

Global Practices in Combating Corruption

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Background

- Develop Anti-Corruption Program for the Financial and Development Supervisory Board (government internal auditor) through the establishment of an Anti Corruption Task Force (ACTF)
- Provide training for 50 ACTF members, 5 Police & 5 A/G
- Developing Preventative and Detective Strategies
- Analysing the existing anti-corruption legal framework

Background (cont)

- 3 Year Strategic Plan
- 12 Month Action Plan
- Comparative Study Program - delegation of senior officers on an international benchmarking exercise into anti-corruption and anti fraud strategies.

Best practice

- Corruption results from a variety of economic, institutional, political, social and historical factors. It flourishes when democratic institutions are weak, laws are not enforced, political will is lacking and when citizens and the media are not allowed to be partners in democracy. Corruption and unethical behaviour by public officials are serious threats to basic principles of democratic government, undermine public confidence in democracy and threaten the rule of law.

Colin Powell, US Secretary of State, Fighting Global Corruption: Business Risk Management.

Best practice (cont)

- Practitioners involved in the global fight to combat corruption have accepted that a program that includes the elements of prevention, education and investigation represents best practice.

ICAC Hong Kong

Background

- Transparency International rates Hong Kong second as the least corrupt in Asia/Pacific.
- ICAC staff totals 1300 persons, with the following spread among divisions:

■ Operations -	1000	(77%)
■ Corruption Prevention -	50	(4%)
■ Community Relations -	200	(15%)
■ Other -	50	(4%)
- Population is 7 million
- ICAC annual budget - HK\$700M = AUD\$180M
- Almost HK\$100 for every man, woman and child in Hong Kong

Investigation

- Offer 'packages' for offenders to rollover
- Plea bargains
- Amnesties
- Future random checks and integrity tests

Prevention

- Corruption Prevention Seminars
- Gifts – can't accept anything without PRIOR approval
- No appreciable corruption within the prosecutors or judiciary.
- Management have responsibility to ensure that staff and customers can report
- System of confidants
- Declarations of assets and investments to be completed by high-ranking officials. The ICAC has access to this information as required

Education

What are their aims of education?

- Increase awareness
- Develop attitudes
- Change behaviour

What are the tools?

- Well-funded, well-ordered and systematic approach.
- Surveys & focus groups
- Publicity campaign
- Codes of conduct
- Codes of ethics

What are the education activities of the ICAC?

- The Community Relation Department produces TV advertisements
- Conducts press briefings
- Produces educational material for delivery at Schools & Universities
- Represented in the community through 8 Regional offices
- Production of a practical guide for the private sector on anti-corruption
- Consultation work

How does it measure its success/effectiveness?

- Frequent community research
- In-house survey's
- Seminar evaluation forms
- Annual survey – 99% support
- Anonymous–to–identified reports: 70% of complainants willing to identify themselves

Interaction

- Industry focus - Partnership approach when dealing with particular industries or industry associations
- Ethics Development Centre to promulgate an ethical culture within the private sector.
- Hotline service
- Receive 5,000 reports and complaints each year
- ICAC pledge – interview a complainant within 2 days of the complaint being received

Singapore – Corrupt Practices Investigations Bureau (CPIB)

Investigation

Some of the more significant features included:

- Specific anti-corruption legislation
- Extra-territorial corrupt acts provisions
- Evidence of co-accused need not be corroborated
- Power and authority to investigate private sector corruption as well
- Developed KPI's for investigators. Principal among them - investigations should not take > 90 days to complete.

Investigation (cont)

- Allegations against CPIB officers are investigated internally by the CPIB.
- Sanctions proscribed include loss of employment and loss of pension
- Independence of the investigation of any person regardless of their position.

Prevention

- At most simplistic level, the CPIB philosophy for reducing corruption:
 - Increasing the salaries of civil servants
 - Presumption that the provision of any gift is corruption unless proven otherwise
 - Mandatory annual disclosures by all public officials of property acquisition

Prevention (cont)

- Collaboration with all government agencies to develop codes of conduct.
- Officials must declare cash holdings whilst on duty, spot checks conducted. Cash held above the declared amount - adequately explained or charge of corruption is preferred.
- Government departments in Singapore proactively refer to the CPIB for advice.
- The Corruption Prevention office will proactively address issues with agencies, particularly where disclosed during investigations

Education

- Presentations to all police recruits
- Securing convictions, focusing on action, letting the media and the press report

Italy – Guardia Di Finanza

Background

- Italy conducts criminal investigations and prosecutions under the inquisitorial system of justice
- Long history of corruption, right through the law enforcement, prosecution, judicial and political systems

Investigation

- No specific Anti Corruption Act
- 4 - 5 year training program required to become an investigator
- No staff formally trained in accounting or auditing
- Distinguish between 'passive' and 'active' corruption
- Where public officer initiates corrupt act, defined as active corruption, stronger sanctions apply. Reflects notion that strong deterrent required for public servants.

Investigation (cont)

- Sentencing range – bribery offences: Active role 4 – 12 years,
- Passive role: maximum 5 years
- Proactive intelligence role - Significant intelligence network
- Review programs such as tender documents
- Most matters must be investigated within 12 months

Prevention

- Informal contact with public officers, to person in positions of authority
- No internal audit

Education

- Nil

Korea

Background

- Election of Prime Minister – Nobel Prize
- Election of the Mayor of Seoul – Seoul Metropolitan Government, platform of establishing corrupt free government
- Both platforms based on significant contribution and oversight by the public & NGO's - transparency eradicates corruption.
- Most corruption in areas of tax & procurement
- 2.5 Million government employees
- Complex – several agencies having primary responsibility for different aspects of combating corruption; strategic, education, investigation, international liaison etc

Seoul Metropolitan Government (SMG)

Background

- Inauguration of new Mayor - strong willed leader implemented major measures;
- Punitive measures
- Preventative measures
- Transparency in administration
- Public-Private Partnership

OPEN

- Online Procedures ENhancement for civil applications – allows citizens to monitor corruption–prone applications via the Internet.
- Under OPEN, citizens can track the application they have filed at any time.
- “Sunlight is the best of disinfectants”, Benjamin Franklin stressing the significance of transparency in eradicating corruption.

Open (cont)

Open system handles many processes:

- Housing & construction
- Transportation
- Culture & tourism
- Urban planing
- Administration
- Construction
- Environment, industry & economy
- Sanitation & welfare
- Fire fighting

Other SMG initiatives

- Citizens participated in inspection of the SMG areas of responsibility
- Corruption Report Card to the Mayor to elicit communication from citizens
- Integrity pact – agreement between contractor and people
- All SMG procurement is through the OPEN system

How measured?

- Survey public to identify their propensity to bribe
- Surveyed at commencement of OPEN system and then 2 years after its implementation - respondents who indicated they had bribed a SMG official had reduced from 38% to 8%
- Establishment of an anti corruption index to measure the degree of non-corruption

Education

- Internally to public service
- To members of the public via the media
- Case by case for individual applications

Korean Independent Commission Against Corruption (KICAC)

Background

- January 2002 the formation of KICAC and the Anti-Corruption Act.
- Does not follow the HK model
- Provides secondary role to prosecuting and investigating agencies.
- Not proactive – no power to examine and inspect.

Expertise

- International cooperation
- Monitoring activities of senior political and military
- Developing anti corruption strategies
- Advise on institutional improvements
- Establish an anti corruption index for Korea
- Host international conferences
- Linkage between civil groups and government agencies
- ‘Board’ is made up of 9 Members - 6 are civilians

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