

ORAL ANSWERS TO QUESTIONS

LAW AND ORDER

The Leader of the Opposition (Mr N. Bodha) (*By Private Notice*) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the law and order situation in the country, he will state –

- (a) the figures as from June 2006 to date relating to –
 - (i) murder, manslaughter, larceny with violence, sexual offences, indicating cases where minors have been victims, and child prostitution;
 - (ii) cases of illegal bill posting;
 - (iii) unlawful gatherings;
- (b) the specific measures adopted to curb cases of illegal bill posting and unlawful gatherings, and
- (c) any measures other than those already announced and implemented.

The Prime Minister: Mr Speaker, Sir, I wish to say right at the outset that law and order remains a matter of national concern and it is not a matter of party politics. It concerns all of us including the Opposition, the social religious bodies and every citizen of this country.

With regard to part (a) of the question, I am informed by the Commissioner of Police that the figures as from June 2006 to date are as follows in respect of the following –

	No. of cases
Murder	24
Manslaughter	2

Larceny with violence	779
Sexual offences	312 (out of which 186 minors have been victims)
Child prostitution	1 case reported to Police 11 cases reported for rehabilitation at the drop-in Centre of the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection

I am further informed by the Commissioner of Police that seven cases of illegal bill posting have been reported during the period under reference.

As regards to part (a)(iii) of the question, the number of unlawful gatherings reported was six.

Mr Speaker, Sir, in fact, in 2006, thirty-two cases of murder were reported, but by today nine of these cases have been reduced to manslaughter and wounds and blows without intention to kill. Therefore, this brings the total number for murder to 23.

The statistics show that there has not been any increase in the number of cases of manslaughter.

With regard to larceny with violence, I must point out that the number of reported cases has, in fact, gone down from 975 in 2005 to 875 in 2006, which represents a decrease of 10.25%.

Mr Speaker, Sir, there is an increasing trend in the number of cases of sexual offences. This is precisely why Government has introduced in the House the Sexual Offences Bill to provide for stiffer penalties and a more coherent approach for sexual offences.

As regards part (b) of the question, the Road Development Authority and Local Authorities have the power under Section 22 of the Roads Act and Section 102(3) of the Local Government Act 2003 to grant or refuse permission to any person to erect or display advertisements that are visible from a road, specify the specifications and impose conditions governing this permission.

Section 5(1) of the Road Development Authority Act stipulates that the duties of the Authority shall be to control the display of advertisement along or visible from motorways and main roads.

In the context of a proactive policing strategy adopted by the Mauritius Police Force, a number of initiatives have been taken to curb crime and criminal activities countrywide.

The specific measures taken by Police to curb cases of illegal posting and unlawful ones include -

- (i) Police surveillance and monitoring have been stepped up and police patrol units have been specially tasked to look out for illegal postings, writings, slogans and take necessary action to have them remove and report for enquiry at the local CID;
- (ii) A number of special operations are conducted on a regular basis, especially during week-ends to track down criminal elements and trouble makers, with particular attention to hot spots;
- (iii) The SMF and Special Supporting Unit are regularly deployed in support of Police Division in carrying out vehicle check points and such deployment has proved to be an effective deterrent against law breakers.
- (iv) Each Police Division organises a number of mobile patrols comprising the Emergency Response Service, the Divisional Support Unit, the Field Division of the Traffic Branch, the CID and the ADSU in support of all operations aimed at combating crime;
- (v) The Police Prosecutions Unit is coordinating efforts with Police station, Enquiry Pools and CID to ensure the early completion of all enquiries with the aim to ensuring early prosecution of offenders;

As far as unlawful gatherings are concerned, the Police issues necessary warning to those concerned. The lawbreakers are arrested and charged accordingly. In this connection, I wish to refer to the recent illegal gatherings that took place on –

- a) 9 April 2007, at about 2100 hours at Madras Street, Plaine Verte, an unauthorized public meeting was held by one I.G in respect of a demonstration which the organizers were planning to start on 10 April

2007. They were warned by the Police that the meeting was illegal and they were booked accordingly. An enquiry is under way in the course of which the said I.G was arrested and provisionally charged for -

- taking part in an illegal public meeting;
- also obstruction
- also intimidating population and unduly compelling a Government to perform an act in breach of Prevention of Terrorism Act. Police has objected to bail and he has been remanded to Police cell.

- (b) On 10 April 2007, at about 1000 hours, a group of about 300 persons from the Jamiat Ul Ulhoom gathered in front of the Government House whilst the National Assembly was sitting. They were carrying red and green flags shouting slogans against the judgment of the Supreme Court concerning the use of the loud speakers for prayers. As the gathering was not authorized by the Commissioner of Police, the Officer in Charge of the SSU gave warning to the crowd, to disperse but they paid no heed to anyone. At about 1245 hours the crowd dispersed peacefully towards Plaine Verte. The ringleaders having been identified by the Police, the Police has been given warning to arrest and punish the offenders.

Mr Speaker, Sir, under Section 3 of the Public Gatherings Act, any person wishing to hold or organise a public meeting or a public procession must give written notice to the Commissioner of Police not less than 7 clear days before the day the gathering is to be held or organised. It is noteworthy that the Act defines public procession as meaning a procession in, to or from a public place consisting of 12 or more persons proceeding on foot or in more than one vehicle, but excludes a procession held exclusively for a religious purpose or for a marriage or funeral procession.

Section 4 of the Act empowers the Commissioner of Police to regulate the circumstances in which a public meeting or procession may be held and to impose such conditions as he deems necessary for the holding of the gathering. Under subsection (3), the Commissioner may give notice of his intention to prohibit a gathering within 48 hours of receiving the notice, where he reasonably believes that the imposing of conditions would not be sufficient to prevent public disorder, damage to property or disruption of the life of the community.

Any person aggrieved by a decision of the Commissioner may appeal to the Judge in Chambers to seek a review of the decision.

Mr Speaker, Sir, the Act further empowers the Commissioner of Police to take any of the following measures in the event of an unlawful gathering -

- (a) that is use such force as may be necessary to prevent the holding of, stop or disperse public gathering;
- (b) to enter any premises or place in which any gatherings taking place, and
- (c) to prohibit access to any public place to prevent the public or any person from taking part in the public gathering.

As regards to a public gathering envisaged on a day on which the National Assembly meets and sits, such a gathering can only be held with the written authorisation of the Commissioner of Police. That was not the case with the recent event that I spoke of.

The existing legislation adequately empowers the Commissioner of Police to deal with the organisation of a public meeting or procession. And in a democratic set up like ours, such powers are to be exercised in a reasonable manner bearing in mind the rights of other members of the community not to be adversely affected by the holding of a meeting or a procession.

As regards part (c) of the question, the measures to be taken in future will include -

- (i) the Police/Public Partnership project which, in fact, is the Mauritian version of Community Policing which will give a greater boost with the launching of a number of initiatives to engage more actively with the population and other stakeholders. In fact, the Commissioner of Police is working in close collaboration with all stakeholders to launch this and it will constitute an ideal platform to exchange views with the policing issues and law and order in general.

In fact, we have intensified the crusade against crime in general by taking a series of additional measures which include the following -

- (a) the National Crime Intelligence Service has been set up to deal exclusively with intelligence relating to criminal activity. This unit will be called upon to play a key role in combating crime and managing law and order in the country;
- (b) closed-circuit television surveillance systems have been installed in commercial and high-risk areas such as the airport and the port;
- (c) and procedures have been initiated for the installation of the closed-circuit television street surveillance system to cover, at the beginning, the central parts of the city of Port Louis. But this project will be extended to other cities. This will be financed under the Chinese Line of Credit;
- (d) assistance has been sought and obtained from friendly countries such as U.K., France, United States of America and India to assist in law enforcement and capacity building of Police personnel, and
- (e) Police surveillance and monitoring have been stepped up in certain regions.

We have also embarked on a more targeted training programme for members of the Police Force to enhance their professional development.

I should also say, Mr Speaker, Sir, that we want to modernise the law governing crime and the investigation of crime. We want to equip the Police to work in such a way which commands public confidence; confidence that the law will be enforced effectively and that all illegal acts will be sanctioned. But, at the same time, confidence that the law will be enforced fairly also with proper regard to the rights of the suspect. In that respect, I should also add that we are looking at ways of implementing the McKay report, especially concerning delays and postponements over and over again. People come to the Courts, ready to depone for the case, and then you see that it is postponed because one barrister is sick or ill or whatever. Lord Mckay refers to that in his report and we want to implement what Lord Mckay has said.

I should also say that the Law Reform Commission is looking at all the laws relating to procedures in criminal investigations. That is why I say we want to modernise the law governing crime and the investigation of crime. We are

looking, in fact, at the possibility of introducing a Police and Criminal Evidence Act in this country which will put everything together, including the Code of Practice.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he is satisfied that there is the proper synergy between himself, as Minister for Home Affairs, that is, the symbol of authority, and the Police, with the Commissioner of Police at its head, who is responsible for the maintenance of law and order, on a day-to-day basis?

The Prime Minister: I am satisfied with that, Mr Speaker, Sir.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he has a regular briefing with the Commissioner of Police as was the case in the past?

The Prime Minister: Sir, in fact, I do have a regular briefing with him - not everyday, but when the need arises. But it takes place regularly.

Mr Bodha: May I ask the hon. Prime Minister how is he informed about the state of law and order on a daily basis?

The Prime Minister: I am informed by the Commissioner of Police on a daily basis. I talk to him on the phone, if need be, or he talks to me.

Mr Speaker: Can I remind the hon. Leader of the Opposition that, on 27 March of this year, a PQ was put by hon. Bhagwan and the same question was asked by the hon. Leader of the Opposition and answered by the Prime Minister?

Mr Bodha: Things may have changed by the time, Mr Speaker, Sir.

Mr Speaker: The question has to be rephrased in such a manner: "As from that date up to now whether there has been any new development."

(Interruptions)

Order!

Mr Bodha: Mr Speaker, Sir, in the past, the Commissioner of Police briefed the Prime Minister, for example, in the case of Sir Anerood Jugnauth, on a daily basis at 9 o'clock. My question was whether something has changed.

The Prime Minister: Mr Speaker, Sir, the hon. Leader of the Opposition brings that question. He must remember that the same Prime Minister, Sir Anerood Jugnauth, in fact, refused to meet the ex-Commissioner of Police at all. Does he remember?

(Interruptions)

Mr Speaker: Order, please!

Mr Bodha: Mr Speaker, Sir, in view of the fact that the Prime Minister sees the Commissioner of Police not on a regular basis, may I ask him whether he gives specific instructions to specific officers in the Police, thus creating a demotivation in the Police?

The Prime Minister: This is not correct, Mr Speaker, Sir. I know there have been articles in the press and all these things. In fact, I meet the Commissioner of Police on a regular basis, but what I mean is that it is not everyday. Sometimes, I talk to him on the phone; sometimes he sends me some reports. This is the way it is done.

Mr Bodha: Mr Speaker, Sir, in the past, when questions were asked, the ...

(Interruptions)

Mr Speaker: Order, please! Order!

Mr Bodha: Mr Speaker, Sir, one of the answers given by the Prime Minister in the past has been...

(Interruptions)

Mr Speaker: I said order!

Mr Bodha: One of the answers given by the hon. Prime Minister in the past, Mr Speaker, Sir, has been the introduction of a new Bail Bill in the House. The Prime Minister will agree with me that in many cases, alleged offenders of the most heinous crimes have been released on bail, thus we have cases where alleged rapists live in the same locality as the victims or alleged murderers live in the same

locality as the family of the victim. May I ask the hon. Prime Minister where are we as far as the introduction of a new Bail Bill is concerned in the House?

The Prime Minister: If the hon. Leader of the Opposition remembers, this was as a result of the case of Hurnam at the Judicial Committee of the Privy Council where they gave a right interpretation, in fact, they have clarified when bail can be refused and all those things. In the light of this, we are looking at whether it is a different interpretation of the very same Bail Act. But we are looking at it.

Mr Bodha: Mr Speaker, Sir, is the hon. Prime Minister aware that the hon. Attorney-General has been meeting regularly offenders and criminals in his office?
(Interruptions)

Mr Speaker: Can the hon. Leader of the Opposition connect it to the question, please?

Mr Bodha: The question is that we are setting a red carpet for criminals.

(Interruptions)

The Prime Minister: Mr Speaker, Sir, this is not correct. If you will remember – I don't want to mention names – Prime Ministers in the past have also met people to be known to have committed crimes. It depends on when, how and what is the purpose of the meeting.

Mr Bodha: In view of the fact that receiving Manan Fakoo, Mr Speaker, Sir, is a very wrong signal to the nation, may I ask the hon. Prime Minister whether he is aware that Mrs Sandra O'Reilly who was involved in a case of sexual assault, requested a meeting with the Attorney-General in the light of the legislation on sexual offences and that request was not accepted, Mr Speaker, Sir.

Mr Speaker: I will have to intervene at this stage to explain that the Bill is before this House and, according to our Standing Orders, no question can be put of a general nature on the principle of the anticipation rule.

(Interruptions)

Mr Bodha: It is a question about appointment.

Mr Speaker: Section 46 of our Standing Orders says -

“It shall be out of order to anticipate a bill by discussion of a motion dealing with the subject matter of the bill on a day before that appointed for the consideration of that bill.”

The hon. Leader of the Opposition will have all the opportunity during the debate to raise the question.

Mr Bodha: I will go by your guidance, Mr Speaker, Sir, but my question is very simple. On the one hand, you have the red carpet for alleged criminals and, on the other hand, you have people who want to help the nation in the maintenance of law and order and they have not been given the appointment. That is my question. Is the Prime Minister aware of this?

The Prime Minister: Mr Speaker, Sir, as I said – I don’t want to mention names – people who were known to have committed crimes in the past, people who have been accused and cases were in Court have met with people in authority before and we should not say that it is something that has not happened. I know what the Attorney-General has tried to do. He has genuinely tried to see if somebody wants to be arrested and is being looked for by the Police and the person is trying to see whether he can give himself up. I think it is in that perspective that it has to be looked at.

Mr Bodha: Mr Speaker, Sir, can I ask the hon. Prime Minister whether he approves the Attorney-General?

The Prime Minister: Mr Speaker, Sir, there was no sinister motive. I did say to the Attorney-General that this is not the proper way. Perhaps it does not have to be in the office if they want to surrender themselves to the Police. As I said, in the past, people who have been accused and whose case was still in Court, have come and met the Prime Minister.

Mr Bodha: Mr Speaker, Sir, in view of the time between the moment the offence is committed and the person is brought to trial, may I raise the case of Mr Reaz Chuttoo with regard to illegal bill posting? May I ask the hon. Prime Minister whether he is aware that Mr Chuttoo was arrested four years after the offence was committed? May I ask why that was the case?

The Prime Minister: Mr Speaker, Sir, even in other countries, this is the case. In the UK, somebody has been arrested 20 years after having committed a crime. It is better to arrest him than not to arrest him at all!

Mr Bodha: The Prime Minister, himself, has said that the Police have adopted a proactive attitude. We know that illegal bill posting is an offence and that, in many cases, this offence has been condoned. May I ask why, in that particular case, there was this harassment against a trade unionist four years after? With regard to other cases where inquiry has started, we still don't know what is happening two years after! *Ce que je veux dire, M. le président, c'est qu'il y a deux poids deux mesures.*

The Prime Minister: Mr Speaker, Sir, it depends, because sometimes new evidence comes forward. That must be taken into consideration. May I remind the hon. Leader of the Opposition of the case of Sir Gaëtan Duval? Somebody came out of prison after so many years and went to see the Prime Minister...

(Interruptions)

Mr Speaker: Order! Order!

The Prime Minister: That happens!

Mr Bodha: Mr Speaker, Sir, my question is whether there is not a selective treatment...

Mr Speaker: The hon. Leader of the Opposition means by the Police.

Mr Bodha: Yes.

The Prime Minister: It's not selective cases, Mr Speaker, Sir. As I said, sometimes new evidence comes up. I have just given the example of Sir Gaëtan Duval when he was arrested after so many years. When the person came out of prison, he directly went to meet the Prime Minister, and then Sir Gaëtan Duval was arrested.

Mr Bodha: Mr Speaker, Sir, let me come to the issue of unlawful gatherings. The Prime Minister said that there were six, but, in fact, there have been a series of gatherings, of people demonstrating in the streets without the authorisation of the Police. There was an incident involving the carcass of an ox in Ste Croix; there was an incident involving the criminal damage at the filling station of Ste Croix; another incident involving people again at the filling station of Ste Croix, because two people had been arrested and they wanted the Police to free them on parole; we had the incident at the Police Station of Montagne Blanche where, in the yard of the Police Station, somebody was stabbed to death; we had other unlawful gatherings. Mr Speaker, Sir, my question is: Is the Prime Minister

aware that, in the country, we have a climate of insecurity? People are coming to the streets, because they do not have confidence in the maintenance of law and order.

The Prime Minister: Mr Speaker, Sir, I should say to the hon. Leader of the Opposition that, in most of the cases, if not all of the cases – the two incidents at Ste Croix and the one at Montagne Blanche – these were not manifestations of people who asked for the authorisation of the Police. All these were spontaneous, people reacting, for example, with regard to the carcass of the ox and the case of the filling station, etc. This is not the first time this is happening. This has happened many times before. I will take the example of The Vale. At the time there was the uprising at The Vale, it was just because of a car accident. This has also happened, if we remember, at a stadium where there was a football match, and at Camp Chapelon as well. So, these are spontaneous reactions. This is why I say that we want to modernise not only the criminal procedure but the investigation of crimes also. The Police must earn the respect of the population. They must respect the uniform that the Policeman is wearing. This is why we say that there will have to be harsher penalties. For example, with regard to somebody molesting a Police Officer or somebody refusing to obey the instructions of the Police Officer, there will be harsher penalties. We also have to protect the Police Officers. It's not just one way, but also the other way.

Mr Bodha: When it comes to molesting Police Officers in public, in one of the unlawful gatherings a Police Officer was molested, assaulted, and there was a photo in the newspapers. May I ask the hon. Prime Minister what has been done in that case?

The Prime Minister: Mr Speaker, Sir, the inquiry is going on.

Mr Bodha: Has there been any arrest in that case, Mr Speaker, Sir?

The Prime Minister: As I said, I do not want to prejudice the inquiry. I know the inquiry is going on.

Mr Bundhoo: Mr Speaker, Sir, with regard to illegal bill affixing, may I ask the hon. Prime Minister whether he is aware that, at present, several illegal posters are being fixed all around the island. Secondly, there are also lots of banners that been being affixed to electrical and telecommunications poles.

May I also remind the Prime Minister...

Mr Speaker: The hon. Member cannot remind the Prime Minister; he has to put his question, please.

Mr Bundhoo: May I also remind the Prime Minister that, during the last general election, one political activist was killed whilst fixing banners? May I ask the Prime Minister what measures does he intend to take, in order to prevent illegal banners being affixed on the main roads?

The Prime Minister: Mr Speaker, Sir, in fact, I have asked the Commissioner of Police to see to it that this is being addressed, and he is doing it. But, unfortunately, when this happens everywhere at the same time, he does not have the ability to do everything at the same time. But, this is being addressed. If we would recall, in the case of the person who died whilst fixing a banner, we had broadcast a programme on television to explain the danger of so doing, and we are probably going to do it again.

Mr Bundhoo: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he intends to liaise with the Ministry of Public Infrastructure, in order to have all the posters and banners removed?

The Prime Minister: Mr Speaker, Sir, as I said, all this is being done. It is being liaised with the Commissioner of Police.

Mr Bodha: Mr Speaker, Sir, the Prime Minister has mentioned that there has been the setting of the National Crime Intelligence Service. May I ask him when this service was established, who is heading that service, and what has been done since the service has been implemented to further the maintenance of law and order in the country?

The Prime Minister: I don't think it is proper to say who heads the service, because it is an intelligence service. As far as possible, it is perhaps better that it stays anonymous. I can give the hon. Leader of the Opposition the name later on. Mr Speaker, Sir, it is, in fact, information obtained by this service that has helped to decrease cases of larceny with violence. It has decreased by over 10%.

Mr Bodha: Mr Speaker, Sir, to come to larceny with violence, there have been two recent cases. One in the constituency of the Prime Minister, in Triolet, and one in a very remote village of Rivière du Rempart, in l'Amitié. May I ask him where matters stand as far as the inquiry is concerned?

The Prime Minister: In fact, I am not in a position to give details, but I know that the inquiry is ongoing. Mr Speaker, Sir, we should not take it that, every time something happens, it is the Government which is at fault. We must also look at what society is doing. We know what happened yesterday in the

United States, namely in Virginia, where 32 people have died. Nobody is going to say that it is Mr Bush who is responsible for that. In fact, we also have to look at what society is doing.

Mr Speaker: Time is over!

(Interruptions)

Mr Bodha: I have one last question, Mr Speaker, Sir.

Mr Speaker: Time is over! Private Notice Questions addressed to the Prime Minister last 30 minutes. I am bound by the Standing Order.

(Interruptions)

I don't make the rules; I have not made the Standing Order. 30 minutes are over!

The Table has been advised that Parliamentary Question No. B/138 addressed to Dr. the hon. Prime Minister will now be answered by the hon. Attorney-General and Minister of Justice & Human Rights, time permitting, at the end of Question Time. Next item - Questions addressed to the hon. Prime Minister!

PRISONS – POPULATION & CAPACITY

(No. B/139) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to each of the prisons, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number of –

- (a) detainees who –
 - (i) can be accommodated therein, and
 - (ii) are presently on remand, indicating since when, in each case, and
- (b) are serving a prison sentence.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Prisons that the prison population in Mauritius and Rodrigues, as at 12 April

2007 stands at 2154, out of whom 1608 are convicted detainees and 546 are on remand. The Prison Service, including the Correctional Youth Centre and the Rehabilitation Youth Centres, has a total capacity of 2213.

I am tabling the information relating to the other matters asked by the hon. Member, that is, the number of convicted detainees and the number of detainees on remand in respect of each prison and also other information concerning the detainees on remand as requested by him.

Mr Lauthan: From the reply of the hon. Prime Minister, it is clear that our prisons are almost filled to full capacity. This is not a new problem. You remember that in the past lands have been identified for the construction of new prisons. Can I ask the hon. Prime Minister where matters stand?

The Prime Minister: It's a long saga, for example, the new high security prisons. In fact, that decision was taken quite a long time back; I think it is in 2001, if I am not mistaken. The procedures took so long and, eventually, in 2004 that land had to be re-looked at because the person was not prepared to give that land anymore. From 2001 to 2004, it was just the procedure to get the land. Now, the land has been identified at Melrose and we are taking expert advice from India on how to do this high security prisons.

TRAFFIC BRANCH - EQUIPMENT

(No. B/140) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will for the benefit of the House, obtain from the Commissioner of Police, information as to whether officers of the Traffic Branch are provided with all the equipment and tools they need to perform their duties.

The Prime Minister: I am informed that the Traffic Branch consists of –

- (a) a Central Traffic Office at Police Headquarters, Line Barracks; and
- (b) a Mobile Field Division based in each Police Area Headquarters to cover the area.

The Central Traffic Office, through its Licensing Section, deals mainly with the processing, issue and control of driving licences, maintenance of records, including records of previous convictions. Other sections of the Central Traffic Office are the Examiners Section and the Oral Test Centre; the latter has a computerised system.

I informed the House previously that the new Licensing and Driving Test Centre will be constructed away from the city centre where more spacious driving circuit will provide for modern testing facilities. Land has already been identified at Pointe-aux-Sables for this project and the Police has secured consultancy services for the preparation of a plan for the Traffic Branch.

The Mobile Field Division, with six field units and the Road Safety Unit, cover the entire island to enforce traffic regulations, and prevent and detect traffic offences.

I am also informed that all the divisional units of the Mobile Field Division are equipped to carry out their law enforcement and accident prevention activities as follows –

- 10 cars, some equipped with visual average speed computer and recorder,
- what they call caravans with various equipment for breath analysing, etc.,
- 1 lorry to take the cones away or wherever they want to put them;
- 114 motorcycles,
- 60 wireless radios,
- 5 radars, and
- 3 speed detectors and also the breath analyses.

Necessary action is being taken to provide additional equipment to the Traffic Branch so as to update old ones or also the defective ones so that they can reinforce the operational capacity of the field units.

Mrs Dookun-Luchoomun: May I ask the hon. Prime Minister whether he is aware that traffic officers have made complaints to the central office, stating that they do not have the proper equipment to carry out their daily activities and that they have been asked to issue contraventions to road users while they, themselves, do not have the proper tyres and that there is a severe lack of such equipment in that particular division?

The Prime Minister: In fact, somebody raised that question some time back about papers not being available. That is on a day-to-day operation of the Commissioner of Police; I will remind him of that.

SADC SUMMIT - TANZANIA

(No. B/141) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the special SADC Summit held in Tanzania on 29 March 2007 relating to the political situation in Zimbabwe, he will state if Mauritius was represented thereat.

The Prime Minister: Mr Speaker, Sir, Mauritius was represented at the Emergency SADC Summit Meeting held in Tanzania on 29 March 2007.

The Summit Meeting was convened at short notice at the initiative of the current Chairperson of SADC, the Prime Minister of Lesotho, and the Chairperson of the SADC Organ on Politics, Defence and Security Co-operation, His Excellency, the President of Tanzania.

The objective of the Summit Meeting was to discuss the current political and security situation in the SADC region.

In view of the short notice, it was not possible for me to personally attend that meeting, but I delegated our High Commissioner in the Republic of South Africa, Mr Dossa, to represent me at this meeting.

I wish to inform the House that Government issued a communiqué on 16 March 2007 in which it expressed its concern over the arrest, detention and assault of the opposition leaders by the Police Authorities in Zimbabwe.

Government also urged the Government of Zimbabwe to ensure that the basic rights and fundamental freedoms of all Zimbabweans are observed.

Mr Bérenger: Mr Speaker, Sir, being given that this was a Summit of Heads of States and Government, I understand that the Head of Government of Mauritius could not be present, but does not the hon. Prime Minister agree with me, since that Summit was called a few days after recent events in Zimbabwe, that

Mauritius should have been represented by, at least, the Minister of Foreign Affairs or any other Minister, if he was not available?

The Prime Minister: The problem was that it was at a short notice, Mr Speaker, Sir and, as you probably know, practically, all of them have their own airplanes, they can go all of a sudden if they are asked to come to a meeting. But, unfortunately, we are not in that position. The Minister of Foreign Affairs was taken up at a different meeting at that time, Mr Speaker, Sir.

Mr Bérenger: The hon. Prime Minister made reference to a communiqué issued by Government. In fact, it was a communiqué issued by the hon. Minister of Foreign Affairs. Can I ask the hon. Prime Minister whether he does not think that he, as Head of Government, should have issued a communiqué since this was the first time that several Heads of States or Government of SADC issued communiqués on the situation in Zimbabwe?

The Prime Minister: In fact, Mr Speaker, Sir, there is probably some misunderstanding on this. The communiqué was issued by Cabinet and, in fact, I, myself, corrected the communiqué, amended it in some parts, and then it was issued. But, I think they put “Minister of Foreign Affairs” at the bottom, that is the reason why there has been a misunderstanding. I personally looked at the communiqué and I amended it.

Mr Bérenger: Is the hon. Prime Minister aware that statements made by Heads of State of SADC on this issue – very careful statements – were reported by AFP, Reuters and other news agency, whereas, in the case of Mauritius, since the stand taken by the Government - it went through a Minister, a good friend, a reliable Minister - was not a statement from the Head of State or Government, it got no coverage at all?

The Prime Minister: In fact, it was from the Cabinet, Mr Speaker, Sir. Maybe I will look at that.

**INDEPENDENT BROADCASTING AUTHORITY –CHAIRPERSON
& EXECUTIVE DIRECTOR –
OVERSEAS MISSIONS**

(No. B/142) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence and Home Affairs,

Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the overseas missions undertaken by the Chairperson and the Executive Director of the Independent Broadcasting Authority, he will, for the benefit of the House, obtain a list therefrom, indicating in each case –

- (a) the countries visited;
- (b) the purpose of the visits, and
- (c) the expenditure incurred in terms of air fares and *per diem* allowances.

The Prime Minister: Mr Speaker, Sir, I am informed by the Director of the Independent Broadcasting Authority that the Chairperson of the Authority proceeded to Malaysia on an Information Tour in April 2006. The expenditure incurred for air fares was Rs35,667.

The Chairperson undertook a second Information Tour to France and UK in September last year. An amount of Rs43,166 was disbursed by the Authority for the payment of air fares.

I am further informed that for both missions, the Chairperson of the Independent Broadcasting Authority was accompanied by the Administrative and Board Secretary, Mr Christian Grenade. The total air fares in respect of the Administrative and Board Secretary amounted to Rs70,239.

In both cases, the Chairperson and the Administrative and Board Secretary were paid *per diem* allowances in accordance with the rates approved by the Ministry of Finance and Economic Development.

As for the Director of the Independent Broadcasting Authority, Mr Speaker Sir, I am informed that he has not proceeded to any overseas mission since his assumption of duty.

Mrs Navarre-Marie: Will the hon. Prime Minister state whether each and every mission effected by staff of the IBA is approved by the Board?

The Prime Minister: I should think so.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Prime Minister whether the Board is meeting as per the IBA Act, that is, five times annually? Has it been the case during the past months?

The Prime Minister: Perhaps, there have not been enough meetings, but this has been pointed out to the Board.

MBC – SENIOR NEWS EDITOR – ALLEGED CASE OF ROGUE & VAGABOND

(No. B/143) **Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to if a Senior News Editor has recently been arrested for alleged rogue and vagabond and, if so, if any action has been taken in connection therewith.

The Prime Minister: Mr Speaker Sir, with your permission, I shall reply to Parliamentary Questions Nos. B/143 and B/146 at the same time as they relate to the same subject.

I am informed by the Director-General of the MBC that a Senior News Editor of the Corporation, Mr A.M., was arrested by Police on 06 April 2007 for an alleged case of “Rogue and Vagabond”.

The Senior News Editor was interdicted from the services of the Corporation once arrested on that same day.

Police inquiry in the matter is in progress.

Mr Speaker, Sir, I am further informed by the MBC that the MBC rules and regulations do not require the Corporation to constitute a disciplinary committee at this stage. Departmental action, if any, will be initiated against the officer on conclusion of the court proceedings.

Mrs Perrier: Will the hon. Prime Minister confirm that this same person has had the same kind of previous case and whether he is a political agent of the Labour Party?

The Prime Minister: I am not aware that he is a political agent of the Labour Party. Very often, when you are in Government, everybody is your political agent...

(Interruptions)

Mr Jhugroo: Can I ask the hon. Prime Minister whether the MCIT is involved in the Police inquiry and if yes, why?

The Prime Minister: Well that depends on the day-to-day operation of the Commissioner of Police. If he has decided that it should be so, it will be so.

Mr Jhugroo: Mr Speaker, Sir, can I ask the hon. Prime Minister to state what is the package and other fringe benefits of Mr Mossae?

Mr Speaker: That is out of order.

SEXUAL OFFENCES – POLICE OFFICERS – TRAINING COURSES

(No. B/144) Dr. R. Mungur (Second Member for Flacq & Bon Accueil) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to specific structured programmes on sexual assaults, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the number of Police Officers who have been trained in connection therewith, as at todate;
- (b) the duration of the training courses, and
- (c) who conducted same.

The Prime Minister: Mr Speaker Sir, I am informed by the Commissioner of Police that todate, 413 Police Officers, both male and female have attended specific courses on sexual offences.

In addition, in the context of Recruit Training Courses, Sergeants' Development Courses and Inspectors' Development Courses, 1851 Police Officers from the level of Constable to Inspector have, since November 2004, received

training related to sexual offences, including action to be taken in respect of victims and the accused. The duration of the training courses varied from three days to two weeks.

The local training courses were conducted by the Police Training School, the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection and the Family Protection Unit, the National Human Rights Commission, the Office of the Ombudsperson for Children and a foreign institution, the Institute of Security Studies of South Africa.

Overseas training courses have been provided mainly by the Southern African Regional Police Chief Cooperation Organisation, the International Law Enforcement Academy of Botswana and the National Institute of Public Cooperation and Child Development of India and the Institute of Security Studies of South Africa. To date, 14 Police Officers have attended overseas training courses on sexual offences.

Mr Bérenger: Mr Speaker, Sir, I am sure that the hon. Prime Minister is aware that there have been several cases where victims of rape or sexual aggression of one sort or the other have reported that, when they reach the Police Stations, they have to suffer further from comments, unhealthy curiosity, and that kind of behaviour from some Police Officers. Can I ask the hon. Prime Minister what he intends to do about this?

The Prime Minister: We are well aware of this. In fact, I mentioned this to the Attorney-General yesterday and that is why we are trying to recruit more Women Constables and train them so that they deal with the victims in a separate area. This demands restructuring of some of the Police Stations.

Dr. Mungur: May I ask the hon. Prime Minister whether any assessment is being done at the end of the course?

The Prime Minister: I am not aware of any assessment being done, Mr Speaker, Sir.

Mr Lauthan: Mr Speaker, Sir, being given the nature of the offence of sexual assault where almost the majority of the victims are girls or women, can we have the ratio of women to men Police Officers who have undergone training?

The Prime Minister: Sir, in the Police force there are less Women Police Officers than men, but I can give the ratio later.

POLICE DEPARTMENT – NON –CITIZEN - APPOINTMENT

(No. B/145) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Police Department, he will state if it is proposed to appoint a non-citizen at the Head thereof and, if so –

- (a) the reasons therefor, and
- (b) when will the appointment be made.

The Prime Minister: Mr Speaker Sir, the answer is no. Therefore, parts (b) and (c) do not warrant an answer.

Mr Bodha: May I ask the hon. Prime Minister whether he proposes to appoint a non-citizen as a special adviser in his office as was the case in the past.

The Prime Minister: That is a possibility that I will look into. In fact, as the hon. Member probably knows, I met the Minister of Interior when I went to France and we have been looking at the help that can be provided, and if there is need to have some kind of Adviser to see that things are done. We have also great help from India and they have a National Secretary Adviser already.

Mr Bodha: The Prime Minister mentioned the name of Mr Shattock last time. I want to know whether his name is still on the cards.

The Prime Minister: Well, I said that Mr Shattock did a very good job; he moved the Police forward and we should continue the modernisation of the Police force.

MBC – SENIOR NEWS EDITOR – INTERDICTION

(No. B/146) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence and Home

Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House obtain from the Mauritius Broadcasting Corporation, information as to if one Mr A.M. has recently been suspended and, if so –

- (a) the charges preferred against him;
- (b) if a Disciplinary Committee has been constituted to conduct an inquiry thereinto, and if so, indicating –
 - (i) its composition, and
 - (ii) when it is expected to complete the inquiry.

(Vide reply to PQ No. B/143)

KIDNAPPING CASES – NOVEMBER 2006-10 APRIL 2007

(No. B/147) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, for the period November 2006 to date, information as to the number of –

- (a) reported cases of -
 - (i) kidnapping;
 - (ii) threats for the kidnapping of a person and/or a member of the family, and
- (b) persons who have been arrested in connection therewith.

The Prime Minister: Mr Speaker Sir, I am informed by the Commissioner of Police that for the period November 2006 to date, there have been 14 reported cases of kidnapping which have led to the arrest of eight persons.

I am also informed that for the same period, there have been two reported cases of “threats for kidnapping of a member of the family”. Two persons have been arrested in connection with one of the two cases.

SODOMY – CONVICTED CASES

(No. B/148) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the offence of sodomy, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to, since 2002 to date –

- (a) the number of convicted persons on a yearly basis;
- (b) if there has been an increase in the number of provisional charges lodged before the courts.

The Prime Minister: Mr Speaker Sir, I am informed by the Master and Registrar that the number of persons who have been convicted for sodomy since 2002 to date is as follows -

<u>Year</u>		<u>No. of persons convicted</u>
2002	-	8
2003	-	17
2004	-	4
2005	-	4
2006	-	11
2007 (Jan – March)	-	1

As regards part (b) of the question, I am informed by the Commissioner of Police that there has been an increase in the number of provisional charges lodged before the Courts during the period 2002 to date. The statistics are as follows -

<u>Year</u>		<u>No. of provisional charges lodged before the courts</u>
2002	-	17
2003	-	16

2004	-	14
2005	-	25
2006	-	43
2007 (Jan – April)	-	10

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, will the Prime Minister inform the House of the number of cases involving two male individuals?

The Prime Minister: Sir, I do not have the details as to whether they were male or female individuals, but I can look into that matter.

A.D.C. MR – ARREST – 10 APRIL 2007

(No. B/149) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, on 10 April 2007, one J.A.C. was arrested at Chamarel and, if so, whether at the time of his arrest he was found in possession of a gun, indicating if he holds the required firearm licence.

The Prime Minister: Mr Speaker Sir. I am informed by the Commissioner of Police that following information obtained, an operation was initiated by virtue of Section 30(2) of the Dangerous Drugs Act 2000 on Monday 09 April 2007 at 19.15 hours at the entrance of Seven Coloured Earth, Chamarel. One A.D.C., watchman at Société Ruisseau Catherine, residing at Chamarel, was arrested for having sold 500 grams of cannabis.

The following were secured from the offender –

- (a) 500 grams of cannabis leaves;

- (b) a sum of Rs1,800 suspected to be the proceeds of sale of drug;
- (c) one shotgun, and
- (d) two cartridges.

On 10 April 2007, a provisional plaint was lodged before the District Court of Bambous against him for –

- (a) drug dealing to wit “Possession of cannabis for the purpose of selling”, and
- (b) unlawful possession of firearm and ammunition.

On the same day, the house and premises of A.D.C. were searched, but nothing incriminating was found at his residence. He is still detained at Moka Detention Centre.

The firearm has been secured.

I am also informed that according to records kept at the Firearm Index, the person is not a holder of any firearm licence or a Servant Permit, that is, not as an employee.

On 14 April 2007, A.D.C. has claimed his right to silence in presence of his Counsel.

I am further informed that on 16 April 2007 one C.J.L. representing Société Ruisseau Catherine called at Petite Rivière ADSU Office and stated that on 09 April 2007, he killed a boar with his rifle. Having to go elsewhere, he remitted the unloaded rifle and two cartridges to the said A.D.C., instructing him to take same to his place until he would return. On his return, he says he would have placed the rifle in his safe. But when he returned home he learnt that the watchman had not returned the rifle. He consequently reported a case of missing at Baie du Cap Police Station on 10 April 2007.

C.J.L. has been arrested and a provisional charge has been lodged against him on 16 April 2007 before the District Court of Bambous for “unlawful transfer of firearm”.

He has been released on bail upon furnishing a surety of Rs20,000 and a recognizance of Rs25,000.

Inquiry is still in progress.

Mr Speaker: Next item - Questions addressed to hon. Members. May I inform the House that PQ Nos 164 & 167 have been withdrawn.