

ORAL ANSWERS TO QUESTIONS

- (i) **SSR INTERNATIONAL AIRPORT – SUBUTEX IMPORTATION**
- (ii) **ARSENAL – ASSAULT ON POLICE SERGEANT**

The Leader of the Opposition (Mr P. Bérenger) (*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 subutex, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if a certain politician had phoned –

- (a) the Anti Drug and Smuggling Unit headquarters, in connection with the arrest of one D. B. (alias Ved), on 27 February 2006, in possession of Rs2.5 m. worth of subutex at the Sir Seewoosagur Ramgoolam International Airport, and
- (b) the Line Barracks Police Station, on 25 December 2007 at about 3.00 a.m., in connection with the case of an assault with cutter on a Police Sergeant at Arsenal by an habitual criminal and subutex dealer, on the same day.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police as follows -

Regarding part (a) of the question, on Monday 27 February 2006, at about 08 50 hours, PS 4251 Somi who was on duty at the SSR International Airport was informed by the Principal Customs and Excise Officer, also on duty at the airport, that a case of illegal importation of subutex has been detected at the Customs Counter. The Sergeant immediately called on the person who was checking a bag registered in the name of the incoming passenger, one Deoness Bucktowar arriving from Paris, Charles de Gaulle Airport. The officers found and secured 344 blistered bags each containing seven tablets of subutex of 8 mg, making a total of 2408 tablets. The Sergeant cautioned Mr Bucktowar and questioned him about the subutex

tablets. With your permission, Mr Speaker, Sir, I'll say it in creole as it is. I don't want to change the meaning of words. He replied: "*mo fine amene sa parcel subutex la pour Raouf Juggoo ki reste la France et li finne dire moi remette sa avec ene nommé Nadeema et ou bien ene nommé Zaira.*" He revealed the telephone numbers of the two persons.

Mr Bucktowar was informed that he had committed an offence of possession of dangerous drugs. He was also informed of his Constitutional rights and he was told that he was under arrest. The Senior Customs and Excise Officer, Mr Ramdowar, secured the exhibit and handed the passenger together with his luggage to the Police Sergeant.

Thereafter, the suspect was brought to La Tapie Road, Brisée Verdière where by virtue of a search warrant, a search was effected by members of ADSU in the premises of the accused, but nothing incriminating was found.

Mr Bucktowar was detained at Rivière des Anguilles Police Station and was released on bail on 07 March 2006. Subsequently, on 17 May 2006, Mr Bucktowar was sentenced to pay a fine of Rs100,000 and cost of Rs500 by the Intermediate Court.

Mr Nadeem Ibrahimkhan, 29 years, Salesman and his wife Fatemah Zaira Golampeer, 19 years, housewife, both residing at No. 86, Pagoda Street, Stanley, Rose Hill have admitted being the owner of the cellular phones indicated by Mr Bucktowar. However, they denied knowing Raouf Juggoo nor were they expecting any parcel from France. They further denied any involvement in the subutex case and they were not arrested.

Mr Speaker, Sir, I am informed by the Commissioner of Police that there is no report of any politician having phoned the ADSU as alleged in the question.

With regard to part (b) of the question, on 25 December 2007 at 02 25 hours at Royal Road, Arsenal, an accident occurred in which a private car 5238 ZR 03 driven by one Sylvain Vivian Pottier knocked against an ox belonging to one Dhiraj Gopaul.

Following a phone call, a team of Police Officers led by a Sergeant from Terre Rouge Police Station proceeded on site. Whilst the Sergeant was attending to the case, one Louis Marcelin Humbert who was on board the private car allegedly made a call to the Attorney-General. Thereafter, Mr Louis Marcelin Humbert got excited and, according to the Sergeant, assaulted him with two fisticuffs at his face. He even tried to assault the Sergeant with a knife. As a result, the Police Sergeant was injured and was bleeding.

Mr Humbert also took away the ignition key of the Police vehicle.

Mr Humbert was arrested on the same day and was bailed out the following day, that is, on 26 December 2006.

Mr Sylvain Vivian Pottier, the driver of the private car called at Line Barracks Police Station on the same day at 05 30 hours and reported a case of road accident. However, before Mr Pottier reported to Line Barracks Police Station, a phone call was received by PS 6792 Nowbuth at 04 08 hours allegedly from the Attorney-General, reporting that there was a road accident at Terre Rouge and the party involved would call at the Line Barracks to register a declaration as there was a disturbance in the Terre Rouge Police Station area.

Mr Sylvain Pottier was also arrested on the same day and was bailed out on the following day.

The Police has completed the enquiry and prosecution is being initiated before the Pamplemouses District Court against -

- (i) Mr Louis Marcelin Humbert for “Assaulting a Public Functionary causing Effusion of Blood”; and for “Larceny and Possession of Stolen Property”;
- (ii) Mr Dhiraj Gopaul for “Allowing Animal to Stray”.

The case of road accident is still under enquiry and Mr Pottier is likely to be prosecuted for the offence of driving without due care and attention.

Mr Bérenger: Has the hon. Prime Minister asked the new Commissioner of Police whether he has checked that there are no entries in the Occurrence Book at ADSU Headquarters? Because my information is to the contrary.

The Prime Minister: Entries on the ADSU Occurrence Book on?

Mr Bérenger: The phone calls made by the Attorney-General to the Headquarters of ADSU following the arrest of Mr Bucktowar on 27 February. Has the Commissioner of Police checked the Occurrence Books to find out whether there are entries to that effect?

The Prime Minister: I don't know whether he actually had time to check on the books. But he has told me that there is so far no evidence that there was a phone call. But I am sure the inquiry is going on.

Mr Bérenger: Mr Speaker, Sir, I am sure the hon. Prime Minister will keep us informed. I repeat that my information is to the effect that there are several entries in the Occurrence Book. As far as the same gentleman is concerned, there is a PQ later on about how many times Sada Curpen has flown in and out of Mauritius - between France and here. Has the hon. Prime Minister had time to check how many times this Mr Deoness Bucktowar, alias Ved, has travelled between France and Mauritius after having been found guilty and fined?

The Prime Minister: Mr Speaker, Sir, we are looking at this information. This morning, I have asked to check on how many times he has actually travelled to and from France.

Mr Bérenger: Mr Speaker, Sir, I am sure that, by now, the hon. Prime Minister must be aware that this gentleman, Deoness Bucktowar, alias Ved, is one member of what I call the Sada Curpen gang here in Mauritius and in Paris. Is the hon. Prime Minister aware that the hon. Attorney-General stays with them, has been financially assisted by them, has received giant posters from them...

Mr Speaker: Hon. Leader of the Opposition, the question that you have put might impute motives insofar as the Attorney-General is concerned.

Mr Bérenger: Mr Speaker, Sir, I am talking about facts. Can I then ask the hon. Prime Minister ...

(Interruptions)

Mr Speaker: Can I ask hon. Ms Deerpalsing to keep quiet?

Mr Bérenger: She can't! She can't keep quiet! It's compulsive!

(Interruptions)

Mr Speaker: Order!

Mr Bérenger: Is the hon. Prime Minister aware that our Embassy in Paris uses the services of a *firme de location de voitures* owned or managed by this same gentleman, Deoness Bucktowar, alias Ved?

The Prime Minister: Mr Speaker, Sir, I am told that this was being done even before the new Ambassador. In fact, I remember that, at one time, I had been told that they had asked why can't they also vehicle the Prime Minister. I immediately turned down the offer, because I didn't know who they were. I said: 'No. I prefer to have my things done as they are done at the moment'.

Mr Bérenger: Mr Speaker, Sir, has the hon. Prime Minister then tried to find out how this trafficker in Subutex ended up renting his cars to the Embassy of Mauritius, as well as driving Ministers and other Members of Parliament around in Paris?

The Prime Minister: Mr Speaker, Sir, when he offered his services, I don't think there were then any allegations of Subutex or whatever. This was started before.

Mr Bérenger: Mr Speaker, Sir, it has been established that, on 23 July, the Attorney-General phoned ADSU. When the hon. Prime Minister gave the answer prepared by his staff and the Police, he said that the Attorney-General phoned at 9.00. Then, later on, after having received a piece of paper from the Attorney-General, he said no, it was 12.00. Can I know from the hon. Prime Minister which is which, and whether he has inquired into it?

The Prime Minister: Mr Speaker, Sir, in fact, I have lengthily inquired into it. I must say to the House that, when I said 9.00 at the beginning of my answer - it was in my official reply - it's ACP Padiachy who said that. Mr Lablanche said that he had this phone call and that he did not know anything. Then, there was the phone call back from Mr Padiachy. They have been again questioned, because the Attorney-General had said no. Rightly so, the hon. Leader of the Opposition said that, in fact, he sent me a piece of paper to say that it was not 9.00, but around 12.00. He has maintained that it is 12.00. They have been questioned again and again, and

have maintained that it was 9.00. The last thing that Mr Lablanche has said is: 'Further to my statement given, wherein I mentioned that hon. Minister Rama Valayden phoned me around 9 o'clock, I did not note the exact time, but definitely not 12.00 or 12.15.' As for ACP Padiachy, he said the same thing: 'Further to my statement already given...' Because they have not been questioned just once, Mr Speaker, Sir. '...I have to point out that I have never noted the time when ACP Lablanche called at my office on the material day, nor when I phoned hon. Minister Rama Valayden. The time mentioned in my statement may, therefore, not be precise. However, it was definitely not at 12.00 or 12.15 as mentioned in '*Le Mauricien*' daily.'

(Interruptions)

Mr Speaker: Order!

The Prime Minister: I must go on to say, Mr Speaker, Sir, that, obviously, one person is lying. One or two or three!

(Interruptions)

Mr Speaker: Order

The Prime Minister: I must say that, in all fairness, that I have inquired further. I have asked the Attorney-General whether he would be prepared to allow MT - I can get it, but I have to go to a Judge's Court and it will take time.

(Interruptions)

I have already done that but, in the meantime, to get matters going, I have asked him whether he is prepared to allow MT to give all his phone calls that are on record there, instead of me having to go and do it, as it will take a longer time. He has agreed that this be done. What we have done is to look at the telephone numbers. I must tell you, Mr Speaker, Sir, that, according to the record that we have, the Attorney-General called back, from the itemised bill received from Mauritius Telecom, the Attorney-General called at 12.22 hrs for 13 seconds on 23 July. ACP Padiachy returned the called at 12.43 and the conversation lasted 64 seconds.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, according to the same record, the conversation was around that time. We are still looking at all the records of the telephone calls. But, it is clear, from the official record that Mauritius Telecom has, that the phone call was made at 12.22, and then the second one at 12.43.

Mr Bérenger: Mr Speaker, Sir, of course, it's the phone call to Mr Padiachy. I am sure the hon. Prime Minister knows what a world of a difference it makes. Because, as stated by Mr Lablanche and Mr Padiachy the first time, when he phones at around 9.00, it means the Attorney-General was calling within minutes of the arrest of that bouncer, Mr Joly.

Mr Speaker: The hon. Prime Minister has said that he is trying to find out from Mauritius Telecom at what time the first phone call was made. We have to wait for that information.

Mr Bérenger: We are not going to wait! It's on record! Policeman Lablanche has maintained that it's around 9.00. Can I ask the hon. Prime Minister whether he does not find it shocking that, when this bouncer is arrested around 9.00, he straightaway gives the name of Sada Curpen? Immediately it is noted down. Then, suddenly, that bouncer turns legal adviser and discovers that he has '*un droit au silence*'. From then, he stopped cooperating with the Police. Does the hon. Prime Minister find that normal? It's clear what has happened!

The Prime Minister: Mr Speaker, Sir, I want to clarify two things. Very often, suspects say something and, then, when they get legal advice, they start saying that they will not...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, I must clarify another thing. The sequence of events is not actually as we have been told. For example, the Air France Flight AF 966 arrived at 5.10 a.m. The passengers disembarked at 5.20. Mrs Legallant appears at the Immigration Desk at 5.25. She passes Immigration, collects her luggage, with the name, bearing the tag number etc, and goes to the 'Nothing to Declare' channel. At 5.40, she leaves the airport building. At 5.50, she reaches the car park, meets the driver of the car, and gets in. It is then, that is, at 5.50, that ADSU and Customs Drugs Unit intercept both of them. Then, she admits carrying Subutex in her luggage for one Sada Curpen, and exculpates the driver.

At 6.05 she and the driver were brought to the ADSU office at the airport. At 6.10 the ADSU searches her luggage and finds drugs in the two gift boxes. She is questioned on the spot and she confesses to importing Subutex. At 6.20 ADSU springs a control delivery exercise with her consent. At 6.25 she leaves the airport in the car driven by Police officer with the drug on board. She talks through her mobile phone to Sada Curpen on his phone and Sada Curpen instructs her supposedly to go to the Jumbo car park - I won't go through all the details. At 7.15 Mrs Legallant is in the control delivery vehicle and she is left alone with the car so that they can come and collect her. It is at 7.25 that Mr Joly arrives in a private van and parks opposite the car, alights from the van, approaches the car and exchanges a few words with Mrs Legallant and then collects the boxes. It is then that the ADSU officers intercept him. He is arrested and cautioned and so on. That happened at 7.25. So, that changes a bit in the...

(Interruptions)

Mr Speaker: No comment from a sitting position, please!

Mr Bérenger: Mr Speaker, Sir, this is perfectly clear; and I am really shocked that he is still a Minister! Can I ask the hon. Prime Minister whether the Police has completed the inquiry on those allegations of a gang around Sada Curpen existing in Mauritius and whether any link has been found between the Air France steward and that gang?

The Prime Minister: They are still inquiring, but they have done a lot of inquiry so far. There is no link to link the steward to this so far.

Mr Bérenger: Is the hon. Prime Minister aware that it is Mauritian – from my information - working at the airport in Paris who handed the drugs to the steward?

The Prime Minister: Not only am I aware, Mr Speaker, Sir, but, in fact, we have given all these names to the French authorities so that they can deal with these people who work in France.

Mr Bérenger: Let me come to the second part of my question, Mr Speaker, Sir. I am going to table copies of a Minutes of proceedings of a Police Federation Meeting - Sergeants and Corporals Committee.

Mr Speaker: If the hon. Leader of the Opposition is going to table this, I will have to state that once the hon. Leader of the Opposition decides to table it, he will have to authenticate the document.

Mr Bérenger: I have no problem. The document is signed by the Commissioner of Police.

Mr Speaker: This is the rule of the Standing Orders.

Mr Bérenger: If the hon. Prime Minister want to have it with him when I put question, it might help! This is a Sergeants and Corporals Committee where clearly the officers come forward with complaints, if they feel that things have not gone as they should have gone and they make reference to this incident of 25 December. I am reading from page 3 in the Police English –

“PS Rajnath attended. The car driver assaulted the Police Sergeant with the cutter, stole the ignition key of the Police car and bolted away. Marcelin Humbert was identified as driver and assailant of PS Rajnath.”

Then, the Minutes of proceedings, signed by the Commissioner of Police and the officers, continue –

“Came Mr Vuddamalay, ACP, no doubt a seasoned officer and ordered a release on *parole* of Louis Marcelin Humbert.”

I heard the hon. Prime Minister say that he was arrested and freed on caution the next day. Wrong according to official papers! And I’ll quote the Occurrence Book of the Terre Rouge Police station also. So, he was ordered a release on *parole* of Louis Marcelin Humbert. I know this officer, Mr Vuddamalay, is one of our best officers; he would never release on *parole* if there had not been political pressure and later on, I will tell the Prime Minister what happened and those people who were released on *parole*. Is the Prime Minister aware of that?

The Prime Minister: First of all, there are obviously contradictions between the two, but this is the information I have from the Commissioner of Police which I've read today. If ACP Vuddamalay is a good officer, why did he then submit himself to this kind of pressure?

Mr Bérenger: Political pressure! It is clear! Do you know what is on the next page? The Commissioner of Police has signed this minutes of proceedings. Mr Vuddamalay orders the release on *parole* of the gentleman, Louis Marcelin Humbert. And do you know how the next paragraph reads –

“Prior to this mess(...)”

This mess of freeing people who have assaulted a sergeant and so on!

“Prior to this mess, the Minister of Justice rang Line Barracks Police on account of the accident at Terre Rouge.”

Mr Speaker: Order, please! Hon. Bhagwan, order! I said I am not allowing any comment to be made from a sitting position. Hon. Bhagwan, order!

(Interruptions)

Order, I said! I will not tolerate any other comments from a sitting position, from both sides of the House. Hon. Members have to respect what I have said.

The Prime Minister: Obviously, I did not have this document before, Mr Speaker, Sir, but I am relying on what the Commissioner of Police has told me in my answer. I will have to look into the matter whether there was, in fact, a phone call and what happened.

Mr Bérenger: We see at the last page that regularly those Minutes of proceedings are copied to Secretary for Home Affairs, Prime Minister's Office for the information of the hon. Prime Minister. He will take time to study that. Can I move to the Occurrence Book this time at Terre Rouge? On that same day, 25 December, at 4.15 a.m., Police report that they were informed that there was trouble at Arsenal. They went there, they were aggressed by this gentleman and five or six others. This gentleman took his portable phone and phoned - guess who? - the Attorney General. All this is

in the Occurrence Book: “Boss, moi ça, Marcelin Humbert ça. Nous fine gagne ene problem boss”, and he carries on like that.

(Interruptions)

Mr Speaker: Order now!

Mr Bérenger: This Police Sergeant is assaulted, bleeding in the face, he snatches – that is stealing Government property - the ignition keys of a car and then they all go away, disappear. Don’t forget in the meantime, the Attorney-General phones Lines Barracks. They turned up at Line Barracks to make up a case of road accident. They are brought back to Terre Rouge and there they are identified by the Policemen, including the Sergeant, as being those who assaulted him and this gentleman whom I respect - this Assistant Commissioner - comes and lets him go on *parole*.

The Prime Minister: Concerning all that the Leader of the Opposition has said, again I said that every time that they alleged the Attorney General has talked to them, we have to find out whether actually he has talked to them. Because, as politicians - very often, I have seen this happens, Mr Speaker, Sir; I am not defending anyone, but I am just saying in general - we have seen so many times, people use people’s name. We have to know whether it is actually the truth or is it actually the time to say that the Attorney-General has talked to him or whatever. This, we have to establish. Now the Attorney-General has agreed that all his phone calls can be looked at and all the numbers can be checked. So, we are in the process of doing this.

Mr Speaker: May I inform the House, we are left with five minutes and I expect brief questions and brief answers.

Mr Bérenger: Can I request that the hon. Prime Minister make sure that the recordings of all the different phone calls that could have been used by the Attorney-General are checked? Would the hon. Prime Minister agree with me that this Occurrence Book at Terre Rouge should be impounded forthwith?

The Prime Minister: I will see to it that the Occurrence Book is impounded Mr Speaker, Sir. The other thing I need to say is that we will, of course, get all the telephones, but the Police officers use official telephones. We have these telephone numbers. If, by any chance, they have other telephones, we will try to see what the connections are.

Mr Bérenger: I have two last questions. The hon. Prime Minister must have read what has appeared in the press. Yesterday hon. Dr. Burty David showed a document...

Mr Speaker: I am sorry, hon. Leader of the Opposition, you cannot ask the Prime Minister to comment on a press report

Mr Bérenger: I am not referring to the press. I am saying that, as a fact, hon. Burty David showed a document to the press.

Mr Speaker: But that is a press report.

Mr Bérenger: No, I have seen on television. He has done it; I am not relying on the press.

(Interruptions)

Mr Speaker: Order! Order! I am here quoting a ruling which was given by the Speaker in the House of Commons on 07 November 1962. I quote –

“It is not in order to ask a Minister to comment on the press report for which he is not responsible.”

(Interruptions)

Mr Bérenger: It has been alleged that a document was given to the hon. Prime Minister last year, giving information on again Sada Curpen and all those gangs existing in Paris. Has the Prime Minister had the occasion of looking at that or of requesting hon. Burty David to give a copy of that document because, supposedly, he has a copy?

The Prime Minister: In fact, Mr Speaker, Sir, I have to check not only on my side, but also with my staff. No such document was ever given to either me or anybody in the Prime Minister's Office. In fact, I rang him this morning to ask...

(Interruptions)

and I will like to see what is the document, but I think it is....

Mr Speaker: Order!

Mr Bérenger: My last question, Mr Speaker, Sir...

Mr Speaker: Last question!

Mr Bérenger: A few days ago, we established how the Attorney-General has interfered in that latest case. Will the hon. Prime Minister agree with me that what we've heard today...

Mr Speaker: Hon. Leader of the Opposition, I will request you to withdraw the word 'interfere', to rephrase your question so that it does not impute motives.

(Interruptions)

Mr Bérenger: Well, in view of the mess that we uncovered a few days ago and after the shocking things that we've heard today, does the hon. Prime Minister not agree with me that the reputation of Mauritius, *l'image, l'honneur de l'île Maurice* request that this Attorney-General be sacked?

(Interruptions)

Mr Speaker: Order! Order!

(Interruptions)

I said order. Order, now!

The Prime Minister: Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, I must say....

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, I must say that Members of the House know that, in the past, I have a record of having taken vigorous action against anybody, including Ministers. I am going to be undeterred in my will to do the same because we are *un état de droit*. I give a guarantee to the House that as long as I am Prime Minister, I will personally see to it that nobody should consider himself above the law, that the inquiry – we are going to get to the bottom - is going to be a full in-depth inquiry by the Commissioner of Police. I have asked him to go through all this and whoever has proof also should cooperate and give us the details or whatever, even if they are given to me or the Commissioner of Police so that we can look into them. I cannot substitute myself for the Police or the Courts or ICAC. What I can say is that I am asking the authorities to inquire and if there is any kind of evidence, I will act upon it.

(Interruptions)

Mr Speaker: Time is over!

(Interruptions)

Order! Questions addressed to Dr. hon. Prime Minister!

(Interruptions)

Order! I said order!

(Interruptions)

Can the hon. Member stand up and tell me what was said?

Mr Gunness: She said to hon. Bhagwan that he was a meter reader. This is the image of Mauritius!

(Interruptions)

Mr Speaker: Order! Order! Hon. Bhagwan!

(Interruptions)

Hon. Gunness! Order, now! Please, order now! There is no shame to be a meter reader and the hon. Member must be proud of it.

(Interruptions)

Order now! Hon. Bhagwan!

Order! Order now! Order now!

(Interruptions)

Order, I said! The Table has been advised that PQ Nos. B/1097 and B/1100 in regard to pilgrimage of the Bienheureux Père Laval and the Chairperson of the Mauritius Port Authority respectively addressed to Dr. the hon. Prime Minister will now be replied by the hon. Deputy Prime Minister, Minister of External Communications, time permitting. Questions addressed to hon. Prime Minister!