A Case Study: Lessons from the Hong Kong Independent Commission Against Corruption

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Abstract: This article is a case study that examines the three-pronged approach (TPA) of the Independent Commission against Corruption (ICAC) in Hong Kong. Its functions and operations on anti-corruption matters will be assessed from an institution-oriented perspective. It is suggested that for decades, the TPA had been misunderstood in its role as a conventional investigation, prevention and education tool and that such misconceptions may lead to a failure in anti-corruption institutional reform. By better understanding the TPA and its simplistic traits of deterrence and trust then we may be able to remedy the misconceptions the public has about ICAC's strategies. Policy implications involve further improvements in anti-corruption agencies that will enhance their role in maintaining an environment free of corruption.

Keywords: Corruption, anti-corruption, Hong Kong, three-pronged approach, ICAC.

INTRODUCTION

As far back as the 1960s, Hong Kong was a society labeled with the stigma of cultural corruption. Issues ranged from routine low-level moral corruption among communities to large-scale bribery at the institutional-level that followed on the heels of its thriving socioeconomic status under British rule (LaMagna 1999). There were numerous accounts of unscrupulous officials in police history and among civil officers (Lethbridge 1985). Citizens of Hong Kong were said to accept that "police corruption was common" and even believed that there was no "clean cup" in Hong Kong, and the only distinctions were differences in the magnitude of corruption at various points in the process (Huang 2006; Lethbridge 1985; Lo 1993). Following the establishment of the Independent Commission against Corruption (ICAC) in 1974 and the commitment to ethical governance, Hong Kong was restoring its image as a "clean culture" (Lethbridge 1985; Zhang 2010).

Today, according to Transparency International's (TI) annual report which measures levels of corrupt activities (e.g. bribery, kickbacks, embezzlement), Hong Kong is ranked as the 15th cleanest government out of 176 countries. As such, it has eclipsed nations such as the USA (18), Japan (20), France (23), China (79), South Africa (64), and South Korea (52) (TI, 2017). Despite the fact that Singapore (7) (also a former colony of the UK with a similar anti-corruption organization) has been ranked in the top 10 for decades, Manion (2004: 2) indicated "Hong Kong offers an example —probably the best in the word — of

successful transformation from widespread corruption in the 1960s to clean government in the 1970s."

Hong Kong's success depends on a series of measures such as free press, a developed sense of civic duty, the use of informants and a higher remuneration for civil servants in maintaining a corruption-free society. In essence, however, the key to Hong Kong's transformative story and anti-corruption outcomes is, as LaMagna (1999) argues, most likely the three-pronged approach (TPA) established by the ICAC. Many states have been inspired by the TPA strategies and even have tried to imitate the TPA in their own anti-corruption efforts. Unfortunately, however, most have failed to achieve the productive outcomes realized by the ICAC (Choi 2009; Gorta 2003, 2006; Quah 2010, 2011).

This raises the question of why the TPA did not find the success that was expected outside of Hong Kong. Prior studies have discussed the potential administrative failures of TPA that may be tied to dual structures in Korea (Choi 2009), the weakness of political will in Thailand (Quah 2010), the lack of building corruption resistance in the New South Wales (Gorta 2006), and the barriers to coordination within and between agencies in general (Quah 2009). However, a few of them examine the original approach of the TPA rather than focus on their own policy implications related to the TPA.

To address this research gap, this study provides a preliminary investigation into the strategies adopted by the ICAC and examines how the TPA played a role in combating contemporary public and private corruption. A case study approach will be employed. As indicated earlier, the TPA has long been misunderstood in its role as a conventional investigation, prevention and

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education tool and that such confusion may lead to a failure in implementing anti-corruption institutional reforms. This study argues that by understanding the way the TPA is based on the traits of simplicity, deterrence, and trust, we may be able to remedy misconceptions about the ICAC's strategies. And, hopefully, the policy implications extending from this research will further anti-corruption agencies efforts to create a governing environment free of corruption.

HONG KONG'S ICAC AND THE TPA

Western countries portrayed Hong Kong and its affluent society as the "pearl of the orient" in the late 1960s and early 1970s (LaMagna 1999). Hong Kong, however, soon, was haunted by the stigma of corruption because many government officials asked for "tea money" (gratuities, tips)[1] to secure a service and to maintain the smooth running of local businesses (Lai 2000). Even more discouraging was the fact that the police were markedly the greatest of the offending officials (Lethbridge 1985) and there appeared to be abuse in the allocation of investigative resources and power. Nevertheless, the existence of graft in law enforcement did not change until the *Godber effect* (see Huang 2006; Zhang 2010) triggered the British government's move to establish the ICAC in 1974. Since then, the ICAC, an independent agency completely separated from the existing police system, has been effectively and efficiently combatting corruption (Lethbridge 1985; Lo and Yu 2000; Skidmore 1996). The TPA has been constructed on three static domains — investigation, prevention, and education — clustered within three departments of the ICAC. The TPA has been acknowledged internationally as a three-pronged fight against corruption (Manion 2004).

The Operations Department (OD) accounted for 986 agents out of the agency's 1,351 total which represents approximately 73% of its manpower and resources on case investigation (ICAC 2016b). Compared to other countries' anti-corruption departments/units, the OD represents a relatively stronger investigative force (Manion 2004). The OP is empowered to investigate corrupt activities in both the government sector and private/public sector in terms of receiving, reviewing and considering alleged cases and the execution of

necessary searches, arrests, detentions, and seizures with warrants issued by the courts.

The Corruption Prevention Department (CPD) is operated by a total of 62 agents (5% of the ICAC's total employees) which is the smallest department within the ICAC (ICAC 2016b). Most agents of the CPD are specialized experts in areas such as engineering, surveying, accounting, and information science as in software or hardware technology. The CPD is considered to be a proactive approach, the diagnostic vehicle for potential corrupt and illegal activities. The unit is charged with creating safeguards in the system and in practices in both public and private organizations, enterprises, and industries (LaMagna 1999).

The third department is the Community Relations Department (CRD) with roughly 163 agents employed in this capacity (ICAC, 2016b). The CRD, however, represents the cornerstone of a clean culture reform instrument in Hong Kong society (Manion, 2004). The CRD is responsible for educating the public sector on how to avoid any alleged corrupt activities even those that are unintentional and this is done by holding seminars, forums, and annual meetings. They also convey anti-corruption messages through the media, websites, the Internet and various commercial advertisements. At the school and community level, the CRD educates youth by reinforcing morality and training in ethics[2].

ISSUES IMPACT ADMINISTRATION FAILURE OF THE TPA

The ICAC Commissioner, Mr. Peh (ICAC 2016b) indicated that the conventional and well-known TPA utilized by the ICAC (1) is the reason why the ICAC has had such fruitful anti-corruption outcomes, (2) has been recognized as an effective model for fighting corruption within society and (3) has been acknowledged as a leader in anti-corruption strategies, many of which have been replicated in other countries (Choi 2009; Gorta 2003, 2006; Manion 2004; Quah 2010, 2011; Ramón-Berjano, Xiaobin, and Ming 2011). Nevertheless, this study argues that despite the success of the anti-graft TPA in Hong Kong, the potential failure of anti-corruption outcomes for other states implementing a model similar to TPA may result from the institutional myths of the TPA and pitfalls of crime definitions.

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[1]For example, ambulance crews would demand tea money before picking up a sick person. Or hospital amahs asked for "tips" before giving patients a bedpan or a glass of water (ICAC 2016a).

[2]The CRD maps out strategies in terms of developing study materials, and classroom curriculum on youth and public morality and ethics education.
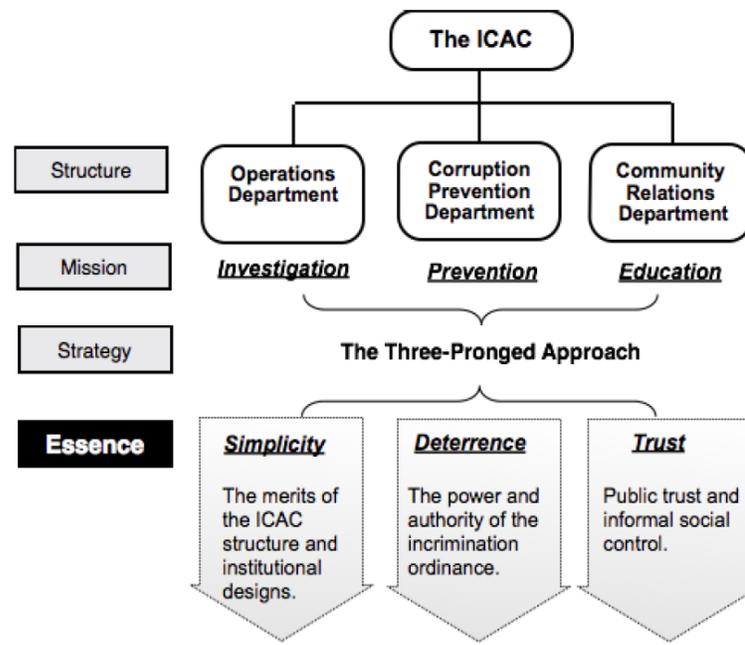
Figure 1: The Essence of Three Pronged Approach.

Institutional Myths of the TPA

As with other popular reforms, there is danger in simply adopting similar tactics without embracing the spirit and philosophy of the mission, which may have happened with the TPA. This study notes that the essence of the TPA should exemplify simplicity (i.e. in institutional design), deterrence (i.e. powerful ordinances), and transparency (i.e. to build public trust) (see Figure **1**), however, perhaps some adherents overemphasized the utility of investigation, prevention and education. When agencies move forward with implementing identical structures and operations, without understand the underlying philosophy of the TPA, the results could be disappointing anti-corruption outcomes and administrative failure in the eyes of the public (Gorta 2003, 2006; Choi 2009; Quah 2010, 2011).

Simplicity: The Merits of the ICAC Structure and Institutional Designs

The ICAC utilizes a variety of investigative strategies such as undercover operations and proactive approaches. They also follow up on leads from informants and track anonymous corruption complaints (ICAC 2016b) that involve a significant amount of investigative manpower (Manion 2004) in order to be successful. This highlights the first myth of the TPA which concerns "doing investigation." Logically, a great number of anti-corruption agencies around the world with professional training also share in the similar investigation operations used by the ICAC though with slight administrative differences that allow localized needs and situations to be addressed. While the experience and the means of "doing investigation" is important, however, this is not the essence of the TPA. Elsewhere, anti-graft agencies have often ignored the importance of the organizational structure and institutional design that the ICAC adopted to reinforce the activities of investigation. Instead, they tend to pursue sophisticated approaches in investigation as a primary strategy while de-emphasizing the value of the structure and design aspects of the TPA.

Without the simple and independent design of the ICAC model (see Manion 2004), agencies may be less effective in their anti-corrective activities. For example, South Korea mirrored the TPA of the ICAC and established the Korean Independent Commission against Corruption (KICAC) located in the prosecutors' offices which focuses on receiving and investigating public corruption cases. However, in contrast to general expectations, the levels of success in battling corruption are disappointing (Choi 2009). It can be argued that the KICAC suffered from an over-complicated institutional structure which may result in poor performed outcomes. Choi (2009) applied equation modeling to examine the institutional structural differences between the two states and concluded that the structure of the KICAC do not have the simplicity that the ICAC has. In this study, the ICAC is modeled on a "uni-structure" — where it functions independently as the one and only institution in the fight against corruption. This feature is viewed as a key

component of the agency's effectiveness relative to the "dual-structure" (i.e. multiple agencies fighting against corruption) of the KICAC.

Moreover, in changing agency structures to the uni-structure design of the ICAC, the organization would increase its integrity and independence to combat corruption within agencies. During the 1970s, police corruption was a serious problem in both the Hong Kong Police Force (HKPF) and the New York Police Department (NYPD), and both agencies tried to fix this problem by changing their internal organization with two different approaches (Jiao 2010). Even though institutional change and structural reform in police departments might increase police professional accountability and reduce police corruption or misconduct (Jiao, Lau, and Lui 2005), certain anti-corruption mechanisms and designs were more effective in producing anti-graft outcomes. Compared to an internal operation such as the Internal Affairs Bureau (IAB) established by the NYPD, it appears that the absolute external and independent investigation forces utilized by the ICAC for the HKPF was instrumental in a significant reduction in police corruption (Jaio, 2010). Despite the fact that the IAB was further monitored by the oversight of the Commission to Combat Police Corruption (CCPC), anti-corruption efforts were still limited and not as effective as the ICAC-oriented model adopted in the HKPF.

Anti-corruption agencies are mostly likely to have a multi-agency design where there is no one unifying agency that is directly in charge of combating corruption, white-collar crime and related crime problems (Choi 2009). For instance, the agencies responsible for anti-corruption activities are distributed throughout a number of different units in the criminal justice system, such as the Criminal Investigative Division (CID) of the Federal Bureau of Investigation (FBI) and various criminal divisions under the Department of Justice in the United States. While this "dual-structure" design may be useful in some circumstances, the burden of coordination, cooperation, and inter-agency "jurisdiction" may create competition that sabotages the efficacy of anti-corruption efforts (Choi 2009; Quah 2009). The first TPA then, should be understood as an anti-corruption design tailored to the needs of an agency that allows it to more effectively focus all of its resources on the investigation of this specific type of crime rather than solely focusing on "doing investigation."

Deterrence: The Power and Authority of the Incrimination Ordinance

The second strategy of the TPA is prevention. As the Corruption Prevention Department (CPD) of the ICAC (2016b) explained, anti-graft agencies would work with the public sector to prevent and decrease the likelihood of corruption by increasing awareness of the value of organizational and personal integrity and recommending measures to eliminate risk in practices and procedures. Although this may seem to be a universal and conventional ideal, the ICAC perhaps did not explicate it clearly and thus the deterrence aspect is often ignored by other agencies. Specifically, the ICAC utilizes the Prevention of Bribery Ordinance (PBO)[3] to serve the means of deterrence.

The ICAC is a criminal justice system that functions as an institution of deterrence through criminal law, criminal policies and judicial offices that exercise the notion of deterrence and fear of punishment to prevent crime (van Den Haag 1982). Given that a draconian incrimination ordinance has been adopted by the ICAC, it is a "convenient" way to prevent bribery and corruption if suspects incriminate themselves (Greenway 1973) and it also fulfills the purpose of punishment (Frase 2005).

According to this powerful ordinance, offenders were automatically considered guilty, if they could not give a reasonable and justifiable explanation to the investigators and to the court that would establish the legality of the sources of all their holdings. This was especially true in cases where the value of the acquired assets was greater than an owner's overall income. Judicial officials (e.g. ICAC agents, prosecutors and judges) have the authority to use discretion in deciding the scope of "a satisfactory explanation".

It has been argued that without the assistance of this particular legislation or similar incrimination-oriented ordinances, the notorious cases such as *Godber* (see He 2006; Huang 2006; Zhang 2010) would be impossible to successfully close (Lo 1993, 1994; Skidmore 1996). Even though the anti-corruption agency in Australia learned about the TPA from the

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[3]According to the Prevention of Bribery Ordinance (PBO, 2008), Section 10: "any person who, being or having been (a) maintains a standard of living above that which is commensurate with his present or past official emoluments; or (b) is in control of pecuniary resources or property disproportionate to his present or past official emoluments, shall, unless he gives a satisfactory explanation to the court as to how he was able to maintain such a standard of living or how such pecuniary resources or property came under his control, be guilty of an offence."

ICAC (Gorta 2003), they appear to have failed to recognize that "deterrence" is also a means of prevention as they did not adopt similar ordinances.

Despite the fact the PBO is controversial and perhaps infringes on human rights with respect to a legal rationale such as due process, it is undeniably a very "effective" anti-corruption strategy associated with productive outcomes (Lo and Yu 2000). Because the ordinance empowers ICAC agents to examine bank accounts, investigate and confiscate an individual's "unexplained" assets, holdings of pecuniary resources, or property in trust (even without a court warrant) (Lo 1993, 1994; Lo and Yu 2000; Quah 2010), this regulation places a heavy burden on defendants to adduce evidence themselves (LaMagna 1999).

In addition, the severity of legal punishments and the strictness of criminal laws have been associated with evidence of deterrent effects (Levitt 2002; Padgett, Bales, and Blomberg 2006) in policy evaluations. Wilson (1995) indicated that deterrence is a plausible strategy in the crime prevention mission even though deterrence efficacy often seems difficult to define or measure. Therefore, the PBO also provides harsh sentence lengths that deter suspects from committing bribery, a representation of both general and specific deterrence (Zhang 2010).

Trust: Public Confidence and Informal Social Control

The Community Relations Department (CRD) of the ICAC acknowledges that education is a long-term task but is the only way to remedy the "root-causes" of corruption (ICAC 2016b). The fundamental but conventional ideology of education in corruption prevention is to teach people to be strict in the matter of self-discipline and to refuse any corrupt opportunities. This is true and important; however, this is also linked to the myth that of the success of the ICAC is simply attributed to "education". The cultivation of public trust and citizen confidence toward the ICAC is as a key source of support for their anti-corruption endeavors since they began in the 1970s (Lai 2000), yet this is rarely emphasized.

From 2000 to 2009, the ICAC received the support of roughly 99 percent of Hong Kong residents' and 95 percent of subjects surveyed each year reported that they were confident in the quality of the ICAC's performance (Quah 2011). Moreover, according to the ICAC's public perceptions annual survey in 2016 (ICAC 2017), approximately 80 percent of respondents

acknowledged that the ICAC's anti-corruption outcomes were very effective, and provided transparency, and openness in government. Accordingly, a majority of citizens believed that the ICAC could help "maintain a corruption-free society", "uphold fairness and justice" and provide "efficient investigation of corruption cases" (ICAC 2013). With high levels of public confidence, citizens would more willing to share and collect information and cooperate with agencies to assist crime fighting work (Spalek 2010).

In addition to public trust, the successful transformation of a society from corruption to clean in Hong Kong was the reliance on the strength of the masses as informal social control (Lo 1998). This appears to be possible because this is a distinct group-oriented culture in Asia (see Bayley 1985; Jiao 2010). Informal social control can be an effective crime control strategy, Lo (1998) argues, because a community-based moral education is a vehicle of strength within this culture. The prevalence of various moral education and ethical courses and programs within schools and communities enforces the consolidation of group interests and shared values regarding corruption (Lo 1993, 1998).

Under the influence of informal social control, the people appear to maintain a zero-tolerance attitude toward corruption in Hong Kong. For example, if a 0 to 10 scale represents the levels of tolerance of corruption, on average, the residents showed a 0.8 score on this issue (ICAC 2013). These attitudes reflect the priorities of the citizens of Hong Kong which are essential to characterizing the focus on anti-corruption policies as group-oriented consent (LaMagna 1999). Given the background of this culture, the cumulative effect of the people of Hong Kong's pursuit of high moral standards and ethical values, it can be argued that these factors explicitly contribute to the outcomes of minimizing corruption (Gorta 2003; Lo 1993, 1998).

The Problems of Definitions in Corruptions

In addition to the myths surrounding the TPA identified in the current study, it was further revealed that the problem of a specific crime definition might also cause a perception of administrative failure with respect to limited anti-corruption outcomes. This issue is rarely addressed because the definitions of crime do not appear to be a primary concern in anti-corruption strategies. However, it is worth noting the limitations of legal criteria for further improving crime definitions,

crime measurements and other anti-corrupt approaches derived from the law.

Law and ordinances in legal authority expressly stipulate many criminal activities, such as fraud, embezzlement, and bribery. Langseth (2006), however, argued that legal criteria alone are not a comprehensive definition of corrupt activities; this is an inherent problem that policy makers and legislators should proactively manage. For instance, the PBO (2008) defines corruption as,

> "any person who, whether in Hong Kong or elsewhere, without lawful authority or reasonable excuse, offers any advantage to a public servant as an inducement to or reward for having expedited, delayed, hindered or prevented, the performance of an act, shall be guilty of an offence."

The bribery code in the United States, 18 U.S.C. § 201(b) is written such that it,

> "criminalizes the corrupt promise or transfer of anything of value to influence an official act of a federal official, a fraud in the United States, or the commission or omission of any act in violation of the official's duty."

Yet, corruption is not literally bonded within the law in Hong Kong or America. Langseth (2006: 7) explained, corruption "represents *leakage* of resources from institutions that are supposed to be using them for social objectives" and as this scope is broad, it is impossible to define alleged corrupt activities one by one. Countries all over the world face this difficulty of definition in combatting corruption (Brown 2006) and it should be addressed before implementing the TPA or any other anti-corruption policies.

The crime of corruption literally has multiple meanings and definitions dependent upon a countries' custom, culture, political, social and other contexts and may evolve over time (Brown 2006; Lo 1993). It is hard to define corruption because it may involve corrupt behaviors with different levels of severity in both public and government sectors (Brown 2006; Philp 2006; van Dijk 2008). Given the limitation of definitions, the "true" effectiveness of anti-corruption strategies may be compromised because certain corrupt activities are out of the legal box and represent a "dark figure."

In addition to legal ambiguity, vague and blurry definitions also cause evaluation and measurement problems and further impact policy implication based on those reports (Miller 2006). Any type of measurement, Miller (2006) argues, needs to ask "clear and explicit" questions about corruption-related activities in order to enhance research reliability and validity. However, crime definitions serve as the base of tailoring "clear and explicit" questions in survey and evaluation research. Without precise definitions, law enforcement cannot study, measure, or even have effective strategies to deal with corruption problems (Klockars *et al.* 2000; Lambsdorff 2006; Newburn 1999).

STRATEGIES TO REMEDY ADMINISTRATIVE FAILURE OF THE TPA

Although there is much evidence that would encourage the adoption of the TPA from the ICAC, misunderstanding the essence of the TPA and poor crime definitions may impact anti-corruption outcomes. This study recommends the four-R approach for policy makers to consider for future anti-graft efforts and to remedy the potential for disappointing anti-graft results.

Restructuring Organization

In addressing corruption, the Hong Kong Police Force (HKPF) adopted an external and independent mechanism to control internal corruption problems (Jiao 2010). This is a typical internal transformation example of 'coercive and normative isomorphism' (see DiMaggio and Powell 1983) which holds agencies and institutions more accountable. This straightforward coercive restructure collaterally changed the institutional norm in terms of reshaping the internal values, objectives, rituals, culture, practices, and codes that police officers share which effects police professionalization and accountability (Jiao *et al.* 2005). Most agencies, however, try to control corruption issues through internal mechanisms (e.g. internal review board) so as to avoid airing "dirty laundry" (Jiao 2010). They may also use different types of citizen review boards (CRB) dealing with "serious and acute" abuses of power (e.g. bribery, excessive force) (see Walker and Archbold, 2014). Even though these mechanisms were considered as types of contemporary policing reforms, they still do not possess both external and absolute independent characteristics (Jiao 2010). Both elements are the most relevant for creating normative isomorphic change

within agencies in terms of preventing and reducing corruption problems (Jiao *et al.* 2005).

Another restructuring approach is to try to design a centralized agency that could be fully responsible for the anti-graft mission. The presumption that an anti-corruption agency should be an independent investigation operation with legitimate financial recourse would be accepted at face. It seems difficult for countries with a highly decentralized criminal justice system (at the local, state or federal level) to develop such a centralized structure in any institution. American policy makers, however, did attempt to create a centralized organization but not to combat corruption. In 2003, officials considering American counter-terrorism policies realized the urgent demand for a centralized system of mobilized cooperation and intelligence sharing among the states post 9/11 (Deflem 2010). The Department of Homeland Security (DHS) was created to provide a centralized network of about two dozen agencies and institutions that are involved in various efforts of national security. The DHS, however, still has a "centralized look." The internal agencies are decentralized and Deflem (2010: 83) noted that there appears to be a "lack of cooperation in inter-agency" matters, arrangements, and amalgamation. The DHS could be acknowledged as "department re-creation" but without the consolidation of internal agencies, it is not even close to a centralized design.

For testing a centralized institutional design, using internal corruption issues would be more appropriate and less complicated in order to craft an agency to deal with national security and terrorism matters. The DHS example showed that in decentralized systems, however, there is a shortage of cooperative channels and insufficient information sharing mechanisms between levels of management, jurisdictions and even states (Deflem 2010). This will decrease the effectiveness of crime fighting efforts (Jiao 2010). It will also explain why policy makers rely on and expect a more sophisticated hierarchy of authority to allocate internal and external resources (Andrews *et al.* 2007) in ways that best allow timely responses in an emergency. In fact, a centralized organization and institutional design would not affect performance outcomes or strategies when compared to a decentralized system (Andrews *et al.* 2007) even though opponents believed decentralized systems would be more likely to disperse decision making into lower level management and frontline practitioners (Allen and LaFollette 1977; Carter and Cullen 1984).

Reducing "Tempting" Opportunities and Environments

As Lee (2006: 225) has demonstrated, reducing "the motivation for corrupt behavior", and identifying "areas most vulnerable to corrupt practices" are very effective strategies. This statement subscribes to the principles of routine activities theory (see Cohen and Felson, 1979) when it comes to controlling corruption. Corruption would happen because the individual has "needs" and intends to satisfy them but cannot do so legally. That individual then attempts to find another person who represents a suitable target. For bribery, in particular, one attempts to find a target that can use his or her position or authority and power to access what the requestor needs. This is a mutually beneficial transaction that is conducted behind the scenes out of the view of any vigilant guardians. Therefore, interventions should target the probable causes of corruption and break or weaken one of these elements.

There is no one-size-fits-all intervention because each country has different contextual effects that contribute to corrupt behavior. Some factors are similar whereas some of attributes are totally different. For example, Panifilova (2006) examined Russia citizens' perceptions of corruption in the state (at the federal, regional, and local levels). In this study, approximately 57% of respondents reported that they were able to bribe officials. The top three reasons that respondents gave for resorting to bribery were because of the need for medical services, passing motor licensing and inspections and to enter higher education. In Russia's case, one is able to study these institutional problems (e.g. suitable targets) and the potential reasons why people need to resort to bribery (e.g. motivated offenders). It is possible that one could actually minimize corrupt activities if policy makers implement stricter regulations and programs known to be effective in alleviating the root causes of corruption (Felson 1994). For cases like this, it would be preferable to establishing a new agency to address anti-corruption efforts.

For Japan, Quah (2011) indicated that the major corruption factors were the "culture of gift-giving" between companies and businesses and even educational institutions. Another corruption opportunity is political funding (e.g. donations and campaign contributions) within the conventional political system. Despite the fact that the state already has ordinances which prohibit gift-giving behavior as well as administrative laws and policies to regulate campaign

finance and to restrain gratuity activities in certain amounts of money or goods, the culture still needs to be changed (Quah 2011) rather than just establishing a new anti-corruption agency. Changes in society with respect to social structure, culture, and environment may lead to social disorganization or produce additional opportunities to mitigate crime problems, even though motivated offenders are present (Cohen and Felson 1979; Williams and McShane 2014).

It is incumbent upon a watchdog system to help reform political cultures and structures and also decrease corruption related opportunities in both public and private sectors. In many cases corruption does not specifically involve bribery in legal terms; rather it may create more of an ethical problem (Kleining 1996). In law enforcement, for example, Klockars (1980) argues that police officers often encounter suspected corrupt behavior and ethical dilemmas. In the work environment, police officers have many opportunities to do something morally dirty, but in some instances it turns out morally good and effective as far as their job requirements are concerned. Hence, it is difficult to reconcile one's ethical standards to the outcomes. Given "the Dirty Harry" problem, named after a famous police officer movie character (see Klockars 1980), it has been suggested that well-educated members of law enforcement possess more professional attitudes and accountability standards when facing moral demands and challenges.

Although the discussion here includes different scenarios and possible interventions, they all seek to reduce "tempting" opportunities and the creation of a corrupt environment. Policy makers should take the time to address viable plans to reduce corruption as best fits their community's culture and agency's ability to provide oversight.

Reinforcing Public Trust with Community Partnerships

Community trust and public confidence are critical elements in any approaches officials might try to implement. The ICAC indicated that public trust is the key for the success of the TPA (Lee 2006). Among all the cases they investigated, roughly over 90% of cases came to their attention because of a citizens' report; and in approximately 71% of these cases people would identify themselves as well (ICAC 2017). This evidence revealed robust public trust for ICAC operations and its anti-corruption outcomes which are believed to result from a strong partnership with community (Jiao 2010).

The question is how to reinforce community partnerships between government agencies and the public sector. This study suggests that a better way to begin is by recalibrating the community policing framework.

Haberfeld (2002) stated that one of missions of community policing is to train police officers to understand community members, build trust and even to voluntarily gather community intelligence to solve crime problems. Expanding positive and deep community outreach in terms of delivering various police services and participating in community activities while on the police beat would be a strategy to build communication channels (LaMagna 1999). At the neighborhood level, building partnerships in both crime-related and non-crime-related areas would strengthen community cohesion and informal social control mechanisms (Pickering *et al.* 2008). Along with increasing the sense of partnership, the level of trust will increase accordingly, and later on, various tasks on the police agenda can be promoted with confidence. The "trust seeds" benefit may not only combat corruption, but will offer advantages in everyday policing to reduce crime/non-crime problems and even supplement the functions of homeland security (Chappell and Gibson 2009; Jones and Supinski 2010; Oliver 2006) by gathering information on groups of interest (Pickering *et al.* 2008).

Trust could also help the agency ensure that the communities' difficulties are heard within large mainstream organizations' such as police (Pickering *et al.* 2008) as well as assist in the development of a more sophisticated level of police work on various issues and problems. Community partnerships would escalate the positive image of government agencies and law enforcement (Lee 2006; Lo 1994), even though gains in the understanding of various neighborhoods and the fruition of productive relationships within them are sometimes frustratingly slow in developing (Spalek 2010). If the future of policing emphasizes collective efforts and the mobilization of resources between the government and private/public sectors (Bayley and Shearing 1996), then community partnerships definitely play an essential role. No matter how well agencies and institutions are designed, or how brilliantly policies and strategies are implemented, developing stronger community partnerships (Skogan 2004) is the cornerstone of these endeavors and the key to realizing their expected efficacies.

Recalibrating the Corruption Definition

In order to recalibrate the definition of corruption, this study recommends the use of both narrowband and broadband definitions. A narrowband definition refers to whatever criminalizes the corruption such as bribery, fraud, embezzlement, kickbacks and other alleged corrupt activities based on cultural background and social context. This is a straightforward approach to insure that the definition fulfills the needs of legal jurisdictions and political environments. However, the legal code has to meet the corruption assumptions of "the abuse of public power for private gain" (van Dijk 2008: 181) in general and has to also designate the three basic actors included in the elements of corrupt activities: (1) "the occupant of the public office", (2) "the intended beneficiary of the office", and (3) "the actual beneficiary of the particular exercise of that office" (Philp 2006: 45).

Broadband definitions on the other hand, use global corruption measurements in their reference to criminal activities. As Quah (2011) explains, the Political Economic Risk Consultancy's annual survey, World Bank's annual analysis (i.e. control of corruption governance, the ease of doing business rank), the Global Competitiveness Report (i.e. public trust of politicians), and the TI (i.e. corruption perceptions index) are all appropriate international indicators for measuring corruption activities within a broader context and provide a context to mitigate the blurred definitions in outcome evaluations and cross-nation studies.

Given contemporary corruption may involve both local and international criminal activities, it is important obtain a comprehensive definition by utilizing both narrowband and broadband definitions. It could be argued that any legal definition still does not provide a sufficiently encompassing description of corruption and challenges the capabilities and competence of institutions to assess their status. However, integrating both narrowband and broadband definitions provides the essential elements in which to more accurately describe activities under investigation (Langseth 2006).

CONCLUSIONS

This study, although narrow in scope, provides a foundation for evaluating the ICAC and its conventional TPA to more effectively address and assess anti-corruption performance. Using an institutional perspective that scrutinizes its functions and operations, this study concludes that the ICAC's TPA and its anti-corruption endeavors might have been misunderstood in the past four decades and as a result, others have overemphasized investigation, prevention and education within its operations, corruption prevention and community relations departments. Moreover, this study indicated that the essence of TPA should be recalibrated as simplicity, enforcement, and the building of community trust that law enforcement agencies attempting to replicate the ICAC might otherwise underestimate or overlook. In other words, successful corruption reduction, control and prevention in Hong Kong depend upon much more than the structural model of the TPA as disseminated worldwide. In addition, the ICAC's positive performance such as high arrest rates, conviction rates and clearance rates, swiftness in prosecution and severity in sanctions, and wiliness of report in public also requires the collective efforts of (1) having distinct uni-structure and institutional design (Choi 2009), (2) having powerful the Prevention of Bribery Ordinance addressing possess of unexplained property (Gorta 2003; Lo and Yu 2000; PBO 2008), and (3) having a strong community cohesion and public trust toward organizational justice provided by ICAC (Lo 1998; Quah 2011). Future research should further examine these features and their associated outcomes.

Combating corruption, as any type of crime control, requires consideration of the many dimensions of the field and demands intensive collaborating, corresponding and coordinating. The current study recommended the four-R approach such as restructuring the organization, reducing corruption opportunities, reinforcing public trust and recalibrating crime definitions. These efforts would increase positive anti-corruption outcomes and remedy the potential for failure in anti-corruption strategies. Policy makers could derive from a distillation of these principles, ways to tweak their existing programs into a more appropriate and effective anti-corruption system that is tailored to their specific demands.

It is impossible to solve any crime problem by looking at it as an isolated issue without including its entire framework. A culture of corruption-free government and public conscience, however, may take time to cultivate or even generations to incubate and realize. Fortifying informal social controls in the context of educating society toward higher expectations and instilling principles of morality would minimize crime opportunities and reduce the number of motivated offenders. Developing a perfect fit institution and tailoring the organization and its policies toward one's

own unique corruption problems will work well to meet the intended outcome goals of any country (Miles and Snow 2003).

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