

**COMBATING PUBLIC SECTOR CORRUPTION IN SINGAPORE AND HONG KONG:
LESSONS FOR THE PRIVATE SECTOR IN ASIAN COUNTRIES**

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Abstract

Singapore and Hong Kong are perceived to be the two least corrupt countries in Asia, according to Transparency International's Corruption Perceptions Index from 1995-2010, and the Political Economic Risk Consultancy's annual surveys on corruption from 1995-2011, and the World Bank's control of corruption governance indicator from 1996-2009. Singapore's and Hong Kong's success in curbing corruption can be attributed respectively to the effectiveness of the Corrupt Practices Investigation Bureau (CPIB) and the Independent Commission Against Corruption (ICAC) in minimizing corruption in the public and private sectors in both countries.

In recent years, both the CPIB in Singapore and the ICAC in Hong Kong have reported that the majority of the corruption cases investigated by them come from the private sector instead of the public sector, thus reversing the earlier trend of public sector corruption cases dominating the attention of both agencies. Thus, the current challenge for the CPIB and ICAC is to focus their efforts on private sector corruption in their countries.

The aim of this paper is to identify the lessons which the private sector in Asian countries can learn from the experiences of the CPIB and ICAC in curbing public sector corruption in Singapore and Hong Kong. The first lesson is the critical importance of the political will of the governments in both countries in curbing corruption. For the private sector, this means that the "tone at the top" in the private sector organizations in the Asian countries must unequivocally demonstrate their commitment to minimizing corruption among their employees in two ways: (1) by devoting adequate personnel and budgets to combating corruption; and (2) enforcing impartially the various anti-corruption measures by punishing those employees found guilty of corruption, regardless of their position or background. The second lesson is to minimize the opportunities for corruption in private sector organizations by reducing red tape and enhancing transparency by relying on e-government.

1. PATTERNS OF CORRUPTION CONTROL

Corruption is a serious problem in many Asian countries according to these three indicators: (1) Transparency International's Corruption Perceptions Index (CPI) from 1995-2010; (2) Political and Economic Risk Consultancy's (PERC's) annual surveys from 1995-2011; and (3) World Bank's control of corruption governance indicator from 1996-2009. However, unlike most Asian countries, Singapore and Hong Kong SAR are perceived to be the two least corrupt countries in Asia according to these three indicators, as shown in Table 1.

Table 1: Performance of Singapore and Hong Kong on Three Corruption Indicators

Country	Control of Corruption 2009 (percentile rank)	Corruption Perceptions Index Rank & Score 2010*	Political and Economic Risk Consultancy Survey Rank & Score 2011**
Singapore	99.0	1 st (9.3)	1 st (0.37)
Hong Kong	94.3	13 th (8.4)	2 nd (1.10)

*The CPI score ranges from 0 (Highly Corrupt) to 10 (Very Clean).

**The PERC score ranges from 0 (Least Corrupt) to 10 (Most Corrupt).

Sources: http://info.worldbank.org/governance/wgi/sc_chart.asp; http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results; and [1].

Three patterns of corruption control have been adopted in Asian countries depending on the anti-corruption measures employed. Table 2 classifies 23 Asian countries according to these three patterns of corruption control. The first pattern relies on anti-corruption laws, but there is no anti-corruption agency (ACA) to implement these laws. Japan is the best example of the first pattern of corruption control because it does not have an ACA and relies instead on the Public Prosecutor's Office to investigate corruption cases. The second pattern of corruption control involves the combination of anti-corruption laws and multiple ACAs. This strategy is employed in Cambodia, China, India, Laos, Philippines, Taiwan and Vietnam [2, pp. 25-27].

The third pattern of corruption control involves the impartial implementation of comprehensive anti-corruption laws by a single ACA. This pattern was initiated by Singapore in October 1952 with the establishment of the Corrupt Practices Investigation Bureau (CPIB). Malaysia followed Singapore's example with the formation of the Anti-Corruption Agency in October 1967. Hong Kong formed the Independent Commission Against Corruption (ICAC) in February 1974, followed by the creation of the Anti-Corruption Bureau (ACB) in Brunei Darussalam in February 1982, the Commission for the Investigation of Abuse of Authority (CIAA) in Nepal in 1990, and the Commission to Investigate Allegations of Bribery or Corruption (CIABOC) in Sri Lanka in November 1994. Three ACAs were created in 1999: Pakistan's National Accountability Bureau (NAB) and Thailand's National Counter Corruption Commission (NCCC) in November; and Macao's Commission Against Corruption (CCAC) in December. South Korea established the Korea Independent Commission Against Corruption (KICAC) in January 2002, Indonesia created the *Komisi Pemberantasan Korupsi* (KPK) or Corruption Eradication

Commission in December 2003, and Bangladesh formed the Anti-Corruption Commission (ACC) in May 2004. The Anti-Corruption Commission (ACC) in Bhutan was formed in January 2006, and Mongolia established the Independent Authority Against Corruption (IAAC) in December 2006 [3, pp. 175]. Finally, Timor-Leste's Parliament approved the establishment of the *Commissao Anti-Corruptcao* or Commission Against Corruption (CAC) in August 2009.

Table 2: Patterns of Corruption Control in Asian Countries

Pattern	Countries
1. Anti-corruption laws without an independent anticorruption agency	Japan
2. Anti-corruption laws with multiple anti-corruption agencies	Cambodia, China, India, Laos, Philippines, Taiwan and Vietnam
3. Anti-corruption laws with an independent anti-corruption agency	Singapore, Malaysia, Hong Kong SAR, Brunei Darussalam, Nepal, Sri Lanka, Pakistan, Thailand, Macao SAR, South Korea, Indonesia, Bangladesh, Bhutan, Mongolia and Timor-Leste

Sources: [2, pp. 25-27] and [3, p. 175].

Of the three patterns of corruption control, pattern 3 is more effective than patterns 1 and 2 if these two preconditions exist: political will and a favourable policy context. This explains why Singapore and Hong Kong are the only two countries among the 15 countries adopting pattern 3 which are effective in curbing corruption. The other 13 countries are ineffective in curbing corruption because of the lack of political will and their unfavourable policy contexts.

The aim of this paper is to identify the two lessons which the private sector in Asian countries can learn from the CPIB's and ICAC's success in minimizing corruption in Singapore and Hong Kong, respectively. However, before proceeding further, it is necessary to explain why Singapore and Hong Kong have succeeded in curbing corruption.

2. SINGAPORE'S EFFECTIVE ANTI-CORRUPTION STRATEGY

Corruption was a way of life in Singapore during the British colonial period because of the British colonial government's lack of political will and the ineffective anti-corruption measures adopted. Corruption was rampant among the police during the colonial period because of the low salaries of civil servants, the ample opportunities for corruption, and the ineffective Anti-Corruption Branch (ACB). Police corruption was prevalent even though corruption was made illegal with the enactment of the Penal Code of the Straits Settlements of Malacca, Penang and Singapore in 1871. The 1879 and 1886 Commissions of Inquiry confirmed the existence of extensive police corruption in Penang and Singapore but the British colonial government ignored their findings and did not introduce any anti-corruption law until December 1937, when the Prevention of Corruption Ordinance (POCO) was enacted [4, pp. 9-14].

The junior police officers were poorly paid and made ends meet by moonlighting and/or accepting bribes from illegal gambling house owners. Bribery was the most common form of

police corruption, followed by direct criminal activities, opportunistic theft, corruption of authority, and protection of illegal activities [5, pp. 18-23]. However, corruption in Singapore during the colonial period was not confined to the police as government agencies such as the customs, immigration, and internal revenue departments also provided more opportunities for corruption than those public agencies with limited contact with the public, and did not issue licenses or permits, or collect fees or taxes. Yoong Siew Wah, a former CPIB Director, indicated that “the areas in which corruption was widespread were in almost all the licensing activity, food and price control action, the protection rackets connected with the smuggling of gold bars and opium, and gambling” [6, p. 56].

The problem of corruption deteriorated during the Japanese Occupation (February 1942 to August 1945) for two reasons. First, the high inflation rate made it difficult for the civil servants to live on their low wages. Second, the scarcity of food and other basic commodities forced many people to trade in the black market. Indeed, the Japanese Occupation exacerbated the problem of corruption as “bribery, blackmail, and extortion grew out of the violence and fear” that the Japanese used to rule Singapore [7, p. 205]. Conditions did not improve during the post-war period and corruption was widespread among civil servants because their low salaries, high inflation, and inadequate supervision by their superiors provided them with ample opportunities for corruption with a low probability of being caught [8, pp. 161-162]. Consequently, corruption was a way of life for many Singaporeans and, the British Military Administration, which took over after the Japanese surrender in August 1945, was referred to derisively as the “Black Market Administration” because of its arbitrary requisition of private property, gross mismanagement of the distribution of rice, financial inefficiency, and “scandalous corruption” [9, p. 225].

The British colonial government failed to curb corruption because of the ineffectiveness of the two anti-corruption measures such as the POCO and the ACB. The POCO was ineffective because it limited the powers of arrest, search and investigation of police officers as warrants were required before arrests could be made; and the penalty of imprisonment for two years and/or a fine of S\$10,000 for those found guilty of corruption did not deter corrupt behaviour. Similarly, the ACB was ineffective because of the prevalence of police corruption. As the ACB was part of the Criminal Investigation Department (CID) of the Singapore Police Force (SPF), it was not surprising that the ACB was ineffective in curbing corruption, especially among policemen. To make matters worse, the ACB was inadequately staffed with four senior officers and 13 junior officers. As the CID’s top priority was to solve serious crimes like murder and kidnapping, combating corruption was given lower priority because the ACB had to compete with other branches in the CID for limited manpower and other resources. Within the ACB itself, corruption control was only one of its 16 duties [10, pp. 9-10, 14-15]. Faced with these constraints, it was not surprising that the ACB failed to curb the problem of corruption effectively.

The British colonial government only realized the folly of making the ACB responsible for curbing corruption when it discovered that three police detectives and some senior police officers were involved in the robbery of 1,800 pounds of opium worth S\$400,000 (US\$133,333) in October 1951 [11, p. 59]. This Opium Hijacking scandal exposed the ACB’s weaknesses and its inability to curb police corruption. Consequently, the British colonial government established the CPIB as an independent agency in October 1952 to replace the ineffective ACB.

During their campaign for the May 1959 general election, the People's Action Party (PAP) leaders demonstrated their commitment to curbing corruption by exposing the acceptance of S\$700,000 by the Minister for Education, Chew Swee Kee, from some American donors [12, p. 218]. The PAP's exposure of the Chew Swee Kee scandal enabled it to win the May 30, 1959 general election by capturing 43 of the 51 seats and 53.4 per cent of the votes cast. Former Prime Minister Lee Kuan Yew explained in his memoirs why he and his colleagues were determined to keep Singapore free from corruption after assuming office in June 1959:

We were sickened by the greed, corruption and decadence of many Asian leaders. ... We had a deep sense of mission to establish a clean and effective government. When we took the oath of office ... in June 1959, we all wore white shirts and white slacks to symbolize purity and honesty in our personal behaviour and our public life. ... We made sure from the day we took office in June 1959 that every dollar in revenue would be properly accounted for and would reach the beneficiaries at the grass roots as one dollar, without being siphoned off along the way. So from the very beginning we gave special attention to the areas where discretionary powers had been exploited for personal gain and sharpened the instruments that could prevent, detect or deter such practices [13, pp. 182-184].

Corruption was a way of life in Singapore in June 1959 when the PAP government assumed office. Learning from the mistakes made by the British colonial government in curbing corruption, the PAP government demonstrated its commitment by enacting the Prevention of Corruption Act (POCA) on June 17, 1960 to replace the ineffective POCO and to strengthen the CPIB by providing it with more legal powers, personnel and funding. The PAP government's determination to curb corruption was manifested by Ong Pang Boon, the Minister for Home Affairs, when he moved for the second reading of the Prevention and Corruption Bill in the Legislative Assembly on February 13, 1960:

The Prevention of Corruption Bill is in keeping with the new Government's determination to stamp out bribery and corruption in the country, especially in the public services. ... Therefore, this Government is determined to take all possible steps to see that all necessary legislative and administrative measures are taken to reduce the opportunities of corruption, to make its detection easier and to deter and punish severely those who are susceptible to it and who engage in it shamelessly [10, p. 10].

The POCA has three important features to rectify the POCO's weaknesses and to enhance the CPIB's legal powers and increase its personnel. First, the penalty for corruption has been increased to imprisonment for five years and/or a fine of S\$10,000 to enhance the POCA's deterrent effect. Second, according to section 13, a person found guilty of accepting an illegal gratification has to pay the amount he had taken as a bribe in addition to any other punishment imposed by a court. The third and most important feature of the POCA is that it has given the CPIB more powers and a new lease of life. For example, section 15 gives CPIB officers powers of arrest and search of arrested persons. Furthermore, the CPIB's director and his senior officers are empowered by section 18 to investigate the bank account, share account or purchase account of any person suspected of committing a corruption offence. Section 24 is perhaps the most important asset for the CPIB in its investigation of corruption offences because "the fact

that an accused person is in possession, for which he [or she] cannot satisfactorily account, of pecuniary resources or property disproportionate to his [or her] known sources of income” is evidence that he or she had obtained these pecuniary resources or property “corruptly as an inducement or reward” [12, pp. 176-177].

To ensure the POCA’s continued effectiveness, the PAP government has introduced whenever necessary, amendments or new legislation to deal with unanticipated problems or to plug legal loopholes. For example, in 1966, the POCA was amended so that a person could be found guilty of corruption without actually receiving the bribe as long as he had shown the intention of doing so (section 9). The POCA was also amended in 1966 so that, according to section 37, Singapore citizens working for their government in embassies and other government agencies abroad would be prosecuted for corrupt offences committed outside Singapore and would be dealt with as if such offences had occurred in Singapore. In 1989, the fine for corrupt offences was increased tenfold from S\$10,000 to S\$100,000 (US\$78,279 based on the exchange rate of US\$1= S\$1.277 on October 21, 2011). On March 3, 1989, the Corruption (Confiscation of Benefits) Act 1989 was passed to enable the court to issue a confiscation order against the estate of a deceased defendant [12, pp. 177-178].

Table 3: Growth of CPIB’s Personnel, 1952-2011

Year	Number of Personnel
1952	5
1959	8
1963	33
1965	36
1970	50
1976	61
1980	69
1998	79
2000	84
2005	82
2007	89
2008	86
2009	90
2010	138
2011	138

Sources: [12, p. 179] and [14, p. 378].

Unlike the British colonial government, the PAP government has also demonstrated its political will in curbing corruption not only by enhancing the CPIB’s legal powers but also by providing the CPIB with more personnel and budget during the past 52 years. Table 3 shows that the CPIB’s personnel have grown by 17 times from eight officers in 1959 to 138 officers in 2011. Similarly, as indicated in Table 4, the CPIB’s budget has increased by 33 times from S\$1,024,370 in 1978 to S\$34,073,400 in 2011 [12, p. 180] [14, p. 378].

Table 4: CPIB's Budget, 1978-2011

Year	Budget (S\$)
1978	1,024,370
1987	4,147,230
1997	10,225,463
2007	14,619,718
2008	15,790,811
2009	16,135,696
2010	21,087,600
2011	34,073,400

Sources: [12, p. 180] and [14, p. 378].

In contrast to the situation during its first eight years, the CPIB has adopted a “total approach to enforcement” by dealing with both “big and small cases” of corruption in both the public and private sectors, “both giver and receiver of bribes” and “other crimes uncovered in the course of [the] corruption investigation” [15, pp. 1-2]. In addition to its emphasis on investigation and enforcement, the CPIB also focuses on corruption prevention by reviewing the procedures and practices in those government agencies, where corruption has occurred and makes recommendations to remove the “loopholes and vulnerabilities.” The CPIB employs this review process to “identify potential problem areas and loopholes” in order to minimize the opportunities for corruption [16, p. 8]. Finally, the CPIB’s extensive outreach programme is implemented by its Public Education Group, which conducts prevention and education talks for pre-university students, principals, teachers, newly appointed civil servants, law enforcement agencies like the police and immigration department, and the management and staff of major organizations in key industries [12, p. 181].

Table 5: Singapore's Performance on Three Corruption Indicators, 1995-2011

Year	CPI Rank and Score (1995-2010)	PERC Rank and Score (1995-2011)	Control of Corruption Rank (1996-2009)
1995	3 rd (9.26)	1 st (1.20)	NA
1996	7 th (8.80)	1 st (1.09)	97.6
1997	9 th (8.66)	1 st (1.05)	NA
1998	7 th (9.1)	1 st (1.43)	100.0
1999	7 th (9.1)	1 st (1.55)	NA
2000	6 th (9.1)	1 st (0.71)	99.5
2001	4 th (9.2)	1 st (0.83)	NA
2002	5 th (9.3)	1 st (0.90)	99.5
2003	5 th (9.4)	1 st (0.38)	99.0
2004	5 th (9.3)	1 st (0.50)	99.5
2005	5 th (9.4)	1 st (0.65)	99.0
2006	5 th (9.3)	1 st (1.30)	98.1
2007	4 th (9.3)	1 st (1.20)	96.1
2008	4 th (9.2)	1 st (1.13)	99.5
2009	3 rd (9.2)	1 st (1.07)	99.0

2010	1 st (9.3)	1 st (1.42)	NA
2011	NA	1 st (0.37)	NA

Sources: [1] and [2, p. 225].

The CPIB’s effectiveness in curbing corruption is reflected in Singapore’s consistently high ranking on the three indicators mentioned earlier. Table 5 shows that Singapore’s rank on the CPI ranges from 1st position in 2010 to 9th position in 1997. Its CPI score varies from 8.66 in 1997 to 9.4 in 2003 and 2005. Singapore has also retained its first position on PERC’s surveys from 1995-2011. Similarly, Singapore’s percentile rank on the control of corruption varies from 97.6 in 1996 to 100.0 in 1998.

In sum, Singapore’s success can be attributed the PAP government’s commitment and its favourable policy context namely, its small land area of 712 sq km, its political stability as the PAP government has been in power for 52 years, its high GDP per capita of S\$59,893 (US\$43,867), and its small population of 5,076,700 [17].

3. HONG KONG’S EFFECTIVE ANTI-CORRUPTION STRATEGY

Like Singapore, corruption was also a serious problem in Hong Kong before the advent of the ICAC in February 1974. According to Leslie Palmier, corruption was already a way of life in Hong Kong when the British acquired it in 1841 because:

The Chinese who formed its population had long been accustomed to a system where most of an official’s income depended on what he was able to extort from the public. Not surprisingly, during the first decades of the colony’s history corruption prospered at all levels of government [18, p. 123].

Similarly, Henry J. Lethbridge observed that “syndicated corruption, the satisfied customer variant, paying for convenience, protection rackets, extortion, squeeze, kickbacks, and commissions” had existed “in a primal state” in pre-war Hong Kong. Corruption had “infected” all government departments that “provided any opportunity for its occurrence” and was viewed as “an unofficial tax levied on all those who laboured or who lived exiguously on the fringes of private enterprise – factory workers, artisans, craftsmen, shop assistants and small shopkeepers, clerks and others” [19, pp. 51-52]

During the 1960s and 1970s, Hong Kong was described by Alan Lai, a former ICAC Commissioner, as the “dark age” of corruption, which had reached “epidemic proportions” and affected the entire society from the poor to the business community. For example, patients had to pay “tea money” (bribe) for a blanket or glass of drinking water in public hospitals. Driving licenses could be purchased by bribing the examiner. Taxi drivers avoided persecution for minor traffic offences by displaying a “procured” label on the windscreens of their vehicles. Street vendors paid “protection money” to operate without being licensed. Health inspectors were given “tea money” to avoid reporting unhygienic kitchens [20, p. 136].

Why was corruption rampant in Hong Kong when the ICAC was formed in 1974? According to Bertrand de Speville, a former ICAC Commissioner, Hong Kong provided “a fertile soil for

corruption to flourish” for four reasons. First, the rapid growth in population from 600,000 to 4.3 million during 1945-1974 increased the demand on social services, government resources and manpower, and the conditions of scarcity also enhanced the opportunities and incidence of corruption. Second, as most of the population came to Hong Kong as immigrants from China, where corruption was endemic, they continued their practice of paying bribes to police officers and civil servants to obtain favours or other privileges. Third, the government’s control and regulation of various activities and the discretion given to the civil servants in charge provided them with ample opportunities for corruption. Fourth, the police was ineffective in curbing corruption as there was widespread police corruption [21, pp. 13-14].

However, de Speville’s analysis of the causes of corruption in Hong Kong is incomplete as he has ignored four important factors. The first factor was the British colonial government’s lack of political will in curbing corruption as reflected in its reliance on the Anti-Corruption Branch (ACB) (from 1948 to April 1971) and the Anti-Corruption Office (ACO) (from May 1971 to January 1974) to curb corruption even though there was extensive police corruption. Second, the ACB and ACO were ineffective because of the prevalence of police corruption, which can be attributed to the low salaries of policemen. Third, red tape was an important cause of corruption as bribes were paid for convenience by expediting the processing of documents or applications for permits, relaxing law enforcement, or leaking confidential information. Finally, the Chinese population in Hong Kong were tolerant of corruption as they continued their practice of paying bribes or “tea money” and relied on *guanxi* (connections) to obtain favours from civil servants or to expedite their applications for licenses or permits [2, pp. 248-250].

On June 8, 1973, Chief Superintendent, Peter F. Godber, Deputy Police Commander for Kowloon, fled from Hong Kong for the United Kingdom via Singapore four days after he was informed by the Acting Attorney General that he was being investigated for a corruption offence. Godber’s escape to the United Kingdom was widely publicized in the media and resulted in student protests in Hong Kong. The Blair-Kerr Commission of Inquiry appointed by Governor Murray MacLehose to investigate Godber’s escape to Britain recommended the establishment of the ICAC that was independent of the Royal Hong Kong Police Force. Governor MacLehose accepted this recommendation and the ICAC was formed on February 15, 1974 to curb corruption and restore public confidence in the government [2, pp. 237-238, 252-253].

The ICAC inherited 181 police officers and 44 civilian employees from the ACO and recruited 144 new staff members, making a combined total of 369 employees, or 54 percent of its establishment of 682 positions in 1974 [19, p. 107]. During its first 36 years, the ICAC has succeeded in recruiting more staff and has grown by more than three times to its actual strength of 1,321 officers or 96 percent of its establishment of 1,377 positions in December 2010 [22, p. 29]. The ICAC has adopted the three-pronged strategy of investigation, prevention and education for combating corruption in Hong Kong. An analysis of the growth of the ICAC personnel by department from 1999-2010, as shown in Table 6, indicates that the Operations Department is the largest, followed by the Community Relations Department, the Administration Branch, and the Corruption Prevention Department.

The ICAC receives its budget from the government and its expenditure is charged to the general revenue. Table 7 shows that the ICAC’s budget has increased by 15 times from HK\$12.9 million in 1974 to HK\$193 million in 1987. It was further increased to HK\$698.7 million in 2000, and to HK\$824.1 million in 2011 [23, p. 80; 24, p. 77; <http://www.budget.gov.hk/2011/eng/pdf/>

head072.pdf]. Thus, the ICAC's budget has increased by 64 times during 1974-2011. In short, the huge increase in the ICAC's budget during its first 37 years clearly indicates the government's political will and support for its activities.

Table 6: Growth of ICAC Personnel by Department, 1999-2010

Year	Operations Department	Community Relations Department	Corruption Prevention Department	Administration Branch	Total
1999	943 (72.6%)	212 (16.3%)	58 (4.5%)	86 (6.6%)	1,299
2000	932 (72.5%)	208 (16.2%)	55 (4.3%)	90 (7.0%)	1,285
2001	943 (73.0%)	202 (15.7%)	57 (4.4%)	90 (7.0%)	1,286
2002	966 (74.0%)	201 (15.3%)	56 (4.2%)	85 (6.5%)	1,308
2003	922 (74.0%)	191 (15.2%)	54 (4.3%)	82 (6.5%)	1,249
2004	922 (76.0%)	168 (13.8%)	50 (4.1%)	73 (6.0%)	1,213
2005	904 (76.0%)	168 (14.0%)	50 (4.0%)	72 (6.0%)	1,194
2006	897 (75.2%)	162 (13.6%)	56 (4.7%)	78 (6.5%)	1,193
2007	856 (71.3%)	169 (14.1%)	55 (4.6%)	120 (10.0%)	1,200
2008	936 (74.0%)	157 (12.4%)	53 (4.2%)	117 (9.3%)	1,263
2009	941 (74.2%)	159 (12.5%)	51 (4.0%)	117 (9.2%)	1,268
2010	970 (73.4%)	179 (13.6%)	52 (3.9%)	120 (9.1%)	1,321

Sources: [2, p. 254] and [22, pp. 74-75].

Table 7: ICAC's Budget, 1974-2011

Year	Budget (HK\$ million)
1974	12.9
1987	193.0
2000	698.7
2001	686.7
2002	719.8
2003	703.3
2004	677.6
2005	663.0
2006	668.5
2007	701.2
2008	756.9
2009	808.1
2010	814.2
2011	824.1

Sources: [2, p. 257], <http://www.budget.gov.hk/2010/eng/pdf/head072.pdf>, and <http://www.budget.gov.hk/2011/eng/pdf/head072.pdf>.

The ICAC is independent in terms of structure, personnel, finance and power. The ICAC Commissioner is appointed by the chief executive after Hong Kong's handover in July 1997. Its staff cannot be transferred to other government departments because they are recruited

separately from the civil service and are outside the purview of the Public Service Commission. More importantly, the ICAC's integrity is ensured by its reliance on four independent advisory committees consisting of citizens from various sectors of the community to scrutinize the activities of its three departments and the Administration Branch. There is also an independent ICAC Complaints Committee, which handles all the non-criminal complaints against ICAC staff members [22, pp. 6, 16, 72-74].

The ICAC's effectiveness in curbing corruption is reflected in Hong Kong's ranking as the second least corrupt Asian country after Singapore. Table 8 confirms this by showing Hong Kong's performance on the CPI from 1995-2010, PERC surveys from 1995-2011, and World Bank's control of corruption indicator from 1996-2009. First, Hong Kong's rank on the CPI has varied from 12th position in 2008 and 2009 to 18th position in 1996 and 1997. Its CPI score has ranged from 7.01 in 1996 to 8.4 in 2010. Second, its rank on the PERC survey fluctuates between second and third positions during 1995-2011. Third, Hong Kong's percentile rank on the control of corruption ranges from 84 in 1998 to 94.3 in 2009.

Table 8: Hong Kong's Performance on Three Corruption Indicators, 1995-2011

Year	CPI Rank and Score (1995-2010)	PERC Rank and Score (1995-2011)	Control of Corruption Rank (1996-2009)
1995	17 th (7.12)	3 rd (2.80)	NA
1996	18 th (7.01)	3 rd (2.79)	87.9
1997	18 th (7.28)	2 nd (3.03)	NA
1998	16 th (7.8)	2 nd (2.74)	84.0
1999	15 th (7.7)	2 nd (4.06)	NA
2000	15 th (7.7)	2 nd (2.49)	84.5
2001	14 th (7.9)	3 rd (3.77)	NA
2002	14 th (8.2)	3 rd (3.33)	91.9
2003	14 th (8.0)	2 nd (3.61)	92.2
2004	16 th (8.0)	3 rd (3.60)	92.2
2005	15 th (8.3)	3 rd (3.50)	93.2
2006	15 th (8.3)	3 rd (3.13)	94.2
2007	14 th (8.3)	2 nd (1.87)	93.7
2008	12 th (8.1)	2 nd (1.80)	94.7
2009	12 th (8.2)	2 nd (1.89)	94.3
2010	13 th (8.4)	3 rd (2.67)	NA
2011	NA	2 nd (1.10)	NA

Sources: [1] and [2, p. 258].

Why has the ICAC succeeded in making corruption a fact of life in Hong Kong? Bertrand de Speville has attributed the ICAC's effectiveness to five factors. The first and most important factor is the government's recognition of the seriousness of the corruption problem and the provision of adequate personnel and resources to deal with it. Second, to gain public confidence, the ICAC must be unimpeachable and its staff "must have unblemished integrity" and be "dedicated and effective graft fighters." Third, the ICAC formulated and implemented a carefully designed long-term three-pronged strategy, which focuses on investigation, prevention and education. Fourth, the ICAC succeeded in gaining public confidence by ensuring that all

reports of corruption, no matter how small, are investigated. Finally, the ICAC succeeded because it ensured confidentiality to those reporting corruption offences. In short, the ICAC is effective because of “a combination of factors that collectively produced an advantageous environment in which to counter corruption” [2, p. 265].

Anthony Cheung contends that the ICAC’s three-pronged strategy has contributed to its success in curbing corruption because it has (1) inculcated fear among corrupt offenders by enforcing the anti-corruption laws impartially; (2) reduced opportunities for corruption by streamlining procedures and management processes to prevent corruption; and (3) changed the population’s attitudes toward corruption through community education and publicity [25, p. 106]. Similarly, Fanny Law, another former ICAC Commissioner, attributed Hong Kong’s “sound integrity system” to these four strengths: a strong political will to curb corruption; a common integrity framework for civil servants, politicians, judicial officers, and staff of the watchdog agencies; a vibrant civil society with independent media and nongovernment organizations; and an independent ICAC with a comprehensive anti-corruption programme [26, pp. 98-99].

In short, the critical factor for the ICAC’s success is the political will of the incumbent government before and after July 1997 to recognize corruption as a problem and its commitment to solve it. Apart from political will, the ICAC’s effectiveness has also been made possible by Hong Kong’s favourable policy context namely, its small land area of 1,075 sq km, its political stability as Hong Kong was a British colony for many years until its handover to China in July 1997, its high GDP per capita of US\$30,860 and small population of 7.3 million in 2008 [27, p. 154].

4. LESSONS FOR THE PRIVATE SECTOR IN ASIAN COUNTRIES

The previous two sections have described and accounted for the effective anti-corruption strategies employed in Singapore and Hong Kong. Why are their experiences in combating corruption relevant for the private sector in Asian countries? First, unlike the ACAs in many Asian countries, the CPIB and the ICAC are responsible for dealing with both public and private sector corruption [28, pp. 776-777]. Second, as will be shown below, both the CPIB and the ICAC have reported that most of the corruption cases investigated by them are from the private sector instead of the public sector in recent years. Thus, the current challenge for the CPIB and ICAC is to focus their efforts on private sector corruption in their countries.

Table 9 confirms that 80 per cent of the corruption cases investigated by the CPIB in 2010 involved employees from the private sector. Among the 20 per cent of public sector corruption cases, 11 per cent involved government departments, 7 per cent came from government-linked companies, and statutory employees made up the remaining 2 per cent. Furthermore, of the 198 persons charged in court in Singapore for corruption offences in 2010, 185 (93.4 per cent) were employees of private sector organizations [29, p. 7].

Table 9: Corruption Cases Investigated in Singapore in 2010 by Sector

Sector	Percentage of Cases
Private Sector	80%
Government Departments	11%
Government-Linked Companies	7%
Statutory Boards	2%
Total	100%

Source: [29, p. 6]

Table 10: Corruption Cases Investigated in Hong Kong in 2010 by Sector

Sector	Percentage of Cases
Private Sector	63.6%
Government Departments	20.1%
Hong Kong Police Force	9.8%
Public Bodies	6.5%
Total	100%

Source: [22, pp. 34-35].

Similarly, Table 10 shows that 63.6 per cent of the corruption cases investigated by the ICAC in Hong Kong in 2010 involved persons employed in the private sector. On the other hand, 20.1 per cent of the cases were from government departments, 9.8 per cent from the Hong Kong Police Force, and 6.5 per cent from public bodies. Of the 393 persons prosecuted for corruption in Hong Kong in 2010, 305 (77.6 per cent) were employed in the private sector [22, pp. 35, 86].

4.1. The Importance of Political Will

What can the private sector learn from the successful experiences of the CPIB and ICAC in curbing corruption? My comparative analysis of the effectiveness of anti-corruption strategies in ten Asian countries shows that (1) Singapore and Hong Kong are effective in curbing corruption because of the political will of their governments and their favourable policy contexts; and (2) Japan, India, the Philippines, Taiwan, Thailand, South Korea, Indonesia and Mongolia have failed to curb corruption because of the lack of political will of their governments and their unfavourable policy contexts [2, pp. 448-460]. Thus, the difference between success and failure in curbing corruption in Asian countries is the presence or absence of political will of their governments. Tables 5 and 8 confirm that Singapore and Hong Kong are the two least corrupt Asian countries according to the CPI from 1995-2010, the PERC surveys from 1995-2011, and the control of corruption indicator from 1996-2009.

Why is political will the critical ingredient for ensuring the effectiveness of the anti-corruption strategies in Singapore and Hong Kong? Political will is an important precondition for an effective anti-corruption strategy because if a country's political leaders are not committed to fighting corruption, this lack of political will is reflected in the absence of comprehensive anti-

corruption laws, and the inadequate budget and personnel allocated to the ACA. Ian Senior has explained why political will is so important in curbing corruption thus:

The principal people who can change a culture of corruption if they wish to do so are politicians. This is because they make the laws and allocate the funds that enable the laws to be enforced. If, however, politicians at the top of the hierarchy have routinely worked their way up by accepting bribes to fund their parties and themselves, there is little prospect that they will wish to cleanse their colleagues or their nation of corruption. ... The very people who are the greatest beneficiaries of corruption have the greatest power and use the corrupt nature of government to maintain that power [30, pp. 184, 187].

Tables 3-4 and 6-7 show that both the CPIB and ICAC have been provided with sufficient personnel and budgets by their respective governments. However, a comparative analysis of two indicators of political will shows that (1) the ICAC and CPIB are ranked first and second among nine Asian ACAs in terms of their per capita expenditure (their budgets divided by the populations of their countries) in 2008 (Table 11); and (2) the ICAC and CPIB are ranked first and fourth in terms of their staff-population ratios (population of countries divided by their personnel) in 2008 (Table 12).

Table 11: Per Capita Expenditure of Nine Asian ACAs in 2008

Country	ACA	Budget (US\$)	Population	Per Capita Expenditure (US\$)	Rank
Hong Kong	ICAC	97.7 million	7.3 million	13.40	1
Singapore	CPIB	11.2 million	4.83 million	2.32	2
South Korea	ACRC	61 million	48.4 million	1.26	3
Mongolia	IAAC	3.1 million	2.7 million	1.15	4
Thailand	NACC	21.3 million	64.3 million	0.33	5
Philippines	OMB	19.6 million	89.7 million	0.22	6
Taiwan	MJIB	4.02 million	22.9 million	0.18	7
Indonesia	KPK	31.8 million	234.3 million	0.14	8
India	CBI	52.1 million	1,186.2 million	0.04	9

Source: [2, p. 455].

Table 12: Staff-Population Ratios of Nine Asian ACAs in 2008

Country	ACA	Personnel	Population	Staff-Population Ratio	Rank
Hong Kong	ICAC	1,263	7.3 million	1: 5,780	1
Taiwan	MJIB	840	22.9 million	1: 27,262	2
Mongolia	IAAC	90	2.7 million	1: 30,000	3
Singapore	CPIB	86	4.83 million	1: 56,163	4
Thailand	NACC	740	64.3 million	1: 86,892	5
Philippines	OMB	1,007	89.7 million	1: 89,076	6
South Korea	ACRC	466	48.4 million	1: 103,863	7
India	CBI	4,874	1,186.2 million	1: 243,373	8
Indonesia	KPK	540	234.3 million	1: 433,888	9

Source: [2, p. 456].

What are the implications of the importance of political will for combating private sector corruption? The managers of private sector organizations must be committed themselves to curbing corruption if they expect their subordinates to avoid corrupt behaviour and other forms of misconduct. According to Nigel Iyer and Martin Samociuk:

The tone at the top must be both genuine and credible. Nobody expects instant sainthood from management, but they should be seen to be aspiring to reach the corporate values, which they themselves have described in the company code of conduct [31, p. 27].

Similarly, Sheldon S. Steinberg and David T. Austern's emphasis on the importance of the personal example of public sector managers also applies to their counterparts in the private sector. They wrote:

The personal example of the top manager or administrator—department, agency, jurisdiction—is itself a cultural universal that conveys a very clear message to all those in the government unit concerned. The message can reinforce the ethical practice of government or contribute to its erosion [32, pp. 138-139].

Apart from being committed to curbing corruption in their organizations, private sector managers must also communicate their commitment to their subordinates by emulating James S. Bowman's advice:

The head of the department should explain that she or he does not want anyone in the organization to engage in unethical practices, and that training programmes, codes of ethics, and professional dissent will be developed and supported. ... If top managers do not understand this, resignations should be requested. Such an initiative, albeit drastic, will bring about fundamental—not cosmetic—changes in the way in the way business is done in the agency [33, p. 95].

In short, the managers of private sector organizations should demonstrate their commitment to curbing corruption by committing sufficient resources and qualified personnel for the development of anti-corruption programmes in their organizations.

A second manifestation of the "tone at the top" is the impartial enforcement of the anti-corruption measures adopted by ensuring that guilty employees are punished accordingly, regardless of their status or position in the organization. If the "big fish" or senior management are protected from prosecution for corruption, and only the "small fish" or junior employees are caught and punished, the anti-corruption programme will lack credibility and be doomed to failure.

Koh Teck Hin, the CPIB's Deputy Director (Operations), has emphasized the importance of "tough punishment" in Singapore's strategy for tackling private sector corruption:

To successfully combat corruption, in addition to adopting strict and effective enforcement, we need tough punishments meted out on convicted offenders to serve as a deterrent to the “like-minded”. Punishment can be severe and depends on the impact and severity of the act [34, p. 174].

Consequently, many private-sector corruption cases have resulted in comparable jail sentences given to public-sector corruption cases. For example, the Assistant General Manager of a public listed recycling company was imprisoned for eight years for paying bribes amounting to S\$1.8 million to employees of many companies [34, p. 174]. As assets under management in Singapore have increased by five times to US\$1.2 trillion since 2001, the Attorney General, Sundaresh Menon, has recently promised to impose tougher penalties for white-collar criminals [35].

The ICAC in Hong Kong SAR has been investigating private sector corruption cases as vigorously as public sector corruption since the mid-1980s. Indeed, the ICAC has been allocating more and more resources to private-sector corruption with the increased number of cases of private sector corruption from 50 per cent in 1989 to 65 per cent in 2008. In combating private-sector corruption, the ICAC encountered strong resistance initially from the business community because of the “misconception that the ICAC was opposed to all business rebates and commissions.” However, the ICAC dispelled this misconception through its corruption prevention and community education activities. Consequently, the business community in Hong Kong is now supportive of the ICAC as reflected in the establishment of the Hong Kong Ethics Development Centre in 1995 to promote business and professional ethics as the first line of defence against corruption [36, pp. 165, 167-168].

4.2. Reducing Red Tape and Enhancing Transparency by Using E-Government

In his classic book, *Red Tape: Its Origins, Uses, and Abuses*, Herbert Kaufman observed that “when people rail against red tape, they mean that they are subjected to too many constraints, that many of these constraints seem pointless, and that agencies seem to take forever to act.” He further argued that civil servants are tempted “by opportunities to sell their official discretion and information” and “by the opportunities to extort payments” as “permits can be delayed, licenses held up, deliberations protracted, proceedings prolonged, unless rewards are offered” [37, pp. 5, 51-53].

Red tape and cumbersome administrative procedures provide civil servants with the excuse to extort bribes from those members of the public who are prepared to pay “speed money” to “cut” red tape and reduce delay by expediting their applications for permits or licenses [38, pp. 820-821]. As mentioned earlier, the CPIB in Singapore prevents corruption by reviewing the procedures and practices in those government departments and agencies where corruption has occurred and makes recommendations to these organizations to remove the “loopholes and vulnerabilities.” This review process enables the CPIB to minimize corruption in the public sector by eliminating the loopholes and potential problem areas.

As unnecessary regulations provide opportunities for corruption, the PAP government has initiated various measures to reduce these opportunities in Singapore by cutting red tape. The Service Improvement Unit was formed in April 1991 to improve the quality of service in the Singapore Civil Service (SCS) and statutory boards by obtaining public feedback on the removal

of unnecessary regulations. From April 1991 to March 1992, the review of over 200 rules by the SCS and statutory boards resulted in the modification or abolition of 96 rules [39, pp. 339-340]. In May 1995, Public Service for the 21st Century (PS21) was introduced to improve the quality of service and prepare the SCS to welcome and accept change. As part of PS21, the Cut Waste Panel was formed in September 2003 “to receive suggestions from the public on where the government can cut waste, remove frills and make savings in the delivery of public services” [40, p. 178].

The PAP government also relies on e-government to enhance transparency and reduce opportunities for corruption by simplifying the procedures for obtaining business licenses. In 2004, the On-Line Applications System for Integrated Services (OASIS) was launched to enable the public to “apply, renew or terminate 85 different types of licenses” online. Similarly, to reduce the opportunities for corruption and improve efficiency and transparency in procurement, the online procurement portal known as *GeBiz* was introduced to enable government procurement to be done through the internet [16, p. 7].

In Hong Kong, Lam Bing Chuen found that the Housing Authority’s project organization had more red tape than private project organizations because of its emphasis on the control and operating systems [41, p. 135]. In 1999, the Enhanced Productivity Programme (EPP) was introduced to improve productivity through savings in such baseline expenditure as personal emoluments and departmental expenses [42, pp. 95-96]. In January 2003, Christopher Cheng, the Chairman of the Hong Kong General Chamber of Commerce, called for the civil service to change by adopting practices from the private sector, including the review of all government services to eliminate those regulations that hindered business [43]. The EPP’s first phase was completed in 2003 and resulted in savings of HK\$5.4 billion or 5.2 per cent of baseline expenditure [42, p. 96]

In 1998, the Chief Executive launched the “Digital 21 IT Strategy” to enhance Hong Kong’s information infrastructure and services. In May 2001, the “2001 Digital 21 Strategy” was introduced to further strengthen Hong Kong’s position as a leader in the digitally connected world. The e-Government Programme promoted the adoption of e-Commerce in the private sector by providing e-options for more services, including e-procurement and outsourcing [44, pp. 101-103]. To reduce red tape, the government streamlined its own information technology operations by establishing the Office of the Government Chief Information Officer in July 2004 [45].

Singapore’s and Hong Kong’s efforts to reduce red tape through the introduction of e-government have reaped dividends as both countries have been ranked first and second by the World Bank for the ease of doing business from 2007-2011. Table 13 shows that Singapore is ranked first and Hong Kong ranked between second to fifth positions among the 175 to 183 economies and the 23 Asian economies included in the World Bank’s *Doing Business Surveys* from 2007 to 2011. The ease of doing business in Singapore and Hong Kong is a reflection of the effectiveness of their governments, the absence of red tape and their lower levels of perceived corruption.

Similarly, a 2009 survey of 12 Asian countries conducted by the Hong Kong-based PERC found that the bureaucracy in Singapore was the most effective, followed by the bureaucracy in Hong Kong SAR. At the other extreme, the least effective bureaucracies were those in the Philip-

Table 13: Ranking of Asian Economies on World Bank's *Doing Business Surveys*, 2007-2011

Economy	2007 Rank (N = 175)	2008 Rank (N = 178)	2009 Rank (N = 181)	2010 Rank (N = 183)	2011 Rank (N = 183)
Singapore	1 st				
Hong Kong	5 th	4 th	4 th	3 rd	2 nd
Japan	11 th	12 th	12	15 th	18 th
Thailand	18 th	15 th	13 th	12 th	19 th
South Korea	23 rd	30 th	23 rd	19 th	16 th
Malaysia	25 th	24 th	20 th	23 rd	21 st
Mongolia	45 th	52 nd	58 th	60 th	73 rd
Taiwan	47 th	50 th	61 st	46 th	33 rd
Pakistan	74 th	76 th	77 th	85 th	83 rd
Brunei	NA	78 th	88 th	96 th	112 th
Bangladesh	88 th	107 th	110 th	119 th	107 th
Sri Lanka	89 th	101 st	110 th	105 th	102 nd
China	93 rd	83 rd	83 rd	89 th	79 th
Nepal	100 th	111 th	121 st	123 rd	116 th
Vietnam	104 th	91 st	92 nd	93 rd	78 th
Philippines	126 th	133 rd	140 th	144 th	148 th
India	134 th	120 th	122 nd	133 rd	134 th
Indonesia	135 th	123 rd	129 th	122 nd	121 st
Bhutan	138 th	119 th	124 th	126 th	142 nd
Cambodia	143 rd	145 th	135 th	145 th	147 th
Lao PDR	159 th	164 th	165 th	167 th	171 st
Afghanistan	162 nd	159 th	162 nd	160 th	167 th
Timor-Leste	174 th	168 th	170 th	164 th	174 th

Sources: [46, p. 6], [47, p. 6], [48, p. 6]. [49, p. 4] and [50, p. 4].

Table 14: PERC's Evaluation of the Effectiveness of Bureaucracy in 12 Asian Countries, 1998 to 2009

Country	1998	2001	2002	2003	2004	2007	2009
Singapore	2.73	2.80	1.70	0.57	1.63	2.42	2.45
Hong Kong SAR	2.89	4.00	3.26	3.39	3.50	2.60	3.87
Thailand	6.88	7.90	7.56	7.60	7.83	6.15	4.66
South Korea	8.27	5.00	5.50	5.00	6.33	5.61	5.83
Japan	7.13	4.00	4.33	4.25	2.05	5.51	5.92
Malaysia	6.14	6.00	6.86	5.67	7.00	6.50	6.21
Taiwan	6.25	5.71	6.17	5.50	5.50	5.43	6.77
Vietnam	9.25	9.75	7.88	8.25	8.14	7.41	7.60
China	7.63	6.50	7.67	7.67	6.03	6.83	8.17
Philippines	7.00	6.50	8.25	7.33	7.42	7.60	8.33
Indonesia	7.91	9.50	8.33	8.50	7.25	8.65	8.50
India	9.00	6.80	7.83	8.00	8.15	8.47	9.34

N.B.: The score ranges from 0 = most effective to 10 = least effective.
Sources: [51, p. C5] and [52].

pires, Indonesia and India in descending order. Table 14 confirms that Singapore has the most effective bureaucracy among 12 Asian countries from 1998 to 2009. In short, the governments and civil servants in Singapore and Hong Kong are effective and performed well according to both indicators.

5. CONCLUSION

What can the private sector in other Asian countries learn from Singapore's and Hong Kong's successful experiences in combating public sector corruption? Both Singapore and Hong Kong have succeeded in curbing corruption because of the political will of their governments and the effective measures employed to reduce red tape and enhance transparency by relying on e-government.

As Singapore and Hong Kong are city-states with favourable policy contexts (small populations, high GDP per capita and politically stable with effective governments), it might be difficult for the private sector in other Asian countries with unfavourable policy contexts (larger populations, lower GDP per capita and politically unstable with ineffective governments), to follow Singapore's and Hong Kong's examples in curbing corruption. Nevertheless, their experiences are instructive in two respects. First, to show that it is possible for the private sector in Asian countries to succeed in combating corruption if it possesses the political will to devote sufficient personnel and budget to enforce the anti-corruption measures impartially. Second, the private sector in other Asian countries can learn from Singapore's and Hong Kong's experiences that they can minimize corruption by cutting red tape and using e-government to improve transparency.

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