

CHAPTER III

GENERAL DESCRIPTION WITH STATISTICS

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3.1 Number of Complaints Recorded

There were 1,109 cases recorded in 2005, a decrease of 9.6% over the previous year. The majority of complaints were criminal in nature, which were around the same number as the previous year, reaching 889 cases. In the area of ombudsman, it has witnessed a sharp decrease after a big jump in 2004, receiving 220 cases, or a 29.2% decline. This was largely due to the promotion of the Guidelines on the Professional Ethics and Conduct of Public Servants and Recommendations on the Formulation of Code of Conduct for Public Services and Institutions, resulting in a better understanding of public servants' disciplines. In addition, some of the cases might have been solved through consultations beforehand.

Table 1
Number of complaints recorded in 2005, by source of origin

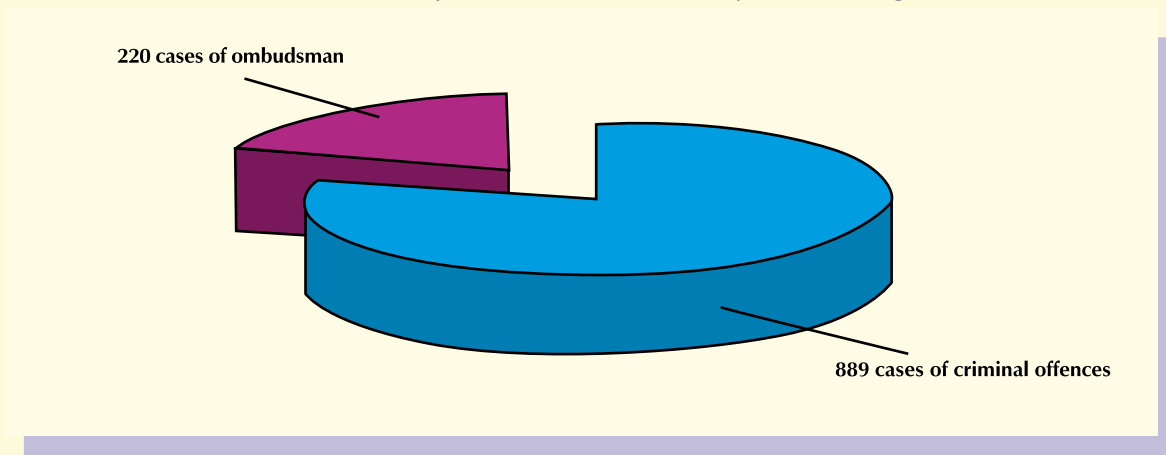
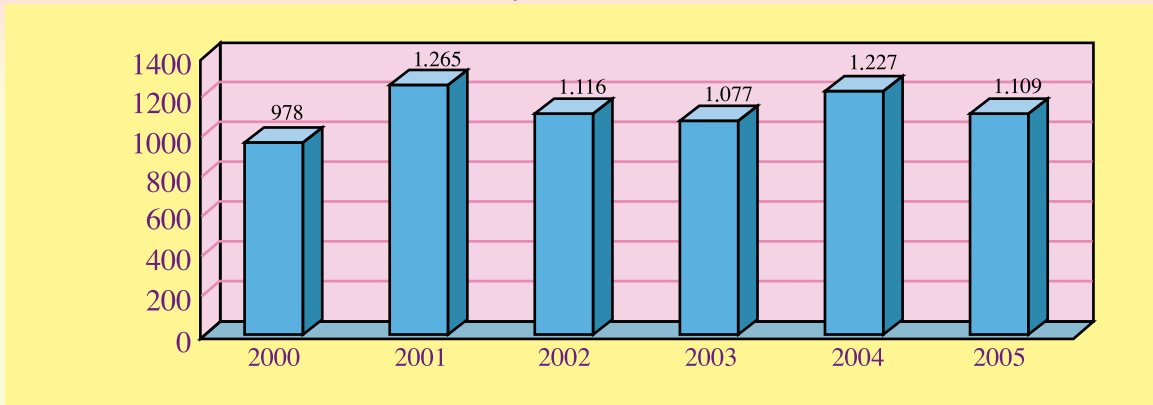


Table 2
General trend of complaints recorded from 2000 to 2005



In terms of the source of complaints in 2005, most of the cases (94.9%) were reported by residents. Among the complainants, more than half of them (58.6%) were anonymous or requested to be anonymous, which reflected the fact that people tend to be more anxious about lodging complaints within a tiny place where interpersonal relations are tightly interrelated. In 2005, 11 cases were initiated by the CCAC and 45 cases were transferred or reported by public entities.

Table 3
Comparison of the number of cases recorded over the past six years, by source of origin

Origin		2000		2001		2002		2003		2004		2005	
Reported by citizens	Anonymous or requesting anonymity	542	55.4%	813	64.3%	708	63.4%	663	61.6%	661	53.9%	650	58.6%
	Signed or willing to provide personal data	392	40.1%	401	31.7%	370	33.2%	363	33.7%	498	40.6%	403	36.3%
Referred/reported/requested by public entities		39	4.0%	32	2.5%	28	2.5%	41	3.8%	44	3.6%	45	4.1%
Referred/reported by media		2	0.2%	6	0.5%	2	0.2%	2	0.2%	3	0.2%	0	0%
Initiated by the CCAC		3	0.3%	13	1.0%	8	0.7%	8	0.7%	21	1.7%	11	1.0%
Total		978		1,265		1,116		1,077		1,227		1,109	

Telephone calls, mail and presenting cases in person were still major means for residents to lodge their complaints in 2005. Complaints by telephone comprised 377 cases, accounting for 34.0%, being the most commonly used method. This has certainly to do with a round-the-clock reporting hotline provided by the CCAC, and instant response or suggestions the complainant may get in this way.

Recently, the number of complaints being lodged in person is still relatively low, accounting for 20.7% in 2005. As there are obvious increases in lodging complaints through emails, the CCAC will make the best use of the electronic network in order to improve its efficiency.

Table 4
Different components of the cases recorded in 2005, by source of reporting methods

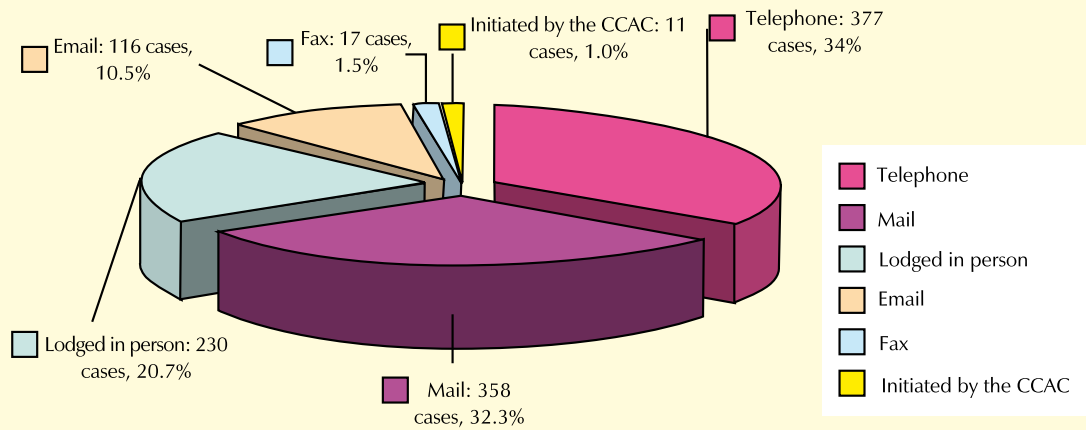


Table 5
Comparison of the number of cases recorded from 2003 to 2005, by source of reporting methods

Reporting methods	2003		2004		2005	
	Number	Percentage	Number	Percentage	Number	Percentage
By phone	394	36.6%	414	33.7%	377	34.0%
By mail	383	35.6%	395	32.2%	358	32.3%
In person	195	18.1%	288	23.5%	230	20.7%
By email	84	7.8%	84	6.9%	116	10.5%
By fax	13	1.2%	25	2.0%	17	1.5%
Initiated by the CCAC	8	0.7%	21	1.7%	11	1.0%
Total	1,077	100.0%	1,227	100.0%	1,109	100.0%

3.2 Handling Methods of Complaints

After receiving complaints, the CCAC would carefully analyze, examine and preliminarily scrutinize the contents, then follow up accordingly. In 2005, among the 1,109 cases the CCAC recorded, there were 714 cases which were impossible to follow up due to their non-corruptive nature, or the competence being outside the CCAC or lacking sufficient evidence. The other 395 cases have been handled through registration, transference or other unofficial channels, of which 70 cases have been commenced, 39 transferred, 286 dealt with unofficially. Together with a backlog of 2004 and reopened cases of 2005, there were 580 cases being handled, including 142 commenced cases and 438 non-commenced cases.

Table 6
Handling methods of the complaints recorded in 2005

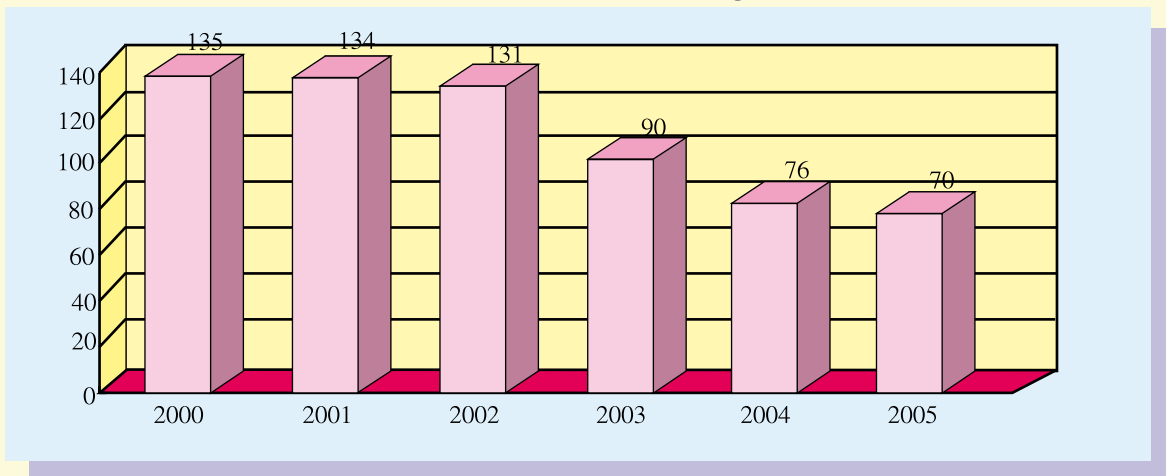
Handling methods		Number	Percentage
Qualified to be handled	Cases commenced	70	6.3%
	Referred to other departments	39	3.5%
	Unofficial channels	286	25.8%
Unqualified cases requiring no further investigations		714	64.4%
Total		1,109	100.0%

Table 7
The total cases handled in 2005

Classification of handled cases		Number	
Commenced cases for investigation	Commenced in 2005	70	142
	Reopened in 2005	1	
	Transferred from 2004	71	
Non-commenced cases for investigation	Recorded in 2005	325	438
	Transferred from 2004	113	
Total		580	

There were 70 cases (basically criminal offences) commenced for investigation with the CCAC in 2005 and the figure has been continuously on the decline. Concerning ombudsman, cases were mainly related to explanation of laws or procedures, which have been dealt with in a fair and balanced way to satisfy the complainants. Considering their non-criminal nature, the CCAC has recently adopted more flexible measures to process these cases, by either unofficial intervention or transference. They were usually solved promptly and efficiently, resulting in rare cases being commenced for investigation in the area of ombudsman. For cases in which it is difficult to solve the fundamental problems by official intervention, the CCAC might also adopt measures of “research and examinations of operations and systems” to reduce repeated public general complaints about some common questions. Cases of significant nature will surely be commenced for investigation.

Table 8
General trend of cases commenced for investigation in 2000-2005



Judging by the sources of complaints, the great majority of complaints in 2005 were lodged by citizens who generally remained anonymous or requested anonymity. However, statistically speaking, it is more likely for complaints which are signed or in which complainants are willing to provide personal data to be commenced for investigation and easily followed up by the CCAC. Cases transferred or reported from public entities are less likely to be commenced for investigation since such cases are largely interrelated with cases which need to be investigated in cooperation with other departments.

Table 9
Comparison of the number of cases commenced for investigation
from 2000 to 2005, by source of origin

Sources of complaints recorded		2000	2001	2002	2003	2004	2005
Reported by citizens	Anonymous or requesting anonymity	47	70	65	40	41	40
	Signed or willing to provide personal data	55	32	46	26	20	24
Referred/reported/requested by public entities		30	20	17	24	2	2
Referred/reported by media		0	0	1	0	0	0
Initiated by the CCAC		3	12	2	0	13	4
Total		135	134	131	90	76	70

3.3 Progress Analysis of Cases

In 2005, the CCAC concluded a total of 469 cases, including 384 non-commenced for investigation and 85 commenced for investigation, of which 21 cases have been transferred to the Public Prosecutions Office. One hundred and eleven cases were left for 2006, of which 57 and 54 were commenced and non-commenced for investigation respectively.

Table 10
Progress analysis of cases in 2005

Classification	Cases handled in 2005	Cases concluded in 2005	Cases left for 2006
Cases commenced for investigation	142	85	57
Cases non-commenced for investigation	438	384	54
Total	580	469	111

