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Integrity Management – Changing Face of the Problem

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1. INTRODUCTION

The Hong Kong Police Force (hereafter 'the Force') have come a long way in terms of ensuring the integrity of all members of staff. To achieve this, many different integrity management initiatives have been introduced over the years. However, a realization has also developed that, whilst we have been doing much to safeguard the integrity of our organization, our approach needed to be more integrated and more attuned to the challenges facing us at the outset of the twenty first century.

The Force expect all members to be fully aware of the need to comply with the Force Values and maintain a high level of personal integrity. The Force have, therefore, sought to embed ethics and police integrity as our core policing philosophies throughout the entire organisation.

The Force is committed to fighting corruption and malpractice at every level because without integrity everything the Force do is flawed. This paper highlights the background to, and components of, ethics and integrity in the Force and provides a broad overview of how the Force approach these issues.

2. ETHICS AND INTEGRITY

2.1. Ethics

Ethics can be generally defined as the personal values, ideas or beliefs that influence a person's conduct. In the context of the Force, ethics is regarded as the values and principles of conduct that apply to a police officer. Our professional conduct should be aligned with the Force Values.

2.2. Integrity and Police Integrity

Integrity can be defined as the qualities of uprightness, soundness and honesty. Police integrity refers to the demonstration of these qualities where they apply to police work. They are the most basic and fundamental qualities required of any police officers when he discharges his duty and are necessary to maintain confidence in the Force.

Police General Order 26-03 guides an officer about when to consider whether conduct, either on or off duty, is aligned with the value of integrity. The guide is to consider whether, in the eyes of a reasonable, fair-minded and well-informed member of the public, the conduct of the member of the Force in question would be likely to call his integrity into doubt. Examples of conduct that is not aligned with the value of integrity include undesirable association, having investments that conflict with an officer's police duties and having debts that have become unmanageable because of excessive gambling and other reprehensible causes.

3. LEGISLATIVE AND OTHER PROVISIONS IN HKSAR

3.1. Criminal Law

As public officials entrusted with powers and discretion that affect the lives and activities of people in Hong Kong, all Force members are bound by the Laws of Hong Kong. In particular, the Police Force Ordinance, Chapter 232 Laws of Hong Kong, imposes specific restrictions upon disciplined members of the Force. Important criminal laws that promote ethical conduct and integrity, combat corruption and reflect society's expectations that public officials, including police officers properly exercise their powers and discretion include the Prevention of Bribery Ordinance, Chapter 201 Laws of Hong Kong and the Common Law offence of Misconduct in Public Office.

3.2. Discipline Regulations

The Force has a well-established discipline code, the Police (Discipline) Regulations, which is subsidiary legislation under the Police Force Ordinance. Under these regulations, which are applicable to officers from rank of Constable to Chief Inspector and provide a range of sanctions ranging from caution to dismissal, on a total of thirteen disciplinary offences. Misconduct by police officers of Superintendent rank and above, as well as civilian members of the Force is dealt with separately under the Public Service (Administration) Order and the Public Service (Discipline) Regulation. As regards traffic wardens and auxiliary police officers, they are subject to the Traffic Wardens (Discipline) Regulation and the Hong Kong Auxiliary Police Force Ordinance respectively.

3.3. Civil Service Regulations

All Force members have to comply with civil service regulations (by HKSAR Government), directives and guidelines, which cover a wide variety of issues including conduct, confidentiality of information and conflict of interest.

3.4. Acceptance of Advantages (Chief Executive's Permission) Notice

The Prevention of Bribery Ordinance legislates on the acceptance and soliciting of advantages by civil servants. The Acceptance of Advantages (Chief Executive's Permission) Notice 2010 provides for the types of advantages and entertainment that government servants have been given a general

permission to solicit or accept in certain circumstances without contravening the Prevention of Bribery Ordinance. This might include small value loans paid back in a short period of time or gifts from family members.

3.5. Police General Orders

Under the Police Force Ordinance, the Commissioner of Police is empowered to issue Police General Orders (PGOs) to facilitate the administration of the Force and ensure that it efficiently discharges its duties under this ordinance. Compliance with PGOs is mandatory and non-compliance constitute an offence against discipline.

3.6. Other Orders

Headquarters Orders, which have equal validity and are also mandatory, along with the Force Procedures Manual and Standing Orders issued by various levels of police commanders, supplement PGOs and also address ethical issues.

4. ANTI-CORRUPTION EFFORTS

4.1. Independent Commission Against Corruption (ICAC)

ICAC is responsible for investigating corruption in Hong Kong. It is comprised of an Operations Department that investigates corruption; a Corruption Prevention Department that gives corruption prevention advice; and a Community Relations Department that educates the public against the dangers of corruption and enlists public support in combating corruption.

The Force are committed to a partnership approach with the ICAC because a clean working environment for our staff is the corner-stone of our success. An effective liaison system is in existence and a dedicated unit within the Police – the Internal Investigations Office, assist the ICAC.

4.2. The Police Corruption Prevention Group & Corruption Prevention Advisory Committee

The ICAC's Corruption Prevention Department conduct corruption prevention studies of various aspects of our Force. This system is managed through the Police Corruption Prevention Group (PCPG), which is chaired by our Director of Management Services (DMS) (Senior Assistant Commissioner of Police) and attended by other senior members of the Force.

Completed assignment studies are first considered by the Corruption Prevention Advisory Committee, which sits approximately every six weeks. DMS represents the Commissioner of Police as an ex-officio member of this committee. The implementation of study recommendations is monitored by the PCPG at its bi-annual meetings. Any problems arising from the recommendations that cannot be resolved are similarly dealt with through this forum.

4.3. Operations Review Committee

At the conclusion of an ICAC investigation, the case will be scrutinised by the Operations Review Committee, which is a high-level oversight body that monitor and examine all ICAC investigations. Often, once an ICAC investigation into police corruption has been concluded, it will be referred to the Force for discipline or administrative action. The Force will then conduct its own review to uncover possible breaches of the police discipline code.

4.4. Complaints and Internal Investigations Branch (C&IIB)

C&IIB are responsible for investigating all complaints against police officers and other serious disciplinary matters and, periodically, for conducting supervisory accountability studies. C&IIB are made up of the Complaints Against Police Office and the Internal Investigations Office (IIO).

Apart from being the focal liaison point between the Force and the ICAC regarding corruption allegations against any member of the Police Force, related operational matters, and all enquiries made by ICAC requiring Police assistance, the IIO also investigate or monitor all discipline and criminal investigations against Force members involving integrity. IIO also conduct discipline reviews and accountability studies and oversee investigations into sexual harassment complaints and other internal reports of malpractices. IIO monitor all cases in which the integrity of an officer is in issue.

4.5. Force Values

The Force Vision, Statement of Common Purpose and Values envisions that Hong Kong will remain one of the safest and most stable societies in the world. It also prescribes a common purpose that the Force must follow to achieve this vision. There are eight Force Values that the Force and its members have to abide by when discharging their police duties, namely: -

- Ø Integrity and honesty;
- Ø Respect for the rights of members of the public and of the Force;
- Ø Fairness, impartiality and compassion in all our dealings;
- Ø Acceptance of responsibility and accountability;
- Ø Professionalism;
- Ø Dedication to quality service and continuous improvement;
- Ø Responsiveness to change; and
- Ø Effective communication both within and outwith the Force.

The Living-the-Value programme, which was launched in 1996, was designed to raise staff awareness of the Force Values. The programme has just completed its seventh phase, with each phase comprising a mandatory workshop for all members of the Force. Between 1996 and 2011, the Living-the-Value Workshops have covered the following topics: -

- Ø Wave I (1996-1997) Force Vision, Statement of Common Purpose and Values;
- Ø Wave II (1998-1999) Internal Communication, Encouragement and Support, Integrity and Honesty;
- Ø Wave III (2000-2001) Internal Communication, Integrity and Honesty;
- Ø Wave IV (2003) Enhancing Professionalism and Ethics;
- Ø Wave V (2005-2006) Building a Caring Workforce;
- Ø Wave VI (2007) Fairness in All Our Dealings; and
- Ø Wave VII (2010-2011) Professionalism in the Changing World.

5. CHANGING FACE OF PROBLEM

Corruption Complaints against Hong Kong Police Force and Related Figures

Year	Corruption Complaint Reported	Officers Arrested	Officers convicted of Corruption Offence
2001	513	30	4
2002	565	30	8
2003	532	28	10
2004	435	20	1
2005	382	12	3
2006	298	16	4
2007	318	10	0
2008	268	12	1
2009	302	10	0
2010	335	14	2
2011	223 (Jan – Aug)	7	0

Statistics in relation to corruption complaints and officers convicted with corruption offences indicate that endemic corruption no longer exists in the Force and that the instances of corruption, which do surface, are almost always sporadic and isolated in nature.

Moving into the 21st Century, developments in the corruption scene, coupled with the increased public expectation and media scrutiny, have made it necessary to re-examine and update the Force’s approach to its aim of eradicating corruption and misconduct in all their forms.

A review suggests that more focus needs to be placed on the ‘softening up’ and ‘sweetening’ processes that precede actual corrupt offers. In effect corruption has become more sophisticated and perhaps less obvious. The areas that we consider to be continuing causes for concern are: -

- Ø Undesirable association including entertainment as part of the ‘sweetening process’;
- Ø Conflict of Interest;
- Ø Imprudent Financial Management (often related to indebtedness and excessive gambling); and
- Ø Misconduct in Public Office.

The identified causes for concern required a more determined and sophisticated approach that focuses on the development of the personal and professional qualities of all Force members. In order to continue progressing in the long march to integrity, every member of the Force must fully understand and accept the Force Values as well as the responsibilities that come with being a Force member, both on and off-duty.

6. FROM ANTI-CORRUPTION TO INTEGRITY MANAGEMENT

6.1. Force Strategy for Integrity Management

Over the years, the Force have introduced many initiatives and programmes to manage ethics and integrity. These initiatives and programmes have been reviewed and categorized, which formed the current Force Strategy for Integrity Management. The Force's four-pronged approach covered the following four areas: -

- Ø Education and Culture Building;
- Ø Governance and Control;
- Ø Enforcement and Deterrent; and
- Ø Rehabilitation and Support.

6.2. Integrated Integrity Management Framework

In 2008, the Force unveiled the 2008/2010 Strategic Action Plan. Strategic Direction 2 under this plan sought to enhance the personal and professional qualities of Force members and set out a number of key projects. In realisation that the Force require a more integrated and attuned approach to safeguard the integrity of our organisation, one of the key projects under Strategic Direction 2 required the Force to refine and consolidate its ongoing integrity management initiatives into an integrated framework for the promotion and reinforcement of Force Values.

A working group was set up to develop this key project and in consequence of their relentless effort, the Force introduced a new Integrated Integrity Management Framework in 2009. This framework monitor and oversee all aspects of the Force's integrity management programme.

6.3. Force Committee on Integrity Management

The Force Committee on Integrity Management (FCIM) coordinates the Integrated Integrity Management Framework. This committee, chaired by the Deputy Commissioner of Police (Management), sit every three months. The membership consists of senior officers representing all sectors of the Force, including auxiliary members and civilian staff. Assistant Directors from the ICAC also sit on this committee.

The FCIM's terms of reference are to: -

- Ø Formulate and develop measures to effectively promote and sustain the Force Values throughout the Force;
- Ø Identify key issues in managing police integrity and give directions to address them; and
- Ø Monitor and evaluate the effectiveness of the Force Strategy for Integrity Management.

6.4. Formation Integrity Committee and Formation Integrity Officers

Under the Integrated Integrity Management Framework, each Formation in the Force have their own Formation Integrity Committee (FIC). These FICs have the following responsibilities: -

- Ø Review and monitor integrity related issues as decided by the FCIM in their respective Formations and supporting the work of FCIM;
- Ø Implement relevant components of the FSIM through instigating local initiatives;
- Ø Monitor and evaluate the effectiveness of these initiatives; and
- Ø Provide feedback on all issues related to Force Values, through respective Major Formation Commanders (Assistant Commissioner of Police) to the FCIM.

Each FIC is chaired by the Formation Commander, of either Chief Superintendent or Senior Superintendent rank, whose role as Formation Integrity Officer is to: -

- Ø Promote Force Values through advocating leadership, commitment and responsibility of his/her officers;
- Ø Instigate local initiatives for the reinforcement of the Force Values; and
- Ø Chair the FIC through which integrity related issues are reviewed and monitored, and the relevant FSIM components are implemented.

7. CONCLUSION

The Force have long recognised the importance of promoting and sustaining a culture of integrity and honesty. Managing its integrity is the cornerstone of the Force's policing philosophy. In the past, there had been more of an ad-hoc approach to the management and development of the Force's integrity management initiatives. The new framework, through FCIM, ensures that a more consolidated, more integrated approach is now being pursued. Furthermore, the framework is designed to be mutually reinforcing and to be able to monitor the success and effectiveness of all initiatives.

The framework provide for two-way communication between Force management and all members of the Force, including civilian and auxiliary members, through a network of integrity officers and integrity committees. This framework also allows for the effective implementation of the Force Strategy for Integrity Management and ensures that a consolidated and integrated approach is taken to the management of police integrity in the Force.

The Force remain committed to the continuous review and improvement of its Integrated Integrity Management Framework to keep pace with an ever-changing environment and wide public expectations. Furthermore, it is confident that the Framework, coupled with a determination to meet all challenges in the field of Integrity Management, will ensure that the Force remains an organization of the highest integrity and one that retains the respect and recognition of both the law enforcement community and the public it serves.

8. REFERENCES

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