

SJ speaks at opening of Centre of Anti-corruption Studies

Following is the speech by the Secretary for Justice, Mr Wong Yan Lung, SC, at the Opening Ceremony of the Centre of Anti-Corruption Studies today (April 2):

Commissioner, Distinguished Guests, Ladies and Gentlemen,

I am delighted to be here today at the opening ceremony of the Centre of Anti-Corruption Studies. May I, first of all, extend my warmest welcome to all participants, especially our guests from outside Hong Kong, and congratulate the Independent Commission Against Corruption (ICAC) for reaching yet another landmark in the history of the sterling anti-corruption work.

When the Hong Kong Government was first considering the creation of the ICAC, the Colonial Secretary described his vision for it when he told the Legislative Council on January 30, 1974, what this new organisation's remit would be. He said:

"It is the intention of the commission to concentrate much of its energies on the prevention of corruption. In the past our efforts in dealing with the problem have tended to be concentrated mainly on the punishment of it and I believe honourable members will support the organisation of the commission into three complementary departments for if the problem of corruption is to be tackled successfully, our efforts must not only be directed at the detection and punishment of offenders but also at the social causes and administrative sources of corruption."

Thus it can be seen that from the very beginning of the ICAC, the ICAC has been more than just a law enforcement agency. The ICAC's statutory charter is set out in section 12 of the Independent Commission Against Corruption Ordinance, Cap. 204. Under this section the Commissioner is required, in addition to his investigative duties, to:

- (i) instruct, advise and assist any person on ways in which corrupt practices may be eliminated by that person;
- (ii) educate the public against the evils of corruption; and
- (iii) enlist and foster public support in combating corruption.

These duties require the ICAC to look beyond the detection and punishment of corruption and to investigate and identify the social causes of corruption so that it is able to recommend measures that can be implemented to prevent corruption from occurring and recurring and can more effectively enlist public support for its endeavours. Consequently, when the ICAC was set up, a three-department structure was conceived for it, and the work of the ICAC was carried forward through each of these three departments. Apart from the Operations Department, the work of the Corruption Prevention and Community Relations Departments have always been highly valued and recognised as a crucial component of Hong Kong's efforts to overcome corruption.

From this it can be seen that as long ago as 1974 it was recognised that in order to be effective in its anti-corruption work it was necessary for the ICAC to understand the nature of the enemy that it and the whole of Hong Kong were fighting. This, of course, reflects the simple but well known truth that it is only by knowing one's enemy that one can have any hope of defeating it. In this respect this new Centre of Anti-Corruption Studies will provide a number of benefits. As a resource centre it will enable ready access to materials relating to corruption. As a research institute it will have all the facilities needed for persons wishing to engage in corruption research. Having a resource centre and research facility will encourage the study of corruption and will also lead to us all having a better understanding of the causes of corruption, both in Hong Kong and elsewhere, thereby enabling us to better tailor our resources to defeating this common enemy.

A large part of the ICAC's success is due to the fact that it has become part of the Hong Kong community. By establishing branch offices and by its work in the Community Relations Department, the ICAC has ensured that it is part of and respected by the community that it serves. Reaching out to that community is not only a necessary part of the ICAC's work, it is an important element of its success. In 1995 the ICAC reached out further to promote corruption prevention by the establishment of the Hong Kong Ethics Development Centre. This body, which exists to assist the private sector in formulating codes of conduct and in developing within the private sector a strong sense of ethics and corporate governance, will be absorbed into the Centre and become an important part of its outreach activities. But, importantly, the ICAC has recognised that if the Centre of Anti-Corruption Studies is to become a centre of excellence in anti-corruption work it must establish an international profile and attract leading academics and its anti-corruption practitioners. To this end the ICAC, through this Centre of Anti-Corruption Studies, will reach out yet again, this time beyond the borders of the HKSAR and into the international community.

In this modern world, where crime has become a global phenomenon and where corruption now crosses national borders, forming partnerships with the international community has become essential for every law enforcement agency. This is something which the ICAC has been doing for some time and doing very well indeed. Both in our own region and in the wider world community, the ICAC engages with its counterparts and each assists the other in so many areas, from evidence gathering to officer training. The Centre of Anti-Corruption Studies will enable our ICAC to further establish itself in the international arena. Through it, the ICAC will be able to strengthen its existing links and, more importantly, develop new links in all areas of anti-corruption activity, from academic study to educational instruction to practical day to day law enforcement investigation. As an opportunity for the exchange of ideas and the formation of new friendships, its value cannot be underestimated.

From its modest beginnings back in 1974 to the present day, some 35 years later, the ICAC has come a long way as an anti-corruption agency. The journey has not always been easy but your efforts are bearing much fruit. Your achievement in ridding Hong Kong of systemic and syndicated corruption has been a crucial element in establishing Hong Kong as a world class city. As an anti-corruption agency the ICAC has become a model for many other such organisations and its reputation has

spread far beyond Hong Kong. This has been brought about through the hard work and total dedication of its officers and their willingness to use imagination in all areas of their work. One only has to look at our law reports in all areas of their work to see how so many of our leading cases in the criminal law have been the result of ICAC investigations. Without a vision for the future, without a willingness to use our imagination and conceive new ideas we stagnate instead of growing and progressing. But the one thing we all learn is that in this ever changing world what we cannot do is to rest on our laurels. This is especially true in the area of law enforcement.

The modern criminal is forever adapting the methods of criminal activity, and the corrupt are no exception. The ICAC recognises that in its efforts to combat corruption it too cannot afford to stand still and that as its enemy changes, so must it also evolve.

This new Centre of Anti-Corruption Studies is testament to the ICAC's determination not to bask in the glow of past successes, but to develop its vision for the future. I applaud the ICAC for taking this initiative and wish you every success in your endeavours to creatively respond to the evil of corruption.

On that note, may I wish all the participants fruitful exchanges at the Anti-Corruption Seminar and our guests a rewarding and memorable stay in Hong Kong. Thank you.

Ends/Thursday, April 2, 2009