

'Does MACC lack confidence in AG?'

Malaysiakini.com

July 19, 2010

Puchong MP Gobind Singh Deo has questioned the apparent lack of confidence in the attorney-general (AG) by the Malaysian Anti-Corruption Commission (MACC).

lingam tape panel meeting 031007 abdul gani patailHe urged AG Abdul Gani Patail (right) to explain his working relationship with the MACC, following calls for the latter to be given prosecutorial powers.

The parliamentary Special Committee on Corruption (SCC) had recommended in its Annual Report 2009 that the federal constitution be amended toward the independence of MACC prosecutors in high-profile cases.

It was highlighted that, based on Article 145(3) of the constitution, the MACC lacks prosecution power except with the consent of the public prosecutor.

The report states that the public prosecutors stationed in the MACC are only able to make decisions on ordinary investigation cases. High-profile and sensitive cases are referred to the AG's chambers.

Gobind said there is a need for the AG to clear the air on this claim.

gobind singh deo jalan duta court 230409 01"“This is a very serious matter because it seems to suggest that there are cases in which investigations reveal corrupt practices but there is no prosecution. Is this the case and, if so, why has this happened? Also which cases are we talking about?” he asked in a statement.

“The SCC is now pushing for prosecutorial powers independent of the AG. This again reflects (that there is) something seriously wrong with the system. It reflects the fact that the MACC has a lack of confidence in the AG and his exercise of discretion in prosecuting corruption cases.

“Can we expect the AG to be fully committed towards the battle against corruption given these observations made by the SCC? And amidst all this, why is the AG remaining quiet?”

Gobind also said that, based on the report, it would appear that different rules apply for ordinary cases of corruption and high-profile or sensitive cases.

“Corruption is corruption. It does not make a difference if the case is ordinary or high profile or sensitive. Action must be taken against all in cases where investigations uncover proof of corrupt practice,” he added.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.

Source : <http://www.malaysiakini.com/news/137752>