

Debate No. 23 of 29.06.2007**ORAL ANSWER TO QUESTION****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, Minister of Rodrigues & Outer Islands whether, in regard to law and order, he will state –

(a) the figures, as from January 2007 to date, relating to alleged cases of -

- (i) murder, manslaughter and assault;
- (ii) police brutality;
- (iii) hold-up;
- (iv) larceny of scrap metal and other metallic items;
- (v) larceny with violence where women and the elderly are victims;
- (vi) offences against tourists;
- (vii) drug related offences and offences dealing with pornographic material, indicating the respective number of cases in which minors are involved, and

(b) if any new pattern of criminal behaviour has been noted and, if so, the measures taken to combat same.

The Prime Minister: Mr Speaker, Sir, in reply to part (a) of the question, the figures show that from January 2007 to date, there has been 12 cases of murder, 3 of manslaughter and 6,299 of assaults.

As regards cases of Police brutality, a total of 74 cases has been reported, out of which 63 for physical abuse and 11 for verbal abuse.

There has been no hold-up in banks. However, 13 cases of attack on petrol stations and salesmen have been reported. One case has been prosecuted and 12 are still under enquiry.

442 cases of larceny of metal scraps, barriers, cables and electric wires have been reported. 68 persons have been arrested in connection therewith.

565 cases of larceny with violence have been reported. Out of these 156 involved women and elderly as victims.

78 cases of larceny have been reported by tourists. 23 occurred in apartments/bungalows and villas, 27 occurred in hotels and restaurants and 15 at residences while 13 on public roads.

1,971 drug related cases have been established by Police. 1,237 persons (including 25 minors) have been arrested in connection with these cases.

There has been no case of dealing with pornographic materials involving minors.

Those figures compared with the figures of similar crimes over the same period for the last three years do not show any significant rise in the crime rate.

Mr Speaker, Sir, as regards part (b) of the question, there has been no noticeable new emerging pattern of criminal behaviour as far as we can see. However, I have had discussions with the Commissioner of Police and, in fact, he has asked for a study on the evolution and pattern of criminal behaviour and national crime trends. I propose to seek foreign expertise to have the study carried out. The findings of the study will pave the way for the setting up of an Independent Crime Research Centre in Mauritius.

Mr Speaker, Sir, as I have always said, law and order is not a partisan issue. It remains high on the agenda of the Government. It is the undeniable right of all citizens living in a democratic country to expect law and order to be maintained and this by an efficient and effective Police Force which is there to serve.

We are fully committed to continue the process of reform and modernization of the Police Force. In order to deal with the threats of domestic and international crime and other emerging challenges, we are sparing no efforts in that respect.

Mr Speaker, Sir, the law and order situation prevailing today is not a new phenomenon. I would like to remind the House of serious incidents which occurred over the years; when I was in the Opposition I raised various Private Notice Questions as Leader of the Opposition.

Mr Speaker, Sir, at a time when the economic indicators are pointing in the right direction, we should be careful to avoid sending the wrong signal to foreign investors, tourists, the business community and the population at large, because it might undermine the image of Mauritius – I am not saying that they should not have asked the question, but we are a first-class tourist destination and we have to bear this in mind.

Of course, Mr Speaker, Sir, in today's globalised world, the suppression of crime and the preservation of law and order is indeed a daunting task. This is why we need a concerted effort on the part of all concerned, including the NGOs and the public at large.

Mindful of certain threats that can jeopardize the interest of the nation, the law and order situation and crime trend are reviewed on a monthly basis, and then appropriate security measures within legal framework are prepared and implemented in the national interest.

The newly set-up National Crime Intelligence Service, for example, is now regularly monitoring the evolution of crime and a number of preventive measures have been implemented to tackle in a more efficient and effective manner the problem of law and order.

Indeed, the National Crime Intelligence Service recently has been instrumental in drug seizures and arrests in Reunion Island and Madagascar. We have seen the recent case of the seizure of a firearm on an incoming passenger who, in fact, travelled from Paris and came to Mauritius.

Additionally the following measures have been taken -

- (i) 544 male Police Officers and 102 Women Police Officers have been appointed in a substantive capacity in April and May. In other words, we get 640 more Police Constables;
- (ii) we have made provision for 500 recruits who will be inducted in the Force by October this year to reinforce front-line policing at both station and division levels, thus ensuring more visible presence on the ground to keep check on criminal activities;
- (iii) proactive policing is being implemented with special focus on crime prevention and crime reduction strategies;
- (iv) Police technology will be improved as a whole and with the forthcoming installation of a CCTV Street Surveillance System first of all in Port Louis, but subsequently it will be to other parts of the country;
- (v) an Integrated Digital Radio Communication System will be procured for the Mauritius Police Force. We have made a provision of Rs25 m. in the Capital Estimates for the Budget that we have just passed;
- (vi) Police training will focus on emerging challenges. In this context, a number of cooperation programmes are being implemented with the assistance of our traditional partners, like India, France, UK and the US amongst others. Under the ongoing French Cooperation Programme, a number of CID officers and crime specialists have already been trained by French experts and other training courses have already been planned focusing on crime investigation techniques; and

Including other things that the French experts are helping us with. For examples, an expert on graphology and *photo robot* which we can then show on television and put it in different places;

- (vii) to improve crime investigation and detection, the Forensic Scientific Laboratory is being modernized. A new DNA equipment has been acquired to carry out DNA tests. We are coming shortly with a DNA legislation which will allow DNA tests to be carried out on persons suspected of having committed offences. Foreign expertise is again being enlisted for this purpose.

We have also, Mr Speaker, Sir, passed new legislation, tougher penalties across the board, taking into account what the Privy Council has said about allowing a case to be judged on its merit by the judges and magistrates; but we have since passed tougher penalties, including what we said to get life it means life.

We have also passed the Fire Arms Act, again a very tough piece of legislation. We have also the Sexual Offences Bill which deals with serial rape and others, but it has now gone to the Select Committee of the House.

Mr Speaker, Sir, I strongly believe that Police must adopt a zero-tolerance approach to crime. To sensitize the Police officers on the issues pertaining to human rights, the provisions regulating the “Protection of Human Rights Act” have been included in the curriculum of training for Police Officers.

Moreover, let me inform the House that the legislative framework for the setting up of an Independent Police Complaint Commission is being finalised, and will be introduced into the Assembly. The main object, in fact, of this Commission would be to investigate complaints made by the public against members of the Police Force. We know there have been complaints that the Police is investigating against the Police. This will ensure that the Police Complaints System functions in an independent, impartial and transparent manner.

Mr Bodha: Mr Speaker, Sir, let me, first of all, ask the hon. Prime Minister whether we could interpret the figures differently. I would like to ask a number of questions on what are the underlying problems behind the figures. There have been 6,299 assaults in six months, which means an average of 40 a day in 180 days. There have been 74 cases of Police brutality in six months, which means 12 a month. When it comes to larceny with violence where women and elderly are concerned, we had 180 cases – 1 a day. When it comes to larceny of strap metals, there were 422 cases in 180 days, which means about 2 a day. May I ask the hon. Prime Minister whether in these figures he does not see that there is a gravity in the pattern and that we should focus on a certain number of crimes, that is, we should target a certain number of criminal offences? I make a different reading of the figures.

The Prime Minister: Mr Speaker, Sir, probably the hon. Leader of the Opposition does not have all the figures. I have got the figures here for all the years and you will see that the pattern is the same. For example, if I take the total for the year 2000, it was 10,764 as far as assaults are concerned. In 2001, it was 12,051; in 2002 it was 11,894; in 2003 it was 12,425; in 2004 it was 12,770; in 2005 it was 12,894. So, again if you divide it, it will give the same pattern. I have always said one crime is a crime too many, but the pattern is maintained. It is the same with murder. If you want me, I'll quote the figures. In 2000, it was 26; in 2001 it was 27; in 2002 it was 24; in 2003 it was 26; in 2004 it was 28, and in 2005 it was 28. So, again the pattern is still the same. For manslaughter again, we have the same pattern. For violence and Police brutality complaints again it comes to the same pattern. If you want me, I'll give you the figures. It is the same pattern. For hold-ups, again it is the same pattern. For strap metal or other metallic items, there, of course, there was no such problem before. So, we don't have a comparative figure. But again, I must say, for strap metal, we have looked at it at Cabinet level. There are Regulations which are nearly ready. They will have to have licences, they will have to carry their IDs, to show the sources of the metals and all those things. This is being looked at.

For offences against tourists, again you will see it is the same pattern. In fact, I said the same pattern, but it suddenly went even further in 2004 and 2005. In 2005 we got 909 compared to what it was in 2001 where it was 264. And then it kept going up. The figures to date are a bit less and I hope they stay less. But as I said, one is one too many. We must not also forget that we have now more tourists than even before. All the hotels are full.

For drug related offences, again you will see the figures for 2002 were 3,022; for 2003 it was 3,361; for 2005, it was 3,537. So, again you will see that the numbers are the same. But as I said one is one too many. That is why we are bringing additional help to the Police. For example, the French assistance - I do not want to give all the details - there is only graphology, they are also training people on the scene of crime, what we call *portrait robot* which is very important and also for ballistics. They are also forming elements for the National Crime Intelligence Service and there are also other things that I can add, there is a long list. That is the situation. With these new measures that we are taking, we will get some positive results.

Mr Bodha: Mr Speaker, Sir, let us come on organized crime. I hope the Prime Minister is aware - he must have been informed - that there were seven hold-ups in one petrol station in a certain number of weeks. In fact, there was one on 31 December and two on 08 January. In the last case, one of the offenders was wounded. May I ask the hon. Prime Minister what has happened in that particular case at the petrol station of Caltex in Riche Terre? And what has the inquiry revealed so far and whether special measures have been taken in cases of petrol stations which have become specific targets of hold-ups?

The Prime Minister: Mr Speaker, Sir, in fact I should say two things. The owners of petrol stations also have to take certain responsibilities. We can't now put policemen in front of every petrol station. We have taken measures, I must say. They say that it is a problem where they take cash. Concerning credit cards, it will cost more because they have to pay a commission to the banks. We have had discussions about that in Cabinet also.

As far as the last case is concerned, I am told the Police inquiry is still going on.

Mr Bodha: May I come to the issue of Police brutality, Mr Speaker, Sir? We have 74 cases. Can the hon. Prime Minister enlighten the House why there has been suspension in the case of Nitin Chinien only and why is it that it has taken a whole week before the alleged Police officers were suspended? There has been suspension in only one case. What is happening to the 73 other cases?

The Prime Minister: Mr Speaker, Sir, we must treat it on the fundamental principle that somebody is innocent until he is proved guilty. There have been allegations. So, this is being investigated. Sometimes, people make allegations and then they pull out. The Police investigation is going on.

The hon. Leader of the Opposition said there is one case. In fact, the Human Rights Commission is dealing with the matter now. For the last case, for example, that he mentioned, the Human Rights Commission is doing the investigation with the help of the Police. This is the situation.

As to the question: why it took one week? In fact, we had to see whether it was true or not because there were two versions. One version was from the alleged victim and the other one was from the Police Constables. We had to see whether what they have said is actually true and all these things. It is after that that they have been suspended.

Mr Bodha: Let me come to the issue of tourists, Mr Speaker, Sir. In fact, when I was Minister of Tourism, I had a regular meeting with the CP. May I ask the hon. Minister whether he will agree that there has always been a travel warning on the United States Foreign Affairs website, but the warning which has been put these days is more severe? I don't know whether he is aware of that. May I just read it to the House, Mr Speaker, Sir

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« Thefts in tourist areas are a concern and visitors should keep track of their belongings at all times. Women are advised against walking alone particularly on public beaches and at night. There has been an increase in reports of sexual assault and harassment of foreign women. Americans should avoid crowds and street demonstration and maintain a low profile.»

Will the hon. Prime Minister agree with me that there has been, to some extent, a more severe warning? I agree with him that we have to see to it that the warning comes back to what it was before.

The Prime Minister: In fact, Mr Speaker, Sir, as the hon. Leader of the Opposition says it is not new. If you see the figures that I have just mentioned, it is slightly lower in spite of the fact that the number of tourists has increased.

I have all the warnings that we got from the Foreign Commonwealth Office, the United States, France, from different magazines like Paris Match, Figaro, Le Monde. I was the then Leader of the Opposition, and I was putting questions. In fact, one of the papers – I can lay it on the Table of the Assembly – the answers given were that first of all, there's nothing new, that 200 other countries have the same problem – that's what the then Prime Minister answered – and that it's not just Mauritius. Then he says : *'Il y a certes une recrudescence depuis quelque temps, mais cela arrive de temps à autre. Pensez-vous que des villes comme Londres et New York sont épargnées ?'* I was the Leader of the Opposition then. In fact, the notice says : *'les atteintes à l'image du pays n'inquiètent ni l'Etat ni le privé.'* There were alerts given in October and November 2002, and then in May and June 2004. It is the same thing. For example, I quote from one: 'you should take care of bags and valuables when visiting popular tourist areas, such as Grand' Baie, Flic en Flac and Tamarin. There has been an increased reported of break in(...)'. It is the same kind of warning. Let me remind the House what the then Minister of Tourism said at an official Tourism Prize Giving at Caudan. This is what he said –

“L'heure était à l'autocongratulation hier au Méridien, à Pointe aux Piments, lors de la deuxième édition du National Excellence Award. Le champagne a coulé à flots. La soirée était parrainée par Moët et Chandon. Le ministre, Anil Gayan, a fait quand même passer des messages bien sentis. Il s'est adressé à ces super puissances qui émettent des travel advices qui sont de véritables armes de mass destruction. Il se référait surtout à des autorités américaines contre des risques d'attaques terroristes. Nous sommes une destination sûre. Je fais appel à ces puissances de revoir leurs critères d'évaluation ».

This is what happened in 2004. Nobody is denying the fact that this has happened, but, again, it is the same thing. In fact, we had more alerts from more countries, more publicity in different papers than we are getting now.

Mr Bhagwan: Mr Speaker, Sir, one of the problems facing the public concerns the emergency response of the ERS. Can I request the hon. Prime Minister to ask the Commissioner of Police to look into the management of the whole fleet of ERS? Publicity can be shown on TV, in public places, so that the public is made aware of the ERS, just like we have the SAMU. In case of emergency, theft and so on, they know what number to call. Very often, we, Members of Parliament, are called upon to attend to emergencies, and the response is not so quick. As far as security of the public is concerned, the Emergency Response Service should be well equipped.

The Prime Minister: Mr Speaker, Sir, the hon. Member has raised a good point. In fact, I should say that there was no Emergency Response Service until 1998, when I introduced that. It is on a 24-hour basis. We increased the vehicles - I think I mentioned it last time - to 25 I think - I am saying it offhand. Before, when you dialled a 999 call, it used to go to Mauritius Telecom which put it through to the Police Information Room, and then the Police Information Room then put it to a Police Station. I have had cases of people saying that when they eventually get the Police Station, the Policeman there answers 'Oh! It's the wrong Police Station', and the whole process has to be started over again. Now, the 999 goes direct to the Police Information Room, and from there it goes direct to the ERS vehicle that is in the area. A monitoring was being done before about the time lag. I must ask the Commissioner of Police to ensure that this is respected. I think this is a good point, and we must make sure that they are responding on time.

Mr Bhagwan: Mr Speaker, Sir, I have a last supplementary question. It is a question of security on which I am not making partisan politics. One of the recent problems that we are having - I am talking of Rose Hill and even Quatre Bornes - is that of prostitution. We all reside in very important towns, and, since months now, it is impossible to walk around the main centre of Rose Hill and Quatre Bornes at 8.00 p.m. There is not only the problem of prostitution, but there are also drugs, thefts, larceny, etc. Can I request the hon. Prime Minister to, at least, look at ways and means to deal with this very, very urgent problem with the Commissioner of Police? I am not making politics out of this problem, because now it is affecting Beau Bassin and even Quatre Bornes.

The Prime Minister: Mr Speaker, Sir, the hon. Member again is right to say that. I take it on board, because it is a fact, and we also have seen it. When we finish late at the National Assembly, you can see this at Caudan. I think we have had complaints from Quatre Bornes. The Deputy Prime Ministers mentioned that some time back, and I did ask the Police to go there. But, as soon as the Police go somewhere else, they start again. We have to look at that. I will ask the Commissioner of Police to have a special squad to go around.

Mr Bodha: Mr Speaker, Sir, it is good that the Prime Minister acknowledges that there are a certain number of issues that we have to address at national level. On the issue of drugs, Mr Speaker, Sir, at one point in time, given the fact that it was mentioned that we had about 20,000 drug addicts in this country, and that the number is increasing, I asked

whether there were minors involved. I asked that question because social workers are saying that drug addicts are starting their addiction at a younger age. May I ask the hon. Prime Minister how this problem is going to be addressed in the years to come?

The Prime Minister: Mr Speaker, Sir, in fact, the problem is also linked to HIV/AIDS. We have seen a change in the pattern as far as HIV/AIDS is concerned. One of the reasons is because drug addicts are using the same needles and are spreading the disease. This has grown up quite a bit, and that is why the Ministry of Health has decided to introduce the needle exchange programme. We are addressing the problem of drugs with syringes.

Mr Bodha: Mr Speaker, Sir, the hon. Prime Minister has painted a picture. May I ask him whether there is not a feeling of insecurity, in spite of all that has been said, and that it's time that we have a *sursaut national*, and that he should lead the way to that?

The Prime Minister: Mr Speaker, Sir, there was a time when the Opposition was in Government, and there were no-go areas for the Police. It was so bad! For example, there were places like Karo Kalyptis, Résidence Kennedy, Beau Séjour, Stanley, Cité Mangalkhan, where the Police could not even go in. That is not the case now. The Police can go in. This has been dismantled. There are no no-go areas at the moment.

And also the hon. Leader of the Opposition has talked the *sursaut national*, but there was the biggest robbery in broad daylight when they were Government. Then also there should have been *un sursaut national*. Not even that, there was even somebody who was murdered in broad daylight in the vault of the biggest bank with the biggest security that you can think of. As the former Prime Minister answered, this is not a problem pertaining just to Mauritius. He said: go and see what is happening in Europe, in Paris and London. But, of course, as I said, we have to be very tough on crime. That is why we have passed very tough legislation. I think perhaps this has not been given enough publicity. People would have to think twice. Some people are going to be in prisons for a long time, and that is why we are building a new prison also. We are, in fact, looking at effectively whether we need to build more. But, as I said the other day, we have to be not only tough on crime but look at the causes of crime. That is why we are looking at the study that we think it is important.

Dr. Mungur: Mr Speaker, Sir, the hon. Prime Minister informed us that one passenger travelling from Paris and not from Timbuctu was arrested at our airport a couple days back for possession of firearms. May I ask the hon. Prime Minister when a similar arrest has been undertaken at our International Airport and whether the Police needs to be congratulated or not?

The Prime Minister: In fact, I have congratulated the Police. This is a very serious matter in spite of all the security that they have at Charles de Gaule International Airport in Paris. When we travel we know the kind of security that is in place, but in spite of that somebody managed to carry a revolver with bullets in his luggage - I don't want to give too many details. And he was going through the green channel, nothing to declare, but the National Criminal Intelligence Unit had intelligence, and that is why the man was stopped and his luggage was searched. We immediately informed Paris of what has happened on this flight; they are now looking at who handles luggages there and where the loophole might be.

Mr Ganoo: May I ask the hon. Prime Minister if he is aware of one complaint coming for the rank and file of Police Force? I am not making of this a political affair.

Mr Speaker: I would ask the hon. Member to put his question quickly because time is running out.

Mr Ganoo: There is a lack of equipment, not transport, but other logistics like boots, stationary, even phosphorous equipment and so on which hamper the Police Officers in their day-to-day operations.

The Prime Minister: This, in fact, is not something that has happened when I became Prime Minister. It has been there. I have already passed the message to the Commissioner of Police. I think there was a question from hon. Bhagwan about stationery. As you know this is a day-to-day matter for the Commissioner of Police; and the Constitution is clear, he looks at the day-to-day operations; I give general actions on policy.

Mr Lauthan: Etant donné qu'on a différents départements, tels que l'ADSU, Police de l'environnement, Police du transport, lorsqu'une doléance est faite à un policier appartenant à une section, on réfère la personne à une section. Le Premier ministre a bien dit que *one case is too*

many. Je vais demander au Premier ministre à ce que toute la force policière soit concernée par n'importe quel type d'offense.

The Prime Minister: In fact, Mr Speaker, Sir, I must say that there is an organisation in the Police; some people have been abroad and they have had training in different sections. That is why eventually cases have to be referred to them. I know what the hon. Member is saying, but I think also that you see better results. I mean the population is growing, we should have had an explosion if that pattern was maintained. As I said, for tourists, I think it is lower than it was. But we are not at the end of the year, we pray and hope that there are no additional cases. I must say also that I talked to President Sarkozy when he was Minister of Interior. He was very helpful and he has already started something and then we had to stop because there was the presidential election. Now we are going to proceed with this matter.

Mr Bodha: Mr Speaker, Sir, may I refer to the last part of my PNQ relating to offences of a pornographic nature. From the answer which has been given, it means that the cases where students were involved were not minors. May I ask the hon. Prime Minister whether it is not high time that we review the legislation regarding this aspect of the problem? Because it is creating havoc in a certain number of areas, mainly in schools?

The Prime Minister: The hon. Leader of the Opposition asked the question for this year, and I answered that no minors are involved on the date that he mentioned. But, in fact, we have to have a campaign, as he said, in schools also. I agree. But I must say law and order is a difficulty question. Any Prime Minister would say the same thing. But I think, on the whole I am confident that, in fact, we are going to bring the number down.

Mr Speaker: Time is over!