

Time is ripe for ACA revamp

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WHAT a tumultuous 10 days it has been! First came the news of the country's No. 1 graft fighter and his alleged corrupt practices. Then came the bombshell - a deputy's minister's supposed hidden hand in the release of people detained under the Emergency Ordinance.

Then came Transparency International's Malaysian Transparency Perception Survey which painted a gloomy outlook of the level of graft.

This was preceded by the Prime Minister declaring that those who are not corrupt have nothing to fear.

Before I even offer an opinion, let me declare upfront - I am no admirer of Datuk Seri Zulkipli Mat Noor. Neither do I have any faith in the Anti-Corruption Agency (ACA). Having had a lively debate with Zulkipli on his numerous *lawatan sambil belajar* (which he admitted to) at a public forum more than a year ago, there has been little chemistry between us.

In a conversation with colleague Terence Fernandez last year, Zulkipli had remarked that "senior ACA officers are unhappy with what Nades is writing.

"And because the ACA reports directly to the PM, these criticisms are also

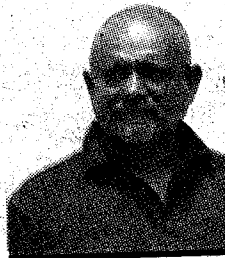
directed at the PM," he said.

If it was meant to be a subtle threat, it was not taken that way. On the contrary, I was looking forward to another *reparte* at a seminar

organised by Transparency International. We were supposed to be sharing the same platform, but he sent a deputy to represent him instead.

I must confess that I am a firm believer in the "innocent until proven guilty" policy, and will have to shut my mind out of the complete dossier of his supposed wrong-doings which have been in my possession for over a year. I am also a firm believer in our justice system, and hence copies of the dossier were delivered to the offices of the PM and the IGP in June last year.

Even before these allegations, the ACA's credibility has come under the



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microscope within and outside Parliament. Many saw and still see it as a toothless tiger catching *ikan bilis* while the *ikan yu* are having a feast.

The agency seems contented with the occasional prosecution of a minor official while those at higher levels seem to enjoy immunity - a perception shared by the majority.

Therefore, the time has come for a complete revamp and shake-up of the ACA - something that is long overdue. There's no need to go on *lawatan sambil belajar* to Europe. Just look at the Independent Commission Against Corruption (ICAC) in Hongkong.

The ICAC is one of the most revered institutions in the region. Its track record of fighting corruption is well documented and many countries have incorporated its procedures and policies.

Why can't the ACA be like the ICAC? All it needs is a disciplined and tight procedure, professionalism and dedication of its officers, which is sadly lacking in the Malaysian context.

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(My own experience over the illegal funeral parlour and the donations-for-billboards scam is a good example.)

If the ICAC module is implemented, it should work. After the ICAC was set up in 1970, it spent time, effort and money to encourage the public to come forward and report suspected corrupt practices.

The success of the ICAC informant programme is because of the promise of utmost confidentiality, which itself is a reflection of the ICAC's credibility.

China Daily's Hong Liang notes: "Let's just think: If the people of Hongkong did not have confidence in the accountability of the government and the incorruptibility of the judiciary, would they have trusted the words of the ICAC?"

The answer, I believe, is no."

To be sure, he wrote, there were instances when the government was widely seen to have acted in ways that were considered controversial and it is possible that corruption in the civil service and among officers of the law has not been entirely eliminated.

"Although some government actions were contested in court, nobody is suggesting that the government has ever made a deliberate attempt to over-reach its legal power. What's more, corruption in Hongkong has largely been stamped out?"

The ICAC, seen as a potent deterrent against corruption, is becoming even more relevant and plays a pivotal role in economic development. Are we ready to duplicate the ICAC? I say: The time is ripe and it should be done today.

SORRY readers, for keeping you waiting, but I can't help but say that the Works Minister's press officer E. Sivabalan and the Malaysian Highway Authority have yet to respond to my column published two weeks ago. So, while one arm of the government is spending money to make our roads safer, another arm is happily granting licences to build hazards along our highways.

The answers should have been forthcoming last week, but I believe that no one bothers about news - however bad it is.

To the Chief Secretary to the Government and members of Pemudah who want to improve the delivery system in the civil service; this whole episode, and this ministry should be a starting point. In the meantime, I shall try to hum to the tune of *I'm sailing...*

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