立法會 Legislative Council

LC Paper No. CB(2)694/12-13 (These minutes have been seen by the Administration)

Ref : CB2/PL/SE

Panel on Security

Minutes of special meeting held on Monday, 28 January 2013, at 8:30 am in Conference Room 1 of the Legislative Council Complex

Members	:	Hon IP Kwok-him, GBS, JP (Chairman)
present		Hon James TO Kun-sun (Deputy Chairman)
		Hon Albert HO Chun-yan
		Hon CHAN Kam-lam, SBS, JP
		Hon Emily LAU Wai-hing, JP
		Hon Cyd HO Sau-lan
		Dr Hon LAM Tai-fai, SBS, JP
		Hon CHAN Hak-kan, JP
		Hon Paul TSE Wai-chun, JP
		Hon Alan LEONG Kah-kit, SC
		Hon WONG Yuk-man
		Hon Michael TIEN Puk-sun, BBS, JP
		Hon NG Leung-sing, SBS, JP
		Hon Frankie YICK Chi-ming
		Hon YIU Si-wing
		Hon MA Fung-kwok, SBS, JP
		Hon KWOK Wai-keung
		Hon Dennis KWOK
		Hon Christopher CHEUNG Wah-fung, JP
		Dr Hon Elizabeth QUAT, JP
		Hon CHUNG Kwok-pan
Members	:	6
attending		Hon Gary FAN Kwok-wai

Members absent	: Hon LAU Wong-fat, GBM, GBS, JP Hon WONG Kwok-kin, BBS Hon LEUNG Kwok-hung	
Public Officers attending	: <u>Item I</u> <u>The Administration</u>	
	Mr LAI Tung-kwok, SBS, IDSM, JP Secretary for Security	
	Mr Joshua LAW, JP Permanent Secretary for Security	
	Mr John LEE, PDSM, PMSM, JP Under Secretary for Security	
	Ms Carol YIP, JP Deputy Secretary for Security 1	
	Miss Shirley YUNG Deputy Secretary for Security 2	
	Ms Maggie WONG Deputy Secretary for Security 3	
	Mrs Erika HUI, JP Commissioner for Narcotics	
	Miss Polly KWOK Administrative Assistant to Secretary for Security	
	Mr Cassius LAU Political Assistant to Secretary for Security	
	<u>Item II</u>	
	Independent Commission Against Corruption	
	Mr Simon PEH Yun-lu, SBS, IDSM Commissioner	

		Mr Ryan WONG Sai-chiu, IDS Head of Operations Ms Julie MU Fee-man Director of Community Relations Mr TSE Man-shing Director of Corruption Prevention
Clerk in attendance	:	Miss Betty MA Chief Council Secretary (2) 1
Staff in attendance	:	Mr Raymond LAM Senior Council Secretary (2) 7 Ms Mina CHAN Council Secretary (2) 1 Ms Kiwi NG Legislative Assistant (2) 1

Action

I. Briefing by the Secretary for Security on the Chief Executive's 2013 Policy Address

(LC Paper No. CB(2)490/12-13(01))

<u>Secretary for Security</u> ("S for S") briefed Members on the initiatives of the Security Bureau ("SB") in 2013, as set out in the Administration's paper.

(*Post-meeting note*: The speaking note of S for S was issued to members vide LC Paper No. CB(2)565/12-13(01) on 28 January 2013.)

Parallel trade activities

2. <u>Mr Gary FAN</u> said that after the introduction of the Individual Visit Scheme ("IVS") in 2003 and one-year multiple entry permit for Mainland visitors in 2009, parallel trade activities had been increasing and the problem of infant formula shortage had become increasingly serious. Parallel trade activities had dispersed from Sheung Shui and

Fanling to many other districts throughout the territory. The recent actions taken by some local residents to block parallel traders in Sheung Shui and Mong Kok reflected that the measures adopted by the Administration to combat parallel trade activities were far from adequate. <u>Mr FAN</u> considered that the Administration should critically study the visitor-handling capacity of Hong Kong, impose restrictions on visitors under IVS and seek to abolish multiple entry permit for Mainland visitors. Consideration should be given to amending the Import and Export Ordinance (Cap. 60) and the Reserved Commodities Ordinance (Cap. 296) to prohibit the export of formula products from Hong Kong so as to the address the problem of infant formula shortage arising from parallel trade activities.

3. <u>Mr CHAN Kam-lam</u> said that parallel trade activities had been in existence for a long period of time and mainly involved Hong Kong residents until the introduction of IVS. He sought information on the percentage of Hong Kong residents involved in such activities. He pointed out that the problems resulting from parallel trade activities could not be resolved merely by the abolition of multiple entry permit for Mainland visitors. Many bona fide Mainland visitors purchased goods for their own consumption. Imposing restrictions on these visitors might have a negative impact on the economy of Hong Kong. He considered that the Administration should distinguish between a parallel trader and a bona fide Mainland visitor who purchased goods for his own use.

4. <u>Mr WONG Yuk-man</u> cautioned that parallel trade activities had led to conflict between some Mainland and Hong Kong residents and could develop into security problems. In his view, there was a lack of new initiatives relating to the portfolio of SB in the Chief Executive's Policy Address 2013 and the paper provided by the Administration. The upgrading of Tseung Kwan O Police Division to a police district had in fact been discussed at a previous meeting of the Panel.

5. <u>S for S</u> advised that besides Mainland visitors, local residents were found involved in parallel trade activities. Between 28 December 2012 and 16 January 2013, the Immigration Department had mounted four operations against parallel trade activities in Sheung Shui and intercepted 684 persons suspected of involvement in parallel trade activities. Among these persons, about 41% were Mainland residents and 59% were Hong Kong residents. Similar operations conducted by the Mainland authorities also revealed a similar ratio in relation to persons involved in parallel trade activities. He informed Members that while there was no legislation in Hong Kong restricting the value of goods brought by a person who left Hong Kong, the Mainland authorities had imposed an upper limit of RMB¥5,000 on the value of incoming goods brought by a Mainland resident and an upper limit of RMB¥2,000 for incoming goods brought by other persons.

6. <u>Mr Michael TIEN</u> said that the recent problems resulting from parallel trade activities reflected the deep-rooted problem under "one country, two systems" that when there was an acute shortage of certain types of products in the Mainland, there might be a sharp increase in the demand for such products in Hong Kong. The resulting supply shortage problem could develop into social unrest if not promptly addressed. To address problems resulting from parallel trade activities, he considered that the immigration authorities should provide the customs authorities with information on suspected parallel traders and the Mainland customs authorities should strictly enforce its restrictions on the value of items brought into the Mainland. In this connection, he intended to raise the issue at the next meeting of the National People's Congress. He asked whether the Government had reflected the issue at a high level to the Mainland authorities.

7. <u>S for S</u> responded that the Government had raised the issue at different levels with the relevant Mainland authorities. For example, he had raised the issue with senior Mainland customs officials during his last official visit to the Mainland. The Chief Secretary for Administration had also raised the issue with the Hong Kong and Macau Affairs Office of the State Council in her official visit to the Mainland. He informed Members that relevant Mainland authorities of the Guangdong Province had formed a dedicated command unit to combat parallel trade activities. The relevant Mainland authorities in Shenzhen had also stepped up enforcement actions against parallel traders.

8. <u>Mr Paul TSE</u> said that the introduction of multiple entry permit had brought benefits to the tourism industry of Hong Kong, although it could cause other problems if the situation became uncontrollable. He expressed concern that some Hong Kong residents had recently intercepted travellers at train stations, insulted the travellers and opened their luggage to inspect the contents. He considered that such acts were uncivilized and might amount to unlawful detention and develop into social conflict. He sought information on the value of goods seized from parallel traders and asked whether the Administration had directed its operations at the masterminds of parallel trade activities. <u>Mr KWOK</u> <u>Wai-keung</u> considered that intelligence operations should be mounted against the masterminds of parallel trade activities. 9. <u>S for S</u> responded that the Administration was tackling the problem through exchange of intelligence with the Mainland authorities and mounting intelligence-based operations, including operations directed at masterminds, to crack down the activities at source. To his knowledge, the Mainland authorities had stepped up enforcement actions and arrested persons involved in syndicated parallel trade activities. He informed Members that between January and November 2012, the customs authorities of the Guangdong Province had detected more than 10 000 cases, which involved goods worth more than RMB¥20 billion, and arrested more than 1 000 persons.

Dr LAM Tai-fai expressed concern that the daily life of residents in 10. the North District was seriously affected by parallel trade activities but the actions taken by the Administration had failed to address the problem. He pointed out that parallel trade activities had led to conflict among different social groups. It might develop into serious incidents or even injuries, if the problem was not promptly addressed. He said that the Administration should establish a high level committee to deal with the problem. Consideration could be given to restricting parallel traders to use designated compartments of a train, restricting their use of train stations to certain time period of a day and restricting parallel traders to use designated ticket gates of a train station. S for S responded that the Administration was very concerned about public order at train stations in the North District affecting the daily lives of local residents. Law enforcement agencies and the MTR Corporation Limited had made every endeavour to put effort in maintaining order at train stations.

Population policy

Mr Albert HO said that the Administration had underestimated the 11. impact of IVS and multiple entry permit on Hong Kong. The recent interception of travellers by some Hong Kong residents at train stations, although understandable, had put Hong Kong to shame. He considered that the conflict between different social groups arising from parallel trade activities, the previous shortage of places in public hospitals arising from the use of obstetric services by non-local women, the shortfall in primary school places in the North District, the sharp increase in property prices and rental of retail shops in recent years were all related to immigration control and population policy, which were not covered in the Chief Executive's Policy Address 2013. He considered that if the Administration could not effectively address issues relating to immigration control and population policy, it should establish a high level committee to deal with the issues.

12. <u>S for S</u> responded that the Steering Committee on Population Policy, which was chaired by the Chief Secretary for Administration, had met recently. The issues raised by Mr Albert HO were among those being studied by the Steering Committee. He said that the Steering Committee might need some time to study the issues, which were very complicated.

13. <u>Ms Cyd HO</u> expressed concern that there was nothing related to the area of security in the Chief Executive's Policy Address 2013. In her view, Hong Kong should be given the right to consider and approve applications for One-way Permits ("OWPs") and Two-way Permits ("TWPs") from Mainland residents. Although IVS had brought about economic benefits to Hong Kong, the Administration should give due consideration to the visitor-handling capacity of immigration and tourist facilities in Hong Kong before further extending the scheme.

14. <u>S for S</u> responded that under Article 22(4) of the Basic Law ("BL"), Mainland residents who wished to go to Hong Kong had to apply for approval from the Mainland authorities. There was a daily quota of 150 for OWPs. He said that the Administration welcomed visitors from all parts of the world and that it was mindful of the capacity of immigration and tourist facilities in Hong Kong. Indeed, IVS had not been extended to additional Mainland cities for many years.

Anti-money laundering

15. <u>Mr WONG Kwok-hing</u> expressed concern about a recent case in which a person was convicted of money laundering involving billions of suspected crime proceeds. He sought information on the measures adopted by the Administration to combat such activity.

16. <u>Commissioner for Narcotics</u> responded that since 2008, the Financial Services and the Treasury Bureau had taken up overall coordination in relation to anti-money laundering and counter financing of terrorism, including the enactment of relevant legislation. The Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (Cap. 615), which came into operation on 1 April 2012, had imposed customer due diligence requirements and record-keeping requirements on specified financial institutions and introduced a licensing regime to regulate the operation of money changing and remittance service. SB was mainly responsible for implementing recommendations of the Financial Action Task Force ("FATF") in relation to the physical cross-boundary transportation of cash.

17. <u>Mr WONG Kwok-hing</u> sought information on the current situation in respect of the physical cross-boundary transportation of cash in large quantity. <u>S for S</u> responded that there was currently no declaration requirement in Hong Kong on the physical cross-boundary transportation of cash. He said that with the prevalence of money transfer by electronic means and the wide use of credit cards, there had been a global reduction in cross-boundary transportation of cash in recent years. The Administration would consult the Panel on its proposals to implement FATF's requirements on declaration of cross-boundary transportation of cash in due course.

Upgrading of Tseung Kwan O Police Division to a police district

18. <u>Mr CHAN Kam-lam</u> expressed support for upgrading Tseung Kwan O ("TKO") Police Division to a police district. <u>Dr Elizabeth</u> <u>QUAT</u> welcomed the upgrading of TKO Police Division. She asked whether the Police would step up enforcement against youth gangs and triad activities in the interim before the completion of the upgrading exercise. <u>Mr KWOK Wai-keung</u> asked whether the Police manpower in TKO would be increased to meet policing needs before completion of the upgrading exercise in 2015.

19. <u>S for S</u> responded that before completion of the upgrading exercise in 2015, the Police would submit request for additional manpower, where necessary, in the annual resources allocation exercise and flexibly deploy police manpower of the same police region to meet operational needs.

Illegal car racing and cyber crime

20. <u>Dr Elizabeth QUAT</u> expressed concern about illegal car racing activities, cyber crime and employment-related crime in which young people were victims. She sought information on the actions taken by the Administration to combat such crimes.

21. <u>S for S</u> responded that the Police had formed task forces to mount operations against illegal car racing. It would step up publicity and education to enhance the awareness of the youth on cyber crime and employment-related crime.

Sexual Conviction Record Check Scheme

22. Dr Elizabeth QUAT said that the Administration should step up publicity to promote checking under the Sexual Conviction Record Check Scheme. Mr KWOK Wai-keung asked whether the scheme would be expanded to allow parents to carry out checking on private tutors of their children. S for S responded that the Administration was conducting a review of the operation of the scheme. Upon completion of the review, consideration would be given to possible expansion of the scope of the scheme.

Public meetings and public processions

23. <u>Mr MA Fung-kwok</u> expressed concern that there had recently been situations in which public order events organized by different social groups with entirely different views on a subject matter were held at the same time as well as at same venue and later developed into confrontations and conflict between the groups. He also expressed concern that some participants of public order events had deliberately blocked roads and caused nuisance to other road users. He sought information on the measures adopted by the Administration to address the problems.

24. <u>Mr WONG Yuk-man</u> expressed concern that prosecution against participants of public meetings and public processions, including Legislative Council Members, had substantially increased in recent years.

25. <u>S for S</u> responded that where public order events organized respectively by different groups with entirely different views on a subject matter were held at the same time and same venue, the Police would remind the respective organizers of their responsibilities and the possible conflict among the groups when they were too close to each other. He said that there was a recent trend that some participants of public order events exhibited radical behaviour and blocked roads. Under these circumstances, the Police would remind the participants to comply with the law and respect the rights of others. Where there was a breach of the law, the Police would take enforcement actions. He said that apart from a few public meetings and public processions, most public order events had generally been held peacefully.

26. <u>Mr MA Fung-kwok</u> asked how the Police would deal with public order events held without any prior notification. <u>S for S</u> responded that in such cases, the Police would warn the participants that their events were unauthorized and would take enforcement actions if there was a breach of the law.

Enactment of legislation to implement Article 23 of the Basic Law

27. <u>The Deputy Chairman</u> asked whether manpower or financial resources would be allocated for conducting studies or preparation work in relation to the enactment of legislation on BL23. He also asked whether the Administration would contract out such work.

28. <u>S for S</u> responded that the Hong Kong Special Administrative Region had a constitutional responsibility to enact laws to implement BL23. That said, the major work of SB for the year ahead had been set out in the Administration's paper and no staff in SB was designated for work relating to BL23. He added that SB would not contract out work relating to BL23.

Indicators on the crime situation in Hong Kong

29. <u>Mr YIU Si-wing</u> asked whether the Administration had established any targets or indicators, such as the crime rate and crime detection rate, on the law and order situation of Hong Kong, and how such indicators compared with those of nearby cities.

30. <u>S for S</u> responded that it was the practice of the Commissioner of Police to announce at the beginning of each year his operational priorities for the year ahead. Such operational priorities were determined having regard to the latest law and order situation in Hong Kong. The Fight Crime Committee had also discussed the crime situation, reviewed the latest crime statistics and disseminated relevant information after its meetings. He informed Members that close communication was maintained between the Police and its counterparts in nearby cities to combat cross-boundary crime.

Reduction of the Frontier Closed Area

31. Noting that the first stage reduction of the Frontier Closed Area ("FCA") had been implemented in February 2012, <u>Mr YIU Si-wing</u> asked whether there had been any increase in smuggling activities after the first stage reduction.

32. <u>S for S</u> responded that as sufficient security measures had been in place in the reduced FCA, there was so far no sign of increased smuggling activities after the first stage reduction.

Youth drug abuse

33. <u>Mr CHUNG Kwok-pan</u> sought information on the details of the Administration's work against hidden youth drug abuse. Pointing out that many parents had to work very long hours, <u>Mr Frankie YICK</u> asked how the Administration would identify hidden youth drug abusers and outreach their parents.

34. <u>US for S</u> responded that the Administration was very concerned about the problem of hidden youth drug abuse. Although there was a decline in the number of drug abusers in recent years, the drug history of newly reported drug abusers had increased from 1.9 years in 2009 to more than 3.5 years in 2011. To address the problem, the Administration was collaborating with various sectors, including non-governmental organizations, schools and parents to identify hidden drug abusers. The operating hours of the anti-drug telephone enquiry hotline "186 186" had been extended to 24 hours a day to facilitate provision of professional service by social workers at late night.

School-based drug testing

35. <u>Mr CHUNG Kwok-pan</u> enquired about the latest development in school-based drug testing. <u>US for S</u> responded that school-based drug testing had been merged into the new Healthy School Programme ("HSP") and extended to all territories of Hong Kong. Although about 50 schools had so far joined HSP, a study conducted by a research institute revealed that the anti-drug awareness among all schools, students and parents had generally been enhanced after the introduction of HSP.

Transportation of cross-boundary students

36. <u>Mr Frankie YICK</u> expressed concern about whether cross-boundary students were unevenly distributed among different boundary control points. He requested the Administration to provide information on the respective number of cross-boundary students using different land boundary control points.

<u>S for S</u> said that there were currently about 12 000 cross-boundary 37. enjoying facilitation measures on their transportation students arrangement, and the number might increase to 17 000 in the next school year. At present, cross-boundary students mainly crossed the boundary through the control points at Lo Wu or Lok Ma Chau Spur Line. As the only access road to the Lo Wu Control Point was physically constrained, the number of cross-boundary students designated for using the control point had been frozen for safety considerations. The boundary crossing route via the Lok Ma Chau Spur Line was comparatively safe for such students and the number of parking bays for cross-boundary student coaches at the control point concerned had been increased. He said that more cross-boundary students might be arranged to use the control point at Man Kam To where the handling capacity would increase after completion of the current conversion works, and the control point at Shenzhen Bay.

[To allow sufficient time for discussion, the Chairman suggested that the meeting be extended for 30 minutes.]

II. Briefing by the Commissioner, Independent Commission Against Corruption on the Chief Executive's 2013 Policy Address

(LC Paper No. CB(2)492/12-13(01))

38. <u>Commissioner</u>, <u>Independent Commission Against Corruption</u> ("C/ICAC") briefed Members on the paper regarding the policy initiatives of the Independent Commission Against Corruption ("ICAC") in the year ahead.

(*Post-meeting note*: The speaking note of C/ICAC was issued to members vide LC Paper No. CB(2)565/12-13(02) on 28 January 2013.)

Corruption relating to building management

39. <u>Mr WONG Kwok-hing</u> noted with concern that corruption complaints relating to building management took up 41% of private sector complaints. He sought information on the measures adopted by ICAC to tackle the problem. He also expressed concern about corruption in the construction sector. <u>Mr Albert HO</u> considered that ICAC should step up its efforts in the prevention of syndicated corruption in building management.

40. <u>C/ICAC</u> responded that with the introduction in recent years of various government-subsidized territory-wide building maintenance schemes, including Operation Building Bright and the schemes on inspection of buildings and windows, corruption relating to building management was expected to continue to constitute the majority of private sector complaints. Corruption prevention in building management would be among ICAC's major area of work in the year ahead.

41. <u>Director of Corruption Prevention, ICAC</u> added that ICAC's major work in the area included updating the Building Maintenance Toolkit, conducting district briefings for building owners in collaboration with the Home Affairs Department, the Hong Kong Housing Society, Urban Renewal Authority and owners' corporations and producing a training video for self-learning by building owners. ICAC would recommend relevant government departments, such as the Home Affairs Department and Buildings Department, and public organizations to step up professional support service and assistance to building owners. ICAC would also continue with its corruption prevention and education efforts against corruption in the construction industry.

42. <u>Mr KWOK Wai-keung</u> asked whether it was mandatory for building owners to participate in district briefings and training programmes conducted by ICAC in relation to Operation Building Bright and building management. <u>C/ICAC</u> responded that participation in such programmes by building owners were voluntary.

Corruption in the public sector

43. <u>Mr KWOK Wai-keung</u> expressed concern about corrupt activities in the civil service and asked whether anti-corruption guidelines for the civil service were adequate. He asked whether ICAC had analyzed the cases concerned and drawn up recommendations regarding prevention of corruption in the civil service.

44. <u>C/ICAC</u> responded that a number of anti-corruption seminars and training programmes were provided throughout the year to civil servants. Each government department had appointed an ethics officer to coordinate the corruption prevention and ethics enhancement initiatives and disseminate relevant information in the department concerned. <u>Head of Operations, ICAC</u> ("HO/ICAC") added that apart from explanation of the statutory requirements, examples of previous corruption cases were also included in the training programmes for civil servants.

45. <u>Mr NG Leung-sing</u> asked whether media reports regarding misconduct in public office would constitute prima facie evidence for investigation by ICAC and whether a large number of such media reports had generated additional work pressure on the manpower of ICAC.

46. <u>C/ICAC</u> responded that upon receipt of a complaint, ICAC would handle it in accordance with the established mechanism. Media reports were used for reference only and the action to be taken would depend on the evidence provided by the complainant. He said that while complaints were mostly lodged in a low-profile manner in the past, there was a recent trend of increased number of complaints lodged in a high profile manner. He said that corruption complaints had become increasingly complex and this had created increasing work pressure on the manpower of ICAC. Regarding misconduct in public office, ICAC had worked closely with the Civil Service Bureau and published relevant guidelines for the civil service in 2012.

47. Referring to paragraph 6 of the paper provided by ICAC, <u>Mr Frankie YICK</u> sought further information on cases where some disciplined services were found to have failed to take enforcement actions against some illicit activities. He also asked whether the comment was made in relation to any specific law enforcement agencies.

48. <u>HO/ICAC</u> responded that the complaints concerned were related to whether complaints from members of the public were handled impartially. He pointed out that the comment was not made in relation to any particular law enforcement agency. ICAC was committed to combating corruption in the civil service, which was its mission when first established some 40 years ago. <u>Mr Frankie YICK</u> requested ICAC to provide further information on the illicit activities referred to in paragraph 6 of ICAC's paper and why law enforcement actions had not been taken in the cases concerned.

Complaints relating to the Chief Executive

49. Referring to some complaints lodged with ICAC regarding the integrity of the current Chief Executive ("CE") and former CE, <u>Ms Cyd HO</u> sought information on the number of such complaints and asked whether the outcome regarding such complaints would be made public. She considered that the outcome should be made public as it involved vital public interests.

50. <u>C/ICAC</u> responded that the current mechanism at ICAC was that after investigation in relation to a corruption complaint was completed, the findings and the advice of the Department of Justice ("DoJ"), if any, and recommendations would be submitted to the Operations Review Committee ("ORC") of ICAC. If there was sufficient evidence, prosecution would be instituted on the advice of DoJ. A complaint case would not be closed without the agreement of ORC. As all complaints were kept confidential, ICAC would only inform the complainant of the outcome.

51. <u>Ms Cyd HO</u> said that under the Independent Commission Against Corruption Ordinance (Cap. 204), C/ICAC was subject to the orders and control of CE. She sought information on ICAC's mechanism for handling complaints relating to CE. <u>Mr Paul TSE</u> sought information on the circumstances under which C/ICAC would, in accordance with section 31AA of the Prevention of Bribery Ordinance (Cap. 201) ("PBO"), refer corruption-related complaints against CE to the Secretary for Justice for consideration of whether to refer the matter to the Legislative Council for consideration of whether further action was to be taken.

52. <u>C/ICAC</u> responded that he was not in a position to comment or provide information on individual complaints. Regarding complaints against CE, he said that under PBO, if ICAC had reason to suspect that CE might have committed an offence under the Ordinance, it might report the matter to the Secretary for Justice, who would consider whether there was a need to refer the matter to the Legislative Council for consideration of whether to take actions under BL73(9).

53. <u>Mr Albert HO</u> said that there were a number of cases in the past where the investigation and the arrest of persons by ICAC were widely reported by the media. He considered that as most of such cases involved public interests, the outcome should be made public.

54. <u>C/ICAC</u> responded that all complaints were kept confidential. In line with this, ICAC would only inform the complainant of the outcome of its investigation into the complaint concerned. He stressed that all complaints were handled impartially by ICAC and reported to ORC.

Manpower situation of the Independent Commission Against Corruption

55. <u>Mr Michael TIEN</u> expressed concern about ICAC's appointment of a former director to succeed the Head of Operations who proceeded on pre-retirement leave in July 2012 and the difficulties faced by ICAC in retaining experienced officers. He sought information on the measures adopted by ICAC in the retention of experienced staff.

56. <u>C/ICAC</u> responded that there had been a high turnover rate of experienced officers in the past few years, probably because of a high demand from the private sector for such personnel. ICAC was actively recruiting people of high calibre and providing its staff with top quality training to enhance their professional capability and integrity.

Deterrence effect of conviction cases

57. <u>Mr CHAN Kam-lam</u> expressed concern about the number of corruption-related complaints in 2012. He asked whether the sentence imposed on persons convicted of corruption-related offences had failed to produce sufficient deterrence.

58. <u>C/ICAC</u> responded that corruption was not a serious problem in Hong Kong and there was no sign of a resurgence of syndicated corruption. Hong Kong was ranked 14 among the world in Corruption Perception Index of 2012. The total number of corruption-related complaints in Hong Kong was less than 4 000 in 2012, which was comparatively low. He added that if DoJ considered the sentence imposed on a convicted person too light, it would lodge an appeal in relation to the sentence.

III. Any other business

59. <u>The Chairman</u> reminded members that a special meeting would be held on 29 January 2013 at 2:30 pm to receive a briefing by the Commissioner of Police on the crime situation in 2012.

60. There being no other business, the meeting ended at 10:39 am.

Council Business Division 2 <u>Legislative Council Secretariat</u> 27 February 2013