

Section 5 – Complaints

5.1 In anticipation of the relatively smaller number of complaint cases, instead of forming a Complaints Committee to consider the cases as in the general election, the Commission assumed this responsibility itself for the by-election. Complaints were entertained till 45 days after the polling day, ie, 24 January 2001. Indeed, complaints started to come in on 20 October 2000, the commencement date of the nomination period, and the last complaint was received on 18 December 2000. The Commission completed dealing with all the complaints by 23 January 2001.

5.2 The Commission was not the only body with which members of the public could lodge their complaints. There were four others, namely the Independent Commission Against Corruption (“ICAC”), Police, RO and, on the polling day, PROs.

5.3 On the polling day, a complaints centre was set up in the REO, manned by staff of the REO’s Complaints Unit and operating from 7.30 am to 10.30 pm, to receive and process complaints received on the complaints

hotline. The total number of complaints received by the various parties on that day was 228, of which 91 were received by the REO's complaints centre, 48 by the PROs and 89 by the RO.

5.4 As in previous elections these complaints were handled without delay. Of the 228 cases, 209, or 91.6%, were solved on the spot. The rest, which were more complicated and required lengthier follow-up action, had to take a little more time to deal with and had to be forwarded to the EAC for consideration after the polling day. Most of the complaints received on the polling day concerned unauthorised display of election advertisements and nuisances through telephone canvassing and the use of the loudspeaker.

5.5 As at 24 January 2001, ie the closing date of the complaints handling period, a total of 371 complaint cases were received, including 128 by the Commission, 9 by the ICAC, 79 by the Police, 46 by the PROs and 109 by the RO. (These figures denote the number of cases received directly from the public by the parties concerned and include the number of cases received by these parties on the polling day.) Breakdowns of these

cases by receiving party, number and nature are at **Appendices IV – VIII**.

5.6 Of all the cases processed and investigated, the EAC has found 11 cases substantiated or partially substantiated and the RO, 72. So far (as at 5 March 2001), the Police has found 48 cases substantiated or partially substantiated and the ICAC, none yet.