

**Ramli: Minister's response to 'Copgate' defies logic**  
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**By Hafiz Yatim**

Following Home Minister Hishammuddin Hussein's mind-boggling response in Parliament last night to opposition queries on 'Copgate', former top cop Ramli Yusuff said the Malaysian Anti-Corruption Commission is not the right agency to conduct an independent investigation.

ramli yusuff asset declare case 120310 04Describing Hishammuddin's reply to the MPs as defying logic, Ramli (left) the former Commercial Crime Investigations Department director, told Malaysiakini the MACC was the very agency used by Attorney-General (AG) Abdul Gani Patail and former inspector-general of police Musa Hassan to "fix" him and his men.

"It was the same agency that I say worked hand-in-glove with Gani to tamper with police witnesses, circumvent police investigations and fabricate evidence," he said.

"The MACC was also the agency that cleared Musa and Gani of many other allegations, including the AG's refusal to prosecute Tajudin Ramli or his (Gani's) controversial haj trip with a proxy of Tajudin.

"How could the home minister make such a proposition, as if mocking the criminal justice system?"

NONEYesterday, Hishammuddin (right) when questioned by Pakatan Rakyat MPs Gobind Singh Deo (DAP-Puchong), Mahfuz Omar (PAS-Pokok Sena) and Sivarasa Rasiah (PKR-Subang), had suggested that the complaints be channelled to the MACC.

Commenting further, Ramli said it was unfair of the minister to claim that "the proper agency to investigate is the MACC" because the allegations involve a former IGP.

And if the police investigate, the opposition will say it is not fair, Hishammuddin explained.

However, Ramli said: "I do not think anyone, including the opposition, will complain if an investigation is conducted independently, properly and fairly.

"Police investigators have always risen to the occasion when I was deputy director of CID and we investigated our serving IGP Abdul Rahim Noor in the 'black eye' incident.

"If we can investigate objectively against a serving IGP, what more an ex-IGP?"

Gobind, in a statement today, agreed that the MACC cannot and should not be entrusted with the task of investigating 'Copgate'.

He described Hishammuddin's suggestion as contrary in law and common sense, as one of the complaints is against the Anti-Corruption Agency (which preceded the MACC).

Pressing for an independent tribunal to investigate all issues openly and without fear or favour, Gobind questioned how Hishammuddin could suggest that the MACC should investigate matters involving its own conduct.

"This clearly shows Hishammuddin has failed to understand the issue and recognise its significance altogether. If the home minister doesn't get this, then one wonders whether he is fit to head his ministry to begin with."

List of offences under Penal Code

Providing a clear list of alleged offences by Gani and Musa, Ramli said the two had abused their position by tampering with witnesses, fabricating evidence, circumventing police investigations, obstructing justice and other offences that come under the Penal Code.

He said the principal agency enforcing the Penal Code is the police, not the MACC.

"We should leave the MACC to do what it does best, that is fighting corruption. While I would like to respect the view expressed by the home minister, unfortunately I cannot agree with what he had said in Parliament.

"Like the home minister, I too am a qualified lawyer. Additionally, I am an experienced career police officer of 37 years, all of which was with the CID."

In ticking off Hishammuddin, Ramli said the minister should not be telling the police what to do as they should be left to operate on their own.

He said the force knows what to do and must remain free from political interference.

Ramli said Hishammuddin should explain why he has been giving excuses for not allowing the police to investigate 'Copgate'.

NONE "Is it because the police have shown independence in announcing its recommendation on the National Feedlot Corporation affair (to charge the executive chairperson Mohamed Salleh Ismail (husband of Wanita Umno chief Shahrizat Abdul Jalil).

"What are Gani and Musa so afraid of, if they are as innocent as they claim to be?" he asked.

"I have said nothing for the past five years. My men and I have obtained vindication from the courts. My men and I are just asking for justice and the truth and for the redemption of our honour. Is that too much to ask for?"

Last Friday, Prime Minister Najib Abdul Razak shot down calls for a tribunal against Gani, Musa and the ACA over the 'Copgate' affair.

Responding the next day, Ramli said he and his men were disappointed, as they had acted on the cabinet's orders to curb the Ah Long menace by nabbing underworld kingpin Goh Cheng Poh.

Tribunal versus RCI

Malaysiakini has been asking for a response from Gani, Musa, former deputy home minister Johari Baharom and the MACC.

Only Musa has responded to date, but he only said, "Ask the AG". Upon further reports being published, Musa claimed to the media that he had been cleared by the MACC.

Malaysiakini has also received many comments asking about the difference between a tribunal and a Royal Commission of Inquiry (RCI).

A tribunal can be held to investigate and decide whether there is sufficient evidence of misconduct, in order to remove a sitting judge or an AG from office.

The AG is of similar rank to a Federal Court judge.

The power to set up a tribunal rests with the prime minister, who can determine the scope of its investigations.

tun salleh abas zaid ibrahim ex gratia payment 200608 01In Malaysia's history there has only been one tribunal - in 1988, against Lord President Salleh Abas (left) and four judges of the Supreme Court.

An RCI, which is appointed by the Yang di-Pertuan Agong, can investigate any matter. Previous panels have looked into the death of Teoh Beng Hock, the Lingam video tapes, the 'black eye' incident, and the nude squat saga, for example.

The RCI can provide recommendations and make findings but cannot take any punitive action.

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