able, in close conjunction with the Education Department, to provide a report to the Committee of Inquiry on the administrative background to some of the problems of the Precious Blood Golden Jubilee School. The report was used as background material by Dr. Rayson Huang, the Chairman of the Committee of Inquiry.

4.28 During the year, the Department continued its association with the disciplined services. Two major studies were conducted in the Traffic Branch of the Royal Hong Kong

Police Force. The first study dealt with procedures in the Police Central Traffic Prosecution Office and the second with procedures for enforcement and control of traffic. In undertaking the studies, officers of the Department received the fullest co-operation from Police officers at all levels.

4.29 A study involving several disciplined services concerned deportation and removal procedures. This was undertaken because of the importance of the subject in the present situation. Various areas of interrelated responsibility and activity in Security Branch of the Government Secretariat, Immigration Department, the Criminal Records Bureau of the Royal Hong Kong Police Force and Prisons Department were examined. A need was identified for tightening of the administrative procedures relating to identification of potential removal/deportation cases and remedial measures were being discussed with the organisations involved.

4.30 In 1978 the Corruption Prevention Department undertook several assignments in the Labour Department and the first detailed assignment in the Post Office. In the Labour Department, 4 studies were made of which the most significant concerned the control of explosives for blasting operations. The responsibility rests with the Explosives Unit and was important because of its security implications and the existence of significant corruption opportunities. The other three assignments involved the work of the Air Pollution Control Unit, the Pressure Equipment Unit and the systems employed for administering workmen's compensation. In the Post Office, the Corruption Prevention Department concentrated upon the supervision of the work of delivery postmen which is a function affecting most of the public of Hong Kong.

4.31 The Department carried out three main studies in the New Territories Administration during the year. Two concerned compensation; the first examined the policies governing the form as well as the level of compensation payable for land resumed; the second dealt with procedures for determining the amount of compensation payable for pine trees, fruit trees, crops, livestock, poultry and fish ponds as a result of land resumption. A study in a related area concerned the policy for village removal, the processes of negotiation between Government and villagers over the criteria for establishing entitlements, and the provision of general facilities and services in the new village.

4.32 A number of assignments relating to matters under Urban Council control were completed. These included such diverse subjects as the acquisition of objects d'art for museums, the acquisition of library books for Urban Council in the New Territories, the payment of fees by the Urban Council to visiting artists, and the leasing of office accommodation for Urban Council and Urban Services Department.

4.33 In regard to Public Bodies, the Department was mainly concerned with purchasing and tendering procedures. Studies were conducted with the Peak Tramways Co. Ltd., Hong Kong and Yaumati Ferry Co. Ltd. and Hong Kong Polytechnic; the study into procedures in the Hong Kong Telephone Co. Ltd. was discussed with and accepted by that organisation in early 1978.

4.34 On 31st December 1978 there were 229 areas of activity awaiting study by the Department. Not all of these are of major importance and some may be absorbed into other related studies, but there is plenty of basic work to be undertaken without considering the increasing need for monitoring and the expansion of Government activities.

CHAPTER 5

COMMUNITY RELATIONS DEPARTMENT

"..... I would ask you to challenge those who doubt the ability of the citizens of Hong Kong to change for the better. If we go about doubting our ability to change, it will indeed be an uphill battle."

"..... everyone can help to maintain faith and determination that Hong Kong can and will be a cleaner and better place devoid of corruption."

These were the words of the Commissioner, Sir Donald Luddington, in his address to the Board of Directors of the Po Leung Kuk on 5th December 1978. His appeal highlights the importance of public support in the building of a cleaner society in Hong Kong.

Terms of Reference

5.2 The Community Relations Department has the task of involving the community and harnessing their support in the fight against corruption. This involves not only the promotion of greater awareness of the citizen's role in the community but also a greater faith in the possibility of eradicating corruption and substituting honesty.

5.3 It was recognized from the outset that the success of Hong Kong's anti-corruption movement could not rely only on detection, punishment and prevention. In the long run, public attitudes would be the deciding factor. The community as a whole must have the will and determination to rid itself of this social evil. The Community Relations Department must rally that will and gain support for the activities of the other two Departments.

General Review

5.4 1978 was a year of more intense activity, especially in liaison on the ground. Broadly speaking, it was to begin with a period of consolidation and of experimentation in certain new areas. As a young and determined staff gained experience and as a number of key posts were filled in the latter half of the year, the Department was better equipped to expand and intensify its activities. However, a number of mid-management posts in specialist fields (e.g. media and research) have yet to be filled.

5.5 Considerable effort was devoted to consolidating relations with established contacts. Special attention was paid to the continued involvement of young Hong Kong and to liaison with "harder-to-reach" members of our community: e.g. workers whose workaday routine makes regular liaison difficult, housewives whose daily chores do not permit ready participation in local liaison activities, small shop-keepers and private citizens not affiliated to specific groups. This involved an expansion of "direct involvement" activities which were started in 1977 to supplement conventional liaison approaches. A number of new approaches were tried such as visits to shops or households and evening film shows at week ends.

5.6 In the light of administrative experience, of serious shortages of skilled artistic staff and of an increasing availability of Government resources to assist in the Commission's media (particularly TV and film) productions, the Department moved towards a greater, and welcome, measure of co-operation with Radio Television Hong Kong (RTHK) and Information Services Department (ISD). Anti-corruption themes were slotted into RTHK's highly popular "Below the Lion Rock" series. TV Announcements of Public Interest (APIs) or short film-strips, were produced by RTHK direct and through ISD contractors.

5.7 This permitted a more sustained media effort, as opposed to periodic "peaks" by sporadic major TV productions. The idea was that the year should be marked by a continuing series of selected themes or appeals, presented in packages including TV, radio, posters and press releases to achieve a better coordinated - and thus more effective - impact.

5.8 Some initial attempts were made, together with the Corruption Prevention Department, to enter into a new field of public information. This was to assist client-organisations to take appropriate publicity measures as recommended in Corruption Prevention studies. This work would in due course help to dispel public ignorance about Government services and procedures and inform citizens of their rights and of avenues of complaint and appeal.

5.9 During the year, the Department's Community Research unit was able to supply further information on trends in public attitudes towards corruption and on responses to the Commission's community relations efforts through mass and media surveys.

5.10 Response from the community has been most heart-warming, especially from young Hong Kong and from those with Hong Kong's best interests at heart. Throughout the year, many sectors of our community joined forces in promoting, amongst their own ranks, a healthy awareness of the need to root out corruption and to practise better social behaviour. So long as Hong Kong people stand willing and determined to brave the battle against the corrupt, the Commission's daunting task remains neither impossible nor solitary.

Citizens Advisory Committee on Community Relations

5.11 The Department continued to be guided by the Citizens Advisory Committee on Community Relations (CACCR), a Committee appointed by the Governor to advise the Commissioner on community relations activities. When the Committee began its new term in June, the Commissioner took over chairmanship from Sir Yuet-keung KAN, to be in line with the Commission's other two Departmental advisory bodies, both of which are chaired by the Commissioner.

5.12 Six new members replaced retiring members. In addition, eight persons were co-opted to provide Sub-Committees with the relevant expertise. The terms of reference and the membership of the Committee as at 31st December are shown at page 5.

5.13 The Citizens Advisory Committee itself held four meetings during the year. The main burden of activities continued to be carried by the Sub-Committees, which met on 25 occasions :

- the Mass Media Sub-Committee (MMSC)
convened by Mr. Louis L.Y. CHA
- the Public Education Sub-Committee (PESC)
convened by Dr. Daniel TSE
- the Community Liaison Sub-Committee (CLSC)
convened by Mrs. KWAN KO Siu-wah
- the Commerce and Industry Sub-Committee (CISC)
convened by the Rev. P.T. McGovern
until amalgamated with CLSC in June
- the Community Research Sub-Committee (CRSC)
convened by Mr. Andrew LI

The integration of the third and fourth of these Sub-Committees was a move to recognize that contact with commerce, trade and industry should be part of general community liaison. Sub-Committees' terms of reference and membership are set out at Appendix XXI.

5.14 The Department is indebted to members of the CACCR and of its sub-committees for their personal support and invaluable contributions to the development and work of the Department. Special thanks must go to Sir Yuet-keung KAN who had in the formative years personally guided the CACCR and the Community Relations Department as a whole.

Structure and Establishment

5.15 The year 1978 began with the Department on a strength of about 200 against an approved establishment of 275. By the end of the year, 235 posts were filled and the establishment was increased to 306, primarily to staff two local offices for Tuen Mun and Shatin. The Departmental structure and establishment are shown at Appendix V.

5.16 The Department is organised into two principal areas of activity: one concentrating on direct personal contact with the public, as individuals or in groups; the other concerned with public information and education through the mass media for wider and more general audiences.

Media Activities

5.17 The Press Information, Media Programme and Media Design Units are responsible for the Commission's public information and education efforts through the mass media.

(a) Press Information

5.18 The Press Information unit acts as the Commission's spokesman and handles daily news enquiries round-the-clock and issues bulletins and press releases: during the year, there were 18 bulletins on various aspects of the Commission's work and 131 press releases, mainly to do with Operations activities.

5.19 Besides maintaining day-to-day contact with members of the news media, the unit continued to arrange regular briefings for editors of the local news media. Individual briefings and interviews were also given to local and foreign journalists.

5.20 In 1978, the unit stepped up its liaison with district newspapers, in recognition of their growing ability to reach readers in defined geographical areas. The unit, together with local office staff, contributed articles to these papers. Other ways of spreading anti-corruption messages through them, say, by the use of cartoon-strips, were planned for the year to come.

5.21 The unit monitors all comments on anti-corruption work and on the Commission in a wide selection of Chinese and English papers. A daily Press Review is circulated within the Commission and to Advisory Committee members, community organisations, Public Bodies and Government Departments to give the pattern of current reactions to the Commission's activities.

(b) Media Programme

5.22 The Commission's second TV drama series, "ICAC", was filmed by independent production and screened on TVB-Jade in January. The five episodes on the series attracted 1.7 million viewers each and favourable reviews were given by TV critics and the public as a whole. The series was then screened on CTV in April and May and repeated on TVB-Jade in December. The accumulated audience figure for each episode was over 2 million.

5.23 In the latter half of the year, Media Programme staff also supplied material to RTHK for inclusion in their highly popular "Below the Lion Rock" series. One of the three episodes was shown by local TV stations in December. The other two were to be telecast in early 1979.

5.24 The unit arranged for episodes from the Commission's television drama series to be copied for use by local offices or for loan to schools and organisations.

5.25 Two playlet series, "Tea House" and "Mr. Wong Says", (the sixth and seventh series for "ICAC Spot") were televised during the year for the 5-minute "ICAC Spot" on Chinese TV channels. Selected episodes from "The Store", produced in 1977, were given a second run at the beginning of 1978. The relatively simple format of these series provides scope for the Commission to respond to related topical issues at relatively short notice, in addition to providing a platform for the dissemination of anti-corruption messages. Through these series, the ICAC sustained a presence on TV throughout 1978.

5.26 The small unit also produced five Chinese TV, and a number of radio, APIs during the year.

5.27 A 15-minute music-talk radio programme directed at factory workers and housewives was produced, in conjunction with Commercial Radio and broadcast over its Chinese Channel I in January and February. The unit also explored with RTHK the possibility of creating an "ICAC presence" in certain of its Chinese radio programmes: subsequently, the burden of planning fell on the Public Education unit as emphasis rested on the inclusion, in RTHK's programme on "Chinese Folklore", of stories featuring honest officials in history.

5.28 Towards the end of 1978, the unit helped to research relevant material for scripting three 10 to 15-minute filmlets to be used as "starters" for discussions in liaison activities. Production of these, and a fourth filmlet planned by the Public Education unit for students, were to be undertaken by an approved ISD contractor.

(c) Media Design

5.29 This is essentially a "service" unit and its main concern during 1978 was the design and production of multi-media "publicity packages" on selected themes. Apart from TV APIs, press and magazine advertisements, posters and the written word, other publicity material such as posters, bookmarks, calendars and local office show-window displays also featured in these coordinated presentations. However, a general curtailment of printing services necessitated deferment of the second "package" on "the merits of a corruption-free society" to 1979.

5.30 Other material produced by the unit in 1978 included pamphlets dealing with anti-bribery laws and evils of corruption and a booklet on the many facets of corruption.

5.31 The unit designed for the Public Education unit extra-curricular reading material for children in a set of colour slides on "The work of ICAC Local Offices" for schools use and revised an earlier set on "The Government and You". Exhibits and posters were also prepared on request from local offices to publicize specific liaison functions.

5.32 The unit also completed a slide lecture set on Hong Kong's efforts against corruption for use by the Hong Kong Government Office in London.

Public Education

5.33 Another specialist cadre in the Media and Education Division is the Public Education unit, comprising three members with personal grounding and professional experience in the education field. Their task is to inculcate positive social attitudes towards corruption and basic virtues of honesty and integrity among students, in consultation with the teaching profession and education authorities associated with curricular and other training programmes.

5.34 During 1978, the unit worked closely with local offices to be in touch with teachers on a spread of district-based informal "panels". It is hoped through a systematic programme of regular liaison with these teachers to enhance consciousness of their important role in shaping young attitudes, within and beyond the classroom and, above all, by personal example.

5.35 The unit continued to devise and refine teaching aids. One kit worth special mention was a set of 64 colour slides on "The work of ICAC Local Offices", which included a recorded commentary in the form of a radio play, some teachers' notes with suggested discussion topics and activities for classroom

use. The first two of a series of pictorial booklets, entitled "Stories on Honesty", were published in consultation with the Education Department, school principals and teachers for distribution free-of-charge to primary schools, voluntary agencies and public libraries as extra-curricular literature for young readers. The use of "colouring sheets" with a synopsis of the stories, to drive home the message more firmly, has so far proved an added attraction for children. The possibility of compiling extra-curricular reading material for different age groups is being explored.

5.36 Liaison with the Education Department remained close and regular, both officially and informally. The Assistant Director of Education (Schools) continued to represent the Education Department on the CACCR Public Education Sub-Committee. In turn, ICAC Public Education staff served on the Education Department's curriculum development subject committees as follows :-

Social Studies	(Primary) and (Secondary)
Economics	(Secondary)
Economics and Public Affairs	(Secondary)
ETV Social Studies Programme Committee	(Primary) and (Secondary)

5.37 At the tertiary level, liaison with schools and colleges of education has been maintained and a number of discussion programmes on moral education have been set up. These regular sessions encourage free exchanges on different aspects of moral education and promote new ideas.

5.38 Liaison with editors of post-secondary student papers and publications was maintained. Where appropriate, attempts were made to inspire articles or discourses on themes relating to ethics.

Community Liaison

5.39 To reinforce the impact of media activities, the Department continued establishing and maintaining personal contact with the community, to explain the Commission's aims and aspirations and to involve them personally in the fight against corruption. This is the responsibility of the Liaison Division. To achieve comprehensive coverage, the Division operates at two levels :

on a central basis, through the Regional Liaison unit in Head office; and

on a district basis, through ICAC local offices.

(a) Regional Liaison

5.40 This unit is responsible for liaising with Government Departments' headquarters, Public Bodies as defined in the Prevention of Bribery Ordinance and other city-wide or federated organisations.

5.41 The unit continued to make steady progress in an effort to meet "front-line" members of Government Departments and Public Bodies, people who by the nature of their work come into regular contact with the public. Staff of the unit participated in many basic and refresher training courses both to impart information on the Commission and to develop pride in honest and efficient service to the public. During the year, agreement was reached with the Government's Civil Service Training Division to include an "ICAC" session in all General Grades induction courses.

5.42 Government officers at supervisory levels, business executives, university students and many others showed an increasing interest in the Corruption Prevention Department's study on "supervisory accountability". Consequently, staff of the unit included this important subject in training talks, where appropriate.

5.43 Considerable headway was also made in expanding the Commission's involvement in courses run by the Royal Hong Kong Police Force. Regional Liaison members, together with representatives of the Operations Department, regularly attended training discussions with Police officers at practically all levels. The Police also assisted in ICAC training and thus a better mutual understanding of the problems facing both law enforcement agencies was achieved. Arrangements for participation in Police training are under regular review by senior members of both organisations.

5.44 Liaison with students of the universities and post-secondary colleges mainly took the form of discussions of the students' role in developing healthier attitudes within the Hong Kong community. Visits to the Commission's detention centre in the Operations Department gave student groups opportunities for discussion with Operations officers.

5.45 In the business sector, liaison meetings were held with service clubs, professional groups, trade associations and business organisations. Emphasis at such gatherings was invariably on the prevention of bribery in business transactions and on the international trend towards more ethical business practices. The International Chamber of Commerce (ICC) booklet

on "Extortion and Bribery in Business Transactions", which set out rules of conduct for business in combatting extortion and bribery was, with the kind permission of the ICC local representatives, reproduced by the Commission in Chinese and English and widely distributed. The response from senior management of many business organisations was good. A number of firms had taken positive measures to prevent corrupt practices, such as issuing policy statements on the acceptance of gifts and other advantages by employees.

5.46 In 1978, Regional Liaison staff took part in 527 meetings, of which 275 were with Government departments and Public Bodies.

(b) District Liaison

5.47 ICAC local offices, situated in densely populated areas, carry two-fold functions :-

- (i) to receive reports relating to corruption and to deal with enquiries on laws and other matters relating to corruption; and
- (ii) to serve as local centres for establishing and maintaining contact with the public in an attempt to bring about a concerted effort in the combat against corruption.

Local offices were open 14 hours a day (from 8:00 am to 10:00 pm) every day of the year, to provide a service to the community at times and locations convenient to them. By the end of 1978, the first local offices to be established had almost three years experience behind them and the opening hours were under review in the light of actual needs of the local public and better use of staff resources.

5.48 During 1978, suitable space was secured in the Wong Chuk Hang Estate for the eighth ICAC local office. In December, fitting out of the office was at an advanced stage. Meanwhile, a liaison team headed by an ICAC Local Representative started to operate from the Soonvar Local Office on 1st November. The new office is expected to be opened in early 1979 to serve the southern part of Hong Kong Island, including Pok Fu Lam, Wah Fu, Tin Wan, Shek Pai Wan, Aberdeen, Ap Lei Chau, Wong Chuk Hang, Shouson Chuen, Repulse Bay, Stanley and Shek O.

5.49 Local offices approved for the Yau Ma Tei/Mong Kok area since 1974 and for Tuen Mun and Sha Tin more recently had yet to be established, owing to difficulties in locating suitable premises and securing the services of enough experienced senior staff to head these offices.

5.50 Local offices continued to receive the confidence of the public. Reports lodged with local offices remained of good quality, over two-thirds of them made identifiably and mainly in person. In dealing with reports from the public, close contact was maintained with the Report Centre of the Operations Department, which provided advice and guidance. As shown at Appendix X, a large number of non-corruption reports and general enquiries continued to be received: an indication that many members of the public still regard the Commission as having an "ombudsman" role.

5.51 Besides consolidating relations with established contacts, staff initiatives were devoted to broadening the Department's liaison efforts. Organisations with which local offices were regularly in touch included schools, youth bodies, voluntary agencies, local community groups, mutual aid committees, religious bodies, trade associations and adult education centres. Staff of local offices were well accepted by local organisations and the common goal of building a better community was better appreciated. A breakdown of activities undertaken by liaison staff of the Community Relations Department is shown at Appendices XXII and XXIII.

5.52 New approaches adopted included visits to shops and households in the neighbourhood of local offices to reach individuals not otherwise contacted through organisations. Response to such visits was generally encouraging and tea sessions or other functions in local offices usually followed.

5.53 A number of factories released workers and supervisory staff for discussions with community liaison staff. Others offered opportunities for liaison through informal, often recreational, programmes for their employees. An effort was also made to reach young factory workers through evening tutorial schools and adult education centres.

5.54 To strengthen the involvement of young Hong Kong against corruption and to promote amongst them a keener sense of civic consciousness, liaison with schools, youth and voluntary bodies was intensified. Close contact was established and maintained, in co-operation with Public Education colleagues, with school principals, teachers and students. Apart from maintaining a number of teachers "panels", local offices also organised student training camps, exhibitions, song contests and essay or script writing competitions for schools. (See paragraph 5.34). Some schools, of their own accord, selected as themes for assemblies, debates or even for the school year topics relating to anti-corruption and to positive social values.

5.55 A range of programmes was developed to move the public into active participation in the fight against corruption.

Examples were special seminars, training camps, competitions and other community projects. (See Appendix XXIV). Through these programmes, healthy values were projected and knowledge of rights and responsibilities as Hong Kong citizens was imparted. Local groups, voluntary agencies and Government field offices assisted in many of these projects.

5.56 As a means to attract the "harder-to-reach" members of the public and to publicize the locations and functions of local offices, Saturday Film Sessions were held in the Hung Yu and Fok Sing Sub-Offices from August to September: many passers-by and neighbouring residents attended the shows and stayed for discussions. (See paragraph 5.5). Towards mid-September this experiment was reviewed and, in the face of the favourable response, extended for another two months, from October to November. It proved a success and a total of almost 1,700 attended. Plans are now in hand for similar sessions to be held in other local offices.

5.57 A two-day camp was held in Tai Po in November for senior secondary students. Fifty-five students from 33 schools, recruited through seven local offices, took part. Campers helped to plan and run programmes, thus realising their potential for involvement in the community. The overall objectives of the camp were generally met and the "activity-approach" was enthusiastically welcomed by the young people involved.

5.58 In December, two seminars, for secondary and primary school teachers, were under preparation for February 1979. The theme of the seminars will be the teacher's role in instilling civic responsibility and good citizenship in class and through extra-curricular activities.

Community Research

5.59 The Community Research unit, formed in April 1976, aims to assess, evaluate and monitor community perception of and attitudes towards corruption in general and public response to the Commission's efforts in particular, with special reference to community relations activities.

5.60 Fieldwork of the "bench-mark" study was completed in September 1977 and findings formed part of the basis for guiding the Commission's further development and direction of community liaison and education plans. The unit continued its monitoring function through planning of two surveys: a sub-study in January to assess community attitudes in the wake of the "partial amnesty" and a full-scale "monitoring" study initiated in November 1978. Field collection of data was concluded in early December and the final analyses of data should be completed later in 1979.

5.61 In addition to research into attitudes, a survey to assess the impact and impression made on the public by the Commission's media efforts through television and radio programmes, posters and pamphlets was conducted in early 1978. Information from the survey will serve as general guidelines for the planning of the Commission's future media approaches, and permit better use of media expenditure.

5.62 Throughout the year staff of the Community Research unit assisted in and advised on the evaluation of general activities of various units of the Department, e.g. the experimental weekend film sessions in local offices and the student camp.

5.63 The unit compiles weekly, monthly and other digests of statistics relating to the work of the Commission's three Departments, where appropriate identifying and interpreting trends, especially as seen through statistics on corruption and non-corruption reports received by the main Report Centre and ICAC local offices. Statistics on liaison activities are also maintained, partly as a tool for management monitoring.

The Way Ahead

5.64 The best insurance against the corrosive power of corruption upon the fabric of Hong Kong society is a community fully aware of its nature and firmly set against its return. The Commission's efforts in community education and involvement will, in the years to come, have an important role in maintaining public vigilance and in sustaining a move towards higher social standards.

DUTIES OF THE COMMISSIONER

The duties of the Commissioner, as described in Section 12 of the Independent Commission Against Corruption Ordinance, are as follows:

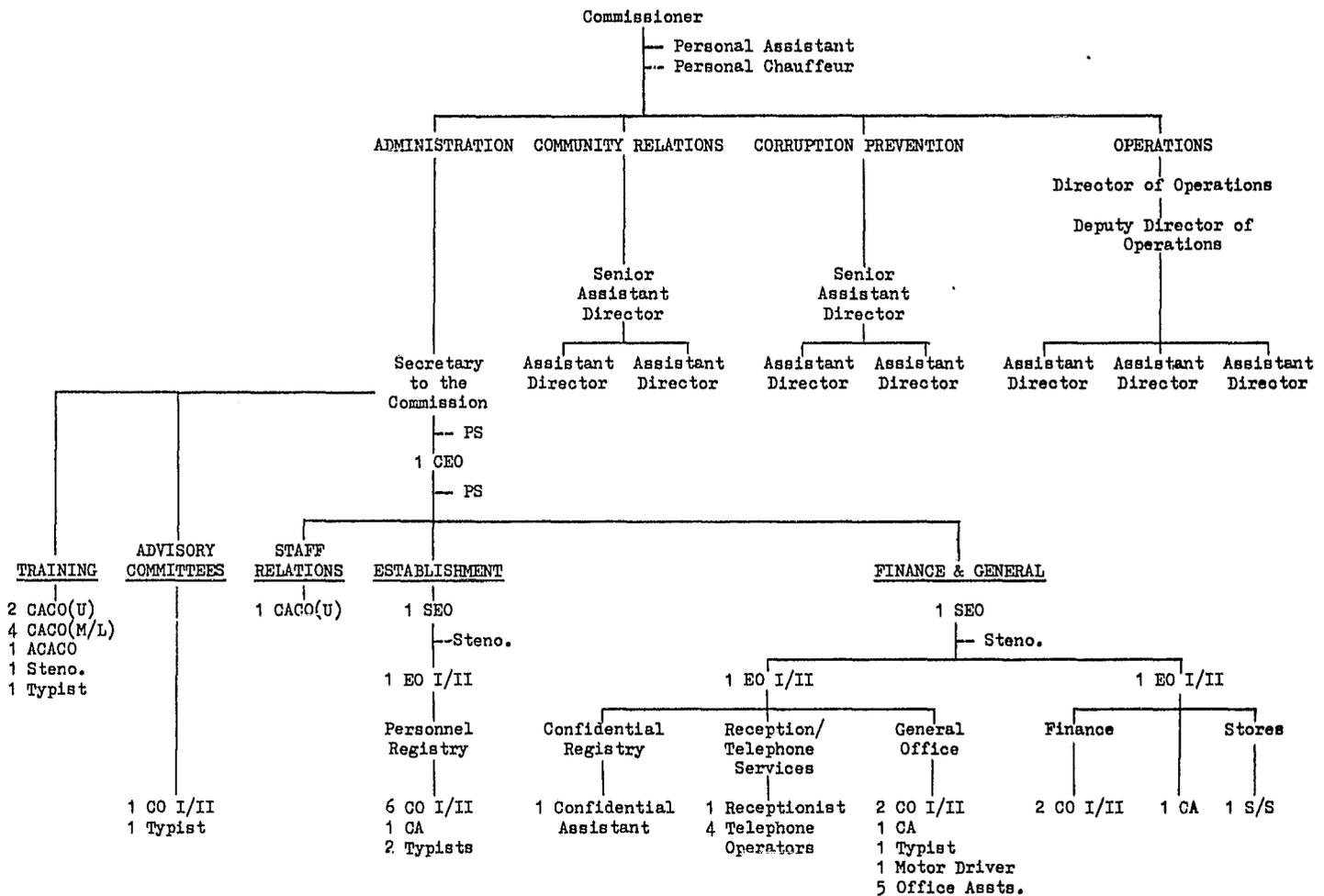
It shall be the duty of the Commissioner, on behalf of the Governor, to -

- (a) receive and consider complaints alleging corrupt practices and investigate such of those complaints as he considers practicable;
- (b) investigate any alleged or suspected offences under this Ordinance, the Prevention of Bribery Ordinance or the Corrupt and Illegal Practices Ordinance;
- (c) investigate any conduct of a Crown servant which, in the opinion of the Commissioner, is connected with or conducive to corrupt practices and to report thereon to the Governor;
- (d) examine the practices and procedures of Government departments and public bodies, in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures which, in the opinion of the Commissioner, may be conducive to corrupt practices;
- (e) instruct, advise and assist any person, on the latter's request, on ways in which corrupt practices may be eliminated by such person;
- (f) advise heads of Government departments or of public bodies of changes in practices or procedures compatible with the effective discharge of the duties of such departments or public bodies which the Commissioner thinks necessary to reduce the likelihood of the occurrence of corrupt practices;
- (g) educate the public against the evils of corruption;
and
- (h) enlist and foster public support in combatting corruption.

INDEPENDENT COMMISSION AGAINST CORRUPTION - DEPLOYMENT OF SENIOR POSTS

ORGANISATION OF OFFICE OF THE COMMISSIONER AND ADMINISTRATION BRANCH

AS AT 31ST DECEMBER 1978

Leave Reserve

1 Clerical Officer I/II
1 Clerical Assistant
1 Personal Secretary
2 Stenographers
1 Typist

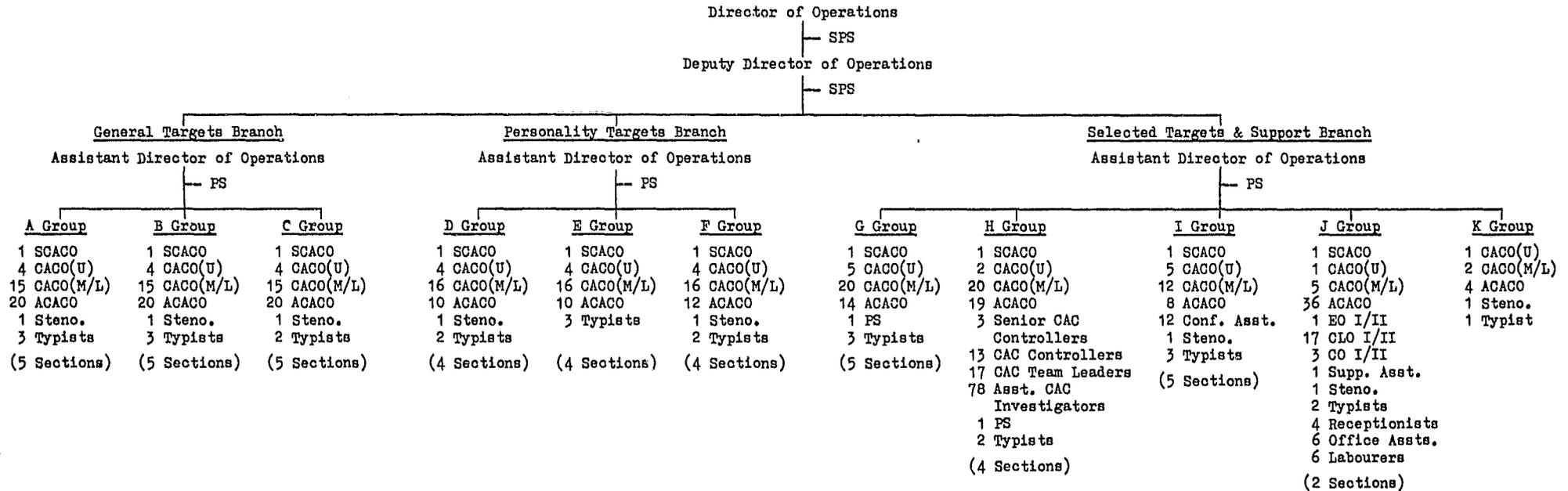
ESTABLISHMENT AND STRENGTH AS AT 31.12.78

	Est.	Str.		Est.	Str.
Commissioner (\$20,050)	1	1	Clerical Officer I/II (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	14	12
+ Personal Assistant (\$4,435 - \$5,325)	1	1	Clerical Assistant (\$860 - \$1,770)	5	4
Personal Chauffeur (\$1,520 - \$1,645)	1	1	Supplies Supervisor I/II (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	1	1
Secretary to the Commission (\$12,400)	1	1	Confidential Assistant (\$1,410 - \$2,695)	2	1
Chief Executive Officer (\$9,330 - \$10,100)	1	1	Personal Secretary (\$2,155 - \$3,155)	3	3
CAC Officer (Upper Segment) (\$6,795 - \$8,945)	4	3	Stenographer (\$1,005 - \$2,025)	6	5
CAC Officer (Middle/Lower Segments) (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	5	4	Typist (\$905 - \$1,645)	9	6
Assistant CAC Officer (\$1,520 - \$2,560)	3	1	Receptionist (\$1,325 - \$2,155)	1	1
Senior Executive Officer (\$6,485 - \$8,945)	3	2	Telephone Operator (\$1,080 - \$1,895)	4	4
Executive Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	4	3	Office Assistant (\$825 - \$1,160)	6	5
Chinese Language Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	2	-	Motor Driver (\$1,270 - \$1,430 + C.O.L.A.)	1	1

ORGANISATION OF THE OPERATIONS DEPARTMENT

Appendix III

AS AT 31ST DECEMBER 1978



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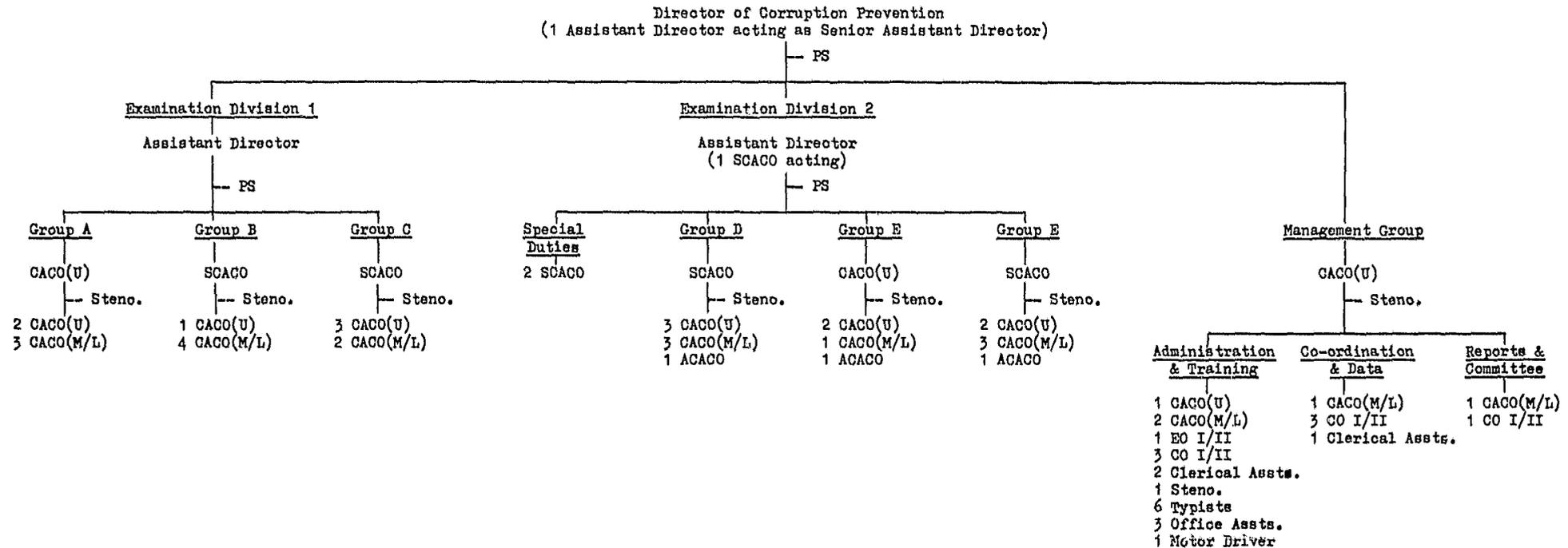
ESTABLISHMENT AND STRENGTH AS AT 31.12.78

	Est.	Str.		Est.	Str.
Director (\$16,440)	1	1	Chinese Language Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	18	17
Deputy Director (\$15,200)	1	1	Clerical Officer I/II (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	3	3
Assistant Director (\$12,400)	3	3	Supplies Assistant (\$825 - \$1,160)	1	1
Senior CAC Officer (\$9,330 - \$10,100)	12*	10	Confidential Assistant (\$1,410 - \$2,695)	13	12
CAC Officer (Upper Segment) (\$6,795 - \$8,945)	46	38	Senior Personal Secretary (\$3,320 - \$4,240)	2	2
CAC Officer (Middle/Lower Segments) (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	171	152	Personal Secretary (\$2,155 - \$3,155)	5	5
Assistant CAC Officer (\$1,520 - \$2,560)	180	173	Stenographer (\$1,005 - \$2,025)	9	8
Senior CAC Controller (\$3,665 - \$4,435)	3	3	Typist (\$905 - \$1,645)	29	26
CAC Controller (\$2,695 - \$3,320)	13	13	Receptionist (\$1,325 - \$2,155)	5	4
CAC Team Leader (\$2,290 - \$2,560)	19	17	Office Assistant (\$825 - \$1,160)	8	6
Assistant CAC Investigator (\$1,520 - \$2,115)	84	78	Cook II (\$1,025 - \$1,120)	2	-
Executive Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	1	1	Labourer (\$990 - \$1,020 + C.O.L.A.)	6+	6

* including 1 supernumerary post
+ including 1 supernumerary post

ORGANISATION OF THE CORRUPTION PREVENTION DEPARTMENT

AS AT 31ST DECEMBER 1978

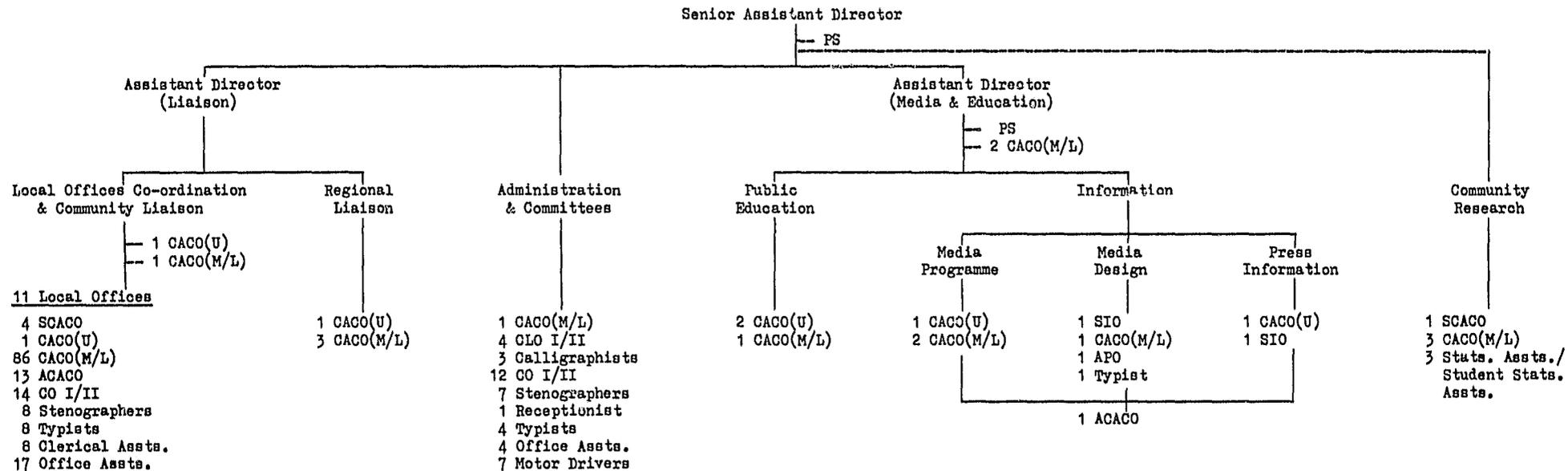


ESTABLISHMENT AND STRENGTH AS AT 31.12.1978

	<u>Est.</u>	<u>Str.</u>		<u>Est.</u>	<u>Str.</u>
Director (\$16,440)	1	-	Clerical Officer I/II (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	7	7
Senior Assistant Director (\$14,200)	1*	-	Clerical Assistant (\$860 - \$1,770)	4	3
Assistant Director (\$12,400)	2	2	Senior Personal Secretary (\$3,320 - \$4,240)	1	-
Senior CAC Officer (\$9,330 - \$10,100)	9	7	Personal Secretary (\$2,155 - \$3,155)	3Ω	3
CAC Officer (Upper Segment) (\$6,795 - \$8,945)	26	17	Stenographer (\$1,005 - \$2,025)	9	8
CAC Officer (Middle/Lower Segments) (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	20+	20	Supervisor of Typing Services (\$2,290 - \$3,665)	1	-
Assistant CAC Officer (\$1,520 - \$2,560)	8	3	Typist (\$905 - \$1,645)	10	6
Executive Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	1	1	Office Assistant (\$825 - \$1,160)	4	3
			Motor Driver (\$1,270 - \$1,430)	1	1

* including 1 supernumerary post
+ including 2 supernumerary posts
Ω including 1 supernumerary post

ORGANISATION OF THE COMMUNITY RELATIONS DEPARTMENT
AS AT 31ST DECEMBER 1978



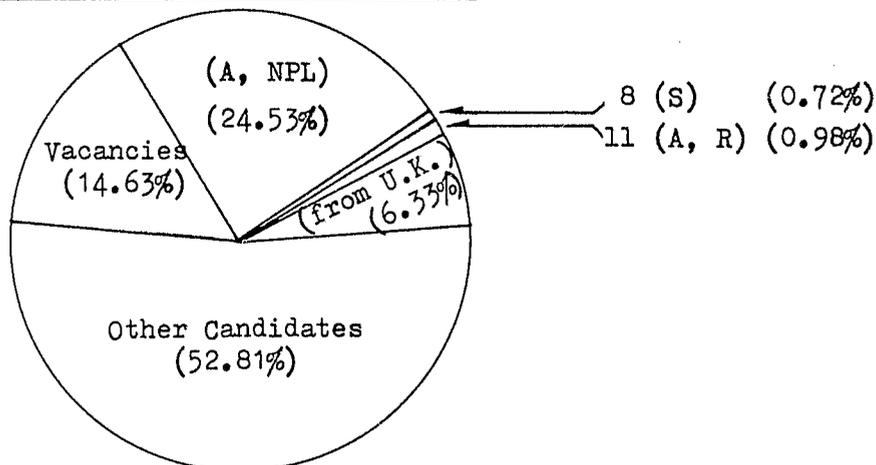
ESTABLISHMENT AND STRENGTH AS AT 31.12.78

	Est.	Str.		Est.	Str.
Director (\$16,440)	1	-	Assistant Programme Officer (\$2,425 - \$4,435)	1	1
Senior Assistant Director (\$14,200)	1	1	Statistical Assistant/Student Statistical Assistant (\$1,645 - \$3,155)/(\$1,325 - \$1,410)	3	3
Assistant Director (\$12,400)	2*	2	Clerical Officer I/II (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	31	26
Senior CAC Officer (\$9,330 - \$10,100)	12	5	Clerical Assistant (\$860 - \$1,770)	11	8
CAC Officer (Upper Segment) (\$6,795 - \$8,945)	14	7	Calligraphist (\$1,005 - \$2,290)	3	3
CAC Officer (Middle/Lower Segments) (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	118	100	Senior Personal Secretary (\$3,320 - \$4,240)	1	-
Assistant CAC Officer (\$1,520 - \$2,560)	21	14	Personal Secretary (\$2,155 - \$3,155)	3+	2
Senior Executive Officer (\$6,485 - \$8,945)	1	-	Stenographer (\$1,005 - \$2,025)	21	15
Executive Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	12	-	Typist (\$905 - \$1,645)	13	13
Senior Information Officer (\$6,485 - \$7,810)	5	2	Receptionist (\$1,325 - \$2,155)	1	1
Chinese Language Officer I/II (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	5	4	Office Assistant (\$825 - \$1,160)	30	21
			Motor Driver (\$1,270 - \$1,430 + G.O.L.A.)	10	7

* including 1 supernumerary post
+ including 1 supernumerary post
2 including 1 supernumerary post

STAFFING POSITION - ANALYSIS BY ORIGIN OF CANDIDATES AND STRENGTH BY DEPARTMENTS
AS AT 31ST DECEMBER 1978

Analysis by Origin of Candidates

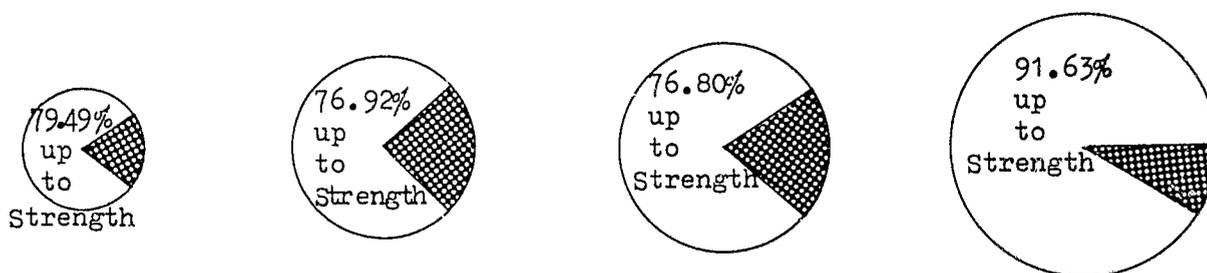


Total Establishment : 1,121

Hong Kong Government Officers

Agreement, No Pay Leave (A, NPL)	:	275	(24.53%)
Secondment (S)	:	8	(0.72%)
Agreement, After Retirement (A,R)	:	11	(0.98%)
<u>Recruited From U.K.</u>	:	71	(6.33%)
<u>Other Candidates</u>	:	592	(52.81%)
<u>Vacancies</u>	:	164	(14.63%)
		<u>1,121</u>	<u>(100%)</u>

Strength by Departments



Administration Branch

Estab. : 78
Strength : 62
Vacancies : 16

79.49%
up to strength

Corruption Prevention Department

Estab. : 104
Strength : 80
Vacancies : 24

76.92%
up to strength

Community Relations Department

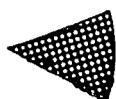
Estab. : 306
Strength : 235
Vacancies : 71

76.80%
up to strength

Operations Department

Estab. : 633
Strength : 580
Vacancies : 53

91.63%
up to strength



Vacancies

INDEPENDENT COMMISSION AGAINST CORRUPTION

STATEMENT OF ACCOUNTS FOR THE YEAR ENDED 31ST MARCH, 1978

REPORT AND CERTIFICATE OF THE DIRECTOR OF AUDIT

I have examined the attached Statement of Estimated and Actual Expenditure in accordance with the provisions of Section 16(2) of the Independent Commission Against Corruption Ordinance. Subject to the following observation, I have obtained all the information and explanations that I have required and I certify as a result of my audit that in my opinion the attached Statement is correct.

2. Rewards and special services. Expenditure from Subhead 104, which during the year amounted to \$2,260,645.07, comprising approximately 40% of the expenditure on "Other Charges", was incurred under the terms of Colonial Regulation 232, which provide that any necessary expenditure on services of a confidential nature, the purpose and particulars of which cannot be made public, shall be supported in the accounts by the Governor's certificate of payment and declaration that he has satisfied himself that the money has been properly expended. In practice the certificates of payment and declarations were given under expressly delegated authority and conditions by designated senior officers of the Commission. The expenditure so covered has not been subjected to audit in the normal manner, the certified statements of payment having been accepted as an adequate discharge of expenditure against the vote.

Signed

(G.E. Lyth)
Director of Audit

Audit Department,
Hong Kong,
24th November, 1978.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Appendix VII(a)

STATEMENT OF ESTIMATED AND ACTUAL EXPENDITURE FOR THE YEAR ENDED 31ST MARCH 1978

Nature of Expenditure	Expenditure Originally Estimated (1)	Expenditure Actually Incurred	Over the Estimate	Under the Estimate	Additional Provision (1) By Reallocation
	\$	\$	\$	\$	\$
<u>I - Personal Emoluments</u>					
001 Personal Emoluments	39,594,000 (2)	37,710,418.05		1,883,581.95 (2)	- 15,000
<u>II - Other Charges</u>					
002 Administration	350,000	246,406.84		103,593.16	
004 Entertainment	10,000	6,069.30		3,930.70	
005 Hire of services	2,200,000 (3)	521,885.35		1,678,114.65 (3)	-436,900
007 Relief and Welfare of ICAC officers:					
001 Relief	2,000	2,000.00			
002 Welfare	1,000	1,000.00			
008 Stores and equipment	380,000	374,300.57		5,699.43	
009 Temporary staff	125,000	-		125,000.00	
010 Training expenses	10,000	8,390.00		1,610.00	
011 Transport and travelling	143,000	196,204.27	53,204.27		+ 57,000
100 Expenses of the Office of the Commissioner	318,000	334,959.13	16,959.13		+ 19,000
101 Expenses of witnesses, suspects and detainees	36,000	5,266.80		30,733.20	
102 Publicity	1,203,000	1,515,759.46	312,759.46		+360,900
103 Recruiting expenses	100,000	105,551.50	5,551.50		+ 15,000
104 Rewards and special services	2,332,000	2,260,645.07		71,354.93	
Total, Other Charges	7,210,000	5,578,438.29			
Total, Annually Recurrent	46,804,000	43,288,856.34		3,903,618.02	
<u>III - Special Expenditure</u>					
300 Motor vehicles	102,000	44,105.00		57,895.00	
350 Closed circuit television	40,000	38,816.00		1,184.00	
351 PABX system	993,000	706,527.95		286,472.05	
352 Photographic equipment	14,000	11,601.32		2,398.68	
353 Radio network	420,000	17,103.75		402,896.25	
Total, Special Expenditure	1,569,000	818,154.02		750,845.98	
Total, Gross Expenditure	48,373,000 (1)	44,107,010.36	388,474.36	4,654,464.00	
Less increase				388,474.36	
Net decrease				4,265,989.64	

- (1) A sum of \$48,373,000 was voted in the Government Estimates for 1977-78 under Head 40 and was approved by His Honour the Governor's Deputy. The additional provision by reallocations was approved by the Finance Branch of the Government Secretariat. His Excellency the Governor approved retrospectively the final revised estimates incorporating the additional provision.
- (2) Of the \$2,864,000 reserved in the General Warrant, approval was given by the Finance Branch of the Government Secretariat for \$1,500,000 to be released; thus leaving a balance of \$1,364,000 still held in reserve.
- (3) Of the \$1,500,000 reserved in the General Warrant, approval was given by the Finance Branch of the Government Secretariat for \$900,000 to be released; thus leaving a balance of \$600,000 still held in reserve.
- (4) Other expenditure on contract gratuities, electricity and cleaning of offices in joint-user buildings, fitting out of premises, furniture and fittings, hotel subsistence allowances, passages, printing and stationery, quarters, rent of office accommodation, telegrams and telex charges, telephone rentals has been charged to block votes in the Government Accounts.

Signed
(J. Cater)
Commissioner of the
Independent Commission Against Corruption
30th June 1978

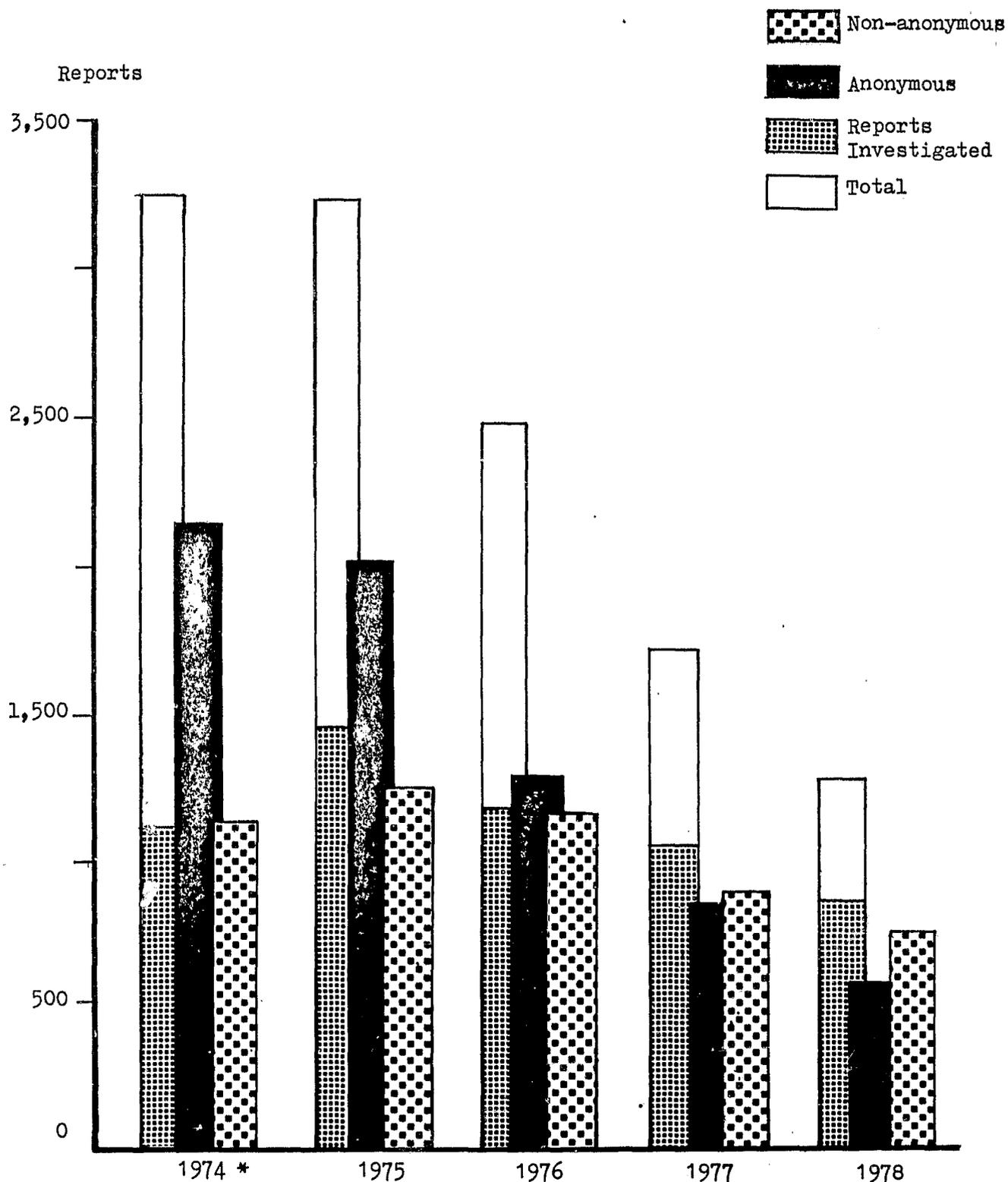
COMPARATIVE STATEMENT OF APPROVED AND REVISED ESTIMATES OF EXPENDITURE
AND DRAFT ESTIMATES FOR 1979-80

Nature of Expenditure	1978-79 Approved Estimates at 1.4.78		1978-79 Revised Estimates at 31.12.78		1979-80 Draft Estimates	
	\$	\$	\$	\$	\$	\$
<u>I - Personal Emoluments</u>						
Personal Emoluments		45,000,000		45,000,000		50,783,000
<u>II - Other Charges</u>						
Administration						
(1) Consultations, conferences and committees	200,000		200,000		183,000	
(2) Fuel, light and power	220,000		170,000		220,000	
(3) Incidental expenses	36,000		36,000		49,000	
(4) Subsistence allowances	54,000	510,000	54,000	460,000	58,000	510,000
Entertainment		15,000		15,000		15,000
Hire of services		1,200,000		900,000		900,000
Relief and Welfare of ICAC officers						
(1) Relief	2,000		2,000		2,000	
(2) Welfare	1,000	3,000	1,000	3,000	4,000	6,000
Stores and equipment						
(1) Publications	32,000		32,000		40,000	
(2) Hire and maintenance of office equipment	150,000		150,000		200,000	
(3) Stores and equipment	410,000		370,000		333,000	
(4) Paper stationery (Note 1)	-	592,000	-	552,000	100,000	673,000
Temporary staff		53,000		53,000		35,000
Training expenses		10,000		10,000		10,000
Transport and travelling						
(1) Running expenses of vehicles	53,000		53,000		54,000	
(2) Travelling expenses	180,000	233,000	180,000	233,000	206,000	260,000
Expenses of the Office of the Commissioner		337,000		380,000		271,000
Expenses of witnesses, suspects and detainees		18,000		18,000		18,000
Publicity		1,301,000		1,301,000		1,301,000
Recruiting expenses		150,000		150,000		100,000
Rewards and special services		2,332,000		2,332,000		2,332,000
Total, Other Charges		6,754,000		6,407,000		6,431,000
<u>III - Special Expenditure</u>						
Motor vehicles		56,000		56,000		78,000
PABX system		993,000		286,472		195,000
Photographic equipment		118,000		118,000		109,000
Radio network		418,000		402,896		-
Total, Special Expenditure		1,585,000		863,368		382,000
Total, Expenditure		53,559,000		52,270,368		57,596,000

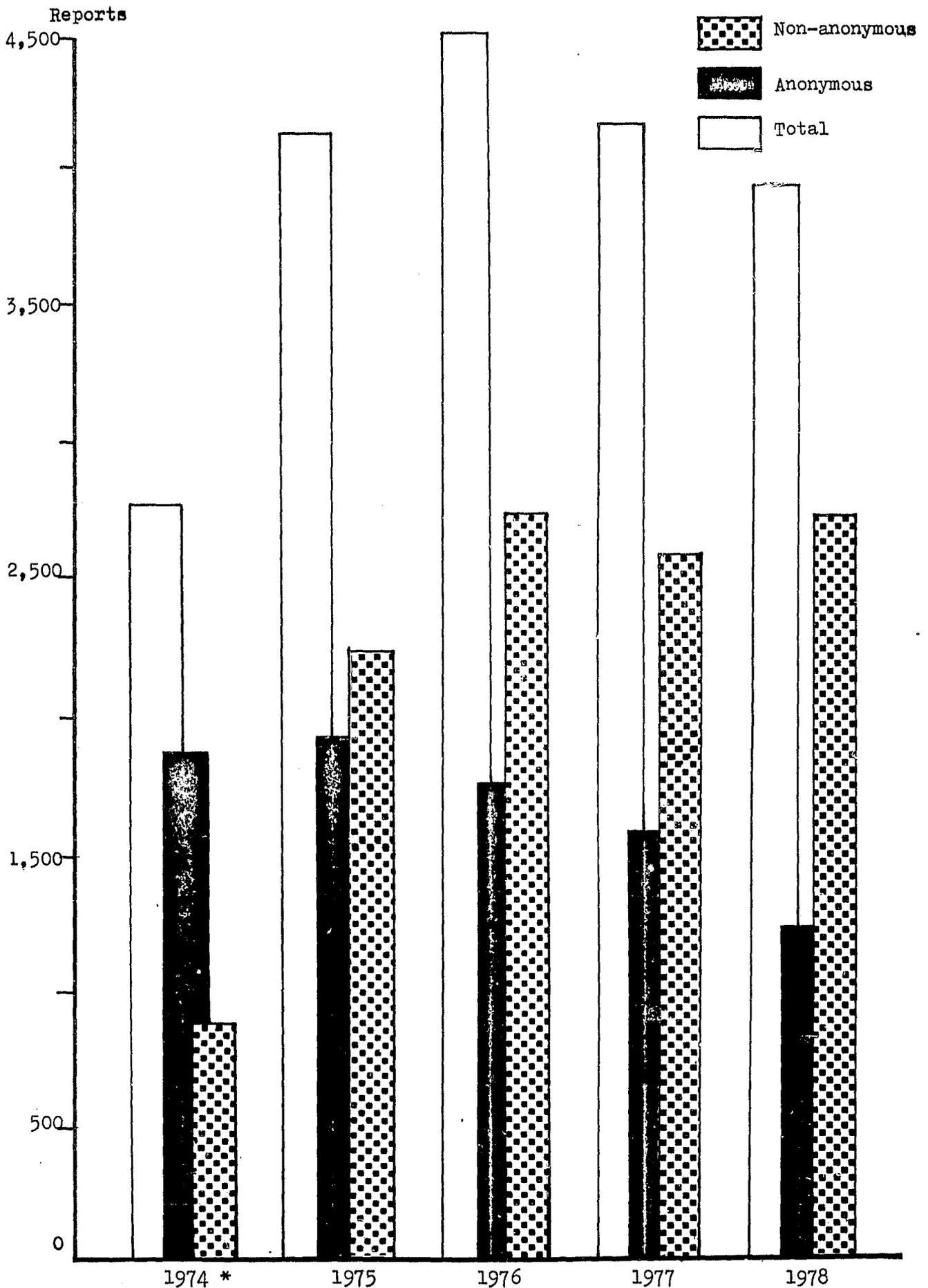
Note 1

A new item for 1979-80 Estimates

CORRUPTION REPORTS RECEIVED AND INVESTIGATED



* From 15th February to 31st December 1974

NON-CORRUPTION REPORTS RECEIVED

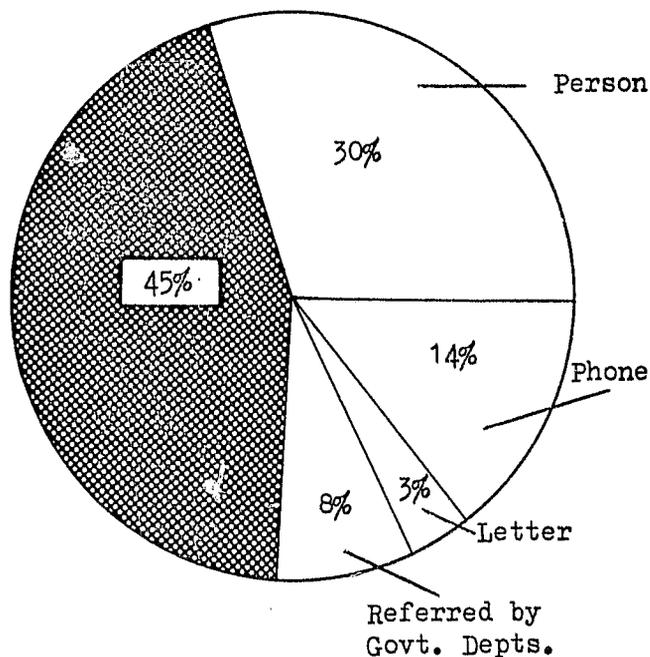
* From 15th February to 31st December 1974

CORRUPTION REPORTS
BY MODES OF REPORT

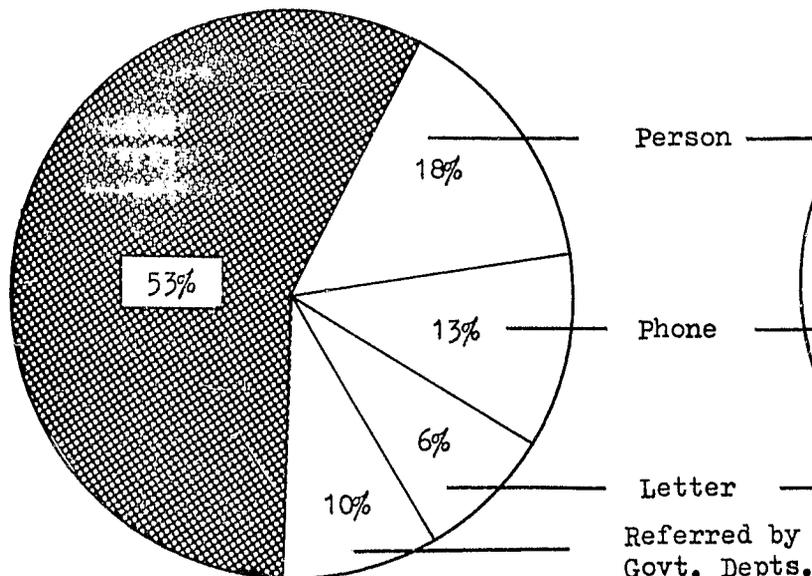
Reports of Corruption

	<u>1978</u>	<u>1977</u>	<u>1976</u>
<u>Anonymous</u>	551	832	1,294*
In Person	(28)	(20)	
By Phone	(232)	(299)	
By Letter	(252)	(465)	
Referred by Government Departments	(39)	(48)	
<u>Non-anonymous</u>	683	868	1,139
In Person	(372)	(331)	(445)
By Phone	(174)	(274)	(320)
By Letter	(34)	(72)	(145)
Referred by Government Departments	(103)	(191)	(229)
TOTAL	1,234	1,700	2,433

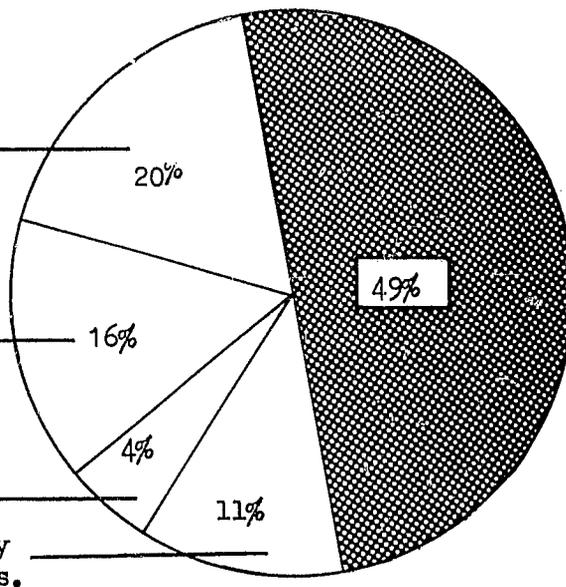
1978



1976



1977



* A further breakdown of anonymous reports for the year 1976 is not available.



Anonymous Reports

Non-anonymous Reports

CORRUPTION AND RELATED OFFENCES PROSECUTED
(CLASSIFIED BY TYPE OF OFFENCES)

Type of Offences	1978					1977	1976
	Govt. Dept./ Crown Service	Crown/ Public Servants & Private Individuals	Public ^Ω Bodies	Private Sector	Total	Total	Total
Soliciting/Accepting							
S.3 Cap.201*	3	-	-	-	3	8	17
S.4(2) Cap.201	23	-	4	-	27	37	33
S.5(2) Cap.201	-	-	-	-	-	-	1
S.9(1) Cap.201	-	-	-	11	11	6	46
Offering							
S.4(1) Cap.201	1	34	-	-	35	56	57
S.8 Cap.201	-	-	-	-	-	-	-
S.9(2) Cap.201	-	-	-	-	-	2	20
Unexplained Resources							
S.10(1)(a) Cap.201	-	-	-	-	-	1	1
S.10(1)(b) Cap.201	5	-	-	-	5	10	8
Deceiving Principal by false document							
S.9(3) Cap.201	-	-	-	2	2	3	5
Failing to provide specific information relating to an investigation							
S.14(4) Cap.201	-	-	-	-	-	1	-
Prevention of Corruption Ordinance 1948							
	-	-	-	-	-	-	1
Offence connected with or facilitated by corruption offences							
S.10(2)(a) Cap.204 ⁺	12	6	-	11	29	82	47
Giving false reports							
S.13B Cap.204	-	-	-	11	11	8	4
Impersonation							
S.13C Cap.204	-	-	-	-	-	-	1
Offences listed in							
S.10(5) Cap.204	38	5	-	15	58	58	18
TOTAL	82	45	4	50	181	272	259
	—	—	—	—	===	===	===

* Cap.201 is the Prevention of Bribery Ordinance

+ Cap.204 is the ICAC Ordinance

Ω As defined in the Prevention of Bribery Ordinance

CORRUPTION AND RELATED OFFENCES PROSECUTED
(CLASSIFIED BY GOVERNMENT DEPARTMENTS AND OTHERS)

	1978				Total	1977	1976
	Pending	Convicted	Acquitted	Nolle Prosequi		Total	Total
<u>Government Departments</u>							
Agriculture & Fisheries	-	-	-	-	-	1	1
Education	-	-	-	-	-	-	1
Fire Services	-	1	-	-	1	6	2
Government Secretariat	-	-	-	-	-	1	-
Government Supplies	-	1	-	-	1	-	-
Housing	-	1	-	-	1	-	13
Immigration	-	-	1	-	1	-	-
Labour	-	-	-	-	-	-	-
Legal Aid	-	-	-	-	-	1	-
Marine	-	-	-	-	-	-	-
Medical & Health	-	-	-	-	-	1	2
New Territories Administration	-	-	-	-	-	1	1
Post Office	-	4	-	-	4	-	-
Printing	-	-	-	-	-	-	1
Prisons	1	6	-	-	7	2	1
Public Works	-	-	-	-	-	6	10
Royal Hong Kong Police Force	22	19	19	2	62	126	55
Social Welfare	-	-	-	-	-	2	-
<u>Trade, Industry & Customs</u>							
Trade & Industry	-	-	-	-	-	-	-
Customs & Excise Service	2	1	-	-	3	1	-
Transport	-	-	-	-	-	-	4
Urban Services	-	-	2	-	2	11	5
<u>Others</u>							
ICAC	-	-	-	-	-	-	-
Judiciary	-	-	-	-	-	1	1
<u>Crown Servants/</u>							
Private Individuals *	6	30	8	-	44	69	63
Public Bodies +	2	1	1	-	4	3	1
<u>Public Bodies/</u>							
Private Individuals *	-	1	-	-	1	3	2
Private Sector	13	32	5	-	50	37	96
TOTAL	46	97Ω	36#	2	181	272	259

* These are cases in which Crown/Public Servants and private individuals were involved.

+ As defined in the Prevention of Bribery Ordinance.

Ω In 1978 there were three cases where charges were proved but no convictions were recorded : one in Post Office and two in the private sector. Similarly in 1977 there were five such cases : one in the Royal Hong Kong Police Force, one in Social Welfare Department and three in the private sector; and in 1976, there were 17 such cases : 13 in Housing Department, one in Education Department and three in the private sector.

This figure includes seven persons with no case to answer, five persons whose cases were dismissed and four persons where no evidence was offered by the Crown.

CORRUPTION REPORTS INVESTIGATED
(CLASSIFIED BY GOVERNMENT DEPARTMENTS AND OTHERS)

<u>Government Departments</u>	<u>1978</u>			<u>1977</u>	<u>1976</u>
	<u>On Going Investigation</u>	<u>Investigation Completed</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Agriculture & Fisheries	1	5	6	5	4
Civil Aviation	-	-	-	-	-
Education	-	3	3	9	8
Fire Services	4	12	16	16	10
Government House	-	-	-	-	-
Government Laboratory	1	-	1	-	-
Government Secretariat	1	-	1	2	1
Government Supplies	1	2	3	3	6
Home Affairs	-	2	2	-	1
Housing	5	19	24	42	77
Immigration	8	15	23	19	58
Information Services	-	-	-	-	3
Inland Revenue	-	3	3	3	2
Kowloon-Canton Railway	-	-	-	1	-
Labour & Mines					
Labour	1	-	1	2	4
Mines	-	-	-	2	-
Legal	-	-	-	-	1
Legal Aid	-	-	-	1	-
Marine	-	-	-	5	7
Medical & Health	1	5	6	17	18
New Territories Administration	16	11	27	23	48
Post Office	1	4	5	7	7
Printing	-	-	-	-	1
Prisons	7	9	16	18	30
Public Works	12	18	30	39	45
Rating & Valuation	-	-	-	-	-
Registrar General's	-	1	1	1	1
Royal Hong Kong Police Force	136	208	344	386	345
Social Welfare	-	3	3	7	3
Television & Entertainment					
Licensing Authority	2	-	2	-	-
Trade, Industry & Customs					
Trade & Industry	-	-	-	6	4
Customs & Excise Service	7	3	10	4	6
Transport	7	4	11	6	10
Treasury	-	-	-	1	-
Urban Services	12	34	46	68	56
<u>Others</u>					
British Armed Forces	-	4	4	3	1
I.C.A.C.	1	1	2	14	12
Judiciary	2	2	4	11	8
Private Sector	57	157	214	255	307
Public Bodies *	4	24	28	23	33
TOTAL	<u>287</u>	<u>549</u>	<u>836</u>	<u>999</u>	<u>1,117</u>

* As defined in the Prevention of Bribery Ordinance.

CORRUPTION REPORTS INVESTIGATED

	<u>1978</u>	<u>1977</u>	<u>1976</u>
Investigations brought forward from previous year(s)	270	293	434
Investigations commenced	836	999	1,117
Investigations completed	774	1,022	1,258

Cases under investigation as at 31st December, 1978
= 332 (including 45 from previous year(s))

CORRUPTION REPORTS RECEIVED AND INVESTIGATED AND PERSONS PROSECUTED
(CLASSIFIED BY GOVERNMENT DEPARTMENTS AND OTHERS)

	<u>Reports Received</u>			<u>Reports Investigated</u>			<u>Persons Prosecuted</u>		
	<u>1978</u>	<u>1977</u>	<u>1976</u>	<u>1978</u>	<u>1977</u>	<u>1976</u>	<u>1978</u>	<u>1977</u>	<u>1976</u>
<u>Government Departments</u>									
Agriculture & Fisheries	8	5	9	6	5	4	-	1	1
Audit	1	-	-	-	-	-	-	-	-
Census & Statistics	-	-	-	-	-	-	-	-	-
Civil Aviation	-	-	2	-	-	-	-	-	-
Education	12	11	14	3	9	8	-	-	1
Fire Services	21	34	28	16	16	10	1	6	2
Government House	-	-	-	-	-	-	-	-	-
Government Laboratory	1	-	-	1	-	-	-	-	-
Government Secretariat	1	2	2	1	2	1	-	1	-
Government Supplies	4	7	7	3	3	6	1	-	-
Home Affairs	6	3	9	2	-	1	-	-	-
Housing	44	66	136	24	42	77	1	-	13
Immigration	28	35	66	23	19	58	1	-	-
Information Services	-	-	3	-	-	3	-	-	-
Inland Revenue	4	4	7	3	3	2	-	-	-
Kowloon-Canton Railway	-	1	1	-	1	-	-	-	-
Labour & Mines									
Labour	4	3	13	1	2	4	-	-	-
Mines	-	2	-	-	2	-	-	-	-
Legal	-	-	1	-	-	1	-	-	-
Legal Aid	-	2	2	-	1	-	-	1	-
Marine	4	13	11	-	5	7	-	-	-
Medical & Health	15	35	44	6	17	18	-	1	2
New Territories Administration	38	40	64	27	23	48	-	1	1
Post Office	7	15	17	5	7	7	4	-	-
Printing	-	-	1	-	-	1	-	-	1
Prisons	20	19	33	16	18	30	7	2	1
Public Services Commission	-	-	-	-	-	-	-	-	-
Public Works	59	74	85	30	39	45	-	6	10
Radio Television Hong Kong	3	1	1	-	-	-	-	-	-
Rating & Valuation	-	1	-	-	-	-	-	-	-
Registrar General's	4	1	1	1	1	1	-	-	-
Royal Hong Kong Police Force	487	729	1,119	344	386	345	62	126	55
Social Welfare	3	8	5	3	7	3	-	2	-
Television & Entertainment Licensing Authority	3	-	1	2	-	-	-	-	-
Trade, Industry & Customs									
Trade & Industry	1	6	6	-	6	4	-	-	-
Customs & Excise Service	16	16	15	10	4	6	3	1	-
Transport	18	11	24	11	6	10	-	-	4
Treasury	-	1	-	-	1	-	-	-	-
Urban Services	65	96	135	46	68	56	2	11	5
<u>Others</u>									
British Armed Forces	4	5	3	4	3	1	-	-	-
I.C.A.C.	2	14	12	2	14	12	-	-	-
Judiciary	8	16	9	4	11	8	-	1	1
Private Sector	301	378	471	214	255	307	95*	109*	161*
Public Bodies†	42	46	76	28	23	33	4	3	1
TOTAL	1,234	1,700	2,433	836	999	1,117	181	272	259

* These include 65, 72 and 45 cases in 1976, 1977 and 1978 respectively in which Crown/Public Servants and private individuals were involved.

† As defined in the Prevention of Bribery Ordinance.

CORRUPTION REPORTS
(CLASSIFIED BY GOVERNMENT DEPARTMENTS AND OTHERS)

<u>Government Departments</u>	<u>1978</u>			<u>1977</u>	<u>1976</u>
	<u>Anonymous</u>	<u>Non- anonymous</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Agriculture & Fisheries	4	4	8	5	9
Audit	-	1	1	-	-
Census & Statistics	-	-	-	-	-
Civil Aviation	-	-	-	-	2
Education	8	4	12	11	14
Fire Services	9	12	21	34	28
Government House	-	-	-	-	-
Government Laboratory	-	1	1	-	-
Government Secretariat	-	1	1	2	2
Government Supplies	2	2	4	7	7
Home Affairs	4	2	6	3	9
Housing	25	19	44	66	136
Immigration	12	16	28	35	66
Information Services	-	-	-	-	3
Inland Revenue	2	2	4	4	7
Kowloon-Canton Railway	-	-	-	1	1
Labour & Mines					
Labour	4	-	4	3	13
Mines	-	-	-	2	-
Legal	-	-	-	-	1
Legal Aid	-	-	-	2	2
Marine	4	-	4	13	11
Medical & Health	10	5	15	35	44
New Territories Administration	17	21	38	40	64
Post Office	3	4	7	15	17
Printing	-	-	-	-	1
Prisons	2	18	20	19	33
Public Services Commission	-	-	-	-	-
Public Works	34	25	59	74	85
Radio Television Hong Kong	3	-	3	1	1
Rating & Valuation	-	-	-	1	-
Registrar General's	2	2	4	1	1
Royal Hong Kong Police Force	230	257	487	729	1,119
Social Welfare	1	2	3	8	5
Television & Entertainment					
Licensing Authority	2	1	3	-	1
Trade, Industry & Customs					
Trade & Industry	1	-	1	6	6
Customs & Excise Service	8	8	16	16	15
Transport	7	11	18	11	24
Treasury	-	-	-	1	-
Urban Services	28	37	65	96	135
<u>Others</u>					
British Armed Forces	1	3	4	5	3
I.C.A.C.	-	2	2	14	12
Judiciary	2	6	8	16	9
Private Sector	107	194	301	378	471
Public Bodies *	19	23	42	46	76
TOTAL	551	683	1,234	1,700	2,433

* As defined in the Prevention of Bribery Ordinance.

CASES REFERRED TO GOVERNMENT DEPARTMENTS AND OTHERS
FOR DISCIPLINARY OR ADMINISTRATIVE ACTION

	1978							1977	1976		
	Persons Involved										
	Disciplinary Action Taken										
<u>Government Departments</u>	<u>Dismissal/ Termination</u>	<u>Compul- sory Re- tirement</u>	<u>Repri- manded</u>	<u>Admonished/ Warned</u>	<u>Pension* Cancelled/ Reduced</u>	<u>Others</u>	<u>No Dis- ciplinary Action Taken</u>	<u>Out- standing</u>	<u>Total</u>	<u>Total</u>	<u>Total</u>
Agriculture & Fisheries	-	-	-	-	-	-	-	1	1	1	-
Education	-	-	-	-	-	-	-	-	-	-	1
Fire Services	-	-	-	-	-	-	-	56	56	-	3
Housing	-	-	-	-	-	-	-	-	-	2	1
Immigration	-	-	-	-	-	-	-	1	1	2	1
Information Services	-	-	-	-	-	-	-	-	-	-	1
Inland Revenue	-	-	-	-	-	-	-	-	-	1	-
Labour	-	-	-	-	-	-	-	-	-	105	1
Marine	-	-	-	-	-	-	-	-	-	23	1
Medical & Health	-	-	1	-	-	-	-	-	1	1	1
New Territories Administration	-	1	-	-	-	-	-	6	7	2	3
Post Office	-	-	-	1	-	-	-	-	1	-	-
Prisons	-	-	-	-	-	-	-	-	-	1	3
Public Works	-	-	-	-	-	-	-	-	-	14	6
Royal Hong Kong Police Force	5	120	2	-	3	3	50	118	301	103	20
Social Welfare	-	-	-	-	-	-	-	-	-	-	1
Trade, Industry & Customs	-	1	-	-	-	-	1	-	2	-	7
Urban Services	-	-	-	-	-	-	9	7	16	5	20
<u>Others</u>											
Judiciary	-	-	-	-	-	-	2	-	2	5	-
TOTAL	5	122	3	1	3	3	62	189	388⁺	265	70

* This category only applies to persons in retirement.

+ In addition, the attention of Department Heads was drawn to the conduct of 33 of their subordinates.

CORRUPTION PREVENTION REPORTS FORWARDED TO
CLIENT ORGANISATIONS IN 1978

I. Government Department

Government Secretariat

Supervisory accountability in the Civil Service

Extent to which accountability is practised throughout Government and ways in which officers can be held accountable for the responsibilities of the offices they hold.

Hawker enforcement in housing estates

Problem of hawking within and at the boundaries of public housing estates.

Control of Civil Servant's co-operative building societies

Administration of the co-operative building societies scheme relating to Government assistance towards housing of local officers.

Agriculture & Fisheries

Designation of country parks

Policy and procedures relating to the designation of Country Parks including the handling of objections from people having an interest within a proposed park.

Assistance to farmers and fishermen after natural disasters

Procedures for making grants from the Emergency Relief Fund by Agriculture and Fisheries Department and the New Territories Administration.

Enforcement of Livestock Quarantine Regulations

Procedures for quarantine of imported cattle, pigs and goats to be slaughtered for human consumption.

Education

The work of the Advisory Inspectorate

Work of the Advisory Inspectorate regarding monitoring checks on standards of education and syllabus consistent with the grades of pupil taught in schools.

Education (Cont'd.)

Work of the Technical Education Division

Work of the Technical Education Division concerning development and co-ordination of all technical education other than that provided by the Polytechnic and the Universities.

Government Supplies

Lists of registered suppliers

System of administrating the lists of registered local suppliers.

Home Affairs

Appointment of temple custodians

Policies of the Chinese Temple Committee, and the practices and procedures of the Trust Funds Section for appointing custodians of temples.

Housing

Ex-gratia payment for commercial and industrial undertakings upon clearance of squatter areas

Policy and practice regarding ex-gratia payment or reprovisioning of flatted factory units for squatters operating commercial and industrial undertakings upon land development clearance.

Administration of cleansing contracts

Practices and procedures of the Estate Management Branch for letting and administering cleansing contracts.

Public housing for victims of natural disasters, squatters and tenants of building condemned or affected by environmental improvement

Procedures for providing temporary or public housing for victims of fire and natural disasters, squatters on areas for clearance development, tenants of dangerous buildings and tenants affected by environmental improvement or urban renewal scheme.

Immigration

Deportation and removal procedures

Practices and procedures associated with the system of recommending deportation and removals to the Governor-in-Council and the Governor respectively.

Immigration (Cont'd.)

Processing of applications for entry to Hong Kong from Vietnam

Procedures for processing applications for entry to Hong Kong from Vietnam.

Inland Revenue

Assessment, collection and refund of property tax

Practices and procedures for the assessment and collection of property tax, covering other aspects of objections, exemption and refunds.

Judiciary

Work of the Probate Registry of the Supreme Court

Administrative and clerical practices and procedures of the Probate Registry associated with non-contentious probate business.

Labour

Air Pollution Control Unit

Work of the Air Pollution Control Unit in control of air pollution other than for ships, motor vehicles and aircraft.

Workmen's Compensation

Work of the Workmen's Compensation Unit in enforcing the Workmen's Compensation Ordinance with regard to processing cases of compensation for injuries received by employees during the course of their employment.

Mines Division - Control of Explosives for Blasting Operations

Work of the Explosives Unit in issuing licences and permits of Category I Dangerous Goods and inspection of blasting operations.

Work of the Pressure Equipment Unit

Work of the Pressure Equipment Unit regarding registration and inspection of pressure equipment.

Marine

Issue and enforcement of conditions of permits for refuelling of vessels inside typhoon shelters

Practices and procedures adopted by the Small Craft Licensing Section in the issue of permits to oil barges for refuelling vessels inside typhoon shelters and the enforcement of permit conditions.

Marine (Cont'd.)

Supply to and use of petroleum products by Government vessels

Procedures for supply, issue and control of fuel to Government vessels.

Medical & Health

Control of the practice of medicine in the private sector

Control of the practice of western medicine in the private sector including arrangements for inspection of clinics and control of illegal clinics.

New Territories Administration

Compensation for crops, livestock and fish ponds in land resumption cases in the New Territories

Compensation for "interests" in land where losses are incurred as a result of Government obtaining vacant possession of land in the New Territories.

The control and management of Rural Committees

Functions and election procedures of Village Representatives and Executive Members of the Rural Committees and the role of the District Offices vis-a-vis Village Representatives and Rural Committees.

Village removals in the New Territories

Policy for village removal and the processes of negotiation between Government and villagers over the criteria establishing entitlement and the provision of general facilities and services in the new village.

Land acquisition in the New Territories

Procedures for cash compensation and/or letters of land exchange entitlements offered to N.T. private landowners when their land is acquired by Government for development.

Public Works

Buildings Ordinance Office - Sampling and testing of building materials

Practices and procedures which control independent laboratories in carrying out off-site tests of materials used in the construction of buildings.

Public Works (Cont'd.)

The appointment of engineering consultants by the Public Works Department

Practices and procedures adopted by the Public Works Department for selection and engagement of engineering consultants.

Policies and procedures on the rezoning of land

Policies and procedures for land rezoning in the urban areas.

Water Supplies Department - Licensing of plumbers

Practices and procedures involved in the licensing of plumbers under the provision of the Waterworks Ordinance, Cap. 102.

Crown Lands & Survey Office - Issue of certificates of compliance

Practices and procedures of the Crown Lands & Survey Office for issuing certificates of compliance in the urban areas.

Crown Lands & Survey Office - Issue of short term tenancies in the urban area

Policies and procedures for short term tenancies issued in the urban area both under the Abbreviated Tender System and on application.

Supply and use of petroleum products - Government vehicles

Procedures for obtaining fuel for Government vehicles.

Rating & Valuation

Leasing of accommodation for Government Offices and Quarters

Practices and procedures of the Leasing Division in the search and leasing of suitable accommodation for Government offices and quarters.

Royal H.K. Police Force

Procedures of the Central Traffic Prosecutions Office

Processing of summonses relating to traffic prosecutions which includes fixed penalty tickets for both parking and moving offences and the linked relationships.

Television and Entertainment Licensing Authority

Entertainment Licensing Procedures

Procedures and practices regarding issue and renewal of place of public entertainment permits, gambling licences and miscellaneous licences.

Trade, Industry & Customs

Operation of the Customs & Excise Service at the Kwai Chung Container Complex

Work of the Customs & Excise Service at the Kwai Chung Container Complex concerning the practices and procedures for importation of cargoes.

Trade Investigation Branch - Functions related to textile licensing

Work of the Trade Investigation Branch in the enforcement of the textile export licensing system.

Transport

Procedures related to the registration and licensing of motor vehicles

Procedures for registration and licensing of all classes of motor vehicles.

Issue of closed road permits

Policy and procedures adopted by various authorities in the issue of permits authorizing vehicular access to "closed roads".

Urban Services

Transport (Land & Sea)

Policy of purchasing vehicles, procedures for repairing and hiring vehicles and control of fuel consumption.

Letting and administration of contracts for refreshment kiosks

Letting procedures and subsequent administration of contracts for refreshment kiosks both in the urban area and the New Territories.

Cultural Services Division - Acquisition of museum material

Procedures for acquiring materials both locally and from overseas for both the Museum of Art and the Museum of History.

Cultural Services Division - The work of the Cultural Presentations Section

Work of the Cultural Presentations Section regarding engagement of artists for serious art presentations in the City Hall.

Cultural Services Division - The Work of the Entertainment Section

Work of the Entertainment Section organising the public entertainment in playgrounds and parks, and other leisure activities.

Urban Services (Cont'd.)

Cultural Services Division - Management of City Hall

Day-to-day operational activities in City Hall management including ticket sales.

Purchase of books, gramophone records, video tapes and microfilms for the public libraries

Practices and procedures of the Libraries Section of the Urban Services Department for purchasing books, records, cassettes and microfilms for both Urban Council libraries and Urban Services Department libraries.

II. Public Bodies

Consumer Council

The Consumer Council

Work of the Consumer Council, including the receipt of complaints from, and advice given to the public, the production of publications and the comparative testing of products.

Hong Kong Air Cargo Terminals Ltd.

Cargo handling procedures

Import and export cargo handling procedures within the Air Cargo Terminal.

Hong Kong & Yaumati Ferry Co., Ltd.

Purchasing and tendering procedures

Procedures and practices for purchasing materials and services for both the company and one of its subsidiary companies.

Determination of freight charges

Practices and procedures in determining charges for freight carried aboard the company's vessels by passengers or vehicles.

H.K. Electric Co., Ltd.

Purchasing and tendering procedures

Procedures for purchasing and tendering of equipment and services.

Hong Kong Polytechnic

Purchasing and tendering procedures

Practices and procedures adopted by the Purchasing Office in procuring of materials and services for the Polytechnic.

Mass Transit Railway Corporation

Administration of Civil engineering contracts

Procedures and practices for administrating civil engineering contracts exceeding HK\$5 million.

Peak Tramway Co., Ltd.

Purchasing and tendering procedures

Practices and procedures for purchasing materials and services for the Company.

Urban Council

Leasing of accommodation for offices and libraries

Procedures adopted by the Urban Services Department for leasing private premises for use as offices and libraries in urban area for the Urban Council.

III. Private Sector

Tung Wah Group of Hospitals

Non-medical Division - Property Section

Management of tenement property of the Tung Wah Group of Hospitals including letting, maintenance and rent collection procedures.

Non-medical Division - Community Services Section

Work of the Community Services Section in running welfare institutions managed by the Tung Wah Group of Hospitals.

STUDIES BEING CONDUCTED BY
CORRUPTION PREVENTION DEPARTMENT
AS AT 31ST DECEMBER, 1978

I. Government Departments

Agriculture and Fisheries

Administration of works contracts

Practices and procedures followed by the Engineering Division in the tendering and administration of works contracts.

Enforcement and preservation of endangered species

Issue of licences for the import, export and possession of endangered species and the enforcement of licence conditions.

Education

Promotion of government teachers

Policy, procedures and system of staff assessment in the promotion of government teachers.

Work of the recreation and sports service

System and expenses in organising recreation and sports activities and their allocation.

Information Services

Letting and administration of film-making contracts

Procedures of the Information Services Department for the letting of Government contracts for film-making and for the administration of contracts.

Immigration

Grant of extension of stay to visitors

Practices and procedures for granting extension of stay to persons permitted to land in Hong Kong as visitors.

Inland Revenue

Business registration procedures

Practices and procedures in relation to the application of business registration.

Inland Revenue (Cont.)

Assessment and refund of profit tax

Practices and procedures for the assessment, collection and refund of profit tax.

Kowloon-Canton Railway

Letting contracts, licences and permits

The letting and administration of commercial contracts for the use of KCR-controlled properties.

Medical and Health

Control of pharmaceuticals and antibiotics

Control and enforcement in respect of the availability and illegal supplies of controlled items under the relevant Ordinances.

Administration of school medical scheme

Operation of the school medical scheme under the administration of the School Medical Services Board.

New Territories Administration

Issue of certificates of compliance in the New Territories

Practices and procedures leading to the issue of certificate of compliance for building development purposes.

Post Office

Supervision on the duties of delivery postmen

Duties and responsibilities of delivery postmen and the systems in the operation for their supervision and control.

Public Works

Application of the Buildings Ordinance to the New Territories (Cap. 123 and Cap. 322)

Policy with respect to the exemption of certain categories of buildings in the New Territories from the provisions of the Buildings Ordinance and amendments to existing regulations proposed by the New Territories Administration.

Public Works (Cont.)

Buildings Ordinance Office - Issue of occupation permits

Procedures in the Buildings Ordinance Office leading to the issue of occupation permits for new buildings.

Civil Engineering Office - Control of quarries and stones crushing plants

Procedures in the control, by Geotechnical Control Office, of Government and private quarries and stone crushing plants on development projects.

Crown Lands and Survey Office - Enforcement of conditions of Short Term Tenancies in the urban area

Drawing up of the conditions of short term tenancies in urban area and their subsequent enforcement.

Registrar General

Names clearance procedures in Companies Registry

Procedures of screening and checking company names leading to their registration.

Police

Traffic enforcement and control

Activities of Royal Hong Kong Police Force in enforcing the Laws relating to traffic and in controlling and regulating the flow of traffic.

Urban Services

Corruption prevention review and profile

An overall review of urban services activities in the light of existing and completed corruption prevention studies, with a view to a systemic approach to future studies in the Urban Services Department.

Refuse collection, street washing and street sweeping

Examination of cleansing activities including special cleansing service, street washing, street sweeping, refuse and junk collection, and the problem of trade refuse.

Operations of Hung Hom public funeral hall

Procedures relating to the operation of the Hung Hom Public Funeral Hall.

Urban Services (Cont.)

Cultural Services Division - The work of the Projects Section

The work of the Projects Section responsible for the administration of the newly formed Chinese Orchestra and Repertory Theatres.

Payment of accounts

Procedures involved in the payment of accounts incurred in the urban area and the New Territories.

Procedures for places of amusement licensing, places of public entertainment licensing and liquor licensing

Procedures for issue and renewal of licences, and enforcement of licensing conditions for places of amusement, places of public entertainment and liquor licences in the urban area.

Trade, Industry and Customs

Certification and Licensing Branch - Certification of goods originating in Hong Kong

Practices and procedures leading to the issue of certificates for Hong Kong exports.

Issue and enforcement - Liquor dealers' and retailers' licences

Practices and procedures of the Customs and Excise Service in the issue and enforcement of conditions of liquor dealers' and retailers' licences.

II. Public Bodies

Fish Marketing Organisation

Accounting procedures in wholesale fish markets

System and procedures of accounting in the sales of fish between the fishermen and the wholesalers.

TERMS OF REFERENCE AND MEMBERSHIP OF SUB-COMMITTEES
OF CITIZENS ADVISORY COMMITTEE ON COMMUNITY RELATIONS
AS AT 31ST DECEMBER 1978

A. Mass Media Sub-Committee (set up in June 1975)

<u>Terms of Reference</u>	<u>Membership</u>
(1) To call for reports from the Media Programme and Press Information Offices of the Community Relations Department.	Mr. Louis L.Y. CHA (Convenor) Mrs. LEE LO Yuk-sim Mr. Andrew K.N. LI Mr. PONG Ding-yuen, O.B.E.
(2) To advise the Main Committee on the means to foster public support in combatting corruption through the various forms of mass communication.	Mr. Michael Stevenson Mr. TONG Big-chuen, M.B.E. Mr. TSIM Tak-lung (by co-option)
(3) To monitor public and media reaction to the mass media programmes of the department.	

B. Public Education Sub-Committee (set up in June 1975)

<u>Terms of Reference</u>	<u>Membership</u>
(1) To call for reports from the Public Education Office of the Community Relations Department.	Dr. Daniel C.W. TSE, J.P. (Convenor) Mrs. CHEUNG CHAN Miu-yin
(2) To advise the Main Committee on how to put across the anti-corruption message through curriculum development and group training especially in institutions.	Ms. Sansan CHING Mr. SO Cherk-ming Director of Education (or his representative) (by co-option)
(3) To monitor community and media response to the public education activities of the department.	Dr. David Faure (by co-option)

CONTINUED

1 OF 2

C. Community Liaison Sub-Committee (set up in November 1975)

<u>Terms of Reference</u>	<u>Membership</u>
(1) To call for reports from the Community Liaison unit and the Regional Liaison unit of the Community Relations Department.	Mrs. KWAN KO Siu-wah, O.B.E., J.P. (Convenor) Mr. Stephen K.C. CHEONG Mr. Wilson CHEUNG
(2) To advise the Main Committee on the means to foster public support in combatting corruption through liaison work at all levels.	Mrs. LEE LO Yuk-sim Mr. PONG Ding-yuen Mr. Michael Stevenson Mrs. WONG LEUNG Chiu-ping
(3) To monitor public response to the work of the Community Liaison and Regional Liaison units.	Secretary for the New Territories Miss PUI Yuk-chun (by co-option)

D. Community Research Sub-Committee (set up in November 1977)

<u>Terms of Reference</u>	<u>Membership</u>
(1) To monitor the work and the development of the Community Research unit of the Community Relations Department;	Mr. Andrew K.N. LI (Convenor) Mr. Stephen K.C. CHEONG Dr. HWANG King-hung Dr. Ambrose KING
(2) To advise the Main Committee on the means to evaluate and monitor community perception of and attitudes towards corruption in general and to reflect and assess public reactions and response to the Commission's efforts in particular.	Dr. Daniel C.W. TSE, J.P. Mr. C.K. CHENG) Mr. Augustine K. CHUI,) J.P.) by co- Dr. James W. HAYES) option Mr. Benjamin N.H. MOK,) J.P.)
(3) To monitor public and media reaction to the Community Research activities of the department.	

COMMUNITY RELATIONS DEPARTMENTLIAISON FUNCTIONS

<u>Type of Organizations/Institutions</u>	<u>Liaison Functions*</u>		
	<u>1978</u>	<u>1977</u>	<u>1976</u>
Adult Education Centres/Institutes	67	73	63
Post Secondary Colleges/Universities	111	102	114
Schools { Primary	1,311	1,729	1,552
{ Secondary/Technical and	1,171		969
{ Vocational			
Clansmen/District/Kaifong Associations	117	136	103
Area/District/Rural Committees/Villages	121	106	102
MACs/Owners' Incorporations	619	512	533
Religious Organizations	273	222	356
Charitable/Welfare/Voluntary Agencies	401	373	250
Youth Groups	411	365	301
Factories/Offices/Shops	1,023	646	186
Professional/Trade Associations	123	167	175
Government Departments (including staff associations)	795	588	589
Public Bodies ⁺	72	54	73
Hospitals/Clinics	74	28	11
Others	459	293	31
TOTAL	<u>7,148</u>	<u>5,394</u>	<u>5,408</u>

* These figures include liaison activities previously categorized as meetings as well as activities previously categorized as visits.

+ As defined in the Prevention of Bribery Ordinance.

ACTIVITIES UNDERTAKEN BY ICAC LOCAL OFFICES

	<u>1978</u>	<u>1977</u>	<u>1976</u>
<u>Liaison</u>			
Liaison Functions*	6,470	4,904	4,841
Special Activities ⁺			
Exhibitions	44	31	
Door-to-door visits	1,998	1,575	
Competitions	18	24	
Camps	1	1	
Related Meetings	441	277	
Others ^Ω	20	-	
<u>Referral</u>			
Reports for ICAC consideration	289	368	480
Non-anonymous	192	240	326
Anonymous	97	128	154
Reports not for ICAC consideration	1,622	1,531	1,251
Enquiries	1,592	1,504	1,242

* These figures include liaison activities previously categorized as meetings as well as activities previously categorized as visits.

+ Since the end of 1976, special liaison activities aiming at involving the community to promote the work of the ICAC and intensifying contact with a wider sector of the community have been organized.

Ω This figure includes games-stalls, fun-fairs and variety shows.

A SAMPLING OF SPECIAL ACTIVITIES
ORGANISED BY LOCAL OFFICES IN 1978

Cha Kwo Ling Liaison Programme

A series of activities including door-to-door visits, film shows and tea sessions aimed at introducing the work and objectives of ICAC to the residents.

"Fight Corruption" - How much do you know?

A programme to co-operate with Boys' & Girls' Clubs Association Homantin Centre in organising various activities aimed at making the young people aware of the evils of corruption.

Fuk Loi Estate Programme

A series of visits to 355 households in the Estate followed by tea sessions in the ICAC local office.

Hung Yu Lunar New Year Reunion

A programme to maintain contact with residents in Hung Yu Mansion where an ICAC local office is situated to cater to the needs of Sham Shui Po and neighbouring areas.

Joint Secondary School Students Seminar

A seminar on the theme of integrity for some 250 students from six secondary schools in the Wong Chuk Hang area.

Kwong Fuk Road Shops Liaison Programme

A series of door-to-door visits to shops along Kwong Fuk Road, Tai Po, where an ICAC local office is situated, followed by tea sessions to introduce the work of the Commission.

Kwun Lung Lau Liaison Programme

An intensive programme including a series of activities like film shows, an exhibition and a variety show to reach some 2,062 households of Kwun Lung Lau in Kennedy Town.

Kwun Tong Community Health Centre Liaison Programme

A programme to contact the grass-roots through the four Health Centres in the district.

Kwun Tong Personnel Management Association Seminar

A seminar to discuss corruption prevention methods that can be implemented in the business sector.

Kwun Tong United Christian Hospital Liaison Programme

A series of activities including film shows and exhibitions for hospital staff and patients of the light-care ward with the purpose of publicizing the objectives and functions of ICAC.

Lai Tak Tsuen Community Involvement Programme

A series of activities including film shows, a "Fai Chun" writing competition and an exhibition aimed at reaching residents in the area.

Lam Tsuen Special Liaison Programme

A programme including door-to-door visits organised to reach residents of 22 villages in the area.

Lek Yuen Estate Liaison Programme

A programme aimed at intensifying liaison with residents of a block where a large number of civil servants live.

North Point Commercial Firms and Factories Liaison Programme

A series of activities including visits and tea sessions aimed at management of the business sector in the district.

On Lok Tsuen Factories Liaison Programme

A series of visits to factories in the area followed by tea sessions to introduce the work of ICAC to factory workers.

Red Cross Cadets Liaison Programme

A programme aimed at arousing the awareness of the problems of corruption among members of 40 Cadet Units in Red Cross Kowloon Headquarters.

San Po Kong Factory Estate Liaison Programme

A series of visits to 3 factory blocks in the Estate followed by 4 tea sessions with factory staff.

Sham Shui Po Secondary Schools Students Promotion of Probity Script Writing Competition

A programme involving students from 11 secondary schools to impart the positive values of probity.

Shek Kwu Chau Programme

A series of meetings and tea sessions involving rehabilitees of the Centre

Tai Kok Tsui Factory Workers Liaison Programme

A series of activities including exhibition, film shows, cross-word puzzles held in conjunction with the Tai Kok Tsui Federation of Youth Groups aimed at reaching factory workers in the area.

Tai Wor Hau Mobile Exhibition

An exhibition organized to introduce the work and objectives of ICAC to students in various schools.

To Kwa Wan Creative Art Exhibition

An exhibition involving 21 primary schools in the district on themes of integrity and honesty.

Yau Tong Schools Involvement Programme

A programme intended to inculcate concepts of honesty and integrity in P.4 to P.6 pupils of the 14 schools in the district.

林村特別聯絡計劃

活動包括按戶探訪區內二十二條鄉村之居民。

瀝源新邨聯絡計劃

目的在與瀝源新邨華風樓居民加強聯繫，其中大部份為公務員。

北角區商行及工廠聯絡計劃

為區內商界主管級人士安排一連串活動，包括探訪、茶會等。

安樂村工廠聯絡計劃

活動包括探訪各工廠及為工友安排兩次茶叙，介紹廉政公署的工作。

紅十字會少年團聯絡計劃

目的在向紅十字會九龍總部四十個少年團單位講解貪污問題。

新蒲崗工廠大廈聯絡計劃

於三間工廠大廈進行一連串探訪活動及隨後為工廠職工安排四次茶叙。

深水埗區中學肅貪倡廉劇本創作比賽

目的在向中學生貫徹廉潔思想，共有十一間中學參賽。

石鼓洲聯絡計劃

為該中心之康復者安排一系列之會談及茶叙。

大角咀工友聯絡計劃

與大角咀青年協會合辦多項活動，包括展覽、電影會、填字遊戲比賽等，藉此接觸區內工友。

大窩口小學流動展覽

目的在向各校學生介紹廉政公署的工作及目標。

土瓜灣聯校美術展覽

是項展覽是以廉潔品德為主題，共有廿一間小學參加。

油塘區小學倡廉活動計劃

目的在向區內十四間小學之四至六年級同學灌輸廉潔的意識。

一九七八年分處特別聯絡活動摘要

茶果嶺聯絡計劃

包括按戶探訪、電影會、茶叙等一連串活動，目的在向居民介紹廉政公署的工作及目標。

「肅貪倡廉」知多少？

與小童群益會何文田中心合辦多項活動，使青年人了解貪污的禍害。

福來邨聯絡計劃

在福來邨進行三百五十五次家庭探訪及隨後於福來分處舉行茶會。

鴻裕春節聯歡會

鴻裕分處適逢新春佳節與鴻裕大廈居民作進一步聯絡。該分處主要是為深水埗及鄰近區域之市民服務。

聯校中學生研討會

黃竹坑區六間中學之二百五十五名學生代表參加一個以廉潔社會為題材之研討會。

廣福道商店探訪計劃

沿大埔廣福道探訪每一商戶，及後於廣福分處舉行茶叙，介紹廉政公署的工作。

「倡廉在觀龍」聯絡計劃

為堅尼地城觀龍樓二千〇六十二戶居民舉行一連串活動，包括電影會、展覽、及綜合表演節目等。

觀塘社區健康中心聯絡計劃

透過區內四間社區健康中心與基層市民接觸。

觀塘人事管理協會座談

討論如何在商界推行防止貪污的措施。

觀塘基督教聯合醫院聯絡計劃

為該院職工及輕症病房病人舉行一連串之活動，包括電影會及展覽等，藉以宣傳廉政公署之工作及目標。

勵德邨社區參與計劃

包括電影會、寫揮春比賽、展覽等一連串活動，藉以接觸邨內居民。

廉政公署各分處的工作

<u>聯絡工作</u>	<u>一九七八</u>	<u>一九七七</u>	<u>一九七六</u>
聯絡活動 *	6,470	4,904	4,841
特別活動 ⁺			
展覽	44	31	
按戶探訪	1,998	1,575	
比賽	18	24	
研討營	1	1	
有關會談	441	277	
其他 ^Ω	20	-	
<u>轉遞舉報服務</u>			
交由廉政公署處理的舉報	289	368	480
具名舉報	192	240	326
匿名舉報	97	128	154
轉交政府部門或其他機構處理的舉報	1,622	1,531	1,251
諮詢	1,592	1,504	1,242

* 表中數字包括以往分別稱為聯絡叙會及探訪之兩類活動。

+ 自一九七六年底已開始籌劃特別聯絡活動，務求爭取市民參與，以促進本署之工作，及與更多市民加強聯絡。

Ω 此項數字包括遊戲攤位、遊藝會及綜合表演等。

社區關係處聯絡活動

<u>機構類別</u>	<u>聯絡活動*</u>		
	一九七八	一九七七	一九七六
成人教育中心／機構	67	73	63
大學／專上學院	111	102	114
學校 { 小學	1,311	1,729	1,552
中學／工業學校及職業訓練學校	1,171		969
宗親會／同鄉會／街坊會	117	136	103
分區／民政區／鄉事委員會／鄉村	121	106	102
互助委員會／業主立案法團	619	512	533
宗教團體	273	222	356
慈善／福利／志願機構	401	373	250
青年團體	411	365	301
工廠／商行／商店	1,023	646	186
專業協會／行業協會	123	167	175
政府部門（包括職員協會）	795	588	589
公共機構 +	72	54	73
醫院／診所	74	28	11
其他	<u>459</u>	<u>293</u>	<u>31</u>
合 計	<u>7,148</u>	<u>5,394</u>	<u>5,408</u>

* 表中數字包括以往分別稱為聯絡叙會及探訪之兩類活動。

+ 載釋於「防止賄賂條例」者。

丙、社區聯絡小組委員會(一九七五年十一月成立)

職權範圍

- (一)要求社區關係處「社區聯絡組」及「社團聯絡組」報告該組的工作及就其工作提供意見；
- (二)向主會建議如何藉着與社會各階層人士的聯絡，在肅貪倡廉工作上獲得市民的支持；
- (三)藉着該兩組與市民的聯絡，衡量市民對整個廉政公署工作的反應，並提供有關意見。

委員

關高荅華議員 (召集人)
張鑑泉先生
張威臣先生
李盧玉蟬女士
龐鼎元先生
史允信先生
黃梁超平女士
新界民政司
裴育珍女士 (增選委員)

丁、社區研究小組委員會(一九七七年十一月成立)

職權範圍

- (一)檢討社區關係處社區研究組之工作及發展；
- (二)就如何評估及檢討市民對貪污的一般觀感及如何反映及衡量市民對公署工作的反應，向主會提供意見；
- (三)檢討市民及傳播界對社區關係處社區研究活動之反應。

委員

李國能先生 (召集人)
張鑑泉先生
黃金鴻博士
金耀基博士
謝志偉博士
鄭忠強先生
徐淦先生
許舒博士
莫乃鏗先生

(增選委員)

社區關係市民諮詢委員會各小組委員會的職權範圍及委員名錄

(一九七八年十二月三十一日)

甲、傳播媒介小組委員會 (一九七五年六月成立)

職權範圍

- (一) 要求社區關係處「文教創作組」及「新聞組」報告該兩組的工作；
- (二) 向主會建議如何借助各種傳播媒介以求在肅貪倡廉方面獲得市民的支持；
- (三) 衡量市民對社區關係處傳播節目的反應。

委員

查良鏞先生 (召集人)
李盧玉蟬女士
李國能先生
龐鼎元先生
史允信先生
唐碧川先生
詹德隆先生 (增選委員)

乙、社會教育小組委員會 (一九七五年六月成立)

職權範圍

- (一) 要求社區關係處「社會教育組」報告該組的工作；
- (二) 向主會建議如何藉課程發展及集體訓練課程 (尤其注重教育機構) 宣揚肅貪倡廉意識；
- (三) 衡量市民對社區關係處社會教育活動的反應。

委員

謝志偉博士 (召集人)
張陳妙賢女士
程德智女士
蘇卓明先生
教育司 (或其代表) (增選委員)
科大衛博士 (增選委員)

(乙) 公共機構

「酒業批發商及零售商牌照的簽發及牌照規則的執行」——海關簽發酒業批發及零售牌照的措施及程序及牌照規則的執行。

魚類統營處

「魚類批發市場的記帳程序」——漁民與批發商之間買賣魚類產品的記帳系統及程序。

「地政測量處——市區短期租約規則的執行」——市區短期租約規則的制定及執行。

註冊總署

「公司註冊處公司名稱註冊程序」——註冊時公司名稱的審查及複核程序。

警務處

「交通法例的執行及管理」——香港皇家警察隊交通法例的執行及交通情況的控制和調理。

市政事務署

「防止貪污工作的檢討及概況」——就現有及經已完竣的防止貪污審查工作，對市政事務作全面性的檢討，使日後的審查工作，更具系統。

「垃圾的收集及街道的清理」——審查各種清潔工作，包括特殊清潔服務、洗擦及清掃街道、垃圾和廢物的收集、及商業廢物的處理。

「公立紅磡殯儀廳的工作」——公立紅磡殯儀廳的工作程序。

「文化工作科——節目策劃部的工作」——節目策劃部負責近日成立的香港中樂團及香港話劇團的行政工作。

「付帳辦法」——有關市區及新界帳目的付款程序。

「簽發娛樂場所牌照、公眾遊樂場所牌照及酒牌的程序」——簽發和換領牌照的程序及市區內娛樂場所牌照、公眾遊樂場所牌照及酒牌的規則的執行。

工商署

「簽證及出口證科——香港產品產地來源證的簽發」——香港出口貨品證明書的簽發措施及程序。

九廣鐵路

「合約、牌照及許可證的批出」——有關使用九廣鐵路局轄下設備的商業合約的批出及管理事宜。

醫務衛生署

「葯物及抗生素的管制」——受管制葯物的存有及非法售賣的處理及有關條例的執行。

「學校保健計劃的處理」——學校醫療服務委員會所處理的學校保健計劃的推行。

新界民政署

「新界符合售地規約條件證明書的簽發」——簽發用作樓宇發展的符合售地規約條件證明書的措施及程序。

郵政局

「郵差職務的監管」——郵差的職責及監管制度。

工務司署

「建築物條例在新界的應用」(香港法例第一二三章及三二二章)——在建築物條例下新界若干類建築物的豁免政策及新界民政署就現有規例而作出的修訂建議。

「建築物條例執行處——入伙紙的簽發」——建築物條例執行處簽發新建樓宇入伙紙的程序。

「土木工程處——石礦場及碎石場的管理」——土地工程處對各種拓展工程中政府及私營石礦工場的管理程序。

防止貪污處正在進行的審查工作

(一九七八年十二月三十一日)

(甲) 政府部門

漁農處

「工程合約的處理」——工程各項工程合約的招標及處理措施與程序。

「保護瀕臨絕種生物及有關條例的執行」——瀕臨絕種生物的入口、出口、及擁有牌照的簽發及牌照規則的執行。

教育司署

「政府教師的擢升」——擢升政府教師的政策及有關程序。

「康樂及體育事務組的工作」——康樂及體育活動的籌辦制度、經費及分配問題。

政府新聞處

「電影製作合約的批出及處理」——政府新聞處電影製作合約的批出及處理程序。

移民局

「訪客延期居留的允准」——批准訪客延期居港的措施及程序。

稅務局

「商業登記程序」——有關申請商業登記的手續及程序。

「利得稅的評估及退款」——利得稅的評估、徵收及退款的手續及程序。

香港地下鐵路公司

「建設工程合約的處理」——超過港幣五百萬元的建設工程合約的處理措施及程序。

山頂纜車有限公司

「採購及招標程序」——購取物料及服務的措施及程序。

市政局

「辦事處及圖書館用地的租借」——市政事務署為市政局在市區租借私人樓宇作為辦事處及圖書館用途的程序。

(丙) 私人機構

東華三院

「非醫療服務組物業管理部」——東華三院出租物業的管理，包括租賃、維修及收租程序。

「非醫療服務組社會服務部」——東華三院轄下福利機構的管理工作。

「文化工作科娛樂事務組的工作」——娛樂事務組在遊樂場和公園籌辦娛樂活動的工作。

「文化工作科——大會堂的管理」——大會堂日常的管理事務，包括售票工作。

「為公共圖書館購置書籍、唱片、錄影帶、顯微影片」——市政事務署圖書館購置書籍、唱片、卡式錄影帶及顯微影片的措施及程序。

(乙) 公共機構

消費者委員會

「消費者委員會」——消費者委員會的工作，包括接收市民投訴、向市民提供意見，出版刊物及產品比較試驗報告。

香港航空貨運有限公司

「貨物裝卸程序」——香港航空貨運有限公司裝卸進口及出口貨物的程序。

香港油蔴地小輪船有限公司

「採購及招標程序」——為該公司及其中一間附屬公司購取物料及服務的措施及程序。

「運費的釐定」——釐定客輪及汽車渡輪運費價格的措施及程序。

香港電燈有限公司

「採購及招標程序」——購取器材與服務及招標程序。

香港理工學院

「採購及招標程序」——採購部購取物料及服務的措施及程序。

駕駛及相關違例事件的定額罰款告票的處理程序。

影視及娛樂事務管理處

「娛樂牌照簽發程序」——公眾娛樂場所執照、賭博牌照及其他牌照的簽發及續發措施及程序。

工商署

「香港海關在葵涌貨櫃轉運站之工作」——葵涌貨櫃轉運站貨物入口的措施及程序。

「貿易調查科簽發紡織品出口牌照工作」——貿易調查科執行紡織品出口牌照制度的工作。

運輸署

「汽車註冊及發牌程序」——各類汽車的註冊及發牌程序。

「封閉道路通行許可證的簽發」——有關當局簽發「封閉道路」通行許可證給車輛的政策及程序。

市政事務署

「海陸交通」——購買交通工具的政策、修理及租賃程序及燃油消費的管制。

「零食檔的租賃及合約管理」——市區及新界零食檔的租賃程序及合約管理問題。

「文化工作科——展品的搜集」——為藝術館及博物館在本港及海外搜集展品的
工作。

「文化工作科——文娛節目組的工作」——文娛節目組聘請藝術家在大會堂表演文
娛節目的工作。

理民府在鄉民代表與鄉事委員會之間的工作。

「新界鄉村的遷移」——鄉村遷移政策、政府與村民就新遷的鄉村而訂立的權益標準及村內一般設備和服務的供應等問題所進行的協商程序。

「新界土地的徵用」——政府在徵用新界土地作發展之用時，所發給地主的現金補償及換地權益書的程序。

工務司署

「建築物條例執行處」——建築材料的抽樣及試驗——獨立化驗所在地盤以外進行的建築材料化驗工作的管制措施及程序。

「工務司署工程顧問的委任」——工務司署遴選及委任工程顧問的措施及程序。

「土地重新分區的政策及程序」——市區土地重新分區的政策及程序。

「水務局渠務工人牌照的簽發」——根據水務條例簽發渠務工人牌照的措施及程序。

「地政測量處符合售地規約條件證明書的簽發」——地政測量處簽發市區內的符合售地規約條件證明書的措施及程序。

「地政測量處市區內的短期租約的簽發」——地政測量處根據簡易投標方式或通過申請而簽發市區內短期租約的政策及程序。

「政府車輛的石油產品的供應及使用」——政府車輛燃油的取用手續。

差餉物業估價署

「政府租用辦公室及宿舍的程序」——政府租約事務科為政府找尋及租賃適當辦公室及宿舍的措施及程序。

皇家香港警務處

「中央交通案件提控處的工作程序」——有關交通檢控傳票，包括違例泊車、

法院

「高等法院遺產登記處的工作」——遺產登記處對有關非訟遺產事務的管理及文書工作程序。

勞工處

「污濁空氣管制組」——輪船、汽車及飛機以外所引起的污濁空氣管制工作。

「勞工賠償」——勞工賠償組在處理僱員於受僱期間的傷亡所執行勞工賠償條例的工作。

「礦務組爆炸工程的管理」——爆炸品組簽發第一類危險物品牌照及許可證，與視察爆炸工程的事宜。

「壓力器管理組的工作」——壓力器的註冊及視察方面的工作。

海事處

「避風塘船隻加油牌照的簽發及牌照規則的執行」——海事處牌照所簽發給運油船在避風塘為船隻加油的牌照的措施及程序，及牌照規則的執行。

「政府船隻石油產品的供應及使用」——政府船隻使用的燃油在供應、簽發及管制等方面的程序。

醫務衛生署

「私家醫生的管制」——私家西醫的管制，包括安排視察診所及管制非法診所。

新界民政署

「收回新界土地時農作物、牲口及魚塘的價值補償」——政府在收回新界土地時，對有關人士作出的補償。

「鄉事委員會的管理」——鄉民代表及鄉事委員會幹事的工作和選舉程序，及

政府物料供應處

「註冊供應商名單」——本地註冊供應商名單的處理系統。

民政署

「廟宇管理人的委任」——華人廟宇委員會的政策及信託基金組在委任廟宇管理人方面所訂立的程序。

房屋署

「清拆僭建寮屋區時所給予工商企業的恩恤津貼」——清拆寮屋作土地發展時，向經營工商業務的寮屋分發恩恤津貼或配給分屬工廠單位的政策及措施。

「潔淨工作合約的處理」——屋宇管理組批出及管理潔淨合約的措施及程序。

「災民、寮屋居民、危樓住客及因地區環境改善而受遷拆影響的居民的公共樓宇供應」——為火災及天災難民、受清拆影響的木屋居民、危樓住客及因環境改善或市區重建計劃而受影響的居民等供應臨時住屋或公共樓宇的程序。

人民入境事務處

「遞解及遣送出境的程序」——向港督會同行政局及向港督建議遞解及遣送出境事宜的措施及程序。

「越南人民入境申請的處理」——有關越南人民向港府申請入境的處理程序。

稅務局

「物業稅的評估、徵收及退款」——評估及徵收物業稅的措施及程序，包括處理異議、免稅及退稅等事宜。

防止貪污處在一九七八年送交各機構的審查工作報告書

(甲) 政府部門

布政司署

- 「公務員的責任承擔」——各政府部門推行責任承擔制度的概況及使公務員承擔職責的方法。
- 「屋邨小販管理政策的實施」——公共屋邨及周圍的小販管理政策實施問題。
- 「公務員有限責任建屋合作社的管制」——與本地公務員房屋資助有關的建屋合作社計劃的管理問題。

漁農處

- 「郊野公園的劃分」——郊野公園的劃分政策及程序，包括處理有關人士對擬建公園提出的異議。
- 「天災後所給予農民及漁民的援助」——向漁農處及新界民政署申請緊急救濟金的手續。
- 「牲口檢疫規例的執行」——供屠宰作食用的入口豬、牛、羊等的檢疫程序。

教育司署

- 「輔導視學組的工作」——輔導視學組監察教育水平及課程範圍以配合學生級別的工作。
- 「工業教育科的工作」——該科在理工學院及兩大學以外的工業教育的推展及統籌工作。

轉交政府部門及其他機構作行政或紀律處分的案件

政府部門	一九七八						一九七七	一九七六			
	牽涉人數										
	所採取的紀律處分										
	革職/ 解職	強迫退休	申斥	告誡/ 警告	取消/ 減長俸*	其他	不採取 紀律處分	尚未 採取行動	合計	合計	合計
漁農處	-	-	-	-	-	-	-	1	1	1	-
教育司署	-	-	-	-	-	-	-	-	-	-	1
消防事務處	-	-	-	-	-	-	-	56	56	-	3
房屋署	-	-	-	-	-	-	-	-	-	2	1
人民入境事務處	-	-	-	-	-	-	-	1	1	2	1
新聞處	-	-	-	-	-	-	-	-	-	-	1
稅務局	-	-	-	-	-	-	-	-	-	1	-
勞工處	-	-	-	-	-	-	-	-	-	105	1
海事處	-	-	-	-	-	-	-	-	-	23	1
醫務衛生署	-	-	1	-	-	-	-	-	1	1	1
新界民政署	-	1	-	-	-	-	-	6	7	2	3
郵政局	-	-	-	1	-	-	-	-	1	-	-
監獄署	-	-	-	-	-	-	-	-	-	1	3
工務司署	-	-	-	-	-	-	-	-	-	14	6
皇家香港警務處	5	120	2	-	3	3	50	118	301	103	20
社會福利署	-	-	-	-	-	-	-	-	-	-	1
工商署	-	1	-	-	-	-	1	-	2	-	7
市政事務署	-	-	-	-	-	-	9	7	16	5	20
其他機構											
法院	-	-	-	-	-	-	2	-	2	5	-
合計	5	122	3	1	3	3	62	189	388 ⁺	265	70

* 此類只應用於退休人士。

+ 此外，已請各有關部門首長留意他們三十三名職員的操守。

貪污舉報
(依政府部門及其他機構分類)

政府部門	一九七八			一九七七	一九七六
	匿名舉報	非匿名舉報	合計	合計	合計
漁業處	4	4	8	5	9
核政府統計處	-	1	1	-	-
民政署	-	-	-	-	2
民航署	8	4	12	11	14
教育司署	9	12	21	34	28
消防處	-	-	-	-	-
督憲府	-	1	1	-	-
政府化驗所	-	1	1	2	2
布政司署	2	2	4	7	7
物料供應處	4	2	6	3	9
房屋署	25	19	44	66	136
入境事務處	12	16	28	35	66
人入境事務處	-	-	-	-	3
新稅務局	2	2	4	4	7
九廣鐵路局	-	-	-	1	1
勞工處	4	-	4	3	13
工務處	-	-	-	2	-
律政司署	-	-	-	-	1
法律援助處	-	-	-	2	2
海關	4	-	4	13	11
衛生署	10	5	15	35	44
新界民政署	17	21	38	40	64
郵政局	3	4	7	15	17
政府印務局	-	-	-	-	1
監獄署	2	18	20	19	33
公用委員會	-	-	-	-	-
工務司署	34	25	59	74	85
香港電台	3	-	3	1	1
差餉估價署	-	-	-	1	-
註冊總署	2	2	4	1	1
皇家香港警務處	230	257	487	729	1,119
社會福利署	1	2	3	8	5
影視及娛樂事務管理處	2	1	3	-	1
工商業科	1	-	1	6	6
香港海關	8	8	16	16	15
運輸署	7	11	18	11	24
市政署	-	-	-	1	-
市政署	28	37	65	96	135
其他機構	1	3	4	5	3
駐港英公署	-	2	2	14	12
廉法院	2	6	8	16	9
私人機構*	107	194	301	378	471
共計	19	23	42	46	76
合計	551	683	1,234	1,700	2,433

* 載釋於防止賄賂條例者。

所接獲及調查的貪污舉報及所檢控的人數
(依政府部門及其他機構分類)

政府部門	所接獲的舉報			所調查的舉報			所檢控的人數		
	一九七八	一九七七	一九七六	一九七八	一九七七	一九七六	一九七八	一九七七	一九七六
漁農處	8	5	9	6	5	4	-	1	1
核數署	1	-	-	-	-	-	-	-	-
政府統計處	-	-	-	-	-	-	-	-	-
民航署	-	-	2	-	-	-	-	-	-
教育司署	12	11	14	3	9	8	-	-	1
消防事務處	21	34	28	16	16	10	1	6	2
督憲府化驗所	1	-	-	1	-	-	-	-	-
政府司署	1	2	2	1	2	1	-	1	-
政府物料供應處	4	7	7	3	3	6	1	-	-
民政署	6	3	9	2	-	1	-	-	-
房屋署	44	66	136	24	42	77	1	-	13
入境事務處	28	35	66	23	19	58	1	-	-
新聞處	-	-	3	-	-	3	-	-	-
新稅務局	4	4	7	3	3	2	-	-	-
九廣鐵路局	-	1	1	-	1	-	-	-	-
勞工處	4	3	13	1	2	4	-	-	-
工務處	-	2	-	-	2	-	-	-	-
律政司署	-	-	1	-	-	1	-	-	-
法律援助處	-	2	2	-	1	-	-	1	-
海警署	4	13	11	-	5	7	-	-	-
衛生署	15	35	44	6	17	18	-	1	2
新界民政署	38	40	64	27	23	48	-	1	1
郵政局	7	15	17	5	7	7	4	-	-
政府印務局	-	-	1	-	-	1	-	-	1
監獄署	20	19	33	16	18	30	7	2	1
公務員叙用委員會	-	-	-	-	-	-	-	-	-
工務局	59	74	85	30	39	45	-	6	10
香港電台	3	1	1	-	-	-	-	-	-
差餉估價署	-	1	-	-	-	-	-	-	-
註冊總署	4	1	1	1	1	1	-	-	-
皇家香港警務處	487	729	1,119	344	386	345	62	126	55
社會福利署	3	8	5	3	7	3	-	2	-
影視及娛樂事務管理處	3	-	1	2	-	-	-	-	-
工商業科	1	6	6	-	6	4	-	-	-
香港海關	16	16	15	10	4	6	3	1	-
運輸署	18	11	24	11	6	10	-	-	4
庫務署	-	1	-	-	1	-	-	-	-
市政事務署	65	96	135	46	68	56	2	11	5
其他機構									
駐港英軍署	4	5	3	4	3	1	-	-	-
廉政公署	2	14	12	2	14	12	-	-	-
法院	8	16	9	4	11	8	-	1	1
私人機構	301	378	471	214	255	307	95*	109*	161*
公共機構 +	42	46	76	28	23	33	4	3	1
合計	<u>1,234</u>	<u>1,700</u>	<u>2,433</u>	<u>836</u>	<u>999</u>	<u>1,117</u>	<u>181</u>	<u>272</u>	<u>259</u>

* 這些案件中，涉及政府／公共機構僱員與個別市民的，在一九七六、七七、七八年分別計有六十五、七十二、四十五宗。

+ 載釋於防止賄賂條例者。

所調查的貪污舉報

	<u>一九七八</u>	<u>一九七七</u>	<u>一九七六</u>
該年以前已展開但未完成的 調查工作	270	293	434
已展開的調查工作	836	999	1,117
已完成的調查工作	774	1,022	1,258

在一九七八年十二月三十一日仍在調查的案件有
三百三十二宗（其中四十五宗是七八年以前已開始調查的）

所調查的貪污舉報
(依政府部門及其他機構分類)

政府部門	一九七八			一九七七	一九七六
	查訊中的案件	調查完畢的案件	合計	合計	合計
漁農處	1	5	6	5	4
民航署	-	-	-	-	-
教育司署	-	3	3	9	8
消防事務處	4	12	16	16	10
督憲府	-	-	-	-	-
政府化驗所	1	-	1	-	-
布政司署	1	-	1	2	1
政府物料供應處	1	2	3	3	6
民政署	-	2	2	-	1
房屋署	5	19	24	42	77
人民入境事務處	8	15	23	19	58
新聞處	-	-	-	-	3
稅務局	-	3	3	3	2
九廣鐵路局	-	-	-	1	-
勞工處					
勞工科	1	-	1	2	4
鑛務科	-	-	-	2	-
律政司署	-	-	-	-	1
法律援助處	-	-	-	1	-
海事處	-	-	-	5	7
醫務衛生處	1	5	6	17	18
新界民政署	16	11	27	23	48
郵政局	1	4	5	7	7
政府印務局	-	-	-	-	1
監獄署	7	9	16	18	30
工務司署	12	18	30	39	45
差餉物業估價署	-	-	-	-	-
註冊總署	-	1	1	1	1
皇家香港警務處	136	208	344	386	345
社會福利署	-	3	3	7	3
影視及娛樂事務管理處	2	-	2	-	-
工商署					
工商業科	-	-	-	6	4
香港海關	7	3	10	4	6
運輸署	7	4	11	6	10
庫務署	-	-	-	1	-
市政事務署	12	34	46	68	56
其他機構					
駐港英軍	-	4	4	3	1
廉政公署	1	1	2	14	12
法院	2	2	4	11	8
私人機構*	57	157	214	255	307
公共機構*	4	24	28	23	33
合計	<u>287</u>	<u>549</u>	<u>836</u>	<u>999</u>	<u>1,117</u>

* 載釋於防止賄賂條例者。

已檢控的貪污及相關罪行
(依政府部門及其他機構分類)

政府部門	一九七八					一九七七	一九七六
	候審	已定罪	無罪釋放	不起訴	合計	合計	合計
漁農處	-	-	-	-	-	1	1
教育司署	-	-	-	-	-	-	1
消防事務處	-	1	-	-	1	6	2
布政司署	-	-	-	-	-	1	-
政府物料供應處	-	1	-	-	1	-	-
房屋署	-	1	-	-	1	-	13
人民入境事務處	-	-	1	-	1	-	-
勞工處	-	-	-	-	-	-	-
法律援助處	-	-	-	-	-	1	-
海事處	-	-	-	-	-	-	-
醫務衛生署	-	-	-	-	-	1	2
新界民政署	-	-	-	-	-	1	1
郵政局	-	4	-	-	4	-	-
政府印務局	-	-	-	-	-	-	1
監獄署	1	6	-	-	7	2	1
工務司署	-	-	-	-	-	6	10
皇家香港警務處	22	19	19	2	62	126	55
社會福利署	-	-	-	-	-	2	-
工商署							
工商業科	-	-	-	-	-	-	-
香港海關	2	1	-	-	3	1	-
運輸署	-	-	-	-	-	-	4
市政事務署	-	-	2	-	2	11	5
<u>其它機構</u>							
廉政公署	-	-	-	-	-	-	-
法院	-	-	-	-	-	1	1
政府僱員／個別市民*	6	30	8	-	44	69	63
公共機構+	2	1	1	-	4	3	1
公共機構／個別市民*	-	1	-	-	1	3	2
私人機構	13	32	5	-	50	37	96
合計	46	97 ^Ω	36 [#]	2	181	272	259

* 這些案件牽涉政府／公共機構僱員及個別市民。

+ 載釋於防止賄賂條例者。

Ω 一九七八年內，控罪得到證明但無人定罪的案件有三宗：其中郵政局佔一宗、私人機構兩宗。一九七七年內此類案件有五宗：皇家香港警務處佔一宗、社會福利署一宗、私人機構三宗。在一九七六年此類案件有十七宗：房屋署佔十三宗、教育司署一宗、私人機構三宗。

這數目包括七人毋須答辯，五人的案件法庭不受理，另外四人控方不提證據。

已檢控的貪污及相關罪行
(依罪行分類)

罪行類別	一九七八				一九七七	一九七六
	政府部門/ 公務人員	公共/公務人 員及個別市民	公共機構 ^Ω	私人機構	合計	合計
索取 / 接受						
第二〇一章第三條*	3	-	-	-	3	8
第二〇一章第四條第二款	23	-	4	-	27	33
第二〇一章第五條第二款	-	-	-	-	-	1
第二〇一章第九條第一款	-	-	-	11	11	46
給予						
第二〇一章第四條第一款	1	34	-	-	35	57
第二〇一章第八條	-	-	-	-	-	-
第二〇一章第九條第二款	-	-	-	-	-	20
財富來源不明						
第二〇一章第十條第一款甲段	-	-	-	-	-	1
第二〇一章第十條第一款乙段	5	-	-	-	5	8
偽造文件欺騙委託人						
第二〇一章第九條第三款	-	-	-	2	2	5
未能提供有關調查之特別資料						
第二〇一章第十四條第四款	-	-	-	-	-	1
觸犯一九四八年防止貪污條例						
與貪污罪行相關或因之而起的罪行						
第二〇四章第十條第二款甲段 +	12	6	-	11	29	82
誣告						
第二〇四章第十三條乙款	-	-	-	11	11	8
冒充						
第二〇四章第十三條丙款	-	-	-	-	-	1
列於第二〇四章第十條第五款之罪行	38	5	-	15	58	58
合計	82	45	4	50	181	272
						259

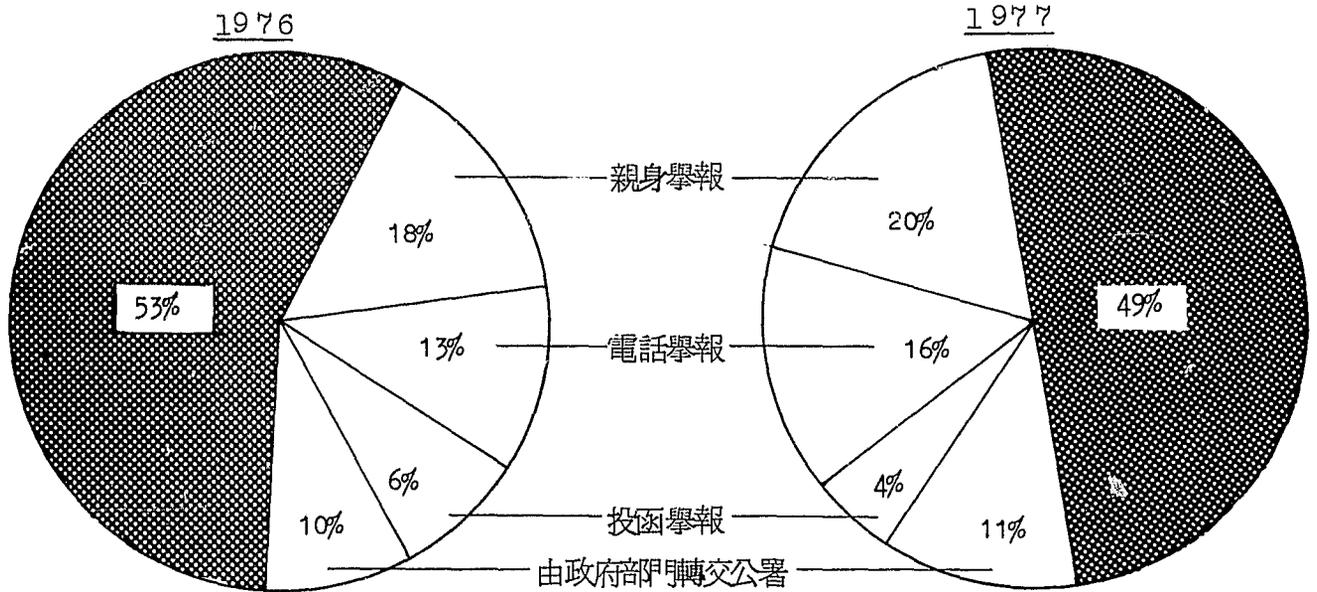
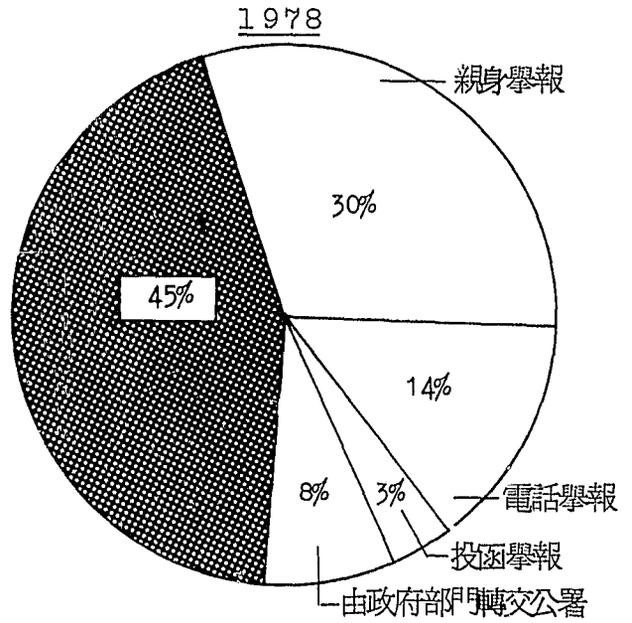
* 第二〇一章即防止賄賂條例。

+ 第二〇四章即總督特派廉政專員公署條例。

Ω 載釋於防止賄賂條例者。

食污舉報及舉報方式

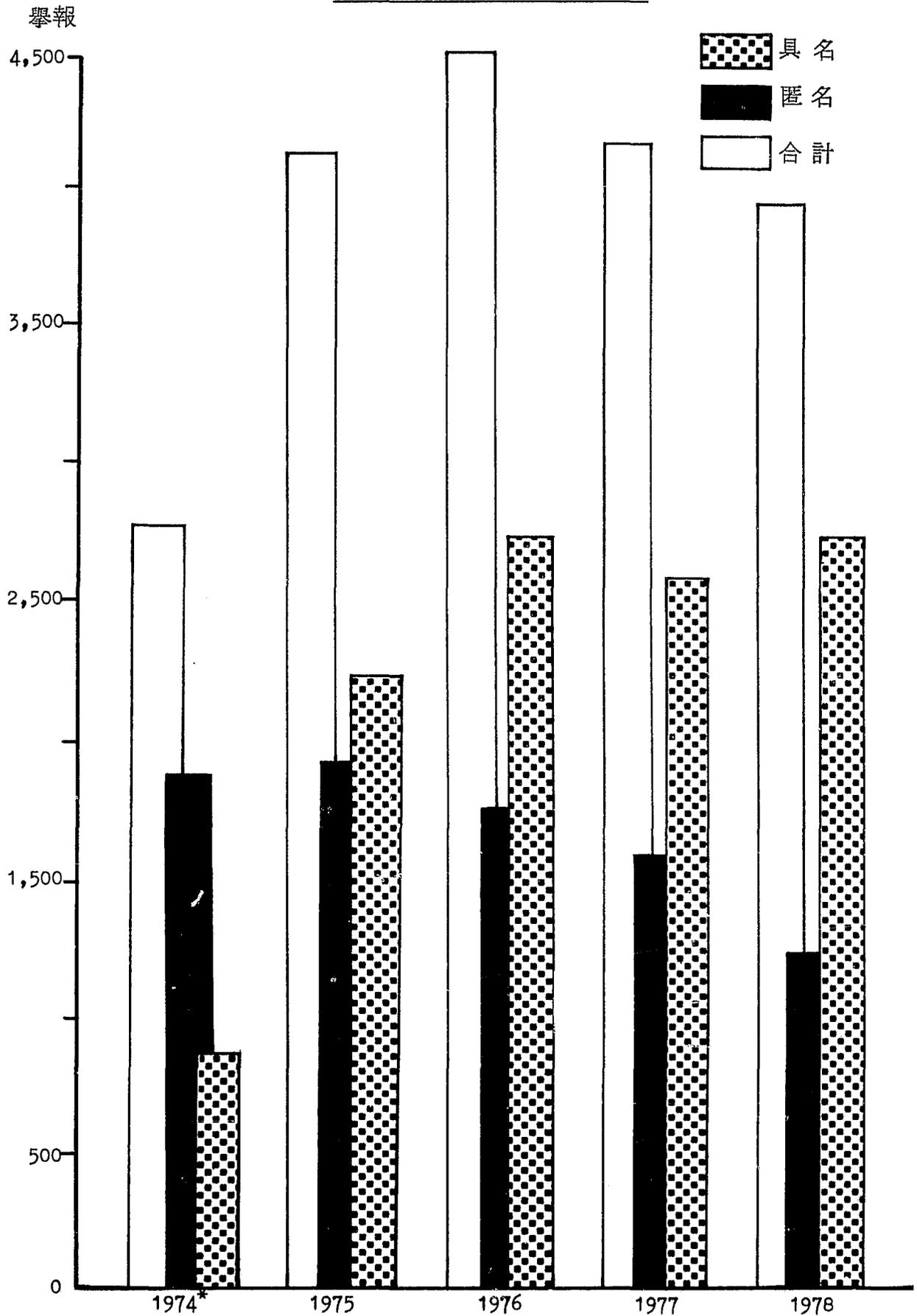
食 污 舉 報			
	1978	1977	1976*
匿名舉報	551	832	1,294
親身舉報	(28)	(20)	
電話舉報	(232)	(299)	
投函舉報	(252)	(465)	
由政府部門轉交公署	(39)	(48)	
具名舉報	683	868	1,139
親身舉報	(372)	(331)	(445)
電話舉報	(174)	(274)	(320)
投函舉報	(34)	(72)	(145)
由政府部門轉交公署	(103)	(191)	(229)
合 共	1,234	1,700	2,433



* 一九七六年匿名舉報的舉報方式不會分類

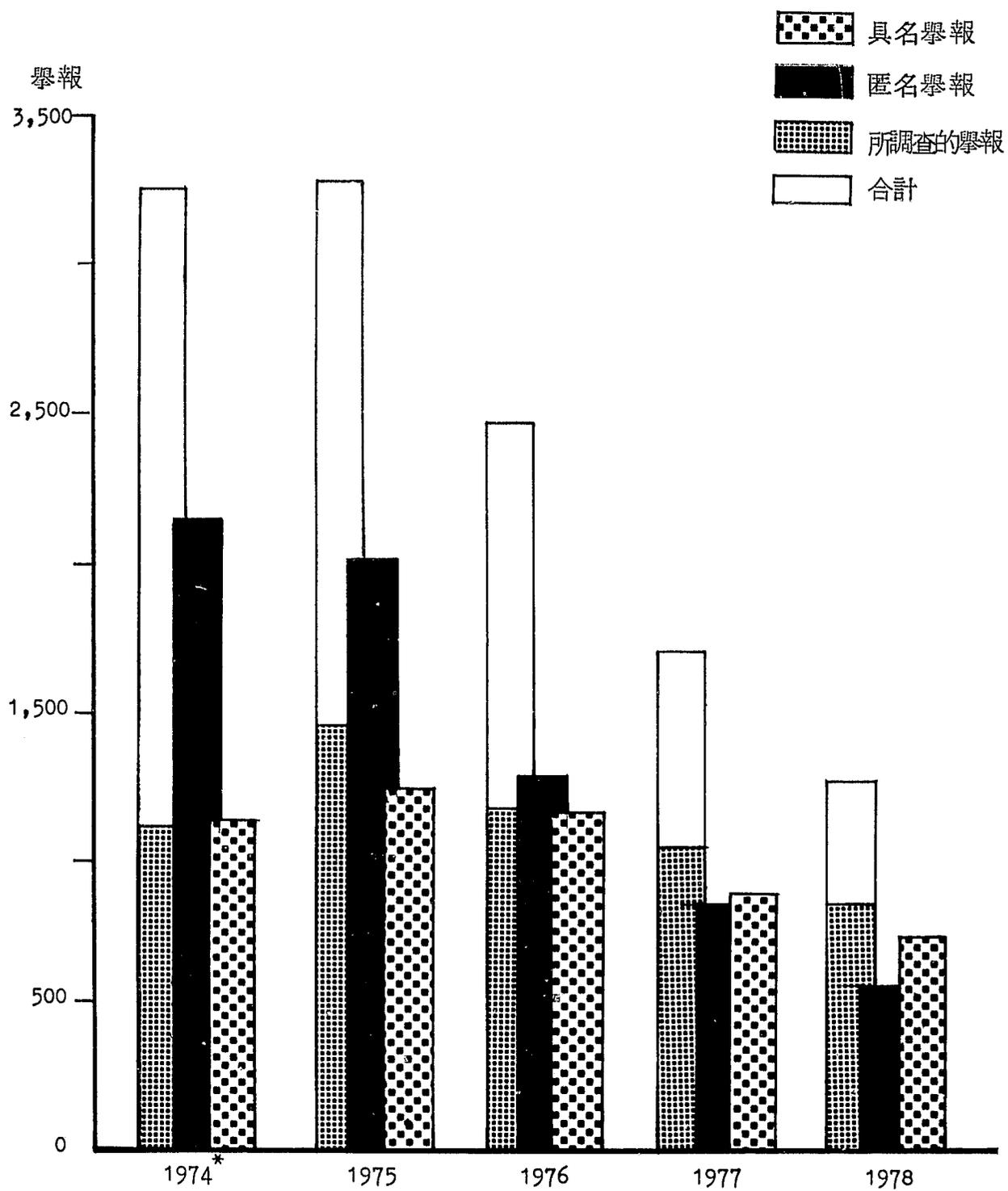
 匿名舉報
 具名舉報

公署所接獲的非貪污舉報



* 由一九七四年二月十五日至十二月三十一日

公署所接獲及調查的貪污舉報



* 由一九七四年二月十五日至十二月三十一日

經已核准及修訂的開支預算比較表盤一九七九至八〇年度預算草案

開支性質	一九七八至七九年度 核准預算 (七八年四月一日)		一九七八至七九年度 修訂預算 (七八年十二月卅一日)		一九七九至八〇年度 預算草案	
	\$	\$	\$	\$	\$	\$
甲、薪酬						
薪酬		45,000,000		45,000,000		50,783,000
乙、其他開支						
行政						
(一)諮詢顧問、會議及委員會	200,000		200,000		183,000	
(二)燃料及電費	220,000		170,000		220,000	
(三)雜項	36,000		36,000		49,000	
(四)臨時生活津貼	54,000	510,000	54,000	460,000	58,000	510,000
款待費		15,000		15,000		15,000
服務租賃		1,200,000		900,000		900,000
公署職員的救濟及福利						
(一)救濟	2,000		2,000		2,000	
(二)福利	1,000	3,000	1,000	3,000	4,000	6,000
物料及配備						
(一)刊物	32,000		32,000		40,000	
(二)辦公室的設備的租用的保養	150,000		150,000		200,000	
(三)物料及配備	410,000		370,000		333,000	
(四)紙張文具(註一)	-	592,000	-	552,000	100,000	673,000
臨時僱員		53,000		53,000		35,000
訓練費用		10,000		10,000		10,000
運輸及交通費						
(一)車輛燃料費	53,000		53,000		54,000	
(二)交通費	180,000	233,000	180,000	233,000	206,000	260,000
廉政專員辦事處經費		337,000		380,000		271,000
證人、疑犯及被拘留者的消費		18,000		18,000		18,000
宣傳		1,301,000		1,301,000		1,301,000
招募費用		150,000		150,000		100,000
賞金及特別服務		2,332,000		2,332,000		2,332,000
其他開支總額		6,754,000		6,407,000		6,431,000
丙、特別開支						
交通工具		56,000		56,000		78,000
電話系統		993,000		286,472		195,000
攝影器材		118,000		118,000		109,000
無線電網		418,000		402,896		-
特別開支總額		1,585,000		863,368		382,000
總開支		53,339,000		52,270,368		57,596,000

註一：一九七九至八〇年度預算的新項目

總督特派廉政專員公署

截至一九七八年三月三十一日止的一年內預算及實際開支表

開支性質	原先預算支出(1)	實際開支	超出預算	低於預算	追加之費用(1) 重行分配
	\$	\$	\$	\$	\$
001 甲、 <u>薪酬</u>					
薪酬	39,594,000 (2)	37,710,418.05		1,883,581.95 (2)	- 15,000
乙、 <u>其他開支</u>					
002 行政	350,000	246,406.84		103,593.16	
004 款待費	10,000	6,069.30		3,930.70	
005 服務租賃	2,200,000 (3)	521,885.35		1,678,114.65 (3)	- 436,900
007 廉政公署職員的救濟及福利					
001 救濟	2,000	2,000.00			
002 福利	1,000	1,000.00			
008 物料及配備	380,000	374,300.57		5,699.43	
009 臨時僱員	125,000	-		125,000.00	
010 訓練費用	10,000	8,390.00		1,610.00	
011 運輸及交通	143,000	196,204.27	53,204.27		+ 57,000
100 廉政專員辦事處經費	318,000	334,959.13	16,959.13		+ 19,000
101 證人/疑犯的消費	36,000	5,266.80		30,733.20	
102 宣傳	1,203,000	1,515,759.46	312,759.46		+ 360,900
103 招募費用	100,000	105,551.50	5,551.50		+ 15,000
104 獎金及特別服務	2,332,000	2,260,645.07		71,354.93	
其他開支總額	7,210,000	5,578,438.29			
每年經常費用總額	46,804,000	43,288,856.34		3,903,618.02	
丙、 <u>特別開支</u>					
300 交通工具	102,000	44,105.00		57,895.00	
350 閉路電視	40,000	38,816.00		1,184.00	
351 電話系統	993,000	706,527.95		286,472.05	
352 攝影器材	14,000	11,601.32		2,398.68	
353 無綫電網	420,000	17,103.75		402,896.25	
特別開支總額	1,569,000	818,154.02		750,845.98	
總開支	48,373,000 (1)	44,107,010.36	388,474.36	4,654,464.00	
增加之開支				388,474.36	
實際節省之開支				4,265,989.64	

- (一) 政府於一九七七至七八年度財政預算中由項目四十下撥款四千八百三十七萬三千元，此已獲總督之代表批准。以重行分配方式由布政司署財政科批准。其後，全部數目由總督追認。
- (二) 布政司署財政科批准從普通撥款令所貯備之二百八十六萬四千元取出一百五十萬，因此，現仍貯備了一百三十六萬四千元。
- (三) 布政司署財政科批准從普通撥款令所貯備之一百五十萬元，取出九十萬；因此現仍貯備了六十萬。
- (四) 其他有關約滿酬金，共用樓宇之電費及辦公室之清潔費、裝修、傢具、旅店生活津貼、旅費、印刷及文具、宿舍、辦公室租金、電報費及電話費等開支均由政府各統合性撥款項目支付。

總督特派廉政專員

(姬達) 簽署

一九七八年六月三十日

截至一九七八年三月三十一日止的一年內廉政公署帳目表

核數署署長報告及證明書

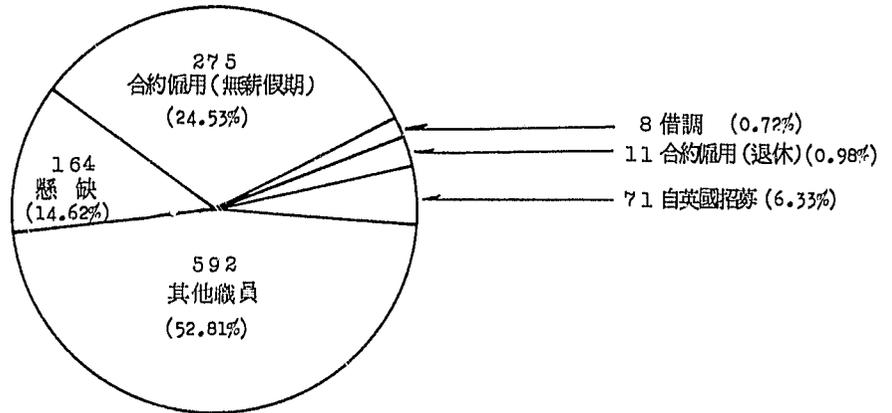
本人業已根據「總督特派廉政專員公署條例」第十六條第二款將附列之預算及實際開支報告審核完竣。除下列所作之評論外，本人經獲得全部所需資料及解釋。現謹此證明本人在審核後認為附列之開支報告實屬正確無誤。

二、 賞金及特別服務——於此財政年度內，由分目一〇四支出之費用共達二百二十六萬六千四百五十五元零七仙，約佔「其他開支」總額百分之四十。此項費用乃依據殖民地規則第二三二條之規定支付，即凡有需要支付機密性質之服務費用而又不能公開該等消費之用途及詳情時，必須由總督在帳項內以付款證明書及聲明證實其本人對該等費用之用途表示滿意。付款證明書及聲明一向均由公署內獲得特別授權之高級職員簽發，因此該等開支並未依照一般核數形式加以稽核，而以有關之付款證明文件報銷該撥款項目下之開支。

核數署長（黎義孚） 簽署

一九七八年十一月二十四日

人事狀況——職員來源分析
(一九七八年十二月三十一日)



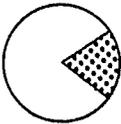
總編制：1,121

香港政府公務員

合約僱用(無薪假期)	:	275 (24.53%)
借 調	:	8 (0.72%)
合約僱用(退休)	:	11 (0.98%)
自英國招募	:	71 (6.33%)
其他職員	:	592 (52.81%)
懸 缺	:	164 (14.63%)
		1,121(100.00%)

各部門在職人數
(一九七八年十二月三十一日)

79.49%
職位已
經填補



行政總部

編制	:	78
在職人數	:	62
懸缺	:	16
		79.49% 職位已經填補

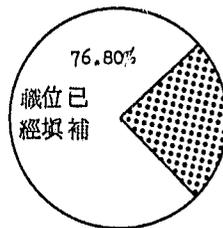
76.92%
職位已
經填補



防止貪污處

編制	:	104
在職人數	:	80
懸缺	:	24
		76.92% 職位已經填補

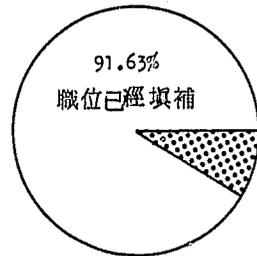
76.80%
職位已
經填補



社區關係處

編制	:	306
在職人數	:	235
懸缺	:	71
		76.80% 職位已經填補

91.63%
職位已
經填補



執行處

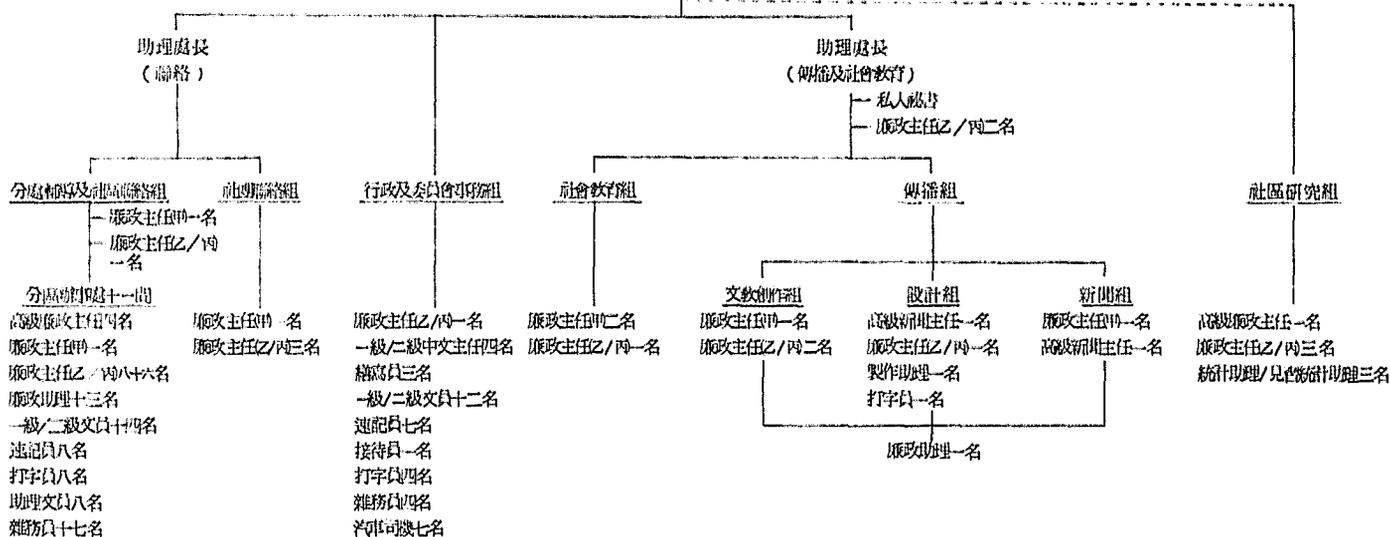
編制	:	633
在職人數	:	580
懸缺	:	53
		91.63% 職位已經填補



社區關係處的組織
(一九七八年十二月三十一日)

社區關係處高級助理處長

—私人秘書



一九七八年十二月三十一日之編制及在職人數

職銜	在職人數	編制	在職人數
處長 (\$16,440)	1	-	
高級助理處長 (\$14,200)	1	1	
助理處長 (\$12,400)	2*	2	
高級廉政主任 (\$9,330 - \$10,100)	12	5	
廉政主任甲 (\$6,795 - \$8,945)	14	7	
廉政主任乙/丙 (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	118	100	
廉政助理 (\$1,520 - \$2,560)	21	14	
高級行政主任 (\$6,485 - \$8,945)	1	-	
一級/二級行政主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	1 [□]	-	
高級新聞主任 (\$6,485 - \$7,810)	5	2	
一級/二級中文主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	5	4	
製作助理 (\$2,425 - \$4,435)	1	1	
統計助理/見習統計助理 (\$1,645 - \$3,155)/(\$1,325 - \$1,410)		3	3
一級/二級文員 (\$2,560 - \$3,155)/(\$1,005 - \$2,425)		31	26
助理文員 (\$860 - \$1,770)		11	8
繕寫員 (\$1,005 - \$2,290)		3	3
高級私人秘書 (\$3,320 - \$4,240)		1	-
私人秘書 (\$2,155 - \$3,155)		3*	2
速記員 (\$1,005 - \$2,025)		21	15
打字員 (\$905 - \$1,645)		13	13
接待員 (\$1,325 - \$2,155)		1	1
雜務員 (\$825 - \$1,165)		30	21
汽車司機 (\$1,270 - \$1,430 另加生活津貼)		10	7

* 其中一個是臨時職位

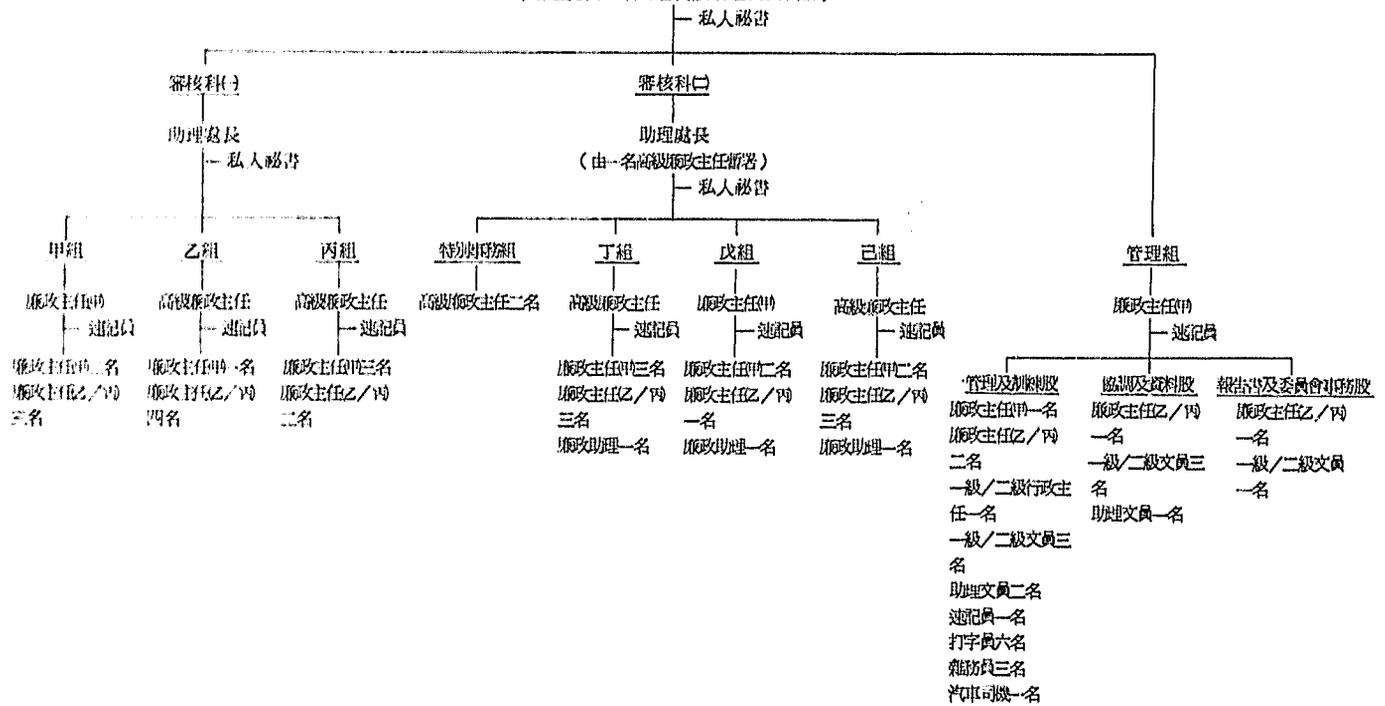
+ 其中一個是臨時職位

□ 其中一個是臨時職位

防止貪污處的組織

(一九七八年十二月三十一日)

防止貪污處處長
(助理處長一名暫署高級助理處長職務)



一九七八年十二月三十一日之編制及在職人數

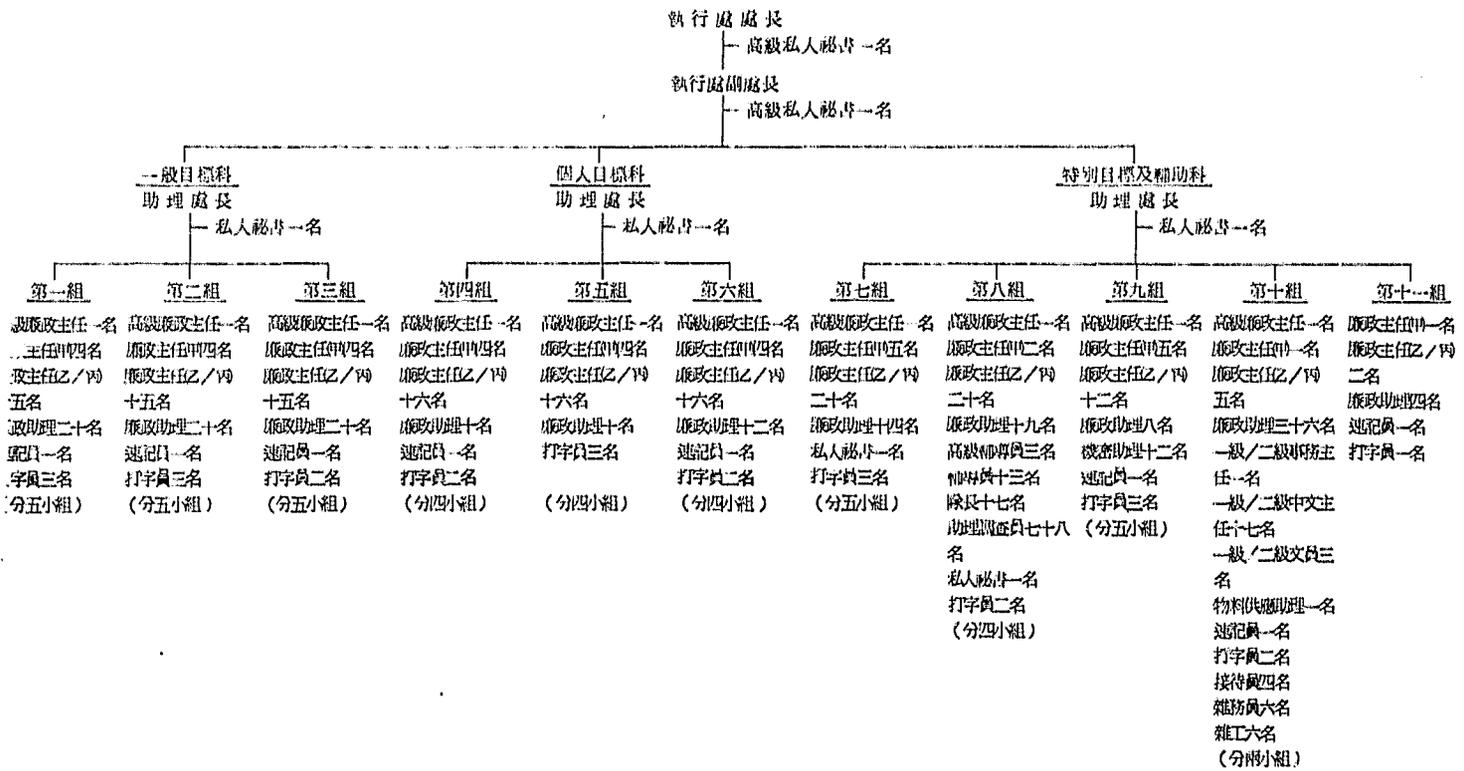
編制	在職人數	編制	在職人數
處長 (\$16,440)	1	一級/二級文員 (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	7
高級助理處長 (\$14,200)	1*	助理文員 (\$860 - \$1,770)	4
助理處長 (\$12,400)	2	高級私人秘書 (\$3,320 - \$4,240)	1
高級廉政主任 (\$9,330 - \$10,100)	9	私人秘書 (\$2,155 - \$3,155)	3 [□]
廉政主任甲 (\$6,795 - \$8,945)	26	速記員 (\$1,005 - \$2,025)	9
廉政主任乙/丙 (\$4,640 - \$6,405)/(\$2,695 - \$4,435)	20 ⁺	打字組主管 (\$2,290 - \$3,665)	1
廉政助理 (\$1,520 - \$2,560)	8	打字員 (\$905 - \$1,645)	10
一級/二級行政主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	1	雜務員 (\$825 - \$1,160)	4
		汽車司機 (\$1,270 - \$1,430 另加生活津貼)	1

* 其中一個是臨時職位

+ 其中兩個是臨時職位

□ 其中一個是臨時職位

執行處的組織
(一九七八年十二月三十一日)

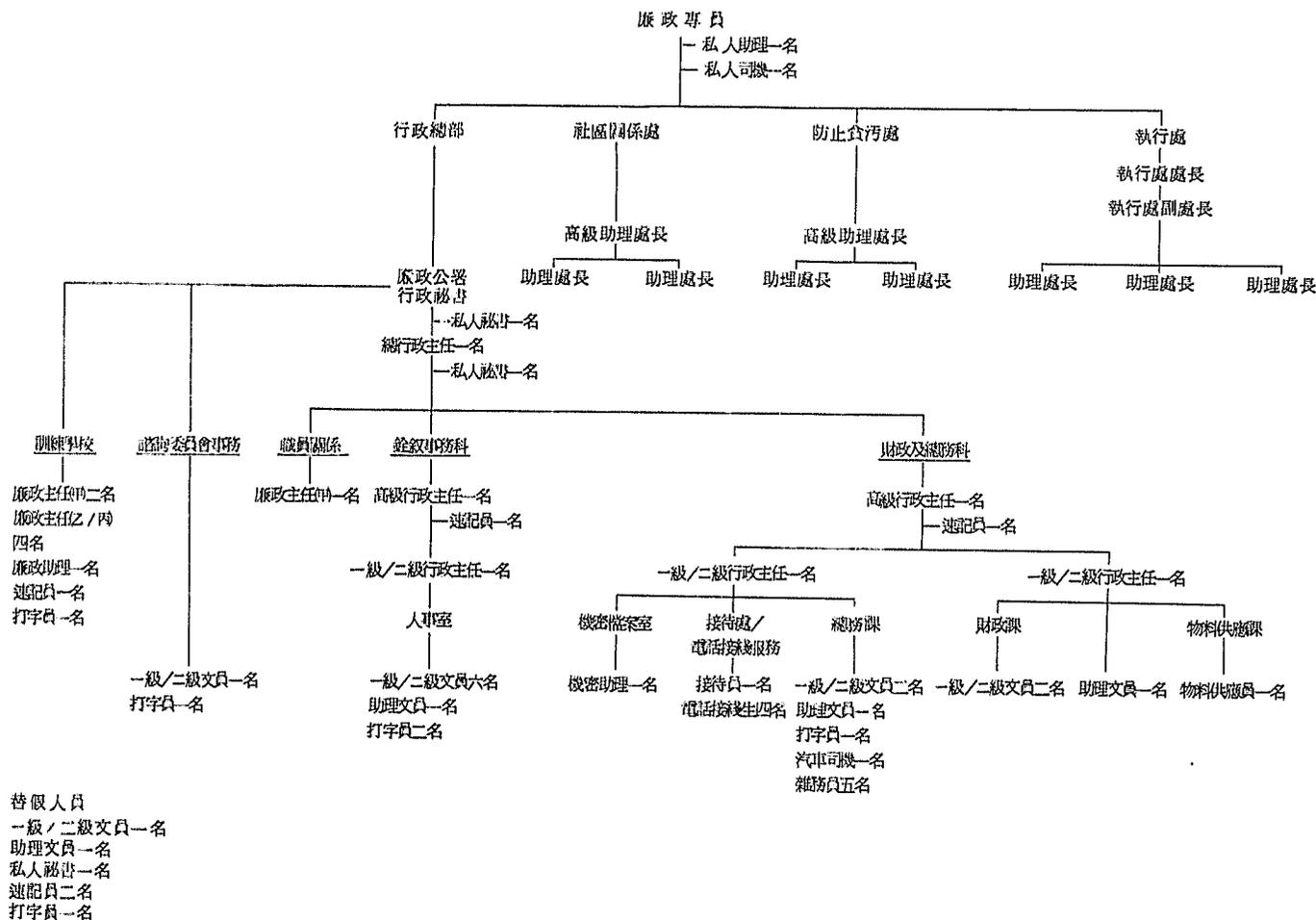


一九七八年十二月三十一日之編制及在職人數

	編制	在職人數		編制	在職人數
處長 (\$16,440)	1	1	一級/二級中文主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	18	17
副處長 (\$15,200)	1	1	一級/二級文員 (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	3	3
助理處長 (\$12,400)	3	3	物料供應助理 (\$825 - \$1,160)	1	1
高級廉政主任 (\$9,330 - \$10,100)	12*	10	機密助理 (\$1,410 - \$2,695)	13	12
廉政主任甲 (\$6,759 - \$8,945)	46	38	高級私人秘書 (\$3,320 - \$4,240)	2	5
廉政主任乙/丙 (\$4,640 - \$6,485)/(\$2,695 - \$4,435)	171	152	私人秘書 (\$2,155 - \$3,155)	5	5
廉政助理 (\$1,520 - \$2,560)	180	173	速記員 (\$1,005 - \$2,025)	9	8
高級輔導員 (\$3,665 - \$4,435)	3	3	打字員 (\$905 - \$1,645)	29	26
輔導員 (\$2,695 - \$3,320)	13	13	接待員 (\$1,325 - \$2,155)	5	4
隊長 (\$2,290 - \$2,560)	19	17	雜務員 (\$825 - \$1,160)	8	6
助理調查員 (\$1,520 - \$2,115)	84	78	廚子 (\$1,025 - \$1,120)	2	-
一級/二級行政主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,435)	1	1	雜工 (\$990 - \$1,020另加生活津貼)	6*	6

* 包括一臨時職位
+ 包括一臨時職位

廉政公署高級職位的分佈
廉政專員辦事處及行政總部的組織
(一九七八年十二月三十一日)



一九七八年十二月三十一日之編制及在職人數

	編制	在職人數		編制	在職人數
廉政專員 (\$20,050)	1	1	一級/二級文員 (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	14	12
+ 私人助理 (\$4,435 - \$5,325)	1	1	助理文員 (\$860 - \$1,770)	5	4
私人司機 (\$1,520 - \$1,645)	1	1	一級/二級物料供應員 (\$2,560 - \$3,155)/(\$1,005 - \$2,425)	1	1
廉政公署行政秘書 (\$12,400)	1	1	機密助理 (\$1,410 - \$2,695)	2	1
總行政主任 (\$9,330 - \$10,100)	1	1	私人秘書 (\$2,155 - \$3,155)	3	3
廉政主任甲 (\$6,795 - \$8,945)	4	3	速記員 (\$1,005 - \$2,025)	6	5
廉政主任乙/丙 (\$4,640 - \$6,405)/(\$2,695 - \$4,435)	5	4	打字員 (\$905 - \$1,645)	9	6
廉政助理 (\$1,520 - \$2,560)	3	1	接待員 (\$1,325 - \$2,155)	1	1
高級行政主任 (\$6,405 - \$8,945)	3	2	電話接線生 (\$1,080 - \$1,895)	4	4
一級/二級行政主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	4	3	雜務員 (\$825 - \$1,160)	6	5
一級/二級中文主任 (\$4,640 - \$6,175)/(\$2,425 - \$4,240)	2	-	汽車司機 (\$1,270 - \$1,430 另加生番津貼)	1	1

廉政專員的職責

根據「總督特派廉政專員公署條例」第十二條的規定，廉政專員之職責如下：
廉政專員將代表港督負責——

- (甲) 接受及考慮指控貪污行為的舉報，且在可能範圍內，予以調查；
- (乙) 調查任何指控或涉嫌觸犯本條例、防止賄賂條例或舞弊及非法行為條例的事件；
- (丙) 如廉政專員認為任何公務員的行為可能引致貪污或與貪污行為有關時，則予以調查，然後向總督報告；
- (丁) 審查政府及公共機構的辦事慣例及工作程序，以期查出可能引致貪污的行為，並設法將所認為會引致貪污行為的工作方法或程序予以更正；
- (戊) 應任何人之請，指導及協助該人如何消除貪污行為；
- (己) 向政府或公共機構的首長建議，在不妨礙該機構執行職責的情形下，更改不良慣例與程序，務求盡量減低可能引致貪污的機會；
- (庚) 使市民認識貪污的害處；
- (辛) 鼓勵市民支持肅貪倡廉的工作。

五、該組亦每週及每月編製有關公署各部門工作之統計摘要；在適當時，就舉報中心及各分處所收之有關貪污或非貪污性之舉報進行分析，並闡釋其趨勢。該組亦統計各項聯絡活動，以供管理階層參考。

未來展望

五、香港抗拒貪污的最佳保障，是要整個社會深明貪污之本質及堅決杜絕其復燃機會。公署致力於社會教育及參與，在未來歲月中其主要任務是促使市民醒覺，並邁向更高之社會道德標準。

與聯絡人員叙談（見五五段）。九月中旬，本處就該試驗計劃作出檢討；鑑於市民反應頗佳，遂在十月及十一月將活動延辦兩個月。此項活動可算成功，參加者達一千七百人。目前正擬於其他分處舉辦同類活動；至於形式方面，則會就各區特性、人力物力及時間因素等加以修改。

五、七八年十一月，本處曾於大埔舉辦一次為期兩天的研習營，招待高中學生，以期增加他們對貪污問題的認識，並鼓勵他們參與肅貪工作。由七間分處自三十三所不同學校邀請五十五名學生參加。參加者於營中協助各項節目的籌劃及推行的工作，深刻地認識到他們參與社區活動的潛能。大致來說，研習營的原定目標均能達到，並察覺到年青參加者多喜愛從實踐中學習。

五、在十二月期間，本處正籌備兩個將於一九七九年二月為中小學教師舉行的研討會。研討會的主題是：在課室及課外活動灌輸公民責任和良好市民意識方面，教師應擔當的角色。

社區研究組

五、社區研究組成立於一九七六年四月，其主要目標為評估及衡量市民對貪污的一般觀感和態度，特別就社區關係活動評估公署肅貪倡廉工作對市民產生的效果。

五、於一九七七年已完成一項實地「準則」研究工作的所獲資料，構成公署未來發展及社區聯絡和教育計劃指南的一部份。該組又藉着以下兩次調查繼續其評估工作：其一是於一月份進行的一項研究工作以評估市民於「局部特赦令」頒佈後的態度；其二是於一九七八年十一月開始進行的全面性「評估」研究工作。資料收集已於十二月初完結，資料的最後分析工作當可於一九七九年稍後時間完成。

五、除對市民態度進行研究工作外，該組又於一九七八年初着手評估公署的傳播工作（例如電視及電台節目、海報和宣傳小冊子等）給市民的印象和所具之影響。研究所得資料，將會被用作指南，以計劃公署傳播工作的方針，善用宣傳經費。

五、過去一年內，社區研究組致力於協助評估本處各單位的一般性活動，例如在分處舉行的試驗性週末電影叙會及學生研習營。

五、**望** 商界方面，聯絡組會為服務性質的會社、專業團體、商會及工商機構等，安排聯絡叙會。叙會的討論重點，在商業交易上的防止賄賂問題及國際間逐漸提高商業道德的趨向。由國際商會編印的「商業交易之索賄及行賄問題」小冊子，為肅清商界賄賂行為而訂定了一套守則；公署取得本港的國際商會代表同意後，會將該小冊翻印成多份英文本及中譯本，並派發予多間商業機構。很多商業機構的高級管理人員反應甚佳；他們當中不少隨即推行積極措施，如就僱員接受禮物或其他利益一事上，發表公司的政策立場，以防止貪污舞弊的事件發生。

五、**哭** 一九七八年內，社團聯絡組共參與了五百二十七次聯絡叙會，其中二百七十五次是與政府部門及公共機構聯絡。

(乙) 社區聯絡

五、**望** 位於人口稠密地區之廉政公署分處，作用有二：

- (一) 接受有關貪污之舉報，並解答有關法例及其他問題的諮詢；
- (二) 作為區內與大眾建立及保持聯絡之中心，合力肅貪倡廉。

分處全年每日辦公十四小時（早上八時至晚上十時），目的是提供方便之時間及地點為市民服務。截至七八年底，早期開設之分處服務已屆三年；分處之辦公時間將按各區坊眾之實際需要而另行修訂，俾能更充份地運用人力資源。

五、**哭** 年內，公署已籌備在黃竹坑新邨一個適合地點開設第八間分處。新分處的裝修工程在十二月間已接近完成。與此同時，由一位分處主任領導的聯絡人員已由十一月一日開始在順華分處展開新分處的工作。預料黃竹坑分處可於一九七九年初啓用，為港島南區居民服務，服務地區包括薄扶林、華富、田灣、石排灣、香港仔、鴨脷洲、黃竹坑、壽山村、淺水灣、赤柱及石澳等。

五、**哭** 遠自一九七四年，公署已獲准在油蔴地或旺角區設立分處，而隨後亦獲准在屯門及沙田區開設分處，可是迄今仍未能在該等地區找到合適地點，且尚未聘得足夠有經驗的高級職員來主管這些分處。

五、該組和專上學生報繼續保持聯絡，並在適當的時候，嘗試引發一些以道德標準為題的文章或言論。

社區聯絡

五、為加強傳播活動之影響力，社區關係處繼續建立及維持與市民的聯繫，闡釋公署的工作目標，以期使市民切實參與肅貪倡廉的工作。這就是聯絡科的任務。為求取全面性的效果起見，聯絡科之工作主要可分為兩大層面：

- (一) 由總部的社團聯絡組展開全港性的社團聯絡工作；
- (二) 由各分處展開地區性的聯絡工作。

〔甲〕社團聯絡

五、社團聯絡組負責聯絡各政府部門總部、防止賄賂條例所列之公共機構、及其他大規模組織。在過去一年內，該組繼續致力會晤政府部門及公共機構中因工作關係經常與市民接觸的職員。聯絡組人員亦會參與很多由此類機構舉辦的基本及進修訓練課程，藉以傳遞公署的訊息及使大家更重視對市民提供忠誠及有效率的服務。該組並與布政司署公務員訓練組達成協議，將「廉政公署」一節納入一般職級職員訓練課程內。

五、政府的主管級人員、商界行政人員、大學生及不少其他人士均對防止貪污處在「責任承擔」方面的研究漸感興趣。故此，聯絡組的職員亦盡可能將這重要的題目納入訓練講座中。

五、公署在進一步參與警務處所舉辦的課程方面，已有若干的進展。社團聯絡組的成員與執行處的代表亦經常與各職級的警務人員共同參與訓練講座。透過此等課程，這兩個執法機構對一些大家共通的問題都有更深的了解。兩個機構的高級職員亦經常就參與警察訓練一事的安排，作出檢討。

五、大專學生方面的聯絡，主要採取討論會形式，論題多在大專學生如何協助培養健康正確的社會意識。此外，該組亦安排大專同學分組探訪執行處的羈留中心，使他們有機會與執行處人員敘談。

社會教育工作

五、傳播及教育事務科另一個專責單位社會教育組，由三位深具個人及專業教育經驗的人員組成。其工作主要是聯絡及諮詢教育專業人士以及一些與學科和其他訓練課程有聯繫的教育機構，向學生宣揚誠實及廉潔等基本美德及正確的社會態度。

五、教育組於七八年內會與各分處合辦地區性之教師座談會；通過是項系統化聯絡計劃，促使從事教育者明瞭本身培養少年心智的職責，不僅限於課室之內，及更須以身作則。

五、該組繼續設計及改良教具。特別要提出的一套教具是有六十四張彩色幻燈片的「廉政公署分處的工作」。這教具還包括以電台故事節目為形式的錄音帶和供課堂討論及活動之用的教師提要。在教育司署、校長及教師的協助下，該組並出版了「廉潔的故事」畫冊的首兩輯，免費分發予小學、志願團體及公立圖書館，作為年幼讀者的課外讀物。另分發印有故事概要的「填色紙」，進一步表達故事中心，對兒童更具吸引力。該組現正研究為不同學齡兒童編製課外讀物的可能性。

五、該組繼續與教育司署保持密切聯絡。助理教育司（學校）繼續代表教育司署列席社區關係市民諮詢委員會轄下之社會教育小組委員會，而社會教育組的職員列席教育司署下列之課程發展分科委員會：

小學社會教育科小組委員會

中學社會教育科小組委員會

中學經濟科小組委員會

中學經濟及公共事務科小組委員會

教育電視小學社會教育科節目委員會

教育電視中學社會教育科節目委員會

五、在大專教育方面，該組維持着與各教育學院的聯絡。並在其中一些學院舉行以道德教育為題的座談會。與教育學院的學生作定期的叙會，使彼此能夠就道德教育交換意見。

五、廉署製作之第六及第七套五分鐘短劇，即「香江大茶樓」及「我地亞黃 Sir 話……」於年內在中文電視台播出。一九七七年製作的「街坊士多」劇集會於七八年初再次選播。藉着此等形式簡潔的短劇，公署不但可以借娛樂及戲劇傳達肅貪倡廉的訊息，更可就有關的時事論題迅速發表意見，並於整年內保持與觀眾在螢幕上會面。

五、文教創作組於一九七八年共製作五套中文電視宣傳短片及多輯電台廣告。

五、該組會與商業電台合辦每次為時十五分鐘的音樂談趣節目，以工友及家庭主婦為主要對象，於一、二月間在該台的中文一台播出。該組亦會與香港電台探討於該台中文節目內安排「廉政公署時間」的可能性；結果決定在其「民間傳說」節目內加插古代清官的故事，由社會教育組負責策劃。

五、七八年底，文教創作組會為三套歷時十至十五分鐘短片的題材搜集有關資料；此等影片將用作聯絡活動中各項研討叙會的引子。此外，社會教育組將籌劃以學生為主要對象的第四套短片；拍攝工作則交由政府新聞處之承辦商辦理。

（丙）文教設計組

五、設計組乃「服務性」的單元，於七八年內負責設計及製作具備預定主題的多項傳播媒介介紹、綜合宣傳計劃；其中包括電視宣傳短片、報章雜誌廣告、海報、標語及其他宣傳品如書籤、日曆及分處的櫥窗設計等。然而，政府印務局於十月底因定單屯積而迫於削減印刷服務，第二個綜合宣傳計劃「廉潔社會的可貴」亦因之延至一九七九年方能推行。

五、本年度設計組的其他製作，包括有關反貪條例和貪污禍害的宣傳簡章及貪污面面觀小冊子。五、設計組並為社會教育組設計一套幻燈片，內容介紹「廉政公署分處的工作」，供各校採用，作為學童課外的讀物；此外亦修訂了一套較早時製作的「政府與你」幻燈片，並應各分處的需求，製作展品及海報以宣傳各種聯絡活動。

五、設計組亦會完成一套介紹香港反貪污工作的幻燈片，供香港政府之倫敦辦事處使用。

〔甲〕新聞組

五、六 新聞組乃公署的發言人，二十四小時提供日常的新聞諮詢服務，並發表新聞公報及新聞稿。本年度發表之新聞公報凡十八份，內容介紹廉政公署各類不同的工作；新聞稿則共發一百三十一篇，多與執行處之工作有關。

五、六 除每日與報界保持緊密聯絡外，該組繼續為本港各中、英報章編輯安排座談會。亦有以個別會晤及討論方式，與本港報界人士及外國記者聯絡。

五、六 地區性的新聞報章對其區域內讀者之影響日益增加，新聞組年內加緊與彼等聯絡，並聯同分處聯絡人員向該等報章供應有關文稿，並計劃來年以其他形式（例如漫畫）借助地區新聞報章宣揚肅貪倡廉的訊息。

五、三 新聞組經常注意本港多份中、英文報章對公署及反貪污工作的報導和評論，並將每日有關的報導或社評，編譯成一份「報章摘要」，以供公署職員、各諮詢委員會、社區團體、公共機構及政府部門等參考，以便知悉外界對公署活動之反應。

〔乙〕文教創作組

五、三 文教創作組獨立攝製的第二套片集「I C A C L」，於七八年一月在港視翡翠台播出。該片集共有五輯，每輯的觀眾達一百七十萬人；並獲得不少電視評論界及一般市民的好評。其後，該套片集於四五月間在佳藝電視播映，又於十二月時在港視翡翠台重播。每輯片集之綜合觀眾超過二百萬人。

五、三 香港電台電視部製作之「獅子山下」節目，廣受市民歡迎。文教創作組職員會於下半年度就三輯片集向該電台提供劇本資料。首輯片集已於十二月在本港各電視台播出；其餘兩輯的播映日期則為七九年初。

五、三 該組亦安排將廉署電視片集製成影片及錄影帶，供各分處在進行聯絡活動時放映，同時亦可供各學校及團體借用。

五、社區關係市民諮詢委員會於七八年內共召開四次會議，並繼續透過各小組委員會進行工作。下列小組委員會共舉行二十五次會議：

「傳播媒介小組委員會」

召集人爲查良鏞先生

「社會教育小組委員會」

召集人爲謝志偉博士

「社區聯絡小組委員會」

召集人爲關高荅華女士

「工商業小組委員會」

召集人爲孟家華神父（七八年六月該會與社區聯絡小組委員會合併）

「社區研究小組委員會」

召集人爲李國能先生

「工商業小組委員會」與「社區聯絡小組委員會」之合而爲一，是鑑於與工商界之聯絡實應納入一般社區聯絡之範圍內。各小組委員會之職權範圍及委員名錄見附錄二十一。

五、本處全寅衷心感謝各委員給予本處之支持及寶貴意見，使工作得以順利推展。簡悅強爵士在公署成立初期一直親自督導社區關係市民諮詢委員會及社區關係處之工作，本處尤爲感謝。組織及編制

五、一九七八年初，社區關係處的在職人數共二百名，而編制則爲二百七十五名。至年底爲止，在職人數增至二百三十五名，而編制亦增至三百零六名。增加原因主要爲應付計劃中的屯門及沙田的兩間分處。本處組織及編制人數詳見附錄五。

五、本處的工作基本上分爲兩方面：一方面以個人或小組爲對象，與市民直接聯絡；另一方面則借助大眾傳播媒介，推行宣傳及社會教育之工作，以期接觸更廣。

傳播媒介方面的工作

五、本處的新聞組、文教創作組及設計組負責借助傳播媒介來推行宣傳及社會教育的工作。

若干新方法，如探訪商店、住戶、及於週末舉行電影晚會等。

五六 鑑於行政上的經驗、美術人材的嚴重缺乏及政府對公署的文教製作的加強協助（尤其在電視及電影方面），社區關係處因此與香港電台及政府新聞處作更進一步的合作。肅貪倡廉的主題會被納入備受歡迎的「獅子山下」片集內；一些宣傳短片或其他電影短片亦會由港台直接攝製或由政府新聞處承辦商製作。

五七 由於上述原因，文教工作得以更持續地進行，與以往間中推出大型電視製作的情況不同。現擬於每年預定若干有連貫性的宣傳主題，並依據主題推行綜合宣傳計劃，包括製作電視及電台節目和印發海報及新聞稿等，以期取得更統一及更有效的成果。

五八 社區關係處會聯同防止貪污處試行開拓宣傳工作的新領域，就是協助委託機構根據防止貪污處之研究結果推行適當的宣傳措施，使市民認識政府部門的工作及程序、公民的權利及投訴的途徑等。

五九 年內，本處的社區研究組會透過民意調查及傳播媒介調查，就市民對貪污的觀感及對公署社區關係工作之反應，提供了進一步的資料。

五十 市民的反應令人極感欣慰，尤以青年人及熱心公益之社會人士為然。在過去一年內，會有不少社會各界人士在自己的階層內協力提倡一個正確的意識——杜絕貪污及提高公民意識。只要本港市民對撲滅貪污的決心堅定不移，公署定能在市民的支持下完成這項艱巨的任務。

社區關係市民諮詢委員會

五十一 於七八年內，社區關係處繼續接受「社區關係市民諮詢委員會」之領導。該會由港督委任，負責就社區關係處之工作向廉政專員提供意見。該會的新任期由六月開始，由廉政專員接替簡悅強爵士出任主席。由是，公署三個部門的諮詢委員會皆由廉政專員出任主席。

五十二 在新任期開始時，六名新任委員即接替卸任委員之工作。此外，委員會轄下之小組委員會亦增選委員八名，為小組委員會提供專業之意見及服務。委員會之職權範圍及於十二月三十一日之委員名錄見正文第五頁。

第五章 社區關係處

「……對那些認為香港人是難以改進的，本人謹請各位加以反駁。因為如果我們也懷疑自己的改善能力，肅貪工作將會倍加艱難。……：：每一個人都可以做到的就是保持大家的信念和決心，堅信香港能夠而且必定會成爲一個更廉潔美好、沒有貪污的地方。」

上文乃節錄自廉政專員陸鼎堂爵士於一九七八年十二月五日向保良局董事會發表之演辭。他指出要在本港建立一個更廉潔的社會，市民的支持至爲重要。

工作範圍

五、二 社區關係處的職責是引導市民支持及參與肅貪倡廉工作，此項目標，不單包括加強市民的公民意識，更在於堅定他們對肅貪倡廉工作的信心。

五、三 公署成立初期，已察覺到肅貪的工作不能單靠偵查、懲罰及防範。就長遠而言，主要的關鍵乃在於市民的態度，因爲全體市民必須具有鏟除貪污禍害的決心。社區關係處的責任，就是要爭取市民這份決心及呼籲他們支持公署其他兩個部門的工作。

工作回顧

五、四 一九七八年是社區關係處工作更爲積極的一年，尤以聯絡活動方面爲然。大致來說，這可算是一個鞏固階段，而在某些新的工作領域而言，更屬一個試驗階段。在下半年裡，有若干主要職位的空缺已獲填補，加上全體年青、堅定的職員工作經驗日有遞增，社區關係處的工作得以迅速發展。然而，在專門技術的工作方面（如傳播及社區研究等），現時仍有若干中層的行政職位尙待填補。

五、五 在這一年的內，社區關係處致力鞏固與聯絡對象以往建立的關係，並刻意繼續策動本港青年人參與肅貪倡廉活動、及聯絡一些較難接觸的市民：如因工作時間不便於定期聯絡的工友、因家庭瑣務未刻參加聯絡活動的主婦、及不附屬任何社團的小型商店職員或個別市民等。爲此，本處於七七年開始採用的「直接參與」活動，仍須擴展，以輔助舊有的聯絡方式，並嘗試採用

四、圖 數項有關市政局管理事項的審查工作亦已完成，包括博物館選購藝術品、市政局在新界的圖書館採購書籍、市政局給予訪港藝術家的費用及市政局和市政事務署租用樓宇等問題。

四、港 公共機構方面，本處主要是研究購買和投標的程序。研究的對象包括山頂纜車有限公司、香港油蔴地小輪船有限公司及香港理工學院；於一九七八年初，香港電話有限公司與本處進行討論後，已接納本處就其工作程序的研究。

四、議 於一九七八年十二月三十一日，有待本處研究審查的事項達二百二十九。審查工作的重要性和不一，有些更可以概括於其他有關之研究內，很多基本工作仍要着手辦理，所以尙未能顧及日益急切的監察工作和日益擴展的政府活動。

一些可招至貪污行爲的程序上提供意見，及派遣一位職員出席該機構之指導委員會充作顧問，討論一管理顧問公司爲該機構所擬訂的重整工作建議。重整的形式現已訂立。本處將繼續就是項重整工作與東華三院保持聯繫，並爲其非醫務科之中層和高層管理人員舉辦一些研討會，討論防止貪污的原則。就本處擴展工作經驗而言，是項審查工作甚具價值。

四三 至一九七八年中期，防止貪污處完成了數項關於補助學校的管理、人事和財政的審查工作。本處因而能與教育司署密切聯繫而向金禧中學事件調查委員會就該校行政背景問題作一報告，以供委員會主席黃麗松博士用作背景資料。

四二 在這一年中，本處繼續和紀律服務部門聯繫，爲香港皇家警察隊交通部進行兩項主要審查工作。其一是有關警務處中央交通檢控室的工作程序，其二是有關交通實施和管理程序。在進行這些審查工作時，本處曾獲得各階層警務人員鼎力合作。

四一 另外一項審查工作是關於數個紀律服務部門的遞解和遣送出境程序。進行是項工作是鑑於這問題在目前相當重要。本處研究過布政司署保安科、人民入境事務處、警務處刑事紀錄科及監獄處等相關的責任和工作問題；研究結果顯示各部門須要更加從嚴處理如何確定遣送和遞解案件的行政程序，並爲此和有關機構進行討論補救辦法。

四〇 年內，本處爲勞工處進行數項審查工作，並爲郵政局進行第一次詳細的審查工作。爲勞工處進行的四項審查工作之中，最重要的是有關爆破工作之爆炸品管制問題。這是由爆炸品組負責的工作。因爲涉及安全問題及程序上明顯的存有貪污機會，所以對爆炸品的管制十分重要。其他三項審查工作是有關空氣污染管理組，與壓力器管理組的工作，以及勞工賠償之行政系統。在郵政局方面，防止貪污處集中研究郵差派發郵件的管理問題，因爲郵差的工作足以影響廣大市民。

三九 本處於本年內又進行三項有關新界民政署的審查工作，其中兩項關於補償問題：第一項研究收回土地時賠償的形式和程度等政策；第二項研究收回土地時對松樹、果樹、農作物、牲口、家禽及魚塘等決定賠償額的程序。另外一項研究有關鄉村搬遷政策，政府和鄉民進行商討有關的資格評訂準則以及在新建鄉村所提供的一般設備和服務等問題。

量部門內的監察及消息傳達措施時，以該摘要為標準。此外，摘要又特別指明其列舉的各項標準只屬管理人員職責中之一環；在衡量管理人員時，必須同時注意其工作效率及監管能力。有關首長已於年底決定在一九七九年一月十七日召開之機關首長會議席上，審核該份摘要。

四三 為工務司署進行的審查工作主要集中在兩方面。承上年度進行「建築物條例執行處入伙紙」的簽發的審查研究，已接近完成。此項與工務司署合作的研究，旨在將入伙紙的簽發手續中各種有相互關係的問題，作一全面性檢討；並擬定問卷送交各註冊建築師索取有關資料及意見。又曾研究過建築物條例執行處五百份個案紀錄，得出有關的統計數字。這些資料對認識現行制度中不妥善之處，甚有幫助。

四二 建議訂立新制度的草案擬妥後，原則上已得到工務司贊同，目前正徵取工務司署轄下各部門及其他有關人士的意見，以備草擬各項施行細則。若無雙方如此衷誠的合作及工務司署寶貴的意見，這項詳盡繁複的研究工作，將難以完成。此亦顯示防止貪污處如何能與各政府部門合作，相輔相成，以求各種辦事程序更趨完善，且無貪污漏洞。本處希望日後能繼續與其他部門合力進行此類審查。

四一 另一項為工務司署進行的工作，是審查有關城市設計處將租借土地重新分區的各项政策及程序。審查報告書其中一項建議，是將城市設計委員會的決策內容及原因，編印摘要，供市民參考。以往的城市設計審查工作都認為應將更多有關城市設計事務的資料公開。工務司及防止貪污處亦贊成在城市設計處設一新聞組，該組其中一項職責，是處理市民就官地分區事宜提出的諮詢。

四 本處於一九七八年完成一份有關政府部門處理投訴程序的報告書，指出其中弱點，並研究怎樣利用這些投訴資料使管理階層認出其部門於服務市民時在程序上或宣傳上的弊陋。年底時，行政管理參議處處長起草了一份行政通告給予各部門首長。該通告為各政府部門立下一個起碼的服務標準，處理市民投訴。

四 一九七八年，防止貪污處繼續協助東華三院董事局完成重組該機構非醫務科的建議，並在

列會議，與會者包括紐約警務處、紐約部份政府機關及一些大學的職員。這次訪問也包括和紐約州康乃爾大學及加利福尼亞的史丹福研究院（國際）的職員叙談。這些訪問和叙談都是由紐約約翰濟學院刑事司法中心人員所安排。

四七 是次訪問的目的在促使公署職員了解紐約反貪污工作的策略和方法、尋求和發展與這些機構的聯繫、認識大學研究院對貪污的最新研究資料以及探討能否於將來和他們作人事和訓練方面的交流切磋。紐約政府高層人士和大學人士對廉政公署的工作甚感興趣，叙談結果顯示他們認為香港的防止貪污及社區關係工作都很進步。公署兩位職員更帶回許多有關資料以便進一步研究和評估。希望是次訪問能建立良好基礎，以便公署將來更能與美國的同類機構聯繫和作互惠性切磋。

防止貪污審查工作

四六 一九七八年內，共有六十份正式的防止貪污報告書送交各機構，另有十一份雜項報告及四份以通訊方式完成的雜項報告。此外又完成了兩項繁複和十七項較簡單的檢察性審查工作。有關本處一九七八年度所完成的審查工作報告一覽表見附錄十九。及至七八年十二月卅一日時，尚有二十八項正式審查工作在進行中，見附錄二十。

四八 由於機構類別不同，一九七八年的審查報告的性質亦各異。主題方面包羅萬有，有概括整個政府的，有足以影響全港市民或影響部份政府部門的，亦有一些只是針對個別部門的工作程序的。此外亦有些報告，因影響範圍廣泛或其主題獨特而具有特別意義。

四九 由防止貪污處草擬的「公務員責任的承擔」報告書，已於一九七八年五月呈交布政司，此乃本處需時最長，且最為繁複的審查工作之一。報告書的初步審閱工作隨於六月份在布政司委員會中進行。防止貪污處及行政管理參議處處長會就布政司指示，合編了一份報告摘要，分發各機關首長參閱。該摘要已於一九七八年十一月得布政司委員會通過，並於十二月連同一封由布政司簽署的公函分遞各機關首長，指出報告書已由布政司委員會審閱及接納，且得港督的贊同。

四一〇 報告書摘要詳列責任承擔的原則，及在政府部門付諸實踐的方法，並促請各機關首長於衡

四二 本處給予政府部門的協助，多寡不一。這是由於研究工作是按次序進行而每一項研究的範圍都需要精密的劃分。因此，於一九七八年，防止貪污處在兩個大政府部門進行了一概括性研究，研究部門內各項工作方法和程序，以確立曾被審查範圍和尚未審查範圍之間的關係及在與該部門磋商後決定餘下的工作。這項部門性覆審步驟將成爲一種既定技巧。本處並計劃於一九七九年初會爲另一大政府部門進行「概括性研究」。

四三 於一九七八年，本處開始使用一種資料儲存及修正系統。這是一種卡片索引系統，基於三個主要的互相關連的索引：部門／機構索引、題材索引及貪污機會／防止貪污建議索引。這系統目的在建立一個「資料庫」，收集本處從研究工作得到的一切資料，以便審查人員能隨時修正有關資料，有助於進行新的審查工作，成爲一個防止貪污研究的基礎。所有最新審查完竣的資料經過分析後，均灌入此系統；如果防止貪污建議遇到更改，有關的儲存資料亦會予以修正。

四四 於一九七八年，防止貪污處和社區關係處繼續保持密切和有效的聯絡。社區關係處又提供有關外界對研究工作的意見和問題，因爲這些研究工作對大部份市民深具影響。宣傳和社會教育在防止貪污研究中，都佔重要的一環，故此兩部門須緊密合作以確保藉着傳播和社會教育工作的活動，並由他們向本處人員就調查所得有關貪污機會的資料作出簡報。

四五 一如七七年初所預料，本處就研究所得之經驗，得以邁進一個新的領域，這就是給予公務員一些由防止貪污工作獲得之知識以協助他們更能察覺和監察可能產生貪污的地方。因此防止貪污已成爲政府管理階層日常工作主要的一部份。

四六 一九七八年八月，本處成立一個小規模的外部訓練組，嘗試在兩個政府部門灌輸一些基本觀念，並不斷評估所用的訓練資料、受訓者的反應及訓練計劃的效果。及至年底，這外部訓練組已達到適當進度而成爲本處一個獨立單位。該組並繼續在其他政府部門研究如何運用資料以訓練其管理階層認識防止貪污的原則和實施的方法。

海外聯繫

四六 於一九七八年九月社區關係處高級助理處長聯同防止貪污處一位高級職員赴美國參加一系

該處。一九七八年十二月三十一日的組織、編制及在職人數見附錄四。

四六 一九七八年的工作重點乃在鞏固本處與各政府部門及公共機構的關係；四年以來，通過二百項以上正式的防止貪污審查工作，本處與上述機構已加強了彼此間的關係。目前各有關部門中的管理、監察及執行級人員，均已對防止貪污工作的價值有所認識；他們亦明白貪污機會的存在，絕非是與部門內其他活動無關的獨立問題。實際上，貪污機會往往是管理及監察方面一般性問題的反映。

四七 爲解決此等問題，防止貪污處會聯同各有關部門尋求補救辦法以減除貪污的機會，對各有關部門工作效率的提高亦作出了積極的貢獻。審查主任如在研究過程中發現管理上的問題而不予以重視，或忽略研究的主要目的在於找出及減少貪污的機會，均屬錯誤。因此，防止貪污處在其執行的特殊任務和任務所引出的管理問題上的改進，必須取得均衡。

四八 一九七七年內越來越多的政府部門、公共機構及私人團體要求本處協助研究在其部門內可能存有貪污的地方。一九七八年亦然。防止貪污處對行政系統上的一般或特殊性貪污情況了解彌深，而閱歷廣遠的職員對各政府部門不同的工作或共通的職務亦有特殊認識。憑著各位職員的努力，本處在審查過程中，往往進一步發現其他可能導致貪污的危機。這與兩年前的情況極不相同；當時幾乎全是依賴市民的投訴，才可以發現存有貪污問題的地方。

四九 根據種種經驗所得，任何機構內貪污機會的存在皆具備某些共同的特點；剔除或削減貪污機會的補救辦法雖無一定的標準，但防止貪污處向各有關部門作出的建議亦只是於細節上互異，原則却往往一致。

四〇 本處年內主要工作之一，乃監察各機構於施行本處建議時的一般情況。按監察工作經驗所得，定期有系統地檢視有關機構是否切實有效地施行本處的建議，極爲重要。由於有關機構在接獲審查報告以後，可能情況上已有所改變，因此本處經常要對建議的補救辦法作出修訂，故一次的審核往往是不足夠的。一年來的監察行動使本處察覺有需要在若干地方作出新的審查工作。同時，有關機構於改革曾經接受審查的程序之前，亦能主動尋求本處的意見及協助。

第四章 防止貪污處

防止貪污處的工作乃協助廉政專員執行「總督特派廉政專員公署條例」第十二條丁款、戊款和己款所指定的職責，向政府部門及公共機構，或應任何人的邀請，為杜絕或盡量減少行政措施和程序方面的貪污機會，提供有效的辦法。同時，廉政專員亦有法定責任促使政府部門及公共機構修改可能導致貪污舞弊的行政措施和程序。惟必須強調者，貪污機會的存在並不表示已有人利用這些機會從中作弊。

防止貪污諮詢委員會

防止貪污諮詢委員會協助廉政專員執行防止貪污方面的工作；委員名錄及職權範圍見正文第五頁。委員會對防止貪污處各方面工作之進展，均予以密切監察。一九七八年內，委員會共召開十一次會議。

防止貪污諮詢委員會轄下之小組委員會，除根據防止貪污處所接獲有關貪污機會的資料而建議處理的先後次序外，亦對該處新訂審查工作建議予以審核。七八年內，諮詢委員會將部分監察及審查工作移交小組委員會辦理，諮詢委員會的工作負擔亦因而減輕。防止貪污處各種審查工作之每月進度報告均呈交小組委員會審核。年內，小組委員會共舉行十一次會議。

防止貪污諮詢委員會各委員的學識、經驗，及對防止貪污工作的了解與熱誠，使本處職員不斷獲得支持和鼓勵。

組織和編制

防止貪污處的編制有處長一位和助理處長兩位，分別管理兩個審查科，另有管理組負責行政及其他輔助服務。每科又分為四個審查工作小組。本處目前的編制為一百〇四人，以高級審查主任的人數為多。一九七八年十二月三十一日的在職人數為八十人。防止貪污處會評定年內部門本身的工作能力、已知及預算中的未來工作負擔、職員的經驗、及從外界招聘適合人選填補審查工作職位空缺的種種困難；評訂結果顯示目前的在職人數已頗為足夠，故本處不擬急於按編制增聘人員。防止貪污處處長一職仍然空懸，但年終時已試行委任一名高級助理處長主管

須冒險向受害者暴露身份而獲得巨額非法收入的個別人員，首次要冒遭受拘捕的危險親自向他們的目標索取賄款。很多時，一個看來十分順從的受害人亦能夠秘密地報告公署有人正企圖向他索賄，使執行處能採取行動逮捕犯罪者。這類逮捕愈多，貪污者要冒的險就愈大，對公署來說，這是一個好預兆。

三、此外，對公署撲滅貪污的工作，各政府部門所表現的態度已有所改善，這是進展的另一個象徵。

三、貪污被懷疑會浸淫在貪污活動中的公務員現已逐漸離職，代替他們的是一群積極及較以前少受貪污誘惑的新聘公務員。倘若過去五年來所積聚得的前進衝力能夠保持，形勢必定會一年較一年好。但如要徹底撲滅貪污，公署、公務員、及市民必須不斷提高警惕，以防有人——尤其是以前遺留下來的貪污核心份子——嘗試重施貪污技倆。

(乙) 曾因涉嫌或被指貪污而受調查、檢控及判罪，但後來上訴得直的人員——十三人。
(丙) 曾因涉嫌或被指貪污而受調查及檢控但罪名不成立的人員——六十七人。

(* 註：這些數字並不包括本章第三空段所提及的一百六十二名公務員。)
有關對被指控或涉嫌貪污公務員所採取的紀律及行政處分詳情，請參閱附錄十八。

內部監察

三、三 公署職員年內除受到緊密的督導外，還要接受內部監察。程序規定，一切有關對公署職員之貪污指控，必須交由律政司處理，以便決定應否採取行動。若律政司決定公署應展開調查，調查報告書須在事後連同適當的建議一併呈交律政司。

三、天 此類指控及調查結果亦須同時知會審查貪污舉報諮詢委員會。

三、五 在一九七八年，公署共接獲兩宗有關公署職員的貪污指控。兩宗指控均呈交律政司處理，而律政司認為公署應展開調查。

三、六 這兩項調查的其中一項經已結束，該項調查涉及一宗可能觸犯防止賄賂條例第三條罪行的借款行爲，其後該指控被證實純屬虛構。律政司在審閱調查報告後指示公署將調查所得的其他可指證投訴人勒索的事實轉交警方調查。而廉政專員則就調查所揭露的事實，引用總督特派廉政專員公署條例第八條解僱該名職員。

三、全 在這項調查中，有其他兩名公署職員因被發現與投訴人及該名被解僱職員有私人關係而遭公署停職。調查期間，其中一人與公署簽訂的合約期滿，不獲續約，而另一人至一九七八年十二月三十一日爲止，仍被停職調查。

三、全 至於一九七八年接獲之另外一宗貪污指控，直至十二月三十一日爲止，仍在調查中。

展望

三、全 一九七八年歲末是執行處自一九七七年後期以來最繁忙的時刻。雖然看來有些矛盾，但從調查工作中可以看到貪污活動竟然有令人鼓舞的跡象。有些在過去可受到貪污集團重重保護無

(丙) 旺角集體貪污案——三名警司、四名總督察、一名高級督察、兩名警署警長、十八名警長、一名警員、一名退休警署警長、三名退休警長及一名前任警員共三十四人，由於涉嫌在一九七〇年一月一日至一九七六年十一月三十日期間沒有執行他們在旺角警署特別任務隊及小販掃蕩隊之職責及沒有適當地執行法律，被控與其他人等串謀妨礙司法公正及收受利益。

審訊在一九七八年四月十七日開始，在審訊的不同階段中，一名被告因病重獲控方撤銷控訴，十三名被告獲釋放，而三名被告在六名控方證人被宣佈為敵意證人後被法官認為無須答辯。

法官指出控方已證明旺角警署內曾有一個貪污集團存在，但他對控方證人的證供不感滿意。並拒絕接納控方主要證人的證供，同時又覺得其他控方證人的證供因缺乏佐證而不能接受。兩名被告罪名成立，分別入獄十八個月及十二個月。一九七八年七月二十四日其餘十五人獲判無罪釋放。

拘捕令

三、在一九七八年，執行處共取得八張與貪污或其他罪行有關的拘捕令，但因地方法院拒絕接納旺角集體貪污案中若干證人的證供，兩張在一九七七年發出通緝與該案有關人士的拘捕令被撤銷，另外三張在一九七七年發出與一九七八年結束的黃大仙集體貪污案有關的拘捕令，亦因類似原因被撤銷。另一張在一九七六年發出與另一案有關的拘捕令，因為不可能再取得某些證據的原故，亦被撤銷。

三、經過這些增減，公署在一九七八年十二月三十一日持有四十張有效的拘捕令通緝疑犯，另外警務處亦持有四張拘捕令通緝受公署特別注意而擅離職守的前任警務人員。

對公務員的紀律及行政處分

三、在過去一年，執行處接納了審查貪污舉報諮詢委員會的建議向銓叙司或有關部門首長遞交報告書，由他們決定是否應向下列在職或前任政府公務員作紀律或行政處分：

(甲) 會因涉嫌或被指貪污而受調查但未遭檢控的人員——一百七十九人。

(丙) 兩名郵政主任及一名助理郵差被控在一九七七年一月一日至一九七八年一月十八日串謀向代寄郵包商號收受利益，作為接受寄往中國大陸的不合包裝規格花生油包裹的報酬。他們在一九七八年三月廿日認罪，分別被判入獄二十一個月、十五個月及十八個月；上訴後，刑期獲減輕至十五個月、三個月及十二個月。

三、三 在過去一年中，有七十三名已被判罪者對他們的定罪及刑罰提出上訴，其中十三人獲推翻原判，二十八人被駁回，十人獲減刑，而二十二人則仍在等候聆訊。

三、三 另外三宗十分重要的案件在一九七八年完結，檢控時遇到困難重重，值得一提：

(甲) 黃大仙集體貪污案——一名警司、一名總督察、一名高級督察、一名督察、三名警署探長、四名探長、三名探員、一名警員、一名退休警長及一名商人，共十七人被控串謀罪名。審訊在一九七七年十月二十六日開始，在一九七八年三月十六日結束。

控方指出除了那名商人外，所有被告人均曾在一九七一年九月至一九七六年一月期間駐守黃大仙警署一個時期，而所有被告，連那名商人在內，均曾參與一項貪污陰謀。當時區內非法場所如毒窟及賭檔等的主持人只須定期付款即可獲得較安全的營業環境及只受警方極少的干預，賄款則由參與這項陰謀的警務人員分享。審訊開始時，控方撤銷其中兩名被告的控罪，而在審訊過程中法官認為五名被告無須答辯。

法官在一九七八年三月十六日判其餘十名被告罪名不成立時說——「雖然控方提出之證據足以證明有一個組織非常嚴密的集團會有系統地替一羣貪污警務人員向經營非法場所的人收取黑錢，但未能證明案中任何被告會參與此等活動。此案的重要從犯所作之污點證供極需要佐證，但此種進一步的證據却沒有出現。」

(乙) 旺角特別任務隊集體貪污案——一名警署警長、一名警長及四名警員被控串謀向毒窟主持人索取金錢作為協助某些涉嫌觸犯危險藥品條例的疑犯獲得釋放的報酬。在審訊時，法官認為那四名警員無須答辯，因為缺乏足夠證據證明他們確實會參與這項串謀行動。一九七八年三月二十八日審訊結束時，該名警長獲判無罪釋放，而警署警長則被判罪名成立，入獄兩年。上訴後獲判無罪，原因是他不可能與自己串謀。

三、三 一名退休總探長因涉嫌觸犯防止賄賂條例第十(乙)條在一九七七年被捕，該名總探長入稟高等法院，要求作出若干項聲明，包括聲明因為他在該條例開始實施時不是公務員而自那時開始亦未嘗當過公務員，故不能被控觸犯防止賄賂條例第十(乙)條。

三、突 高等法院拒絕作出這些聲明，而其上訴亦遭上訴庭駁回，結果該名總探長向英國樞密院提出上訴。

三、突 樞密院在一九七八年十一月向女皇陛下建議駁回該上訴時稱：

「有人認為該條例的目的在防止貪污於該條例生效後繼續發生，因為它不能防止經已發生了的貪污行為。這無疑是對的，但我們沒有理由相信依照上訴庭的解釋去運用第十(乙)條對將來公務員收受賄賂不會產生巨大的阻嚇作用。有人認為該條例是一項嚴厲的措施。無疑它是嚴厲的，但當賄賂及貪污已普遍至嚴重損壞整個社會的結構時，這種措施實有必要。無論如何，法庭的職責並不是討論一項條例應否獲得通過，而是決定該既經通過的條例的意義及執行該條例。本樞密院認為第十(一)(乙)條的措辭十分清楚，並無含糊之處，而上訴庭的解釋就是它唯一的含義。」

三、三 該名退休總探長已被控觸犯防止賄賂條例第十(乙)條，案件定於一九七九年初開始審訊。

三、三 年中另有一百七十六人因觸犯防止賄賂條例內其他條款、總督特派廉政專員公署條例與其他刑事條例而受檢控。以下是其中較值得注意的檢控案件：

(甲) 一名六十歲的英國皇家海軍輔助艦招募處行政主任被控在一九七八年三月二十日至一九七八年五月十一日期間向七名海員收取利益，作為協助他們獲得皇家添馬艦輔助艦隊錄用的報酬。被告在一九七八年八月十一日向法庭認罪，被判入獄六個月，緩刑兩年，另罰款二萬五千元，並向政府繳交四千四百元。這是公署首次檢控一名負責招募海員的人，在海員招募工作方面非法行為相信十分普遍，但由於海員經常離港工作，找尋證人十分困難。

(乙) 三名監獄署助理督導員被控在一九七八年四月一日左右至一九七八年五月三十一日期間串謀索取一萬五千元及以給予芝蔴灣一名囚犯特別照顧為名，勒索一名釋囚。一九七八年十月五日三人被判罪名成立，各入獄四年。

三、盜 檢控涉嫌觸犯上述條例第十條的案件，在一九七八年有五宗，結果三人被判有罪，一人獲判無罪釋放，而另一人在年終時仍在等候審判。另有七宗同類案件在一九七七年開始審訊，而在一九七八年內結束，結果四人被定罪，三人被判無罪釋放。

三、突 在一九七八年內定罪的七宗案件為：

(甲) 一名工務司署路政處高級工程師在一九七八年二月十七日被判在一九七二年十二月一日至一九七五年期間觸犯防止賄賂條例第十(一)(乙)條罪名成立，入獄兩年半，罰款五萬元及須將九千二百元交還政府。年終時，上訴仍在等候判決。

(乙) 工務司署一名高級工目被控在一九七五年九月二十六日觸犯防止賄賂條例第十(一)(乙)條。在一九七八年三月十日被裁定罪名成立，判入獄十五個月，並須將五萬七千〇五元交還政府。

(丙) 工務司一名署理路政監督被控在一九七一年六月二十九日觸犯防止賄賂條例第十(一)(乙)條，在一九七八年三月十七日被判罪名成立，入獄兩年半，並須將二十萬七千四百三十四元八角三分交還政府。被告提出上訴，但上訴庭在一九七八年九月二十九日裁定維持原判。

(丁) 工商署香港海關的一名助理監督被控在一九七三年十二月三日觸犯防止賄賂條例第十(一)(乙)條，在一九七八年四月二十八日被判有罪，入獄十五個月及罰款七萬五千元。(上訴在年終時尙待判決，結果在一九七九年一月上訴庭推翻原判。)

(戊) 一名退休皇家香港警務處探長被控在一九七二年十二月十八日觸犯第十(一)(乙)條，在一九七八年十月十二日被判罪名成立，入獄兩年，並須將十三萬八千元交還政府。上訴在年終時尙待判決。

(己) 一名退休探長被控在一九七二年四月十三日觸犯防止賄賂條例第十(一)(乙)條，在一九七八年十二月二十二日被判有罪，入獄兩年，另須將八十萬六千元交還政府。上訴在年終時尙待判決。

(庚) 一名退休探長被控在一九七一年九月二十二日觸犯防止賄賂條例第十(一)(乙)條，在一九七八年十一月二十四日被裁定罪名成立，至年終時仍待判決。

三、美 這項調查在一九七六年後期開始，當時一隊皇家香港警務處毒品調查科的工作人員拘捕了數名毒販，並搜獲一批文件揭露該販毒集團每日付給某些人士約一萬元的賄款，而這批文件內的名單主要只列出這些收款人的渾號。警方在成功地控告了主要毒犯後（被告均被判長期監禁），將文件交由公署調查。

三、美 執行處展開了大規模的調查，結果到一九七七年十月已有二百六十二名在職或前任公務員及十三名市民被認出涉嫌在一九七五年五月至一九七六年八月期間與販毒集團有貪污性的交易。

三、空 在一九七七年一月至十月之一段時間內，有一百一十九名公務員被逮捕、盤問及保釋，另外八十四人則只接受問話而未遭逮捕。三名前任公務員行踪不明，而另一名已告死亡。在一九七七年十一月，餘下的五十五名仍被調查中的公務員，因局部特赦令而不再受進一步查詢。

三、空 一九七八年三月，律政司同意分三案處理，以串謀罪名檢控二十六名在職或前任公務員。執行處又將與此三案有關的其他一百六十二名公務員的報告書呈交銓叙司。

三、空 被控串謀妨礙司法公正罪名的二十六名公務員中，二十四人是在職或前任警務人員，其餘二人則為海關人員。一名前任警務人員已離港，故被通緝歸案。其餘被告則在地方法院受審，案件先後在一九七八年九月十九日、一九七八年十一月六日、及一九七八年十一月二十七日開始聆訊。

三、空 直至一九七八年十二月三十一日為止，審判四名警務人員的該宗案件經已結束，兩名被告罪名成立，各被判入獄兩年，另外兩人則被判無罪釋放。三宗案件中最大的一宗有十九名警務人員受審，結果四人無須答辯，其餘十五人均須答辯。至於第三宗案件，法官裁定兩名受審的海關人員必須答辯。這兩宗案件在年終時均已接近尾聲。

三、空 自公署成立以來已有三十七名公務員被控觸犯了防止賄賂條例第十條，即被控生活享受或擁有財富與過去或現在公職收入不相稱。其中二十四人被判有罪，另一人年終時尚在等候審判。

(乙) 在所有貪污投訴中，百份之七十二是指控政府部門內的貪污行爲，百份之三指控公共機構，而百份之二十五牽涉私人機構。在對公務員的指控中，過半涉及警務人員，第二個被投訴較多的部門是市政事務署，佔投訴百份之七。

(丙) 如往年一樣，有關私人機構非法回佣問題之投訴繼續減少，一九七六年有四百二十七宗，一九七七年有三百一十四宗，而一九七八年則只得二百五十二宗。在這類投訴中，有些是僱主投訴自己的僱員，這顯示在過去幾年內，市民的態度有所轉變，以前可容忍的行爲如今已不再爲人接受了，這是令人鼓舞的。

(丁) 書面投訴顯著地減少，一九七七年的投訴函件有五百三十七份，而一九七八年只有二百八十六份。由一九七五年至一九七七年，百份之四十的投訴是以書面方式接得，而一九七八年則只有百份之二十三。書面投訴一向以來都是執行處在工作方面最難獲得成功的一種投訴，這可能是由於大部份（百份之八十八）均是匿名信件。

(戊) 執行處間中接獲一些投訴人本身明知是虛假的貪污舉報，當遇到此類情形時，虛報人是會遭受檢控的。在一九七六年，法律將這種行爲列爲一種罪行，自那時開始，共有二十三宗此類檢控案件之被告人被定罪，而大部份被判接近最高的刑罰。一九七八年共有十一宗此類案件，其中七宗涉及對警務人員之惡意虛報。無心的錯誤舉報與有意的虛報是有很大的分別的，前者不會遭受檢控，而後者則往往有被檢控之虞。

(己) 有些貪污案件經公署同意後由警務處處理。通常此類案件涉及市民向警務人員行賄，誘使後者不對他們所犯的罪行採取行動。當遇到此種情形時，警方會通知執行處，由執行處決定是否自行處理抑或由警方加控行賄罪名。通常決定的準則是當行賄罪與其他罪行互相交織時，行賄罪較適宜與其他罪行一併處理。一九七八年由警方處理的此類案件共有三十三宗。

三、調查工作及檢控案件
滿結束。
油蔴地果欄販毒集團案是公署自成立以來所調查的最大一宗案件，此案已於一九七八年完

千七百宗，而調查數字為九百九十九宗。一九七八年的貪污舉報比一九七七年減少了百分之二十七點四，而一九七七年貪污舉報又比一九七六年少了百分之三十。但因貪污舉報而導致的調查却在比例上增加了，在一九七八年，八百三十六宗調查為一千二百三十四宗貪污舉報的百分之六十八，而在一九七七年，九百九十九宗調查則只佔一千七百宗貪污舉報的百分之五十九。

三、在一九七八年，非貪污舉報下降了百分之五，一九七七年的下降率為百分之七。一九七八年的貪污舉報佔舉報總數百分之二十四，而在一九七七年則佔舉報總數百分之二十九。

三、在貪污舉報方面，非匿名貪污舉報佔的百分率繼續有所增加，一九七八年為百分之五十五，而一九七七年只得百分之五十一。此百分率為歷年來最高者，與一九七四年公署成立的第一年的百分之三十五相比，實有很大的差別。基於多種原因，具名舉報比匿名舉報為佳。當調查犯罪行為時，若投訴人已表露身份，投訴之可靠性則較容易估計，遭投訴之廉潔公務員亦受到保障，調查員更可以從投訴人處取得更多後者初時認為無關重要而忽略了的資料。最後，若進行檢控，很有可能已表露身份的投訴人會願意出庭作證。

三、非貪污舉報仍佔全部舉報的大部份，這是市民對公署具有信心的表現。非貪污舉報的內容包羅萬有，例如：婚姻問題、法律問題、商業糾紛、鄰居間的爭吵、居住問題，以及其他種種困擾個別市民的問題。若一項非貪污舉報牽涉犯罪行為，執行處即將該舉報轉交警方處理，並將此項行動通知投訴人。在適當時，其他舉報亦可能轉交各有關政府部門或公共機構，由他們決定是否應採取行動。有些投訴人似乎較喜歡先向公署舉報及要求公署將投訴轉交有關部門。有時，有關部門會展開徹底調查，然後將結果通知執行處。

三、投訴之範圍、方式及趨勢由執行處之統計小組整理，然後由社區關係處之社區研究組用作研究資料。經整理後之數字在每次審查貪污舉報諮詢委員會會議上均有報告，（請參閱三、及三、段）並由執行處高級職員研究某些特別範圍之趨勢。

三、在附錄九至十七列出之舉報方式分析及貪污舉報分類反映出一九七八年之趨勢如下：
(甲) 貪污舉報的減少，正與公署從調查及偵察所得的資料互相吻合。

三、罈 年中，共有二十三名本地人員及四名外籍人員獲得晉升。六名本地人員現正擔任小組組長的職位，這個職位相等於本地警司的官階。此外，三名本地人員會代行小組組長職位。

訓練

三、罈 執行處在遷入新址之前，訓練學校設在九龍。現在訓練學校設在同一辦事處內，使公署在這方面向前邁進了一大步。

三、罈 爲着要集中公署之訓練設備，執行處的訓練小組現屬行政部管理，但執行處仍調派職員輪流擔任訓練小組組長及導師，教授特別科目，以確保課程得以配合調查工作的發展及法律的修改。同時，亦監督及供應一切有關該處的科目的教材，並負責擬定試題及批改試卷。

三、罈 一九七八年內訓練小組共舉辦了二十九個課程，爲二百四十二名學生提供十類課程訓練。

三、罈 承蒙有關機構允許，執行處在一九七八年十一月會遣派兩名任小組組長職位的本地調查員往星加坡貪污行爲調查局及吉隆坡國際調查局，學習兩局的組織、工作程序及其遭遇的困難，以增廣見聞。在當地他們都獲得良好的款待和方便。這類訓練將會繼續進行，而其他機構亦會同樣遣派工作人員到執行處。

投訴及舉報

三、罈 執行處接受投訴及舉報的方式有多種，大部份投訴仍是由設在美利道停車場大廈執行處辦事處內的舉報中心以電話方式接得。舉報中心全年每天二十四小時提供服務。其他的投訴及舉報包括社區關係處各分處所接獲之電話投訴及舉報中心與各分處接獲的親身舉報。社區關係處的分處在年終時已增至七間。另一個舉報方式是直接致函公署，或將函件寄往公署郵箱，郵箱號碼已衆所週知。

三、罈 一如政府當局所規定，各政府部門均將所有有關貪污的舉報、指控及可疑之處轉交公署調查。

三、罈 年內，公署共接獲五千一百七十五宗舉報，其中一千二百三十四宗與貪污有關，結果執行處展開了八百三十六項調查。在一九七七年，舉報的總數爲五千八百六十五宗，貪污舉報佔一

三、羈留中心及保安措施

三、羈留中心職員除了要看管被執行處拘留之人士外，並負責位於美利道停車場大廈三層新辦事處的保安。這項雙重任務，使中心的職員即使在沒有疑犯被羈留的時候，仍須全面工作。該中心職員已在監獄署訓練學校接受特別訓練。他們在處理受羈留人士方面的職責包括一般安全、福利、印取指紋、保管被羈留人士的財物和與案件有關的一切證物、以及保釋和認人手續。

三、美 年內，太平紳士視察羈留中心共二十一次，這些探訪是根據總督特派廉政專員公署（對待受拘留人士之辦法）法令進行。法律規定執行處保存一本記事冊，以供到訪的太平紳士紀錄評語。事後，探訪人評語的紀錄原文連同執行處處長的按語，將會呈交布政司署行政及立法兩局事務科以供參考。

三、美 在一九七八年，共有二百一十八人被公署於逮捕後扣押在羈留中心，另有十九名於逮捕後，保釋出外。

職員

三、三 十五名從英國借用的警務人員於一九七八年期滿返回原屬的警隊；另十名來港工作兩年半或三年。

三、三 一名從西米特蘭警隊借用的偵緝總警司被委任為助理處長以遞補一名約滿離職人員的遺缺。

三、三 在一九七八年十二月三十一日從英國借用的警務人員為數四十二名，另有二十七名已退休的英國警務人員簽約任職公署，此外，還有三十七名外籍人士任職執行處。因此，在編制上的六百三十三人中，外籍人士佔一百零六人。七八年初，外籍職員為數一百二十人。

三、三 招募工作在一九七八年繼續進行，以填補在編制上的空缺及接替那些在完成合約後離開公署的中外職員。年中，執行處共有一百零二名職員續簽為期兩年半或三年的新約或借用期，合約期的長短，則視乎職位而定。有些人員可簽兩個連續合約；職員在第一個合約的工作表現，必須令人滿意。第二個合約始能生效。此外，執行處亦聘請了六十一名本地人士，大學或專科學院的畢業生佔九名。

三、手 在一九七八年，該委員會共舉行了八次會議，對二百零八宗案件提供意見及指導。小組委員會由一名主會成員擔任主席，連同執行處處長級的人員所組成。該小組委員會共舉行了十二次會議，審查了三百七十八份較簡單的調查報告及四百一十五宗未能加以調查的貪污舉報。小組委員會所提供的建議，均得到主會在日後所舉行的會議同意。

三、手 陸鼎堂爵士在一九七八年七月四日繼姬達先生出任總督特派廉政專員，成為審查貪污舉報諮詢委員會的當然主席。陸爵士以往是該會的委員，留下的空缺暫時由公務員叙用委員會會員徐家祥先生補上，直至年底。

三、手 黃麗松博士自委員會成立以來，即出任委員。可惜黃博士因香港大學校長及立法局議員的職務日加繁重，以致由一九七八年十月起無暇繼續為委員會服務。

三、手 年終時，邀請香港中文大學何錦輝博士及香港美孚有限公司董事長兼總經理宋啓郎先生出任委員之事宜，正在進行。

組織、編制及制度

三、手 有關執行處現有的基本組織、編制和在職人數，請參閱附錄三。

三、手 在一九七八年十二月三十一日執行處分為十一組，編制人數為六百三十三人，比較一九七七年十二月三十一日的多了十位。其中七組的主要工作是負責調查及監察，而其餘的四組則提供廣泛的輔助服務，包括監視、情報、羈留疑犯及向銀行索取資料等工作。

三、手 偵察已演變為執行處的一項重要工作。這是一個用來探測貪污活動復甦跡象的警報系統。這項工作基本上致力調查以往貪污最為普遍的地方。如果在調查後沒有發現任何可疑之處，執行處就不動聲色地停止調查，而被牽涉的人士本身亦不會知道曾受調查；然後執行處再另選其他範圍，用同樣的辦法處理。如果發現任何可疑之處，全面的調查即行展開。偵察行動的主要優點，就是不用依靠市民的舉報來揭露貪污行為，並已導致一連串的調查工作。

新訂法例

三、 一九七八年二月防止賄賂（修訂）條例制定為法律，使局部特赦令獲得法律上的承認。

三、 一名退休警署警長被控觸犯防止賄賂條例第十條，指其擁有財富與現在或過去之公職收入不相稱。由於案中辯方陳詞指出控方雖然將所有現存的正式紀錄呈堂，但却未能證實被告公職收入的數字，因此被告獲判無罪釋放。結果，此案導致法例作第二次修訂。

三、 根據在八月制定為法律的防止賄賂（修訂）條例——一九七八年第六十九條，布政司簽發的證明書即可證明被告公職收入的數字。

審查貪污舉報諮詢委員會

三、 一九七八年七月港督同意將審查貪污舉報諮詢委員會的英文名稱由 *Operations Target*

Committee (ORC) 改為 *Operations Review Committee (ORC)*，並接納在本年報第 頁列出之職權範圍。這新名稱及職權範圍更準確地反映出該委員會在執行處工作方面的作用。

三、 公署接受、審查及調查舉報的程序，使每一宗舉報在不同的階段，經不同的工作人員審核，以確保任何工作人員不會私自終止處理一宗舉報或無意中忽略了某些重要的地方。最後，所有經調查而未有檢控的貪污舉報，必須由審查貪污舉報諮詢委員會或其小組委員會審核後，才可註銷。

三、 審查貪污舉報諮詢委員會審閱所有未能導致檢控的舉報，並在認為有必要採取進一步行動時，提出建議。假若一項調查引致刑事檢控，檢控結果將向該委員會報告，委員會亦會就此提供意見。

三、 當一宗案件未能進行刑事檢控，但有證據指出該公務員有貪污行為、或破壞紀律、或不法行為或其他不良行為時，該委員會可建議將該案之詳細報告送交銓叙司或該職員隸屬之部門首長，以便採取適當行動。

三、 該委員會亦會建議執行處將調查報告轉交防止貪污處，以便對可能存有貪污機會的工作程序，作進一步審查。

防止賄賂條例第十條係關乎一名政府公務員在任何時間所擁有或控制之資產，而實際獲得貪污款項的日期並非決定因素。因此，上述條款包括了在一九七七年一月一日，即有關新政策生效之日前所獲得之金錢在內，而在該日之後，該筆款項仍繼續為該名政府公務員所擁有或控制者。此類事件未包括在新政策之內，原因為當時並未獲得考慮。然而，在顧及賴恩法官所觀察到的若干點之後，本人認為以下的說法是恰當的：即倘若要本人考慮一宗不屬於法定例外情形的案件，而在該宗案件中，全部未能解釋來源的金錢實際上是在一九七七年一月一日前所獲得，其後並繼續為該人所擁有，則本人會重視新政策之宗旨，而此項宗旨是為廉政公署條例第十八條甲所確認者。┌

三、六 一九七八年內，港督無須運用他的權力去考慮在局部特赦令生效日期以前所發生的罪行是否嚴重至需要公署採取特赦令所列為例外的行動。離局部特赦令生效日期越遠，特赦令所引起的難題便會越少，直至完全無關重要為止。

三、三 但是在一九七八年有一項問題並沒有減輕其嚴重程度，這就是控方重要證人更改他們在審訊之前向執行處調查人員所作之口供。會有幾次，這些重要證人在登上證人台後，突然作出與他們較早時的口供迥然不同的證供。他們轉變的動機各有不同。無可否認，在有些情形下，證人是對被告有所畏懼，當面臨庭上對質的時候，他們原先要說出真相的堅定決心則告動搖。在另一些情形下，被告有可能用某種方法在等候審訊期間影響證人，通常這段時間非常冗長，以致被告有足夠的時間及機會去接近脆弱的控方證人。幸而，在法庭內對控方證人公然表示敵意的行為已告停止，但是當局對有關控方證人容易受到干擾一事，極為關注。年終時，一名控方證人在法庭內作出與他較早時的口供有差別的證供，該案已提交律政司審查及考慮控以企圖妨碍司法公正罪。

三、三 一九七八年二月執行處從和記大廈搬到鄰近的美利道停車場大廈最高的三層。這新址使執行處有一個適用的辦事處。

三、為使顧問團能執行職務，團員可自由參閱執行處的檔案和紀錄及與各級調查員會談。

三、訪問結束時，祈能仁先生表示顧問團對於現時處理案件的水準，印象深刻。他們覺得所訂下的調查程序十分明確，調查員對這些程序亦清楚明白，同時，在處理每一宗案件過程中的不同階段，調查員更受到適當的監督和查核。顧問團表示管理妥善，如果有任何偏差發生，即會很快被察覺及矯正。所採用的調查辦法及策略，皆與英國各主要警隊的特別小組相同。

三、希望祈能仁先生及其團員的訪問和他們所得的結論已將外界一般對所謂「廉政公署所採用的辦法」的激動批評，平息下來。

三、顧問團會建議改善皇家警務人員及公署人員的關係，該等建議已逐漸付諸實行。一九七八年中，曾舉行高級人員聯合研討會，同時雙方也越來越多參與對方的訓練，警方及執行處亦會幾次聯同出動工作，而且在交換情報和資料方面已續有改善。

三、一九七八年內，有數宗案件在調查期間遭遇到因局部特赦令而產生的難題，當未能確定嫌疑貪污行為的始末日期時，困難尤其顯著。有時涉嫌活動在局部特赦令生效日期之前開始而延續至該日期以後。最難處理的案件就是當涉嫌者在局部特赦令生效前獲得財富，而其後才被證實。為了確保不法者不會在局部特赦令掩護下繼續進行貪污勾當，審慎的調查是必需的。

三、來恩特法官在裁定被告張守一有罪時，於判詞中認為特赦令對觸犯防止賄賂條例第十條的控罪沒有影響(案件編號一九七八年之二十五)女皇告張守一案；該條例有關被告人的生活程度或財富與現在或過去公職收入不相稱，由於此類行為在被告未能向法院作滿意解釋之前，不足構成罪行。因此，這種罪行不包括在局部特赦令範圍之內。其後，律政司發表一項公開聲明謂：

「港督於一九七七年十一月七日在立法局表示，他本人在十一月五日所宣佈有關廉政公署行動的新政策，旨在由當時起，除有限度的例外情形之外，消除所有足以令正直人士感到恐懼的原因。」

此項新政策其後經由制訂廉政公署條例第十八條甲加以確認。

和受賄，所以我們必須經常提高警惕，以免回復到以前的境地，因為我們是歷盡艱辛才從這種情況解脫出來。這種特別警惕必須持續多年。因此，廉政專員公署的努
力絕不會鬆懈，而它的力量亦不會減弱。然而，由於該署在執行方面已獲致很大的
成就，現在大可逐漸將工作重點轉向防止貪污處及社區關係處。」

三八 赦免一九七七年一月一日以前所犯罪行之「局部特赦令」已在一九七八年二月十六日成為
法例。在這一年中，最受關注的問題，就是特赦令對貪污活動的影響及公署如何對付這些活動
。問題的第一部份可在港督上述的演詞中得到解答。在一九七八年內並無任何證據顯示會一度
長時期為禍社會的龐大貪污集團有死灰復燃的跡象。

三九 在一九七八年，以前最受龐大集團困擾的政府部門，顯出改善氣氛的跡象。由於無須恐懼
因一九七七年一月一日（局部特赦令生效日期）以前所犯罪行而遭受調查及檢控，越來越多政
府人員樂意與公署合作。雖然，那些公務員的反應仍未積極，但當公署依法進行調查，即使涉
及其工作範圍，他們已不再公開表露敵意。

四十 雖然龐大的貪污集團已不復存在，但公署仍經常接獲舉報，投訴個別性貪污、政府或公共
機構職員合成小組所進行的貪污行為，以至私人機構內的貪污行為。公署接獲舉報後，每每能
將涉嫌人士當場逮捕。年終時，執行處正致力調查三百三十二宗案件，超出了一九七七年年底
時的數字，更比一九七七年十一月五日宣佈局部特赦令之前夕為多。

三十一 由於龐大貪污集團已不再存在，所以這三百三十二宗案件內的涉嫌人數較一九七七年調查案
件最多時為少。

三十二 執行處曾向一團來自英國的高級警務人員闡釋現行的各種制度及辦法。該團由祈能仁先生
率領，於一九七八年一月抵港及在港停留四個月。該顧問團乃應港督之邀請來港，主要是向警
務處處長就皇家香港警務處之組織及管理提供意見；尤其着重紀律、人事管理及士氣、組織、
意見轉遞、招募、警隊與廉政公署的關係及其他有關事項。顧問團亦須向廉政專員就公署現有
的程序提供意見，特別是執行處的調查程序，因為這方面經常受到批評。

三、此等拘捕權力附有各種搜查、沒收、扣押有關證據的權力。某些搜查權力可於專員簽發搜查令或授權書後運用，而專員已將此等權力授與執行處處長執行；其他權力則須由裁判司簽發令狀始可運用。

三、四、防止賄賂條例亦授與公署特別調查權力，包括檢查銀行戶口、要求疑犯就調查事項給予宣誓、盤問其他經已宣誓的人士、在進行調查時限制財產處理權、向裁判司申請命令着嫌疑犯交出旅行證件及當嫌疑犯有跡象離開香港時根據裁判司所發出之拘捕令將其提交內庭，而裁判司可下令疑犯保釋直至調查完竣。

三、五、執行處將調查所得的證據呈交律政司助理，由彼代律政司決定是否採取起訴行動，或在必要時將案件轉交律政司親自審查。

三、六、進行調查工作時，律政司助理及律政司辦事處其他人員亦對公署運用其廣泛調查權力所產生的有關問題提供意見。執行處處長亦可向律政司諮詢與檢控無直接關係的其他事項。

一年的回顧

三、七、一九七八年十月十一日港督在立法局的演詞，可說明整年的概況：

「廉政專員公署繼續推行多方面的工作，成績斐然。」

自從去年十一月五日頒佈「局部特赦令」後，很多市民心中一直有個疑問，就是政府既然具有明顯的決心肅貪，以前的貪污陋習會否再度出現。廉政專員已向本人保證，並無任何跡象顯示有這類事情發生，而集體貪污也毫無死灰復燃的現象。我們應該知道，由於該署執行處現在可以不究既往，所以能夠集中強大的人力物力，對目前發生的事情進行調查和監察。在公共機構和私人機構方面，整個情況與四年前比較，已大為改觀。這種卓越的成就，應歸功於廉政專員公署和衆多其他人士，而我們每一個人亦足以自豪。

大多數其他社會或多或少都有貪污存在。在本港社會裡，因為近年揭發了不少大規模的貪污事件，我們必須承認要做的工作還是很多。由於隨時都有人願意行賄

第三章 執行處

職責及逮捕、搜查和調查的權力

執行處是公署的調查部門及三個部門中最大的一個。編制為六百三十三人，佔公署現有的編制一千一百二十一人的百分之五十六點五。

執行處處長須就下列工作向專員負責：

- (甲) 接受及考慮有關指控貪污行為的投訴及在可行情況下對該等投訴展開調查；
- (乙) 調查任何涉嫌觸犯廉政專員公署條例、防止賄賂條例、及舞弊及非法行為條例的罪行；及
- (丙) 如廉政專員認為某公務員之行為與貪污有關時，則對該事件展開調查，及向港督呈交報告。

三、執行處的調查員有權無需拘捕令而拘捕觸犯上述三條條例之人士，在調查涉嫌觸犯防止賄賂條例的罪行時，如揭發其他直接或間接導致該貪污事件或有關該貪污事件之罪行，調查員亦有權無需拘捕令而拘捕該等涉嫌人士。如所揭發之罪行是一項指定罪行，則即使與防止賄賂條例之罪行無關，調查員亦可運用逮捕權力。這些罪行包括：

- (甲) 妨碍司法公正、
- (乙) 盜竊罪條例第二十三條所列之恐嚇勒索、
- (丙) 盜竊罪條例第十七條所列之詐騙他人財物、
- (丁) 盜竊罪條例第十八條所列之詐騙金錢利益、
- (戊) 刑事訴訟程序條例第九十條所列之協助罪犯、
- (己) 串謀行騙及串謀觸犯上述(甲)至(戊)任何一項罪行、
- (庚) 企圖觸犯上述(甲)至(戊)任何一項罪行、或協助及教唆、指導或促成上述罪行。

這些權力雖然廣泛，但對於進行有效的調查工作却是必需的，因為很多對有關貪污指控的調查均揭露了在法律上可構成其他罪行的事實。

二、六 儲蓄互助社已於本年下半年成立，並於十一月正式註冊。至十二月底時會員人數為三百八十七人，儲蓄總額超過三萬五千元。

二、七 一九七八年是職員康樂會成立的第四年。其成立之目的在促進及統籌體育、娛樂和社交等事宜，並提供職員的公餘活動。本年度該會組織多項活動，例如參與數個慈善籌款工作。新會址設於美利道停車場大廈，四月間由廉政專員主持揭幕，該處除提供膳食飲品等服務之外，亦是該會活動的集中地。

公署內的紀律

二、八 本年內根據總督特派廉政專員公署條例第八條乙款將一位職員解僱。這一條款，授權廉政專員可以因公署利益解僱職員而不必公佈理由。這是一種特殊權力，但在公署而言是必要的。所有這一類解僱事件，廉政專員均向貪污問題諮詢委員會報告。

貪污問題諮詢委員會

二、九 本年內由簡悅強爵士任主席的貪污問題諮詢委員會共舉行四次會議。該會向廉政專員提供意見的範圍包括修訂反貪污法例的建議，影響公署的工作、編制、財政預算及一般行政的政策問題。每次會議，公署都向委員會報告三個部門的工作進展情形。委員會成員名錄及職權範圍見正文第肆頁。

廉政公署投訴事宜委員會

二、十 於一九七八年內，廉政公署投訴事宜委員會會舉行五次會議，考慮過二十一宗投訴公署及其職員個案。其中兩宗被考慮認為投訴合理，並導致修改一些公署程序，以避免同類事情再次發生。

辦事處

二九 於三月份，執行處辦事處已由和記大廈遷往美利道停車場大廈。在和記大廈空出的辦事處亦經重新裝修，先後由防止貪污處於七月中及社區關係處總部和行政總部於八月初遷入使用。搬遷和裝修工程分階段進行，使和記大廈和公署其他舊址的租金，不致浪費。當搬遷工作完竣時，公署分別將在先施大廈、中國聯合銀行大廈、尖沙咀何鴻卿大廈所租用的辦事處約二萬二千方呎交回業主。另外，在樂禮大廈的五千餘方呎也交還政府另行分配。雖然目前公署各部門辦事處十分接近，但最終的目標是希望有自置樓宇以供公署轄下各部門使用。

行政工作、訓練及輔助服務的檢討

三十 當各部門遷入和記大廈及美利道停車場大廈之後，公署便成立一個指導委員會以檢討全部的行政工作、訓練工作及輔助服務，目的在釐訂一個最有效和經濟的方法以提供此等服務。在一九七九年初，廉政專員接納了此委員會的意見，並預料未來的一般性、人事及財政工作更形集中，以期節省人力。

訓練工作

三十一 行政總部亦負責統籌整個公署的訓練工作，並分別在美利道停車場大廈及和記大廈主理兩所訓練學校。本年內公署自己主辦過四十二項訓練課程，受訓職員人數達三百九十八名。此外公署亦安排公署九十五名職員參與二十個由公務員訓練組主辦的訓練課程，四十七名公署職員參加由其他機構，例如大學及工專所主辦的十三個訓練課程。

職員關係及福利

三十二 本年內，由廉政專員出任主席及由三十八位選自各部門職級的代表所組成的廉政公署職員協商委員會，曾舉行三次會議。該委員會之主要目標是提供有效途徑使所有公署職員能對影響他們福利的事宜表達意見，務能下情上達。這是一個中央公開討論會，討論雙方關注的事情，此外各部門內又有其他協商方法。

三十三 職員關係主任繼續提供職員在職業和私人問題上的意見和幫助，因而改善職員和管理當局的溝通，並負責職業輔導和福利事宜。

每月津貼

處長級薪酬第二點（一萬二千四百元）及公務員總薪級表第四十六至四十八點
（九千三百三十元至一萬零一百元）支薪人員 一千元

公務員總薪級表第二十至四十五點（二千六百九十五元至八千九百四十五元）支薪人員 七百元

公務員總薪級表第十一至十九點（一千五百二十元至二千五百六十元）支薪人員 四百元

公務員總薪級表第一至十點（八百二十五元至一千四百一十元）及公務員標準薪級
第一級支薪人員 二百元

二四 廉政公署條例第八條規定廉政專員必須遵照適用於政府僱員的一般規則，但廉政專員在認為必要時，可於獲取總督同意後，訂立常務規條修改該等規則，以應公署之需。

二五 除已着手在本港招募有經驗之調查員外，公署亦須在英國進行招募工作。結果錄用了十一名有經驗的英國警務人員。

二六 本年內財務委員會批准社區關係處及執行處調整編制。結果在整個公署而言共增加四十個職位。

財政及會計的處理

二七 在財政及會計事宜上，公署必須遵循政府規例。行政總部負責確保在可能範圍內，公署依循政府的財政及會計規例、物料管理規例和其他常務程序。每年的預算草案須先經防止貪污諮詢委員會審閱，再由布政司署處理，最後由總督按總督特派廉政專員公署條例第十四條甲款規定核准。按照第十五條乙款規定，截至一九七八年三月三十一日止的財政年度帳目表連同核數署署長的報告書列於附錄七。

二八 公署一九七八至七九年度的預算草案及修訂預算案，及一九七九至八零年度的預算草案見附錄八。

第二章 行政總部

行政總部由廉政公署行政秘書主管，負責人事、總務及會計工作。行政總部的編制及組織詳見附錄二。

編制及招募工作

二、三、 廉政公署的編制為一千一百二十一人，比前一年增加四十個職位，分佈於公署各部門（詳見附錄二至五）。公署的職級名稱及薪酬如下：

高級廉政主任（一級）

（月薪九千三百三十元至一萬零一百元）

廉政主任（二級）（甲）

（月薪六千七百九十五元至八千九百四十五元）

廉政主任（二級）（乙／丙）

（月薪二千六百九十五元至六千四百八十五元）

廉政助理（三級）

（月薪一千五百二十元至二千五百六十元）

公署又設有下列特別職位：

高級輔導員（月薪三千六百六十五元至四千四百三十五元）

輔導員（月薪二千六百九十五元至三千三百二十元）

隊長（月薪二千二百九十元至二千五百六十元）

助理調查員（月薪一千五百二十元至二千一百五十五元）

處長級和普通輔助職級人員的薪酬與同等職位的公務員無異，但在普通及一般職級人員職銜之後加上「廉政公署」四字，以資識別。通常各級人員都以合約方式聘用，任期圓滿結束時可獲約滿酬金。但亦有少部份職員是由香港政府及英國警察隊調任。

二、三、 公署職員都有職位津貼，但這津貼不歸入可賺取約滿酬金的基本薪酬內：

一、建議本人亦感謝各諮詢委員會及小組委員會所給予本人鼎力之支持；各委員的批評

一、在活動最後，本人謹向各位市民致謝。無論市民是直接舉報、抑或參與公署舉行的教育活動，或拒絕牽涉於任何貪污舞弊等陋習、甚或認為香港能夠洗脫貪污之惡名，公署深信一定能夠爭取最後勝利。在廣大市民與政府當局的支持下，公署深信

一、七 執行處乃肅貪行動的先鋒，公署的信譽有賴該處人員不斷的努力、偵緝及將貪污舞弊者繩之於法。調查及拘捕涉嫌者絕非戲劇化的工作。搜集證據時亦必須小心翼翼，絲毫不可遺漏。工作雖然冗長費力，却為辨別是非黑白不可缺少的程序。

一、八 防止貪污處的建議已被認為有助於建立完善的政府及改進有關部門的工作程序，同時亦是減少貪污機會的良策。防止貪污處會於審查工作討論中強調，不該因過分謹慎而拖慢政府的基本工作；任何延誤，即使如何合理，亦會導致貪污的產生。

一、九 在七八年底，有關「公務員責任承擔」問題的主要報告書已分遞各政府部門，以便於七九年一月時加以討論。分遞該份報告書時適值公務員訓練組印發「新任主管指南」；兩者的建議，近似之處甚多，可見公務員的訓練是要多方面合作的。公署現已積極參與各政府部門及公務員訓練組為各級人員所設的一般訓練課程；此種參與行動於七九年內將繼續增加。

一、十 一九七八年內，不少市民會對公署可能停辦的問題表示關注。年初進行的民意調查結果顯示，市民對政府撲滅貪污的決心，確會為七七年十一月事件所動搖。其後發生的連串事件更被指為公署日走下坡的象徵。因此，恢復公署職員及市民的信心，至為重要，必須使他們相信政府當局對撲滅貪污以至根除社會上舞弊行徑的意志，並未鬆懈，亦不預備對廉政公署作任何減縮。社區關係處於過去一年除了為公署的前途向市民作出保證外，更進一步倡導社會人士對公民責任及權利的正確態度。

一、十一 廉政專員姬達先生於七月離開公署轉任布政司一職時，曾引起廣大市民殷切的關注。姬達先生負責設立公署，四年來對公署的領導，堪稱不遺餘力。彼現正擔任對香港社會更具深遠影響的職位，市民對此定必感到欣慰。

一、十二 本人接任廉政專員，得到公署人員的支持，謹此衷心致謝。七八年於公署而言，雖仍屬困難重重，但各位職員却未因遭受挫折而氣餒；彼等士氣之高昂與及對反貪污工作的熱誠，實使本人大為鼓舞。

第一章 一年的回顧

廉政專員

一九七八年乃公署職員重申職志的一年；彼等既須接受局部特赦令的事實，並須繼續從事撲滅貪污的工作。減少注意過往的事件，使公署可更致力於防止貪污及偵查現有的貪污活動。輿論界對公署整個機構及其工作目標的支持，實足以協助公署職員作出精神上的種種適應。

一、二 在社會人士的鼓舞下，公署職員雖然矢志繼續撲滅貪污，但仍難免要遭受挫折。兩宗串謀貪污案件之大部份被告均獲省釋（細節詳見第三章）。而其中一宗案件，竟有六名控方證人被指為「敵意證人」。不過，該兩宗案件的主審法官則明確表示有充份證據顯示有關的警察部門內有龐大貪污集團存在，專門收派黑錢。年底時，另一宗大規模串謀案件仍在聆訊，待審訊完畢，公署亦可謂達到擊破集團式貪污骨幹的目標。

一、三 至七八年底，仍未有任何證據顯示龐大貪污集團的繼續存在。可是此僅屬戰略上的勝利而已。因為目前有證據顯示警務處及其他政府部門內仍有不少公務員結成朋黨，向服務對象或須依法處理之人士榨取金錢。這種情況好比連場戰役之後，某方決定改用游擊戰術一樣。

一、四 游擊戰事通常不會短暫；對付游擊隊伍不但須要積極的偵察及追捕行動，更要採取各種防衛措施，制止游擊隊伍的滲透，以免人民受到威脅。此外，政治上亦須號召人民團結一致，群起對抗。

一、五 上述比喻不宜過份強調，因為這些游擊性的貪污團體雖同具欺凌弱小、榨取金錢的目標，却沒有中央組織。目前，公署必須「三管齊下」，繼續集中力量對付這些小型貪污團體，務使他們瓦解及令其成員亦不願冒險，作奸犯科。

一、六 有關公署各部門的工作，以下各章均有詳盡介紹。目前該三個部門分別位於和記大廈七、八樓及鄰近的美利道停車場大廈之九至十一樓。

總督特派廉政專員公署條例（一九七四）於一九七四年二月十五日生效，總督特派廉政專員公署（廉政公署）亦於同日正式成立。

二 於此之前，偵察及調查貪污事件的工作，是由皇家香港警務處轄下之反貪污部負責。及至百里渠爵士主持的調查委員會，於審查香港貪污情況及其他有關事宜，作出報告之後，總督在一九七三年十月十七日立法局首次會議席上宣佈，將偵查貪污事件的責任由警務處移交與一個獨立機構。

體制

三 廉政公署的成立及權力乃總督特派廉政專員公署條例（一九七四）所賦予。廉政專員並不隸屬任何政府部門，而是直接向總督負責，以確立公署的獨立性。廉政專員及其職員並不受公務員叙用委員會管轄，故不屬公務員。

經費

四 公署的經費是由政府預算案中一個單項撥支，並依照政府通常的程序支配。有關經費的申請先經貪污問題諮詢委員會審核，然後由布政司署通過立法局財務委員會辦理。公署的帳目，一如其他政府部門，須送呈核數處處長審核。

廉政專員職責範圍

五 廉政專員直接向總督負責，其職責範圍詳列於總督特派廉政專員公署條例第十二條。（見附錄一）

編制及組織

六 公署包括廉政專員辦事處和三個專責部門，即執行處、防止貪污處及社區關係處。公署內的行政工作均由中央行政單位負責。廉政公署的編制為一千一百二十一人，分任公署各職（詳見附錄二至五）。在一九七八年十二月三十一日，公署的在職人數為九百五十七人：即執行處五百八十人，防止貪污處八十人，社區關係處二百三十五人及行政總部六十二人。

丙、防止貪污諮詢委員會

職權範圍

- (一)接受及要求廉政公署報告有關政府各部門、公共機構及私人機構在工作方式及程序上容易導致貪污之處，並提示廉政專員應予以審查的地方及審查之先後次序。
- (二)考慮根據此等審查工作而作出的各項建議，及提示廉政專員應採取的進一步行動。
- (三)監察將「防止貪污諮詢委員會」所作建議付諸實行的工作。

委 員

廉政專員（當然主席）
甘 洛先生
陳立橋醫生
霍士傑先生
吉定時大律師
何耀棟先生
Jeanne Houlihan 修女
劉定中先生
梁愛詩小姐
羅 保議員
麥蘊利先生
唐驥千先生
黃保欣先生
行政及管理事務處處長 } (當然委員)
防止貪污處處長

祕書：廉政公署職員

丁、「社區關係」市民諮詢委員會

職權範圍

- (一)向廉政專員建議應採取何種方法以求在反貪污工作方面獲取市民的支持及引導市民認識貪污的害處。
- (二)接受及要求廉政公署社區關係處報告就上文(一)項所進行的工作。
- (三)衡量市民對廉政公署工作的反應及彼等對一般貪污問題的態度。

委 員

廉政專員（當然主席）
查良鏞先生
張鑑泉先生
張陳妙賢女士
張威臣先生
程德智女士
黃金鴻博士
議員簡悅強爵士
金耀基博士
關高荅華議員
李盧玉蟬女士
李國能先生
龐鼎元先生
蘇卓明先生
史允信先生
唐碧川先生
謝志偉博士
黃梁超平女士
新界政務司
社區關係處處長 } (當然委員)

祕書：廉政公署職員

諮詢委員會——職權範圍及委員名錄

(一九七八年十二月卅一日)

甲、貪污問題諮詢委員會

職權範圍

- (一)就有關政府內部或以外的香港貪污問題任何一方面向總督特派廉政專員提供意見，並就此目的：
- (甲)經常檢討廉政公署的政策；
- (乙)審察廉政公署每年的開支預算；
- (丙)在廉政公署之週年報告提交港督前予以審閱。
- (二)在需要時，促請港督注意廉政公署任何一方面的工作或該署所遇到的任何問題。

委員

議員簡悅強爵士(主席)

議員班佐時牧師

畢力治議員

議員黃麗松博士

羅保議員

廉政專員

銓叙司 } (當然委員)

執行處處長

祕書：廉政公署職員

乙、「審查貪污舉報」諮詢委員會

職權範圍

- (一)接受廉政專員所提交，關於貪污事件之舉報資料，及公署如何處理此等舉報之報告書；
- (二)接受廉政專員所提交，關於公署於權力範圍內如何採取行動調查貪污案件之報告書；及建議廉政專員毋需追查何等案件；
- (三)建議廉政專員將那些公署於調查權力範圍內所獲得的資料轉達有關政府部門、公共機構、別類機構或個別人士；
- (四)就廉政專員向委員會提出之事項提供意見，或自動就其他事項提供建議。

委員

廉政專員(當然主席)

議員黃麗松博士

議員西門士夫人

徐家祥先生

律政司(或其代表)

警務處處長 } (當然委員)

執行處處長 } (或副處長)

祕書：廉政公署職員

廉政公署處長級職員名錄

一九七八年十二月三十一日

廉政專員

陸鼎堂爵士

廉政公署行政秘書

李迪智先生

執行處

處長

夏烈先生

副處長

章達理先生

助理處長

岑德亮先生

助理處長

麥鼎賢先生

助理處長

梁令行先生

防止貪污處

助理處長

梁定邦先生

助理處長

夏利生先生

社區關係處

高級助理處長

余黎青萍女士

助理處長

許仕仁先生

助理處長

林關佩英女士

二、貪污舉報及舉報方式.....	五五
三、已檢控的貪污及相關罪行（依罪行分類）.....	五六
三、已檢控的貪污及相關罪行（依政府部門及其他機構分類）.....	五七
四、所調查的貪污舉報（依政府部門及其他機構分類）.....	五八
五、所調查的貪污舉報.....	五九
六、所接獲及調查的貪污舉報及所檢控之人數（依政府部門及其他機構分類）.....	六十
七、貪污舉報（依政府部門及其他機構分類）.....	六一
六、轉交政府部門及其他機構作行政或紀律處分的案件.....	六二
六、防止貪污處在一九七八年送交各機構的審查工作報告書.....	六三
六、防止貪污處正在進行的審查工作.....	七十
七、社區關係市民諮詢委員會各小組委員會的職權範圍及委員名錄.....	七四
七、社區關係處聯絡活動.....	七六
七、廉政公署各分處的工作.....	七七
七、一九七八年分處特別聯絡活動摘要.....	七八

總督特派廉政專員一九七八年年報目錄

正文

廉政公署處長級職員名錄.....	叁
諮詢委員會——職權範圍及委員名錄.....	肆
緒言.....	陸
第一章 一年的回顧.....	一
第二章 行政總部.....	四
第三章 執行處.....	八
第四章 防止貪污處.....	二六
第五章 社區關係處.....	三三

附錄

一 廉政專員的職責.....	四四
二 廉政公署高級職位的分佈、廉政專員辦事處及行政總部的組織.....	四五
三 執行處的組織.....	四六
四 防止貪污處的組織.....	四七
五 社區關係處的組織.....	四八
六 人事狀況——職員來源分析及各部門在職人數.....	四九
七 截至一九七八年三月三十一日止的一年內廉政公署帳目表——核數署署長報告及證明書.....	五十
(甲)截至一九七八年三月三十一日止的一年內預算及實際開支表.....	五一
(乙)經已核准及修訂的開支預算比較表暨一九七九——八〇年度預算草案.....	五二
八 公署所接獲及調查的貪污舉報.....	五三
九 公署所接獲的非貪污舉報.....	五四

遵照總督特派廉政專員公署條例第十七條謹具總督特派廉政專員公署一九七八年工

作年報呈請

鑒核

謹呈

督憲

總督特派廉政專員 陸鼎堂

END