

For Discussion on 19 January 2004

Legislative Council Panel on Security
Operational Liaison between the Police and the ICAC

Purpose

This information paper is prepared by the ICAC to apprise Panel members of the existing communication between the Police and the ICAC over allegations of corruption involving ‘undesirable association’ and on arrest of police officers for suspected corruption.

Background

2. The above issue was raised as a result of an investigation and subsequent prosecution concerning a Senior Superintendent of Police, who allegedly, among other things, misconducted himself in accepting free sexual services from prostitutes provided by a person who has control over such prostitutes. On 28 November 2003, the two defendants were convicted after trial of respectively Misconduct in Public Office, Offering an Advantage and Exercising Control over Prostitution. They were each sentenced to three years’ imprisonment.

Police/ICAC Communication

3. The ICAC places great importance in working closely together with police to combat corruption with its three-pronged strategy, i.e. enforcement (operational liaison), corruption prevention and education.

Enforcement (Operational Liaison)

I. Police/ICAC Operational Liaison Group (OLG)

4. The OLG was established in 1995 to review operational issues including operational procedures and legal issues of mutual concern. It also reviews and improves existing Police/ICAC liaison channels to enhance co-operation and facilitate mutual referral of cases. The OLG meetings are usually held every six months and are attended by directorate officers from the Police and the Operations Department, ICAC. It provides a useful forum to discuss matters pertaining to operational liaison.

II. Briefings for the Regional and District Commanders

5. Briefings by senior officers from the Operations Department are usually provided to newly posted Regional and District Commanders. Such briefings will include statistics and trends of corruption, in particular matters of prevailing concern which need to be drawn to the attention of the police senior management. Where operational circumstances permit, the major formation commander is personally briefed regarding impending overt ICAC action concerning his Region or District. This will ensure the smooth running of ICAC operations with minimal disruption to police duties. In the spirit of good co-operation, the major formation commander is usually kept informed of the progress and development of the subsequent investigation.

III. The Internal Investigations Office (IIO) of the Police

6. The IIO is the main police liaison point for the Investigation Group (i.e. A Group) responsible for the investigation of corruption affecting the Police. Through the IIO, the Operations Department conducts referral of cases and

obtains information and necessary assistance in facilitating ICAC investigation and operations. Except in urgent operational situations, the IIO is invariably informed in advance of action to be taken against police officers, e.g. arrest and the reason for the arrest. Where no prior notice is given, the IIO will be informed of such action as soon as practicable afterwards. In any event, the IIO is regularly updated on the progress of investigation concerning police officers against whom overt action has been taken.

IV. The Operations Review Committee (ORC)

7. The ORC monitors the work of the Operations Department. The Commissioner of Police is an ex-officio member of the committee. It meets every six weeks to review, among other things, the progress of major corruption cases, and cases which have been investigated for over twelve months or regarding which persons have remained on ICAC bail for over six months.

Corruption Prevention and Education

V. The Force Anti-corruption Strategy Steering Committee (FACSSC)

8. The FACSSC was formed in 1995 by the Police aiming to promote a corruption-free working environment for members of the Force through identification of factors which may present opportunities for corrupt activity and phenomenon which may influence susceptibility of corruption. Meetings are held quarterly to co-ordinate and monitor joint Police/ICAC initiatives to combat and minimize corruption opportunities. The meeting is chaired by a Senior Assistant Commissioner of Police and its membership comprises directorate officers from the Police and the three departments of the ICAC. During the meeting, the Operations Department representative will brief the committee on corruption trend and statistics, highlighting the prevailing areas of concern about corruption within the Force.

VI. The Police Corruption Prevention Group

9. This is a working group which meets bi-annually and comprises senior officers from the Police and the Corruption Prevention Department. It seeks to identify corruption-prone areas for review, determine priorities of assignment studies and monitor progress of studies.

VII. Training

10. Regarding police induction and in-service training, ICAC officers are invited to provide training input on anti-corruption legislation and the work of the ICAC. Operational workshops are organized for various levels of police command courses, during which senior officers from the Police Complaints and Internal Investigation Bureau and the Operations Department, ICAC provide joint input using case studies on anti-corruption management training. The workshops provide a very useful forum to enhance mutual understanding and co-operation between the Police and the Commission in achieving a common goal of keeping the Force free from corruption.

11. The existing communication channels between the Police and the ICAC are considered to be adequate. In combating corruption with its three-pronged strategy, the ICAC will continue to maintain a close liaison with the Police and adopts a 'partnership approach' in tackling corruption affecting the Force.

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