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NEWS

Low aims for bold anti-graft measures

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UP TO THE CHALLENGE: Datuk Paul Low Seng Kuan, the newly appointed minister in the Prime Minister's Department, tells Chandra Devi Renganayar and Suzanna Pillay that he will not just be sitting at his desk enjoying his new status but intends to bring sustainable changes in the fight against corruption



Question: Your appointment came as a surprise to many. Why did you take up the post?

Answer: I've been the Transparency International-Malaysia (TI-M) president for five years and, of course, I am committed to fighting corruption. I've also been critical of the government on some issues.

However, I believe there is no point in criticising without trying to help. I also believe that the prime minister is committed to continuing with the transformation (plan) to promote good governance, integrity and eradicate corruption. So, when he invited me to help in nation-building and improve things in his government, I accepted. He believes in putting me in a position where I can possibly have an influence to talk to my colleagues in the cabinet on these issues.

Question: How long did you take to think over the prime minister's invitation?

Answer: A day. I believe one should not take too long. My family fully supports me in this.

Question: What does your job function entail?

Answer: When I accepted the job, I did tell the prime minister that my area of expertise is in improving governance, integrity and helping to eradicate corruption.

With the support of knowledge that I have obtained as TI-M president, I will propose changes that are sustainable.

Question: Have you ever had an ambition to take up public office?

Answer: No, it is something totally new to me. It's not something

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with Datuk Paul Low Seng Kuan

that I expected.

Another thing I want to make clear is that I'm not in this position to represent the Chinese community alone. I don't believe in race-based politics. I represent all Malaysians and I will do what is necessary for the benefit of all Malaysians. This is important to me.

Question: Now that you have been appointed a minister in the Prime Minister's Department, do you have to relinquish your position as president of TI-M?

Answer: Yes, I have to relinquish my position as president of TI-M and quit the boards of any public company I am with because of the possibility of conflict of interests.

Question: Do you believe you can achieve far more from the inside than from the outside?

Answer: This is precisely why I accepted the PM's offer. The advantage of being on the inside is that the PM is accessible to me, as are ministers in all the ministries. I will be able to talk to them as peers and speak my views in the cabinet meetings, hopefully allowing me to influence and engage with various parties to improve things. You cannot do this from the outside.

The position of a minister does carry some authority and weight. I

hope the PM will give me the political will and the ministers will support me in my quest to make changes.

I want to avoid cosmetic changes as I believe in sustainable changes that are institutionalised.

Question: What do you think of the efforts to fight corruption in the country?

Answer: Prior or even during 2008, the issue of corruption was not taken seriously by the public. At that time, everybody accepted it as a way of life and part of the system. That was the attitude then — that it was foolish to think of eradicating corruption.

After 2008, and subsequently, awareness about corruption increased manifold. In the recent general election, it was one of the most important issues. There is now a high degree of intolerance for abuses and corruption. Social media also helped many (people) to see the seriousness of corruption, its implications and also how they could do something about it.

The Performance Management and Delivery Unit (Pemandu) has helped in fighting corruption. However, many people are under the misconception that you can do it overnight. It takes time as it involves a journey of transformation

because you have to change the way things are handled, have a strong political will and get the stakeholders involved.

You may need to change some laws and strengthen your enforcement institutions.

Question: What are the reforms needed to improve the country's standing in Transparency International's Corruption Perceptions Index? Malaysia was placed 54th in the index.

Answer: Of course, there is still work to be done but, ideally, the benchmark is to be 100 per cent corruption-free.

We want to be at least in the 90s in terms of the index. Previously, we were at 49 on the index, so there is a slight improvement. As we continue to work at it, there will be more improvement.

There are tools that are used worldwide to combat corruption like transparent procurement, open tender, the use of integrity pact, asset declaration by people in authority and whistle-blowing legislation, which we have to make sure become effective.

Question: (DAP adviser) Lim Kit Siang has referred to your appointment as just another symbolic gesture in the fight against

corruption. And TI-M secretary-general Josie Fernandez has questioned whether you are prepared to be the bad cop, especially when it comes to fighting corruption involving prominent personalities. How will you prove you will not be a lame duck minister or a mere poster boy for the government?

Answer: This is politics after all, and anyone can have their own opinion. But as far as I'm concerned, I will try my best to help the Barisan Nasional government tackle corruption. Please bear in mind that the public demand for change in fighting corruption in Malaysia is very real. It was the most important issue in the 13th General Election and will be in the GE14 as well.

If any party thinks that my appointment is a whitewash or just symbolic, it will be a matter of time when they will learn differently. It is always easy to be an armchair critic but it is hard to make a commitment to take up the challenge to fight corruption.

I'm not an elected representative. I'm non-political and do not intend to create a political future for myself. Hence, I have no reason not to take bold measures if I need to make changes within the system.

I have not been in public office before and I am just learning the

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ropes. Hopefully, I will be able to cope. Definitely, I will not be just sitting at my desk and enjoying my status. I'm not here for that purpose. I hope I will be respected by my colleagues in the cabinet and that they know I'm here to initiate change and to help them.

Question: Do you think the expectations are high for you to deliver as you are the president of TI-M?

Answer: Yes. But I'm not bothered by the critics. Even if I fail, I will not lose any political mileage but I may lose some years of effort trying. It is a price I'm willing to sacrifice for the good of the nation. Every decision I take has a personal sacrifice which I am prepared to make in order to help the government.

Question: As you pointed out earlier that in the recent general election, corruption was an issue that was a priority with Malaysian voters. Are Malaysians justified in being concerned about corruption in the country?

Answer: It is not just about bribes but also an issue of what we call state capture, where politicians and businessmen come together somehow and not follow proper procedures that have been set. These include changing processes or modifying them so that they can use the resources of the state for their own benefit, family and friends, and cronies.

Question: In combating corruption, the emphasis has always been on the public sector. Should there be also more transparency in how private sector businesses are conducted?

Answer: So far, we are only focusing on one side of the coin. We also need to deal with the private sector as every government issue of corruption has the involvement of the private sector. However, the shift and blame has always been on the government.

Today, we all know that when a private sector employee is involved in corrupt practices, the company is not prosecuted, neither can we make the top management liable for corrupt practices of their employees. We need corporate liability laws to combat this.

Question: The public is also concerned over mismanaged funds in ministries. How should this be addressed?

Answer: If the issue is people abusing their authority via corrupt practices, proof is required before it is reported to the Malaysian Anti-Corruption Commission (MACC). The MACC has to take up the case according to the rule of law.

But if it is due to mismanagement, perhaps it is because they do not have the necessary skills to manage the funds. Either we change the people in charge or train them with the necessary skills. If it is the system that is at fault, then you have to change the procedures.

Question: How will you make sure even prominent personalities comply with the law?

Answer: Everybody is subject to the rule of law, regardless of position. The rule of law prevails. A person can thumb his nose at the MACC and say all sorts of things but the agency has the power to act in order to investigate. So, I believe the MACC will act according to the provisions of the law.

Obviously, you cannot prosecute a person without getting adequate evidence. As citizens, we also want that safeguard for us.

Question: What do you perceive to be your biggest challenge in this job?

Answer: The biggest challenge I would say is dealing with entrenched interests and the old ways of doing things. There may be a lot of interested third parties who don't want some things to be disassembled, but people are demanding for it. People want more accountability, transparency and better safeguards.

It is to the interest of the political masters to change for the better and to take heed of what the public wants because, ultimately, the public will be the judge.

At the end of the day, the public is going to judge them and not me. The most I can say in a few years is, "I'm sorry I could not change things" and I go back to my life. I may lose my good name, I suppose. That is okay. But I am not going to lose political votes. They would.

Today, the mood is different from yesteryear and the demand of the public for change is greater than before. At GE13, the public made this clear.

At the next general election, those who are teenagers now will be new voters, representing a larger proportion of people with a different degree of tolerance. The government should respond to the winds of

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change accordingly.

Question: You have recently come under some criticism because TI-M allegedly did not comment on allegations of fraud in GE13. What is your response to this?

Answer: We commented and we asked for electoral reform. But put it this way, TI-M cannot simply comment on something without proof. We do not make wild accusations and allegations because we are a credible organisation.

I suppose there are issues of vote buying on which I have commented on in an earlier television interview with RTM2. I mentioned that there was vote-buying in some areas because I got feedback. And to the best of my knowledge, it did happen in those areas. TI-M received 3,000 complaints about abuses but a lot of them were just emotional outbursts. This has been an emotional election.

Question: Why did TI-M decline to participate as an election watchdog in GE13?

Answer: One of the major reasons why we declined to act as an election watchdog was because we were not allowed to go to the polling stations.

Post-GE13, we have to look at the election process and reforms as it is a point of contention.

Malaysians feel the process needs improvement and it will be good for the government to heed their request. If there are elements of abuse, then there must be a channel of investigation.

Achievements of National Key Result Area on fighting corruption

1. Whistleblower cases

- Whistleblower Protection Act 2010 passed, effective December 2010
- 96 individuals have been given protection under the act (as of last year)

2. Government contracts published online

- 6,688 government contracts have been published online (as of last year)

3. Corruption courts

- 14 special corruption courts are operational. Some 404 cases have been processed (as of last year)

4. Procurement accountability

- MyProcurement portal was launched in April 2010
- 142,268 companies tendering for government contracts signed the integrity pacts (as of last year)

5. Corporate Integrity Pledge (CIP)

- 154 companies signed the pledge last year (www.cism.my)

6. Grand corruption

- 1,172 offenders have been listed under the database of convicted offenders (www.sprm.gov.my)

7. Overall perception – Transparency International-Malaysia

- Corruption Perceptions Index
- Malaysia was in 54th position last year (from 60th in 2011)

8. Regulatory and Enforcement Agencies Rating - TNS perception survey (as of November last year)

- From 1 to 5, with 5 being extremely corrupt and 1 being least corrupt. The enforcement agencies were rated at 2.94.

9. Launch of anti-corruption mascot, tied in with pre-existing MACC hotline (1800 88 6000) for complaints on corruption.

