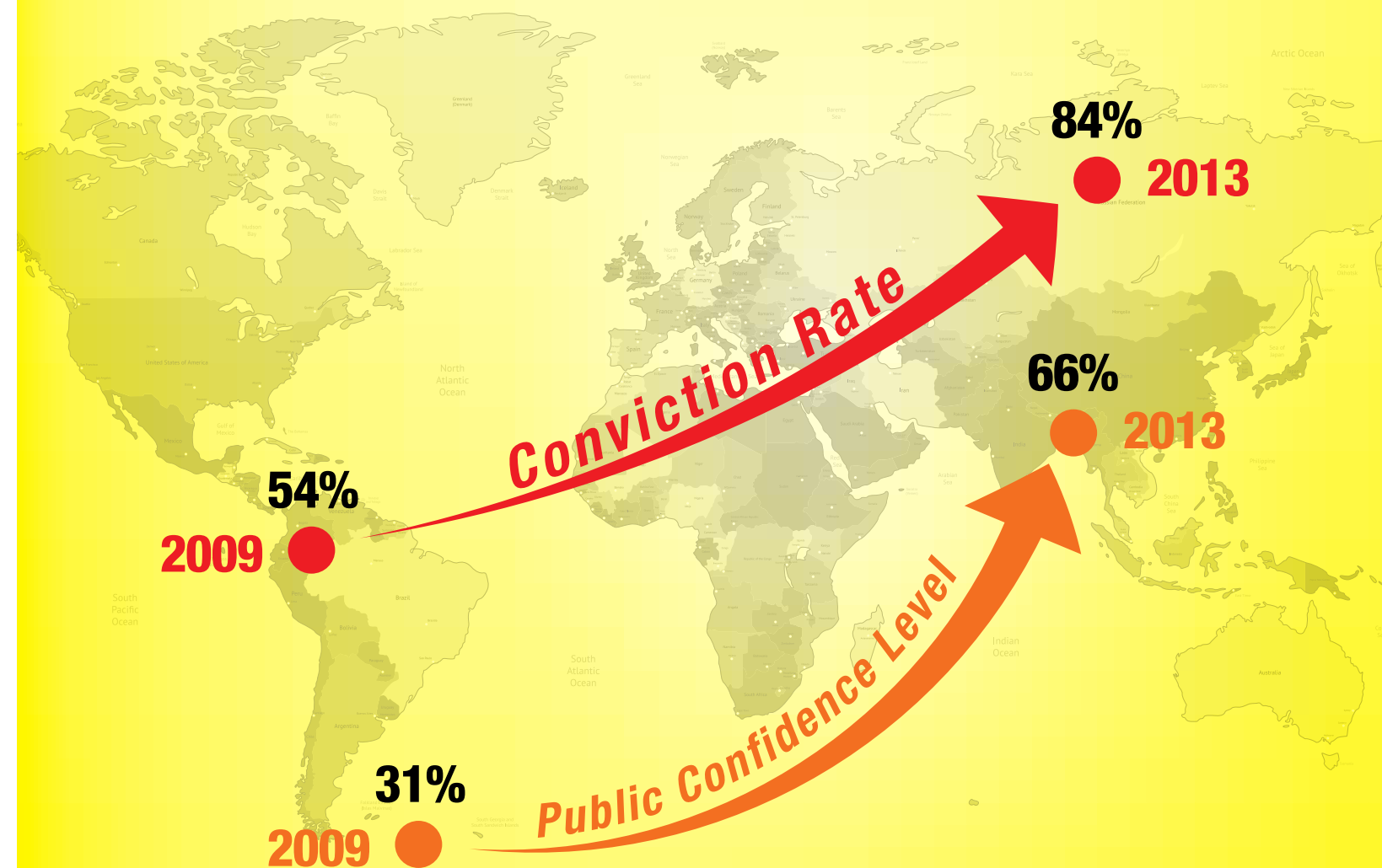




## MACC Transformation Impact & New Image



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# MACC TRANSFORMATION ATTRACTS INTERNATIONAL ATTENTION

By Mohd Azhar Ibrahim

The Malaysian Anti-Corruption Commission (MACC) has surpassed international standards in combating corruption by successfully completing 82% of its investigations within one year, which was also due to the implementation of more than 30 initiatives introduced under the Transformation Programme. MACC managed to complete 75% of its investigations in 2012.

in 2013, proofs that the MACC team-based investigation is bring in the desired outcome.

"The conviction level surpassed the international standards set at 80%," MACC Chief Commissioner, Tan Sri Abu Kassim Mohamed said.

The number of Investigation Papers

enforcement agency's operation strategies, effective management of human capital, and enhancing corruption prevention.

These measures serve to improve the MACC's performance and effectiveness in its operations, investigation, and prevention measures and consequently enhance public perception and confidence



Tan Sri Abu Kassim together with parliamentary Special Committee on Corruption (from left) Dr Tan Seng Giaw, Dato' Irmohizam Ibrahim, Tan Sri Abu Zahar Ujang, Datuk Doris Sopia anak Brodi, Datuk Noraini Ahmad, Dato' Fauzi Abd Rahman and Datuk Mustafar Ali. *MACC Images.*

MACC team-based investigations in 2013 resulted in 509 people arrested and charged with accepting bribes (172), giving bribes (171), making false claims (79), and the abuse of power (64).

Of the 107 corruption cases brought to the High Court in 2013, the Deputy Public Prosecutors (DPPs) managed to gain conviction for 81 cases or 76%. This is an improvement over the 59% recorded in 2012.

The DPPs brought 315 people to trial in the Special Session Courts for Corruption (SSCC) in 2013 and the courts found 265 or 84% of them guilty as charged. The steady increase in conviction rate won in the SSCC, from 54% in 2009 to 84%

opened by the MACC in 2013 had increased by 24% compared to 20% the previous year; Abu Kassim told reporters during a press conference after presenting the MACC Annual Report 2013 and the Anti-Corruption Advisory Board Annual Report 2013 to the members of the Special Committee on Corruption, Tan Sri Abu Zahar Ujang on 12 August 2014.

"The MACC's success in solving the cases proved that the MACC Transformation programme has yielded positive results," he added.

Implemented in 2011, the MACC Transformation programme involved strengthening the anti-corruption

in that the MACC is independent, transparent and professional in carrying out its investigations.

The MACC has introduced more than 30 initiatives covering both operations and human capital and has now entered into its third stage focusing on the implementation of the action plans on prevention.

**"The MACC's success in solving the cases proved that the MACC Transformation programme has yielded positive results"**

*Tan Sri Abu Kassim Mohamed*

## MACC TRANSFORMATION INITIATIVES

- Applying the MACC PEACE interviewing technique to gain the witness' or detainee's cooperation during the statement recording process.
- Utilising a Video Interviewing Room (VIR) in which to record statements.
- Using an investigation operations room (BGOS) to improve investigation procedures.
- Applying a team-based investigation (TBI) method.
- Introducing procedures for Private Sector Investigation.
- Applying pro-active investigation procedures.
- Establishing a Complaints Management System (CMS) that is effective and efficient.
- Establishing a Forensic Accounting Division.
- Reviewing the Standard Operating Procedures.
- Enhancing the qualifications & training of MACC Officers.
- Improving the treatment of Invited Persons.
- Enhancing the security measures at MACC Offices.

## IMPACT

- Increase In Public Confidence
- Increase In Conviction Rate
- International Recognition

### Among the improvements implemented under the MACC Operations Transformation include:

- Using the MACC PEACE interviewing technique to gain the witness' or detainee's cooperation during the statement recording process.
- Utilising the Video Interviewing Room (VIR) to record statements, which has helped circumvent any accusation of abuse and misuse of power by MACC officers.
- Applying a team-based investigation (TBI) method, including the use of an investigation operations room (BGOS) to improve investigation procedures in cases involving the private sector.
- Establishing a Complaints Management System (CMS) that is effective and efficient.

- Proposed amendment to the MACC Act 2009 to include a corporate liability clause that would make a corporate entity liable for any act of corruption perpetrated by its employee.

- Proposed amendment to the law to make the misconduct of a public official that results in leakages and wastage in the financial management of government agencies, a crime under the Act

MACC human capital development programme involves upgrading the skills, knowledge, integrity, competencies and technical expertise of its officers. It also involves updating its organisational structure.

The Human Capital Transformation targets to enhance public confidence towards the MACC and transform the Commission into a high performance organisation.

The Prevention Transformation is implemented through six service lines comprising Inspection; Private Sector Corruption Prevention; Content Development; Political Engagement; Civil Society Engagement; and Media and Communications.

The MACC Transformation has caught the eyes of other anti-corruption

authorities including international bodies like the United Nations Office on Drugs and Crime (UNODC).

Throughout 2013, the MACC has played host to 81 international delegations who wanted to have a firsthand look at the transformation process.

MACC's achievements and success in 2013 proof the commission is heading in the right direction.

This is demonstrated by the results of the survey on the Perception of Corruption and Effectiveness of MACC Efforts conducted by Universiti Kebangsaan Malaysia in 2013, which revealed that the confidence level of the public on MACC efforts rose to 66% in 2013 compared to 64% in 2012.





## BRUNEI TO EMULATE MACC TRANSFORMATION

The Malaysian Anti-Corruption Commission's (MACC) Team Based Investigation (TBI) method, which is one of the initiatives under the MACC Transformation programme introduced in 2012, has attracted the attention of the Brunei Anti-Corruption Bureau (ACB).

The TBI replaces the old method of solo investigation by an MACC officer. Instead, it employs a dynamic, systematic and organised investigation team comprising of MACC officers, including individuals from local and foreign agencies that possess special expertise required of the investigation.

The team gathers in the Investigations Operations Room or BGOS and makes optimum use of available resources to solve deadlocks, produce better quality investigations, shorten the overall investigation period, and achieve the desired outcome when investigating cases concerning corruption, abuse of power and malpractice.

This proactive investigation method has proved effective in assisting the MACC to tackle delays and weaknesses in investigations thereby achieve positive results.

The success of the MACC Transformation has caught the eye of the ACB, which has indicated its interest in emulating the MACC Transformation.

ACB Director, Datuk Paduka Muhammad Juanda A Rashid has asked for the MACC's assistance to train their Brunei counterparts to adopt the TBI method.

"The TBI has proven effective and I am very keen to have the ACB adopt this approach in Brunei," Juanda said in his opening speech at the 10th MACC-ACB

Annual Bilateral Cooperation Meeting held recently.

The two-day event saw the two anti-corruption enforcement agencies sharing investigation methods particularly those concerning cross-border crimes related to corruption, enabling them to compare notes and adopt best practices in fighting corruption.

Both agencies agreed to share their experience in human capital development and increase enforcement operations at the Malaysia-Brunei border, especially to curb the smuggling of diesel.



Datuk Paduka Muhammad Juanda A Rashid.

"Sharing the MACC Transformation experience will not only enhance the spirit of friendship and cooperation between the MACC and the ACB, it will also generate new ideas and strengthen our abilities in handling investigations, especially on cross-border criminal activities," MACC Chief Commissioner, Tan Sri Abu Kassim Mohamed said.

Abu Kassim also invited ACB officers to attend the Certified Integrity Officer (CeIO) Programme conducted by the Malaysia

Anti-Corruption Academy (MACA) Corporate Integrity Development Centre in Kuala Lumpur.

The CeIO programme is another MACC initiative to cultivate a culture of integrity and promote zero tolerance to corruption.

The programme, which is certified by the Integrity Officer Accreditation Board, enables participants to plan and make effective decision on matters concerning integrity, apply the integrity concepts directly and effectively in their organisation's daily operations.

Upon their successful completion of the programme, participants are awarded the title of CeIO and will be stationed at the Integrity Units in all government departments and agencies.

These Integrity Units ensure that all matters relating to government procurement uphold the principle of integrity, transparency and corporate governance.

The MACC and the ACB had their first Annual Bilateral Cooperation Meeting in July 2002 wherein both agencies agreed to extend their cooperation on matters relating to investigation, intelligence, legal, prevention, inspection and consultation, and training.

Henceforth, both agencies have stepped up their corporation and enforcement activities aimed to curb corruption and cross-border crime.

In the 2013 Review Report on UNCAC implementation by the United Nations Office on Drugs and Crimes (UNODC), the international body has recognised the MACC-ACB bilateral cooperation as one of the 23 best practices in anti-corruption efforts introduced by the MACC.



Strength in Solidarity ...Officers from the MACC and ACB at the 10th MACC-ACB Annual Bilateral Cooperation Meeting held in June 2014 at the MACC Wilayah Persekutuan Kuala Lumpur state office. *Bemama IMAGES.*

## OPPOSITION GIVES MACC TRANSFORMATION THUMBS-UP

By Yip Ai Tsin and Nor Faemah Ismail



MACC Melaka Director giving a briefing to the participants on the success and achievements of the MACC Prevention Transformation programme. *MACC Images.*



MACC Chief Commissioner, Tan Sri Abu Kassim responding to a question from the floor during the luncheon talk on 'Fighting Corruption Together' held in Johor. *MACC Images.*

The Malaysian Anti-Corruption Commission (MACC) hosted a Round Table Discussion (RTD) with representatives from the opposition parties in Melaka on August 4, 2014.

The RTD with Ayer Keroh State Assemblymen (DAP) Khoo Poay Tiong as the moderator, served as a platform for the opposition parties to voice their concerns and opinions on MACC's anti-corruption efforts in the state.

MACC Melaka Director, Senior Deputy Commissioner Ramli Ismail chaired the event while the State Deputy Director, Assistant Commissioner Ramli Hassan and ten MACC state officers briefed participants on the success and achievements of the MACC Prevention Transformation programme.

The opposition speakers commended the MACC on its achievements in raising anti-graft awareness among the people in Melaka.

According to Khoo, the MACC Prevention Transformation programme has bought much success and improvement in the Commission's efforts to curb corruption.

"The MACC has successfully demonstrated its determination and commitment to fight corruption and it has indeed transformed for the better. We, in the opposition, will lend our full support for the MACC in its public awareness programme," Khoo said.

Khoo praised the MACC for its efforts in inculcating an anti-graft culture among students in Chinese vernacular schools in the state and hoped it will be extended to all schools in Melaka.

His glowing commendation of the MACC's ability and credibility is shared by PAS Commissioner of Melaka Haji Adly Zahari.

"MACC's Transformation process has yielded a positive public impact – people have more confidence in the Commission now," said Adly, who also gave his assurance that PAS would work hand-

in-hand with the enforcement agency to increase public confidence in the MACC.

Meanwhile, PKR Youth Chief Shamsul Iskandar Mohd Akin said the party would fully support the MACC's public awareness campaigns and programmes.

"It is vital that we educate and assure the people – including the village chiefs and district leaders, that they should not be afraid to give information to MACC as they will be protected under the Witness Protection Act and Whistle Blower Protection Act," said Shamsul, who is also the Member of Parliament for Bukit Katil.

A similar programme was held in Johor Bahru with the opposition parties in the state of Johor.

The MACC hosted a luncheon talk on 'Fighting Corruption Together' in Johor Bahru, to exchange opinions and gather feedback from the opposition parties in the state.

MACC Chief Commissioner, Tan Sri Abu Kassim Mohamed stressed that the Commission is independent in its investigations and is accountable to the public.

Five independent bodies whose members comprised of eminent public figures act as the check and balance mechanism that oversees MACC's operations, Abu Kassim said.

Opposition Party representatives who were present voiced their willingness to assist the MACC in enhancing public perception.

The Opposition Members of Parliaments also pledged to support the motion to establish a Special Service Commission for MACC and provide a greater security of tenure for the chief commissioner's office.

"We will assist the MACC to overcome any shortcomings and challenges and bring these matters up in Parliament," said Johor PKR Secretary Steven Chong.



# TOP MARKS FOR MACC TRANSFORMATION

In 2011, the Malaysian Anti-Corruption Commission (MACC) introduced its Transformation Programme specifically designed to meet emerging complexities and challenges in fighting corruption and enhance public perception and confidence in the MACC.

The Transformation Programme involved three phases that focused on improving the quality and performance in the MACC's Operations, Human Capital, and Prevention Sectors.

The overall purpose of the MACC Transformation Programme is to improve the quality of its operations and transform the MACC into a strong, resilient and effective anti-corruption enforcement agency.

It also serves to highlight that the MACC is INDEPENDENT, TRANSPARENT and PROFESSIONAL in carrying out its roles and functions as an enforcer, advisor, educator and catalyst in curbing corruption in Malaysia.

The human capital transformation has been focused on four core pillars namely the organisation and structure, human capital focusing on its role, leadership and culture, as well as the performance and reward mechanism.

Subsequently, the Malaysia Anti-Corruption Academy (MACA) designed and conducted a series of training courses aimed to enhance the skills and knowledge of MACC investigation officers.

When these officers put into practice what they have learned, the United Nations Convention



Senator Datuk Paul Low Seng Kuan.

Against Corruption (UNCAC) conducted a review and in its Report released in May 2013, acknowledged that 23 of the policy and procedures practiced by the MACC officers as 'best practices' worthy of being emulated by international anti-corruption authorities worldwide in their fight against corruption.

"The MACC has taken initiatives to improve the skills and knowledge of its investigation officers, making it an effective, independent and professional enforcement agency," Minister in the Prime Minister's Department Senator Datuk Paul Low Seng Kuan, said.

Low, who is the minister in charge of human rights and integrity in the Prime Minister's Department, said this during a press conference in conjunction with the launching of the Anti-Corruption Awareness Day Campaign and the Principles of Life and Anti-Corruption Club at the UCSI University in Kuala Lumpur.

He said that under the MACC Transformation Programme, the anti-corruption enforcement agency has revamped its operational procedures, enhanced the skills of its investigation officers, implemented strict guidelines on what can or cannot be done, as well as upgrading the facilities of the investigation rooms.

Touching on the Auditor-General's Report, Low said the public tends to lump together issues concerning inefficiency, mismanagement, incompetence and genuine lack of skills as corruption, and place the responsibility on the MACC to put these right when they are actually under the purview of other departments or ministries.

According to the former Transparency International Malaysia (TI-M) president, a survey on petty corruption in Malaysia conducted by TI-M recently revealed that only three percent of the respondents admitted to having paid bribes in 2013.

"This is an improvement from the 9% recorded in 2012," Low said, and noting that Japan and Singapore also shared a similar experience.

Although the survey indicates that corruption does affect the daily life of Malaysians in general, we should strive for zero corruption.

"With the enactment of the Whistleblower Protection Act, the public should not hesitate to come forward to the MACC if they have knowledge or information on corruption," Low said.

## WELL DONE MALAYSIA - GLOBAL INDEX

The Global Competitiveness Report 2014-2015, in which Malaysia's ranking rose to number 20 out of 144 countries, has recognised that Malaysia is relatively successful in fighting corruption and bureaucracy.

According to the report, Malaysia, which has introduced major transformation strategies since 2009, stood out as one of the countries that had been successful in its fight against both corruption and red tape.

"In a region plagued by corruption and red tape, Malaysia stands out as one of the very few countries that have been relatively successful at tackling these two issues, as part of its economic and government transformation

programmes," said the Global Competitiveness Report 2014-2015.

It also stated that Malaysia achieved its best placing among 144 countries in the Global Competitiveness Report 2014-2015, ahead of Austria, Australia, France and South Korea. Last year it was ranked 24th out of 148 countries.

The findings of the report is another important recognition for the Malaysian Anti-Corruption Commission (MACC) and Malaysia in general after the Review of the United Nations Office on Drugs and Crime (UNODC) in May 2013 on Malaysia's compliance with the UN Convention Against Corruption (UNCAC), which recognised

23 best practices and successes and good practices in combatting corruption.

Included in this was the recognition of MACC's independence with the formation of the Operations Review Panel (ORP) – one of the five panels, which monitors its operations.

The report noted that Malaysia is the only country in the world that has five independent panels that oversee MACC.

"Malaysia ranks a satisfactory 26th in the ethics and corruption component of the ethics and corruption index, but room for improvement remains," the report said.

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