

For Information  
on 13 May 2004

## **LEGISLATIVE COUNCIL PANEL ON SECURITY**

### **Integrity Checking of ICAC Personnel**

#### **Purpose**

This paper provides information on the integrity checking of ICAC personnel in response to Members' request.

#### **Introduction**

2. The success of ICAC in combating corruption in Hong Kong to a large extent depends on the support of the public and the honesty and integrity of its officers. Thus at all times ICAC places high importance on the officers' honesty and integrity, and a comprehensive checking system is maintained to ensure this. The existing ICAC integrity checking system includes ICAC internal checks, police checks (including criminal record checks), home visits and interviews of relevant persons.

#### **The ICAC Integrity Checking System**

##### **Checking of New Recruits**

3. All new recruits and their close family members are subject to integrity checking, which includes ICAC internal checks and checks with the police. In addition, a visit will be made to the home of potential employees and interviews will be conducted with their referees and employer.

## **Checking of Serving Officers**

4. The ICAC conducts integrity checks on serving officers in the following circumstances:-

- (a) there is cause to doubt an officer's integrity;
- (b) prior to renewal of an officer's contract;
- (c) transfer to sensitive posts in Operations Department;
- (d) on promotion to higher rank; and
- (e) report of marriage by an officer, in which case the officer's spouse and his/her close relatives will also be subject of ICAC and police checking;

5. Officers promoted or posted to particularly sensitive posts are subject to the government's "extended checking" procedures.

## **Failure to Pass Integrity Checking**

6. In the past three years, no officer has failed to pass integrity checking, resulting in his promotion not being endorsed by the management, interdiction from duty or termination of employment.

7. If an officer does not pass the integrity checking, he may be removed from an operational post which allows him access to confidential or sensitive information. However, whether or not he would be subject to other administrative or disciplinary action, including the non-renewal of contract of service, will depend on the circumstances of the case.

### **Guidelines on Avoidance of Conflict of Interest**

8. To help avoid conflict of interest situations, officers are provided with clear guidelines in Commission Standing Orders (CSO). CSO require that officers should at all times ensure that their dealings with members of the public, suppliers, contractors, traders or other related personnel and colleagues do not place them in a position of obligation that may lead to a conflict of interest. They should avoid putting themselves in a position which might arouse suspicion of dishonesty or of using their official position to benefit themselves or favour their family or friends. Officers are instructed to consult their senior officers in case of doubt. They are also advised to avoid any actual or perceived conflict of interest between their official duties and their private activities and investment, and to report any such conflict of interest.

9. Specifically, officers are told that they must abstain from participation in business activities which, although legal, might be viewed as distasteful or undesirable and to report when they are aware that a member of their immediate family is involved in such business activities, in order to avoid any real or potential conflict of interest.

10. Officers are also told that when making private investments they should avoid taking investment risks beyond their financial means. They are required to uphold the honesty and impartiality of the Commission and to observe an exemplary standard of personal integrity in making investment. They should ensure at all times that there is no conflict of interest between their official duties and private investments.

11. In addition, officers are instructed by CSO that, other than in the course of duty, they are not permitted to have unauthorized and unreported private contact with a person who is or has been, to their knowledge, the subject of an ICAC investigation. Unavoidable contact with known suspects or persons of interest to ICAC investigations in social

gatherings must be reported. It is an officer's responsibility to report acquaintance and relationship with a person known by him to be subject of an investigation. Disciplinary action may be taken against an officer who fails to observe the instruction.

12. Also an officer who becomes insolvent or bankrupt, even though no action may yet been taken against him, is required to report his situation at the earliest possible opportunity. When such an occasion occurs the officer will be placed on duties that do not involve him in the handling of public money or sensitive information.

Independent Commission Against Corruption  
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