



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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Press Statement

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Civil service malaise caused by system of Management by Complaints

MANAGEMENT BY COMPLAINTS is a clever invention to shift responsibility for law enforcement on to the public by requiring that the public must lodge official reports for the enforcement agencies to start investigating something. Thus in the absence of public complaints, there are no issues that need attention or action!

It has therefore become common to hear various enforcement agencies, responding to the public questioning them why no investigation was carried out on reports of crimes and breaches carried by the media, by unashamedly stating that “no report has been received”.

This excuse was invented to create the perception among the public that law enforcement is being carried out very efficiently as there are no complaints on so many matters. It is a system for boosting the KPI's of the department/agencies and keeping statistics of breaches of the law as low as possible.

This total re-invention of the law enforcement system has resulted in a lot of lawlessness. It is not wrong to equate “management by complaints” to “management through non-action”! For instance, for the past several decades the Auditor-General's reports had been full of cases of excessive prices being paid for purchasing of goods and services by Government Department and agencies. Neither the police nor the MACC took any initiative to investigate and take action in the reported cases because “no official reports” were lodged. This resulted in what our current Prime Minister has called total corruption of the civil service.

And this total corruption of the civil service was creatively dismissed by an ex-Director General of the MACC who philosophised that the cases of overpayments/excessive payments for goods and services as reported in the AG's annual reports were the work of “stupid people” and “stupidity” was not an offence. As such the MACC could not take action for stupidity.

The recent and so far the worst case of environmental pollution, Sg Kim Kim in Johore, that resulted in over 6,000 people being seriously affected is a damning indictment of the “Management by Complaints” system.

It was the same DOE enforcement officers who had not noticed anything wrong in the area under their charge prior to this calamity that sprang into action and found so many things wrong. They were even able to track down the culprits.

Not only in Johore, but they also suddenly sprang into action in other states and found so many breaches of the law.

Since “Management by Complaints” is a creation of the government to keep statistics of non-compliance with laws as low as possible to create the perception of “efficiency” of its law enforcement system, we don’t envisage any action will be taken against enforcement officers for dereliction of duty.

Similarly breaches of the criminal law are often reported in the media, sometimes with photographic evidence, and the police do not lift a finger but ask the public to lodge official reports before it can start any investigation.

Does the police not have anyone monitoring the news media? It should be the official duty of the person(s) monitoring the media to lodge **that official report for the police to start investigation**. All that has to be reported officially by these monitors is that “The (name of media) today reported that (nature of breach, e.g. an assault case, a robbery case, etc) and attach a copy of the news item. Investigation can then start by taking statement of the reporter and other parties mentioned or identifiable, e.g. from photographs). Any officer charged with the duty to do so who fails to report any such news report should be charged for dereliction of duty and disciplinary action taken.

The Prime Minister recently spoke about re-introducing the old system to improve bureaucracy, ie. the desk file system, manual of procedure and workflow chart.

These only add to the paperwork and at best create perceptions of “efficiency”. We should go back to the system where heads at each level of every department are held accountable for any acts and omissions that happen under their charge.

Thus e.g. who was directly in charge of monitoring the industries around the Sg Kim Kim area? Should the tragedy that affected over 6,000 people, with 400+ hospitalised have happened if the officers responsible had been carrying out their duties responsibly?

From past experience, we doubt any disciplinary action for dereliction of duty will be taken against the officers.

Put a stop to the system of Management by Complaints and bring back the system of imposing strict disciplinary action, including termination of service, in order to improve the bureaucracy, and don’t toy with desk files, work procedure manuals and flow charts as the panacea to the breakdown of civil service efficiency.

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