On this page, the Prime Minister responds to a question from The Leader of the Opposition (Mr P. Bérenger) regarding public comments made by the Honourable the Attorney-General and one Yusuf Elahee in relation to Police brutality. The Prime Minister states that there were no public comments made by the Attorney-General on 20 September 2009. However, on 28 September 2009, the Attorney-General made a statement regarding police brutality at a Parti Mauricien Social Démocrate meeting. An inquiry into the matter began on 1 October 2009.

In response to part (a) of the question, the Commissioner of Police reported that statements from 31 persons have been recorded to date. These include police officers, journalists, and personnel of the Unity House. The inquiry is still in progress.

Regarding part (b) of the question, the Commissioner of Police has sought recordings from the Independent Broadcasting Authority on 6 October 2009, which include:

- on 28 September 2009 on Radio Plus
- on 29 September 2009 on Radio Plus
- on 30 September 2009 on Top FM
Police inquiry is still ongoing. No arrests have been effected so far.

As regards to the alleged statement made by Mr Yusuf Ellahi, I am informed by the Commissioner of Police that, the Police, after having taken cognizance of the statement, found no ground to open an inquiry into the matter.

**Mr Bérenger:** I am very surprised by the last comment made by the hon. Prime Minister that the Police found no reason to inquire into the statement made and reported in ‘L’Hebdo’ of the given date - statement made by Mr Yusuf Ellahi who said that if the Police attempted to arrest the hon. Attorney General, *il y aurait des cadavres.* Does not the hon. Prime Minister agree with me that this is totally seditious and a direct threat to the Police?

**The Prime Minister:** In fact, Mr Speaker, Sir, the Police did inquire into the matter and they decided that there is not enough ground for doing anything else because it is well established in our political folklore, sometimes people say: *si to touche mon zenfant mo touye toi!*

(Halloes)

Hon. Bhagwan himself has said that so many times.

(Halloes)

**Mr Speaker:** Please, order! Order, please! I am calling the House to order from both sides, please! Let the hon. Prime Minister answer the question!

**The Prime Minister:** I was saying, Mr Speaker, Sir, it is very common in our political folklore, so many times people have said - hon. Bhagwan himself has said this in the past - *bizin marche lors mo cadavre!*

(Halloes)

Yes, he has!

**Mr Speaker:** Order! Order! Order, please!

**The Prime Minister:** If it is X, Y, Z, I will *tire coute balle ou bien marche lor mo cadavre.* This is the political folklore. Mr Speaker, Sir, if this were to be done, then they will have to arrest so many people in this country.

**Mr Bérenger:** I am really shocked by the attitude of the hon. Prime Minister concerning such a serious matter that involves the Police and security, Mr Speaker, Sir. We are informed
that the Police has started an inquiry since 01 October and that 31 persons have been questioned to date. Has the hon. Attorney General given a statement? Has he been asked a statement by the Police, if yes, when and is the hon. Prime Minister prepared to tell us that so many statements are not an attempt de noyer le poisson dans l’eau?

The Prime Minister: Either one or the other, Mr Speaker, Sir! Either the Police do the enquiry and interview as many people! Now the hon. Member does not want people to inquire from what he is saying. They have to take statements from people and not having yet interviewed the hon. Attorney General does not mean they would not interview him, it is up to them. I do not want to prejudice the enquiry, but the enquiry is going on and it will take the course that it has to take.

Mr Bérenger: We all know how provocative, irresponsible and dangerous the statements made by the hon. Attorney General were and the reactions that that provoked. Can the hon. Prime Minister tell us why there has been no arrest to date and confirm that the Police themselves requested that the hon. Attorney General be arrested?

The Prime Minister: I am not aware that the Police themselves said that hon. Attorney General has to be arrested, but they sought an appointment with the Commissioner of Police, then they made the statement that they made and the enquiry is going on.

Mr Bérenger: Will the hon. Prime Minister agree with me that this is a very serious matter when the three Heads of the Police Federation meet the Commissioner of Police, apparently, to get his green light to go and make statements against the hon. Attorney General of this country and this is an arrestable offence? Does the hon. Prime Minister agree with that course of action?

The Prime Minister: Mr Speaker, Sir, precisely, what the hon. Leader of the Opposition has just said, they went to see the Commissioner of Police and sought permission to make the statement. It is a fact that the Commissioner of Police allowed them to make the statement. If he did not want to, he would have said: “no, I don’t want you to make the statement.” But, in fact, things are following its course.

Mr Bérenger: I think I heard the hon. Prime Minister correctly, that the Police have impounded recordings. I tried to catch every word which was being said. Can I know how many recordings have been impounded and of emissions on what date?
**The Prime Minister:** From my record, what I said, Mr Speaker, Sir, it is four recordings; one on 28 September 2009 on Radio Plus, one on 29 September 2009 on Radio Plus, one on 30 September 2009 on Top FM and one on 01 October 2009 on Radio Plus.

**Mr Bérenger:** The hon. Attorney General has made repeated statements to the effect that when the hon. Prime Minister came back, he met the hon. Prime Minister and he was satisfied with his explanations. Is it the case that the hon. Prime Minister had decided to revoke the hon. Attorney General and changed his mind after having obtained so-called explanations?

**The Prime Minister:** Mr Speaker, Sir, as soon as I came back from New York, that is, on Thursday 01 October, I summoned the hon. Attorney General into my office for an explanation. I had to have an explanation. It is elementary also that I gave a fair hearing to whoever you think there is something wrong. I am saying what was said during the conversation. The hon. Attorney General agreed that he perhaps should have expressed himself differently. He was not saying all Police officers. In fact, if you see the phrase that he said - he said whatever he said - and then he said: this is not like this anymore. He was not saying...

*(Interruptions)*

**Mr Speaker:** Order!

**The Prime Minister:** No, he says that: he was not saying all Police Officers.

**Mr Speaker:** Order, please! Order!

**The Prime Minister:** Mr Speaker, Sir, let us be fair to people also, even to people in the Opposition. We all know that there are bad apples in every profession, be it lawyers, be it Police officers, be it accountants, be it doctors, be it politicians. We have bad apples in all these groups.

*(Interruptions)*

I take an example. Recently hon. Gunness himself raised a PQ. Right so! Don’t get worried! I am saying rightly so! He asked a PQ on a Police Officer in Bel Air who, when an elderly lady went to complain that she had been raped, he went and said...

*(Interruptions)*

**Mr Speaker:** Order!

**The Prime Minister:** It is! It can be also! He said: why don’t you go home, take a shower and sleep it off. He is a bad apple obviously, this is completely unacceptable. Not only in Mauritius, Mr Speaker, Sir, I must say that this happens, in every country, that have bad apples. In the UK, Mr Speaker, Sir, more blacks are subject to random search and arrest.
No, no, it is a fact! Even high level Police officers in the UK have complained to the Commissioner of Police about discrimination in the Police Force itself. Even in France, minorities allege that they feel targeted. There is a recent case in Germany, it only happened yesterday or the day before yesterday, Mr Speaker, Sir.

(Interruptions)

No, but I am saying that there are bad apples and that is what he said!

Mr Bérenger: From what I understand, the hon. Prime Minister is calling the hon. Attorney General a bad apple. I can interpret what he is saying in no other way, Mr Speaker, Sir. Apparently from what I have just heard, the hon. Prime Minister was more or less satisfied before taking his decision not to revoke the hon. Attorney General. Can I ask the hon. Prime Minister whether what he promised us in the recent past, that is, full enquiries would be made on two other incidents involving the hon. Attorney General, one the Subutex affair…

Mr Speaker: No, hon. Leader of the Opposition…

Mr Bérenger: I want to know whether the records are complete.

(Interruptions)

Mr Speaker: Order! Can I do my work, please? This question relates to one particular issue. If the hon. Leader of the Opposition wants to come back…

(Interruptions)

But it is not the Attorney General, it is a particular incident which is involved. I request the hon. Leader of the Opposition to come with another question if he wants to clarify this matter.

Mr Bérenger: Can I ask the hon. Prime Minister whether he is in presence of the full inquiries which he had promised us in these two incidents?

Mr Speaker: I said the question is irrelevant, I am sorry.

Mr Bérenger: I am sure everybody is quite shocked by the attitude that is being taken. The hon. Prime Minister has referred to the UK and so on. Can he give me one other country where the hon. Attorney General is in the situation where he is, where policemen have made statements with the green light of the Commissioner of Police against the hon. Attorney General? Can he give me any other country where that has taken place?

The Prime Minister: I just gave examples where, in fact, in the UK the Commissioner of Police himself has been attacked for being racist and by no more than the Deputy
Commissioner of Police himself. I will just remind the hon. Leader of the Opposition to look what he said himself. I am just quoting –

(Interruptions)

**The Prime Minister:** On the same issue, after attacking the Attorney General, he said: «Les descendants d’esclaves subissent de manière générale plus de discrimination et de brutalité policière que les autres composantes de la société qui ont un passé (...). He is more or less saying the same thing.

**Mr Bérenger:** Can I ask the hon. Prime Minister whether he will agree with me that it is the way the statements were made, the tone, purpose clearly and not a statement of fact made in another context and the reactions that it provoked? Will he agree with me that it is totally different?

(Interruptions)

**Mr Speaker:** Order please! Order! Order please!

**The Prime Minister:** Mr Speaker, Sir, I don’t understand the hon. Leader of the Opposition. Is he saying now that there is no police brutality in this country?

**Mr Bérenger:** If the hon. Prime Minister read the statement he has just read, I said that all communities are affected and I gave the example of Mr Ramlogun and others. That is what I said and I added the comment which is made. I think it is the first time that the hon. Prime Minister puts a question to the Leader of the Opposition and I have answered.

(Interruptions)

**Mr Speaker:** Order please! Order!

**The Prime Minister:** I have just quoted what the hon. Leader of the Opposition said. Let me repeat it: “Les descendants d’esclaves subissent de manière générale plus de discrimination et de brutalité policière que les autres composantes de la société. »

(Interruptions)

**Mr Speaker:** Let the hon. Prime Minister answer!

**Mr Bérenger:** It is not what the Prime Minister thinks, he corrects on that, Mr Speaker, Sir, and it is not a truth which we have discovered now. But I have never tried, like the Attorney General did, to exploit and create a communal problem in this country as in 1999.

(Interruptions)
Mr Speaker: Order! Hon. Bhagwan, please! Hon. Attorney General, please! I know it is a very sensitive issue, please cooperate with me!

Mr Bérenger: Can I ask the hon. Prime Minister, being given that he has been obviously not capable of quoting any other country where a Minister of Justice is in the situation where he is, where policemen, with the green light of the Commissioner of Police, have made statements that he has committed an arrestable offence - and still he is in his post, not revoked, I find that shocking - that he should not be the Attorney General, those enquiries are taking place, that he should be made to step down immediately?

(Interruptions)

Mr Speaker: Order! Order! Order!

The Prime Minister: Let’s keep our calm! I would have thought the other way round, Mr Speaker, Sir. Here is an example of a country where the Police decide they will make a statement against the Attorney General, they go and ask the Commissioner of Police who gives them the green light and they do so as an enquiry is going on and it is about to finish from what the Commissioner of Police tells me. On the contrary, I would have thought this is an example of how things should be done.

Mr Bhagwan: Mr Speaker, Sir, has the hon. Prime Minister been made aware that following this irresponsible statement of the Attorney General several police officers have been aggressed whilst in the performance of their duty?

The Prime Minister: I am not going to put all the sins of Israël on top of his head. If somebody aggresses a police officer it is because of the Attorney General.

(Interruptions)

Mr Speaker: Order, please! Hon. Bhagwan, you have put your question, you have got the answer, please keep quiet!

(Interruptions)

I am calling both of you! Order!

Mr Dulloo: Mr Speaker, Sir, may I ask the hon. Prime Minister …

(Interruptions)
Mr Speaker: Order! Hon. Bhagwan, please! Now I will have to take actions if this continues like this! I have been very calm and I am asking the hon. Members to cooperate with the Chair!

Mr Dulloo: In view of the fact that, as Legal Adviser of Government and of the nation at large, the Attorney General has constitutionally the duty and responsibility to intervene in bipartisan matters, including in determination of questions as to membership of this House and in important judicial matters like conduct of members of the Bar, irrespective of their political belonging, may I ask the hon. Prime Minister whether as Head of Government and as leader of the House, he should ensure that the Attorney General should in the first place not engage in high profile partisan political activism; secondly, that he should not undermine the institution of this country especially the police and police officers, and finally if he has got any evidence whatsoever, he should, on the contrary, take action and refer the matter to the competent authorities, including the court?

The Prime Minister: Mr Speaker, Sir, obviously, we all knows that the Attorney General is a member of a political party. He has his views also. But in this case, if I take what hon. Dulloo is saying, there is a police enquiry going on, we will have to have the evidence, and let the enquiry finish and then we will see what happens. But he seems to have a short memory, what about the case of Ashock Jugnauth who was condemned for fraud and corruption? He went and campaigned for him.

(Interruptions)

Mr Guimbeau: Mr Speaker, Sir, the Attorney General …

(Interruptions)

Mr Speaker: Order, please, let me listen to the question!

Mr Guimbeau: Mr Speaker, Sir, the Attorney General also stated, and I quote –

“Si je mens, qu’on me fusille.”

Does that mean that the Government encourages and believes in death penalty?

(Interruptions)

Mr Dulloo: The main question, Mr Speaker, Sir, and my supplementary question are as regards the conduct and behaviour of the Attorney General. Mr Ashock Jugnauth was a
candidate as he was legally entitled to under the Constitution and I am questioning the behaviour of the Attorney General as per the Constitution. Therefore, may I ask, for the sake of our institutions, whether the hon. Prime Minister, as Head of Government and Leader of the House, should not ensure that at least the Attorney General be perceived to be above party politics?

The Prime Minister: Hon. Dulloo has forgotten his question himself, Mr Speaker, Sir. He said members of the Bar. Mr Ashock Jugnauth is, as far as I know, still a member of the Bar. He was condemned for fraud and corruption and he campaigned for him.

Mr Dulloo: The hon. Prime Minister is wrong. He was judged as a Member of Parliament, not as a member of the Bar.

(Interruptions)

Mr Speaker: Order! I am on my feet! Order! Please sit down!

Hon. Bhagwan: Will the hon. Prime Minister give a firm undertaking to the House that there won’t be any interference in whatever way as far as the police enquiry is concerned?

The Prime Minister: Mr Speaker, Sir, I have no lesson to learn from the hon. Member. My record speaks for itself. Unlike you, so many times I have taken actions against my own Ministers. Give examples!

(Interruptions)

Mr Speaker: Order! Order!

Mr Gunness: Mr Speaker, Sir, in case the Attorney General finds that there is police brutality, does not the Prime Minister think that it is the duty of the Attorney General to refer the case to the hon. Prime Minister who is in charge of police?

The Prime Minister: He was referring to the case of Jean Marie Richard. That is why he made the statement.

(Interruptions)

I did not say anything. I did not cause any prejudice to the case; I just mention the case. Where is the prejudice?

Mrs Perrier: Le Premier ministre dans sa réponse certifie que les déclarations faites par l’Attorney General sont vraies. Est-ce qu’il ne pense pas que cela constitue un blâme sur son action en tant que Premier ministre responsable de la police pendant quatre ans et trois mois?
The Prime Minister: I can make a statement, but I don’t have the brain to give the brain to her to understand what I said. I never said it was true. She is now, as usual, distorting the facts and causing disinformation. I never said it was true.

Mr Bérenger: Mr Speaker, Sir, we all remember how much the country suffered in 1999, and who were responsible directly for what happened to this country. Can I ask the hon. Prime Minister, after saying that I am shocked by his attitude and behaviour today, whether, at least, he’ll give the guarantee to the country that he will not allow the then guilty, now Attorney General, to do damage to the country like was done in 1999?

(Interruptions)

Mr Speaker: Order! Order!

The Prime Minister: Mr Speaker, Sir, there was a judicial enquiry into that and there is a question later on purporting to that. There was a judicial enquiry. Let’s respect the institutions! Look at what the judicial enquiry said! There were cases that were taken on appeal and let us look at what was said then. But, I can say, Mr Speaker, Sir, and, as I said, the record speaks for itself. If I am satisfied that there is a *prima facie* case, I have never, never in my life hesitated to take action.

Mr Speaker: Questions addressed to Dr. the hon. Prime Minister! The Table has been advised that Parliamentary Question No. B/1037 addressed to Dr. the hon. Prime Minister has been withdrawn and that Parliamentary Question No. B/1025 will be answered by the hon. Minister of Agro Industry.