

# MACC TODAY

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Vol 1 / 2014



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**REPORT CORRUPTION**

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# MASTER IN ANTI-CORRUPTION STUDIES: INTERNATIONAL RECOGNITION FOR MACC

By Mohd Azhar Ibrahim

The Malaysian Anti-Corruption Commission (MACC) had the honour of conducting the Module on Enforcement of the Master in Anti-Corruption Studies (MACS) at the agency's Malaysia Anti-Corruption Academy (MACA) from May 12th – 23rd, 2014. The MACS, which was launched in December 2012, is the world's first international and interdisciplinary Master in Anti-Corruption Studies.

This flagship programme of the Vienna-based International Anti-Corruption Academy (IACA) enables anti-corruption practitioners and executives to familiarise themselves with the intertwined manner in which corruption manifests itself, and the social complexities surrounding it.

Thirty-one participants from 17 countries have enrolled for the two-year course which provides an in-depth understanding of the whys and wherefores of corruption and how to effectively

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combat the scourge. Students combine distance learning with seven classroom modules each of which runs for approximately twelve days. Six modules were conducted at the IACA campus in Laxenburg, Vienna, Austria while the module on enforcement was held at the MACA campus in Kuala Lumpur.

The modules examine corruption from the perspectives of economics, business, politics, and law, focusing on both enforcement and prevention. Each module features leading experts in the field, carefully selected to enrich the perspectives of the students. Upon completing all the seven modules students will then dedicate their time in the defense of their thesis, which is required for graduation.

Elaborating on the choice of venue for the Module on Enforcement, IACA Programme and Activity Coordinator, Professor Alan Doig said IACA had chosen Malaysia because of its transparency and professionalism in eradicating corruption.

“MACA is the perfect host for the Module on Enforcement as it has complete resources in the area of training and expertise in corruption prevention,” Doig said.

MACC Chief Commissioner Tan Sri Abu Kassim Mohamed was elected as an executive committee member of the International Association of Anti-Corruption Authorities (IAACA) in 2010. Three years later, at its 7th Annual Meeting in Panama in November 2013, Abu Kassim was appointed as the IAACA's Vice-President. On top of that, he is also the Vice-Chairman of IACA's Board of Governors.

These appointments send a clear signal of the growing international recognition of both Malaysia and MACC's achievements in fighting

graft, and the Chief Commissioner's relentless efforts to promote international cooperation, experience-sharing, training and best practices amongst anti-corruption authorities across the world.

“The MACC has a very good reputation internationally. In terms of education, the agency has contributed one module and one best practice which are formally recognised by the United Nations; Chief Commissioner Tan Sri Abu Kassim and his staff are very much engaged in seeking and maintaining international cooperation,” Kreutner said to *Bernama*.

Throughout the two-week programme, MACC divisional directors under the Operations and Prevention Departments including Deputy Public Prosecutors and other MACC staff members were on hand to share their experience and explain their specific area of responsibility and expertise to MACS students. Abu Kassim himself had given two lectures, one on the MACC itself and another on the transformation process that is currently taking place within the organisation.

Yalchin Rafiyev, who is a diplomat with the Azerbaijan Embassy in Austria, is very pleased with his experience at MACA. Rafiyev whose thesis focuses on the link between corruption and organised crime, found the input and perspective gleaned from Module on Enforcement highly significant to his research.

“Substantial issues were provided for us. We learned a lot about enforcement, investigation of corruption cases, financial forensic, financial asset declaration and confiscation – all these practical measures which are made in parallel to the criminal investigation,” Rafiyev said.

“We are doing it together with the MACC as we have already established a close working relationship and a strong link of cooperation two or three years back with the MACC and MACA. I can tell you that the MACC has a pretty high and pretty good reputation internationally. It is very much engaged in seeking and maintaining international cooperation.

The MACC is also very much involved in the development of best practices examples. The MACC is recognised as having brought forward in education purposes, one module and one best practice, which are formally recognised by the United Nations Convention Against Corruption (UNCAC).”

**Martin Kreutner, Dean and Executive Secretary, International Anti-Corruption Academy (IACA)**

Seasoned investigators have also found the MACA experience useful and interesting. With more than 30 years of investigative and enforcement experience under his belt, Gerhard Levy who heads the Department of Internal Affairs at the Austrian Finance Ministry said the broad spectrum of knowledge and experience shared in the Module on Enforcement highly relevant to his field.

At the end the Module on Enforcement programme on May 23rd, the MACC signed a memorandum of understanding (MoU) with the Austria Federal Bureau of Anti-Corruption (BAK) to strengthen strategic partnership in anti-corruption efforts. This brings the number of MoUs sealed by the MACC with other international anti-corruption authorities or countries to eight to date, with Austria being the first country from the European continent.

BAK Director Andreas Wieselthaler who is also a student of the MACS programme, found the MACC's approach to change the mindset of its employees in order to transform them very intriguing and very successful.

“Abu Kassim's lectures on anti-corruption efforts and best practices adopted by the MACC were very interesting and highly informative,” Wieselthaler said.

“We are also pursuing a similar transformation at BAK and since the MACC Chief Commissioner sits on the Board of Governors at IACA, we will take all the opportunities to meet and to talk in Austria,” he added.

The BAK Director will most certainly find his MACC counterpart more than happy to compare notes. Abu Kassim firmly believes that since corruption is a global phenomenon, anti-corruption agencies cannot operate in isolation. They need to start working together to fight the curse of corruption.



Professor Alan Doig

## COMBATING CORRUPTION: MALAYSIA ON RIGHT TRACK

IACA Programme and Activity Coordinator Professor Alan Doig urged Southeast Asian countries to send their anti-corruption officers to MACA for training because the MACA campus has complete resources in the area of training and expertise in corruption prevention.

“MACA is the perfect place to conduct the Module on Enforcement of the Master in Anti-Corruption Studies programmes as it has complete resources in the area of training and expertise in corruption prevention,” Doig said.

According to Doig, the MACC is among the top 10 agencies or among the five per cent of agencies with the best corruption prevention efforts.

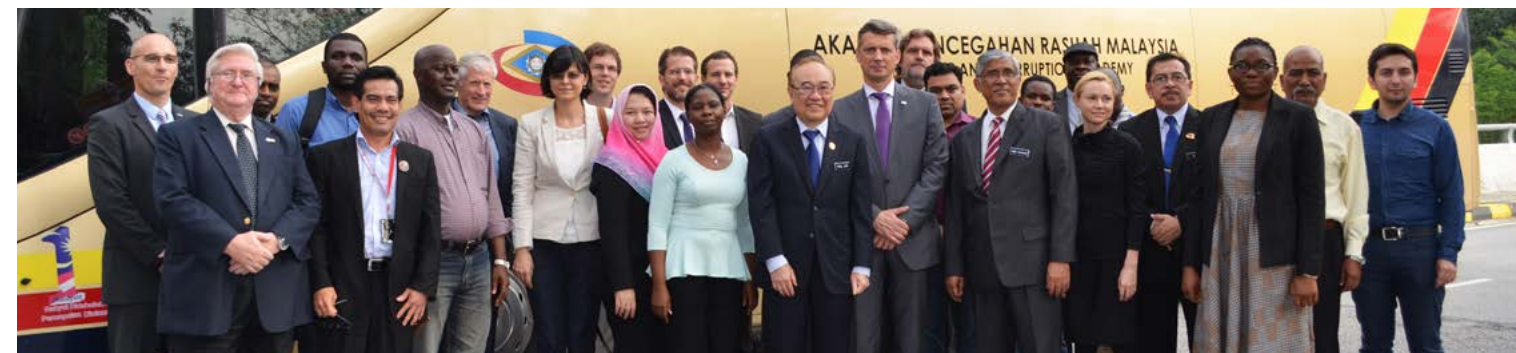
“Many countries could not implement transformation and changes continuously. I see that MACC is successful in this aspect... there are effective programmes, there is good leadership which also understands public expectations,” he said.

The author and editor of numerous books on fraud and corruption believes the MACC has a very good reputation of showing how an anti-corruption agency should work.

The MACC thinks about what it does and how it does it. The transformation process is very important to it. It is learning from how it does its business to see how it can do it better. It is interested in demonstrating what is effective; it is interested in trying to be transparent.

“These are all very important aspects of being an effective anti-corruption agency,” Doig said.

“The MACC is on the right track to becoming one of the most effective anti-corruption agencies in the world. Tan Sri Abu Kassim is certainly one of the most effective anti-corruption leaders I have ever seen. He knows what needs to be done; how it should be done; and he is committed to achieving what he sets out to do,” Doig added.



Minister in the Prime Minister's Department, Senator Datuk Paul Low (front row, fifth from right), Martin Kreutner and Tan Sri Abu Kassim with MACS students. *Bernama Images*

# SUTINAH, THE ARCHITECT BEHIND CORPORATE INTEGRITY PLEDGE “FIGHTING CORRUPTION IS EVERYONE’S BATTLE”



Throughout her career with the MACC Sutinah had been involved in operation, investigation, education and prevention. During her final year at the MACC she headed the transformation process aimed to further develop and enhance the agency's prevention sector.

Sutinah always strove to shore up public awareness, inculcate an anti-corruption culture and create a Malaysian society that would fight against corruption. “The war against corruption is everyone’s battle, we want a society that fights corruption hand in hand with the MACC; they should not leave it to the MACC alone,” she said to *Bemama*.

Sutinah is the architect behind MACC’s Corporate Integrity Pledge (CIP), which is essentially a formal declaration by an entity that it will uphold anti-corruption principles in carrying out its business. To date 441 private and public sector corporations including government-linked

The Malaysian Anti-Corruption Commission (MACC) has recently held a farewell ceremony for its Deputy Chief Commissioner (Prevention) Dato’ Hajah Sutinah Sutan who went on retirement on June 15, 2014, after 34 years of service.

Sutinah joined the then National Bureau of Investigation (NBI) on June 2, 1980 just as the agency was about to go on a media campaign to educate the public on the evils of corruption. Her first task was to prepare a proposal on how the NBI could carry out a public education campaign on anti-corruption.

The management accepted her proposal and in 1981 an Information and Publication Unit, which was headed by her, was set up. When the unit’s programmes and activities grew bigger, it was upgraded into a fully-fledged Prevention Division. It later became the Communication and Education Division. Now the division is known as the Community Education Division.

**To date 441 private and public sector corporations including government-linked companies (GLCs), non-governmental organisations (NGOs), government agencies and three ministries have signed the CIP to eliminate corruption in their operations.**



Sutinah Sutan (left) the then MACC Deputy Chief Commissioner (Prevention) and the National Entrepreneur Group Economic Fund (TEKUN Nasional) CEO Datuk Abdul Rahim Hassan (right) holding up the Corporate Integrity Pledge (CIP). *Bemama Images*

companies (GLC), non-governmental organisations (NGO), government agencies and three ministries have signed the CIP to eliminate corruption in their operations.

She played an instrumental role in promoting the establishment of Corruption Prevention Secretariats at 20 Institutes of Higher Learning (IHLs) and 27 Institutes of Teacher Education (IPGs) nationwide, including drafting a proposal to the Education Ministry to incorporate elements of integrity and corruption prevention in religious, civic and moral education subjects. These anti-corruption outreach programmes serve to groom a future

generation that abhors corrupt practices including stressing the need for them to cooperate with the MACC in combating corruption.

Sutinah strongly believes that preventing corruption is a noble job. As such, she takes challenges in her own stride and always seeks to raise the performance bar by overcoming these challenges and producing her best effort to complete her task. She enjoys doing her job and puts her mind and soul into it.

“If you always maintain a positive attitude and mind set and put all your heart into

what you do, nothing can deter you. Don’t dwell too much on the rewards. If you do your best, the reward will take care of

**Dato’ Hajah Sutinah is instrumental in promoting the establishment of Corruption Prevention Secretariats at 20 Institutes of Higher Learning (IHLs) and 27 Institutes of Teacher Education (IPGs) nationwide, including drafting a proposal to the Education Ministry to incorporate elements of integrity and corruption prevention in religious, civic and moral education subjects.**

itself. The satisfaction lies not in the reward but in a job well done,” Sutinah said.

According to Sutinah she has gained tremendous satisfaction and enjoyed her colourful career experience with the MACC. She plans to write a book on her knowledge and experience working in the agency so that it could be a source of reference for MACC officers.

In terms of fighting corruption, she feels that employers should monitor the lifestyle of their employees to ensure they live within their means as an ostentatious lifestyle is a red flag for corruption. Companies should

also allocate a budget for anti-corruption awareness programmes at the workplace.

“The MACC should be empowered to directly handle its recruitment. We also need to introduce corporate liability clause for corruption. That is to say the corporation as an entity should also be held liable if it is proven that its employees have resorted to corruption to further its business interest.

We want everybody in the society to work with and not against the MACC in combating corruption. Corruption is our common enemy therefore we need to fight it together,” Sutinah said in parting.

According to Sutinah, the MACC is now focusing on prevention sector transformation to enhance the capability and capacity of the staff. The full range of initiatives and strategies will be implemented in the second half of this year.

For her uncompromising commitment, unwavering dedication and sterling performance in spreading the anti-corruption message across all levels of the society Sutinah was bestowed the *Tokoh Srikandi Terbilang SPRM* (MACC Woman of Valour Award) by the MACC Chief Commissioner Tan Sri Abu Kassim Mohamed.

Investigation Division Director Datuk Mustafar Ali who takes over from Sutinah as MACC Deputy Chief Commissioner (Prevention) will have a tough act to follow.



Over to you ...Sutinah Sutan officially handing over the reins of the Prevention Sector to Investigation Division Director Datuk Mustafar Ali during the Handing Over of Duties ceremony. *Bemama Images*



**MACC Woman of Valour...**Sutinah Sutan being given a grand send-off at the MACA campus on June 13, 2014. *Bemama Images*

# NEW DIRECTION IN INVESTIGATION MACC ADOPTS PROACTIVE MEASURES



**Transparent and Accountable** ... Abu Kassim handing over a copy of the MACC Annual Report 2012 to the Chairman of the Special Committee on Corruption (SCC), Tan Sri Abu Zahar Ujang to be tabled in the Parliament. *Bernama Images*

**M**ACC Chief Commissioner Tan Sri Abu Kassim Mohamed said that the MACC has always been **INDEPENDENT, TRANSPARENT** and **PROFESSIONAL** in carrying out its investigations as empowered under the MACC Act. Abu Kassim said this during a briefing to the staff at the National News Agency of Malaysia (Bernama), on the MACC transformation process, including the success, achievements and challenges that the agency faced in fighting corruption.

"MACC activities are closely monitored by five independent bodies that act as check and balance mechanism. Members of these bodies comprise of former senior government officials, politicians from the government and opposition, private sector professionals, academicians, legal practitioners and respected individuals," Abu Kassim said.

The five independent bodies are the Anti-Corruption Advisory Board (ACAB), Special Committee on Corruption (SCC), Complaints Committee (CC), Operation Review Panel (ORP) and Consultation and Corruption Prevention Panel (CCPP). This means that the MACC has to account for all its actions and non-actions to these five bodies, which serve to enhance the efficiency and effectiveness of the MACC's administration. On top of this, both the MACC and SCC will also submit their respective Annual Reports to be tabled in the Parliament.

"The MACC adopts a proactive-based and an intelligence-based approach when conducting its investigation. While the intelligence-based involves following up leads and investigation reports received, the proactive-based investigations has been successful in revealing syndicate-based criminal activities," Abu Kassim said.

Since 2009, more than 40 cases categorised by the Deputy Public Prosecutor (DPP) as not viable for prosecution have been reopened by the ORP and eight of these have been brought to court for trial. This shows that the MACC is **INDEPENDENT, TRANSPARENT** and **PROFESSIONAL** in executing its designated legal obligations.

The MACC has also made an impact at the international anti-corruption arena. A MACC officer was seconded to the INTERPOL for a period of one-year. When his term expired in 2013, INTERPOL was very satisfied with the MACC's assistance that it has requested the MACC to continue the attachment.

**"The MACC adopts a proactive-based and an intelligence-based approach when conducting its investigation."**

*Tan Sri Abu Kassim Mohamed*

In terms of capacity building, the Malaysia Anti-Corruption Academy (MACA) has not only become the regional training hub for anti-corruption authorities in the Asia-Pacific region but also a global player for anti-corruption capacity and capability building.

Vienna-based International Anti-Corruption Academy (IACA) chose MACA to conduct the Module on Enforcement, which is one of the seven modules in its Master in Anti-Corruption Studies. Abu Kassim is also the Vice-President of the International Association of Anti-Corruption Authorities (IAACA) as well as Vice-Chairman of the IACA Board of Governors. These appointments are testament of MACC's growing international cooperation and recognition amongst anti-corruption authorities across the globe.

The MACC Chief Commissioner lamented that in spite of these achievements; the MACC seems to be the public's favourite punching bag for any malfeasance highlighted in the Auditor General's Report when Misconduct in Public Office does not fall under the ambit of the MACC.

"Corruption is not a victimless crime; actually the victim here is the Malaysian public hence fighting corruption is the duty of each and every Malaysian citizen," Abu Kassim said.



**Captive Audience...** Abu Kassim said that the MACC has always been **INDEPENDENT, TRANSPARENT** and **PROFESSIONAL** in carrying out its investigations as empowered under the MACC Act. *Bernama Images*

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