

DATE: 29/1/2010

CORRUPTION

Offenders will be shamed

KUALA LUMPUR: Minimum jail sentences based on the severity of offences will be adopted under the Malaysian Anti-Corruption Commission Act.

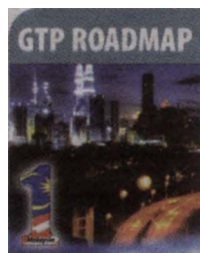
In addition, harsher penalties will also be meted out to convicted public officers (civil servants and members of the administration, legislature and judiciary), as public trust and funds are involved.

Under the Government Transformation Programme (GTP) roadmap, convicted public officers will be removed from their positions, lose their pensions and other benefits as well as be barred from future public appointments.

Under the current act, no minimum sentence is stipulated if an individual is found guilty of corruption.

For cases that are not prosecuted, internal disciplinary action is usually light. This, according to the roadmap, is insufficient deterrent against accepting bribes.

For cases that are referred back to the relevant departments, there will be guidelines that match disciplinary action to the severity of the offence.



Disciplinary action will be meted out to a fixed timeline to ensure that there are no unnecessary delays.

There will also be long-term sanctions addressing the private sector. Currently, convicted offenders are not black-listed and can still participate in government procurement.

Government contracts will include clauses that subject convicted offenders to instant termination of contract without compensation as well as a five-year ban from participating in any public contract.

A name-and-shame approach in the form of a public database of convicted offenders in graft cases will be implemented as an additional deterrent against corruption.

The public database of offenders will also facilitate em-

ployment decisions, especially for sensitive positions involving authority and trust.

"Currently, there is no easy way to check on corruption offenders. Those who are convicted can only be checked through reports in law journals, the Prisons Department or the Registrar of Criminals and Undesirable Persons. The database aims to rectify this and will be made available to the public via the MACC website," the GTP said.

However, only convictions from 1 Jan this year onwards will be in the database.

Information on offenders will be made public for three years, but all information will be housed indefinitely in the database.

"In addition to these key initiatives, we will also implement other initiatives designed to reduce grand corruption.

"This includes disclosing the amount of government allocation and resulting expenditure of each MP and developing a reward and recognition scheme for civil servants who provide assistance in corruption cases."

NKPIs AND TARGETS FOR CORRUPTION

Focus area	KPI	BASELINE	2010
Public perception	• TI's Corruption Perception Index Score	.4.5	• 4.9
	• TI's Global Corruption Barometer survey on Government actions to fight corruption: - percentage answering "effective"	• 28%	•37%
	• Number of cases charged versus number of arrests for drug trafficking and possession under Dangerous Drugs Act	•75%	•80%
Regulatory and enforcement agencies	• Number of summons settled versus number of summons issued by:		
	- Police	• 50%	• 61%
	-RTD	• 60%	• 73%
	• Number of cases charged versus number of arrests and detentions under Immigration Act	• 53%	• 60%
	• Tax recovered from undeclared goods (in RM value)	• 9 million	•21 million
Government procurement	• Number of audit findings on maladministration of procurement per ministry sampled	•11.2	•10.6
Grand corruption	• Percentage of trials completed within one year	• 8.5%	•30%
	• Number of people in the database of convicted offenders	• 0	• 84

