

## **Corruption in Civil Service Down by 39% Thanks to Park Won-Soon Law**

**Zero tolerance for bribes and gifts, irrespective of the amount**

**Self-reporting on gifts received also up by 51%**

**A source of continuing disputes, with detractors claiming “too harsh”**

Reported by Lee Cheol-ho

### **Number of local government employees charged with bribery and corruption**

From October 2012 to September 2013 (two years before the Park Won-soon Law)	75
From October 2013 to September 2014 (one year before the Park Won-soon Law)	71
From October 2014 to September 2015 (after the Park Won-soon Law)	43

Source: Seoul Metropolitan Government.

A full year has elapsed since the implementation of the Seoul Metropolitan Government’s (SMG’s) Civil Service Reform Plan (a.k.a. Park Won-soon Law), a zero-tolerance policy toward gifts and bribes received by civil servants, irrespective of their value. How has the reform plan changed the civil service in Seoul?

According to an official statement from the SMG on November 2, 2015, a total of 43 local government employees were charged with various forms of corruption, including bribery, driving under the influence, sex crimes, assault, and other violations of the Code of Conduct over the past year since October 2014. The figure, while seemingly high, is 39 percent down from the 71 cases of the preceding year, before the Park Won-soon Law was implemented. In the meantime, the number of reports received by the Clean Reporting Center, voluntarily submitted by civil servants themselves regarding gifts received, grew by 51 percent.

The SMG attributes these changes to its “one-strike and out” or zero-tolerance policy, which punishes corrupt civil servants with demotions or even more severe disciplinary actions. In fact, since the reform plan was put into action, the SMG’s Human Resources Committee has subjected three civil servants to severe punishments, dismissing two of them for receiving bribes and demoting the third for playing a free round of golf provided by a private-sector “client.”

However, critics have labeled the new policy as “way too harsh.” One former civil servant, who wanted to be identified only by his last name, Park, filed a suit against the SMG before the Seoul Administrative Court. He disputed the legitimacy of the SMG’s decision to dismiss him last April from his former position as a bureau head in the Songpa District Office for receiving gift certificates worth KRW 500,000 in total and some free meals. On September 19, the court sided with Park, saying the punishment was “unusually cruel,” but the SMG immediately appealed the decision, fearing that the decision could weaken the impact of the Park Won-soon Law from the beginning.

In an interview for this article, an officer of internal investigation at the SMG, Lim Dong-guk stressed that, “While some criticize the Park Won-soon Law for not working as

intended due to litigations involved, like the one raised by Park, the new reform plan has had a significant effect on the day-to-day conduct of most civil servants, drastically reducing acts of corruption.” An opinion poll on the 1,620 employees of the SMG and district offices, conducted in September, revealed that 89 percent of employees believed the Park Won-soon Law was working to monitor and control corruption in the civil service. Moreover, all 49 high-ranking civil servants (Grade 3 or above) who were required to report any ties between their wealth and their duties voluntarily submitted themselves to the conflict-of-interest review by the SMG.

Kim Gi-yeong, the chair of the SMG’s Auditing Committee, remarked: “We will continue to apply our zero-tolerance policy to all forms of corruption and bribery by local civil servants in the future. We will do our best to satisfy the public’s high expectation of integrity in the civil service.”

*The Naeil Shinmun*

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# Hotline to Mayor Park Really Works!

**740 reports received in just year including 237 cases of “abuse of power”  
The number of civil servants charged with corruption is also down by 39%**

Reported by Kim Seon-il

The Hotline to Mayor Park, a new online endeavor launched a year ago by the Seoul Metropolitan Government (SMG) to facilitate the general public’s reporting of corruption, has been a success.

The SMG announced on November 2, 2015, that a total of 740 reports on corruption had been filed via the Hotline since its opening to the public on September 30, 2014, and 503 of those cases with justifiable concern for corruption were investigated and perpetrators subjected to disciplinary actions.

The Hotline increased the number of reports on civil servants’ corrupt conduct dramatically, from 72 to 323, while the number of “public interest” reports grew from 38 to 167. The number of reports coming under the new category of “the abuse of power” emerged as the second highest, receiving 237 reports in total. There were also eight reports concerning unfair privileges for retired civil servants and five reports concerning improper solicitations.

As a spokesperson for the SMG commented, “These figures attest to the effective and pioneering nature of the Park Won-soon Law. We will continue to apply our ‘one-strike and out’ policy against all forms of corruption and bribery to satisfy the public’s high expectation of integrity in the civil service.”

While three civil servants have been subjected to major disciplinary actions since the so-called Park Won-soon Law was introduced last year, the number of civil servants charged with corruption has decreased drastically over the same time.

The Park Won-soon Law, also known as the SMG’s Civil Service Reform Plan, introduces a new zero-tolerance policy toward gifts and bribes for civil servants. Under this new reform plan, civil servants can be punished for any gifts they receive irrespective of their number or value. The SMG’s Human Resources Committee has already disciplined three civil servants, dismissing two and demoting one.

Prior to the introduction of the Park Won-soon Law, civil servants charged with corruption were usually subjected to relatively light forms of discipline, such as censure or pay cuts, especially if the gifts received were small or they had made “no promises in return.” The aim of the Park Won-soon Law is to end this custom completely by punishing any infraction. The two civil servants initially sacked by the Human Resources Committee, however, saw their punishments lightened to demotion after they appealed their case to the Appeal Review Committee. One of the civil servants, a former bureau head at a district office, even won a court case against the SMG, with the court ruling that his dismissal for receiving gift certificates worth KRW 660,000 in total was unusually cruel. The SMG has appealed the court decision with the district office as a co-petitioner.

According to the SMG, the introduction of the Park Won-soon Law in October last year has reduced the number of civil servants charged with corruption—including bribery, driving under the influence, sex crimes, and assault—by 39 percent, down from 71 to 39, in just a year. In the meantime, the number of reports filed voluntarily by civil servants to the Clean Reporting Center concerning gifts they had received grew by 51 percent, from 82 to

124.

A telephone opinion poll conducted on 1,000 citizens in September revealed that 51.2 percent of them were in favor of the SMG's Civil Service Reform Plan.

Another opinion poll on 1,620 local government employees in September showed that 89 percent of them believed that the Park Won-soon Law effectively strengthened monitoring and control over corruption in the civil service, while 93 percent expected the law to improve integrity in the civil service. These figures were up by 7.6 percent and 10.7 percent, respectively, from those reported in an earlier opinion poll conducted in March.

The SMG intends to introduce new criteria into the Code of Conduct for reviewing and deciding on conflicts of interest involving high-ranking civil servants. Although the criteria is not in place, a conflict-of-interest review conducted by the SMG saw all 49 eligible civil servants (Grade 3 and above) in the city volunteer information on conflicts of interest, with all being found innocent.

## **Seoul Intends No Change to Park Won-Soon Law**

**“Court’s decision does not dispute the legitimacy of the Park Won-soon Law,” says SMG.**

**Punishment still possible for active seeking of bribes**

**National government will likely reinforce its anti-corruption policy in line with Park Won-soon Law**

Reported by Kim Seon-il

The Seoul Metropolitan Government (SMG) announced on May 3, 2016, that it will uphold the so-called Park Won-soon Law as intended notwithstanding the Supreme Court’s latest characterization of it as “too harsh.” The Park Won-soon Law, otherwise known as the SMG’s Civil Service Reform Plan, applies rigorous disciplinary measures against the receiving of gifts and bribes by its employees, irrespective of the amounts involved.

On April 28, the Supreme Court upheld a lower court’s decision that cancelled the SMG’s decision to demote a former bureau head of the Songpa District Office on charges of bribery. The SMG’s Human Resources Committee initially decided to sack the civil servant in February last year for taking gift certificates worth KRW 500,000 from an executive of a construction company. Upon the civil servant’s appeal, the SMG’s Appeal Review Committee lightened the punishment to a demotion. Not satisfied, the civil servant took the case to court, demanding his demotion be dismissed.

At the center of the lower court’s decision was whether the civil servant had actively sought out the gifts he received. The SMG’s Human Resources Committee judged that he had acted sought financial gain, but the Supreme Court sided with the lower court’s conclusion that he did not actively seek out the gifts. The lower court found the former bureau head had received the gifts reluctantly in return for a favor he had already provided for the construction company.

Responding to concerns that the court decisions could lead to revisions to the Park Won-soon Law, the SMG stated that the outcome came down to whether the defendant actively sought gifts or not, and that there was no questioning of the legitimacy of the Park Won-soon Law. The SMG again affirmed its commitment to the uncompromising and consistent implementation of the Park Won-soon Law in response to the public’s expectation of integrity in civil the service.

According to the SMG, the law helped to reduce the number of local civil servants charged with corruption by 32 percent (73 to 50) in just one year, while increasing the number of reports voluntarily filed by local civil servants on the gifts they had received by 51 percent (82 to 124) over the same period.

In fact, the SMG’s pioneering policy has promoted the national government to approach its policy on disciplining corrupt local government officials with more rigor. The Ministry of Interior (MOI) decided to integrate disparate criteria for discipline into a single Minister of Interior Decree, making it possible to punish local government employees by expelling them from civil service for actively seeking out bribes, even if the amounts

involved were below KRW 1 million. The MOI, in addition, lowered the ceiling on punishable gift or bribe amounts from KRW 3 million to KRW 1 million in the new Rules of Discipline and Punishment on Local Government Employees legislation that it introduced in November last year.

Kim Gi-yeong, chair of the SMG's Auditing Committee, commented: "Gifts and bribes in civil service ought to be eliminated altogether irrespective of the amounts involved because that is what the public demands for integrity. The SMG will continue to implement the Park Won-soon Law and its zero-tolerance policy on corruption to ensure the integrity of civil society as expected by the public."

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## **Encouraging Civil Servants Themselves to Eliminate Corruption Seoul Sets Out to Eradicate Gaps in Corruption Control**

**SMG launches Voluntary Integrity Compliance Program,  
while Park Won-Soon law has reduced corruption by 38 percent over two years**

Reported by Kim Ye-jin

In addition to the so-called Park Won-soon Law (Civil Service Reform Plan) that threatens to punish local civil servants for all gifts and bribery they receive irrespective of amounts, the Seoul Metropolitan Government (SMG) has launched the Voluntary Integrity Compliance Program (VICP), encouraging civil servants to identify and report on hidden forms of corruption. The program is intended to encourage civil servants to do the right thing despite their fear of harsh punishments, and to identify and monitor corruption associated with their specific duties.

Celebrating the second anniversary of the Park Won-soon Law's introduction on October 13, 2016, the SMG announced its new Auditing Reform Plan, designed to enhance the autonomy and accountability of various departments and agencies of the city government. The new plan focuses on overcoming and reducing the side effects of the Park Won-soon Law's uncompromising attitude on corruption.

At the core of the new reform plan is the VICP, which encourages individual offices, bureaus, departments, and public corporations of the SMG to identify and monitor various forms of corruption associated with, or specific to, their organizations. The city will provide incentives as part of the plan, such as rewarding exemplary organizations with a postponement of auditing.

Since October 2014 under the Park Won-soon Law, the SMG has been punishing civil servants for any gifts and bribes they have received, irrespective of the amounts involved. According to the SMG, the Law has reduced the number of civil servants charged with corruption—including bribery, driving under the influence, and other crimes—by 38 percent, from 146 to 90 over two years, while the number of reports on civil servants' corruption, received via multiple channels, has multiplied by 5.6 times, from 283 to 1,577.

The SMG explained that it introduced its new Auditing Reform Plan in response to concerns that the severity of the Park Won-soon Law might discourage civil servants from reporting corruption due to fears of punishment. The SMG hopes the new reform plan will alleviate such fears, thus encouraging more civil servants to come forward. The reform plan, accordingly, relies on the commitment of civil servants themselves to keeping bureaucracy clean and transparent. The SMG will thus reward organizations that identify, monitor, and prevent corruption, including with exemptions from punishments where applicable.

The SMG has also decided to introduce a legal aid program for civil servants subjected to the auditing requirement to accord maximum protection for those who actively work to eradicate corruption. Civil servants faced with auditing will receive free legal aid and representation services under this program so that they are better able to defend themselves against reprisal. Provisionally entitled as the Auditing Interest Officer Program, the program

will be introduced in phases starting next year. The SMG will also expand the scope of civil servants exempt from disciplinary actions incrementally, so that more can do the right thing without fear of reprisal.