

Amended POCA More Effective In Combating Crime – DPM

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PUTRAJAYA, Aug15 (Bernama) -- The Prevention of Crime Act (POCA) 1959 has gone through a series of amendments for improvement to make it more effective in combating crime, especially organised crime and crime by syndicates using force and violence, and to be in tandem with current developments.

Deputy Prime Minister Datuk Seri Ahmad Zahid Hamidi, who is also Home Minister, said POCA was enforced in 1959 in Peninsular Malaysia to control and prevent organised crime by criminals, members of secret societies and other undesirable individuals who threatened national security.

He said it was 'refreshed' through the POCA (Amendment and Extension) 2014, which was more effective in combating violent acts of crime and in balancing the law with human rights, and also in line with the maintenance of national security and peace.

"We had the obligation of ensuring that the amendments to POCA 1959 were stronger and better," he said in recalling POCA's series of amendments when launching his book entitled "POCA:Nafas Baharu Banteras Jenayah" (POCA - A Fresh Approach to Combating Crime), here, today.

Ahmad Zahid said security in Malaysia had been at the controlled level since the enforcement of POCA (Amendment and Extension) in 2014 until today, with the reported crime rate declining by 47 per cent.

On the amended POCA 1959, he said it also involved limiting the powers of the minister concerned, to erase the misperception of abuse of power by the minister.

According to him, the Crime Prevention Board was set up to look after the interest of the accused, hence directly reducing the minister's absolute power and showing that a fair criminal justice system and human rights protection were prime considerations.

He said that with the law extended to Sabah and Sarawak, it also showed that the government was sensitive to the need of ensuring security and prosperity in the whole country.

Ahmad Zahid said the amended POCA also implemented the use of the electronic monitoring device on those under watch, hence reducing the cost of detention in prison and also promoting the prevention spirit among the detainees.

He said the government's decision made on Sept 15, 2011 to revoke three crime-prevention laws, namely the Internal Security Act 1960, Banishment Act 1959 and Restricted Residence Act 1933, as well as the three Emergency Proclamations, which were issued in Sarawak in 1966, in the federation in 1969 (after the May 13, 1969 racial riots) and in Kelantan in 1977 were seen as complementing the Malaysian Government Transformation Programme.

As a result of revocation of the Emergency Proclamations, he said the Emergency (Public Order and Crime Prevention) Ordinance 1969 could not be enforced while there was a lapse of six months with the preventive laws ending on June 21, 2012.

He said with the repeal of the preventive laws, 2,615 detainees and those under restricted residence who were mostly members of secret societies and organised crime syndicates were released in stages although they had not been fully rehabilitated.

Ahmad Zahid said analysis by the Royal Malaysian Police showed that 18 months after the revocation of the Emergency Ordinance and Restricted Residence Act, the serious crime index involving murder, gang robbery, extortion and criminal intimidation cases increased drastically, involving secret society members.

He said the crime trend at the time created fear and uneasiness among the public, while the security level was at the most worrying, which brought about negative perception and adversely affected public and foreign investors' confidence in the country's security situation.

To win back their trust and confidence, the Cabinet at its meeting on July 31, 2013 decided that POCA 1959 come back into the picture and be amended in keeping with current needs, he said.

"Indeed the need to amend POCA was urgent as the crime scenario in the ICT (information and communications technology) and digital era could not be tackled by using the legal provisions of the 1950's."

Ahmad Zahid recalled the efforts to amend POCA which started in July 2013, two months after he was entrusted by the prime minister with the responsibility as Home Minister, taking care of public order and security.

He also shared what happened in Parliament on Oct 2, 2013 during the debate to amend POCA, with Dewan Rakyat Speaker Tan Sri Pandikar Amin Mulia presiding without leaving his seat at all to ensure the debate, though heated, went on without a hitch.

"The debate took 8 hours and 52 minutes, ending at 12.52 am of Oct 3, 2013. As the minister responsible, I had tabled the (POCA) amendment bill and sat there throughout the debate," he further recalled.

On the book, Ahmad Zahid said it was aimed at explaining the extenuating situation at the time so that the people would understand that it was not easy to amend a law, implement it and even convince the parliamentarians during the process.

For the record, POCA was further amended in 2015 to include terrorism as an offence under the Act.

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