

Debate No. 36

Answers to Private Notice Questions - 14 October Year 2003

Debate No. 36

PRISONS -INCIDENTS

The Leader of the Opposition (Dr. N. Ramgoolam) (*By Private Notice*) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether, in regard to the recent incidents at the prisons involving violence against detainees, he will state -

the names of the persons injured and the nature of their respective injuries;

the reasons for the failure of the reforms undertaken so far and the measures he is taking to safeguard the detainees, including their health; and

whether they are linked to the cases of prisoners convicted for drug-related offences who have wrongly benefited from remission during the last three years, and, if so, the number of such prisoners.

The Prime Minister: Mr Speaker, Sir, with your permission, I will reply to the Private Notice Question of the hon. Leader of Opposition and to PQ Nos B/623, B/628 and B/629 together as they all relate to prison matters.

As regards part (a) of the Private Notice Question, I am tabling a list of persons injured with details of their injuries.

As for part (b) of the PNQ, I wish to inform the House that the reforms undertaken so far are bearing fruits. The House will be glad to note that the problem of overcrowding which existed in our prisons some time ago is now behind us. We shall nevertheless keep on monitoring the situation.

Moreover, the situation in our prisons is now well under control following several meetings I have had with the Acting Commissioner of Prisons, the Commissioner of Police and the AIDS Unit of the Ministry of Health. The right equilibrium has been found in that, while we fully appreciate the difficult, delicate and risky nature of duties performed by Prison Officers, we cannot and will not tolerate any abuse of authority. I wish also to assure the House that there will be no cover-up of the events of 26 September 2003 at the Central Prison. Appropriate action will be taken in the light of the Police report which shall be communicated to the Commissioner for Human Rights whom I met on Monday 06 October.

Finally, the functioning of the Board of Visitors will be reviewed and consideration is being given to recommendations made by the Human Rights Commission in relation thereto.

As for part (c) of the Private Notice Question, I am informed that no person convicted for drug related offences have wrongly benefited from remission during the last 3 years. I am nevertheless enquiring further into the matter.

With regard to the information requested at part (a)(i) and (ii) of PQ No. B/623, I am tabling a statement giving the information requested. The House will note that out of 2,588 detainees there were in all 1,616 convicted prisoners and as many as 972 remand prisoners.

As for part (b) of the same question, I am informed that procedures have already been initiated for the construction of a new prison at Rose Belle. As a matter of fact, contracts have already been awarded for consultancy for Quantity Surveying and Structural and Civil Engineering. The appointment of a Consulting Architect is awaited. Later, prisons will be constructed at Melrose and Cottage for which sites have already been identified and the Ministry of Housing and Lands has initiated the acquisition procedures. In addition, a new wing with maximum capacity of 448 detainees has been constructed at the Beau Bassin Prison and is already operational.

Mr Speaker, Sir, it is our intention to decrease the number of detainees on remand in consultation with the Judiciary. In this connection, I propose to consult the Chief Justice on the ways and means to decrease the length of time for which prisoners have to wait before being tried in a Court of Law. The Bail Act will be amended to review the list of offences not requiring detention.

With regard to PQ No. B/628, the number of HIV cases identified as at 09 October 2003 was 93 out of 1107 cases screened. Those, who have been tested HIV positive, have been regrouped in a separate block at the Beau Bassin prison so as to facilitate the administration of medical treatment and also to prevent the spread of the disease. I should like to place on record the excellent collaboration between the Prisons Services and the AIDS Unit of the Ministry of Health and Quality of Life. We are working towards a situation where all detainees would be screened in their own interest. I am equally satisfied that the treatment administered to the prisoners by the Prisons Authorities and the AIDS Unit is satisfactory. Furthermore, to prevent the spread of the disease, talks are being organised and counselling services are being provided. Rehabilitation of drug addicts in prisons will be reinforced. Consideration is being given to the setting up of a model *hospital prison* where would be treated all prisoners needing hospital treatment, including HIV/AIDS.

With regard to question B/629, I am informed that the prisoner in question has indeed levelled charges against some Prison Officers. A Police inquiry is on and the medical report is awaited. I will keep the House fully informed of the situation.

Dr. Ramgoolam: Can I ask the hon. Prime Minister whether it is possible to have the list that he says he will table? And can he say how many detainees have, at least, had treatment and how many have had to be hospitalised?

The Prime Minister: A list of detainees who were injured on the night of Friday 26 September being tabled adds up to 18 prisoners, the details of the injuries are also provided and I am also, as I said earlier, tabling the number of prisoners convicted and on remand.

Dr. Ramgoolam: Can I ask the hon. Prime Minister whether among the 18 detainees the list includes also the 4 who have been hospitalised?

The Prime Minister: I think it is a complete list. 18 is the title provided by the Prison Officers. It is all the detainees who were injured on the 26.

Dr. Ramgoolam: Can I ask him whether he can say for how many days has prisoner Wendy Lafleur been in coma?

The Prime Minister: Sir, I do not know the exact number of days, but I can inform the hon. Leader of the Opposition that I was in touch with the hospital and with his family everyday until, I must say, he miraculously recovered. He was in coma for several days.

Dr. Ramgoolam: Can I ask the hon. Prime Minister whether he can say on what time and what date exactly he went into coma and to which hospital was he taken?

The Prime Minister: I inquired in detail into what happened exactly during the night and in the early morning of the 27; the inquiry is still on. I must say that at this point in time I am not totally satisfied with all the information that I have received on the way that prisoner was treated, but also other prisoners who should have received medical treatment according to the information I have earlier than the day. But as I said, the report is still on. I shall keep the House fully informed.

Dr. Ramgoolam: It is a good beginning that the Prime Minister learns how difficult it is! But can I ask whether he was actually taken to two different hospitals as there is a contradiction from what we hear, that he was actually taken to Candos hospital first and then, the next day, to Nehru hospital?

The Prime Minister: There is contradictory information as the hon. Leader of the Opposition is rightly pointing out and that is being sorted out.

Dr. Ramgoolam: Has it been possible to identify whether in fact the Prison Security Squad has actually attacked those prisoners?

The Prime Minister: When there is refusal to obey orders and so on, some amount of force inevitably has to be used. The Prison Security Squad receives training to handle such situations as they should be handled, that is, with the minimum violence, minimum force that needs to be used. The inquiry is still on, but in front of us there are two versions; there is the version of the Prison Officers and that of the prisoners. I think we should allow the inquiry to be completed and the Police inquiry and the medical reports will be submitted to the Human Rights Commissioner whom I have met, as I said, earlier.

Dr. Ramgoolam: Can the Prime Minister say whether when Mr Wendy Lafleur was taken to the hospital he was in a coma at that point or did the coma take place afterwards?

The Prime Minister: It is not yet clear, Mr Speaker. I repeat: the medical reports have not come or have not reached me. So, it is not clear. I'll rather let both sets of inquiries to be completed - the Police inquiry and the medical reports.

Dr. Ramgoolam: I am sure they have done it. But, can he ensure that a blood sample has been taken on the very first time he came into hospital? Because it would be important to know whether the coma was drug induced.

The Prime Minister: My good friend, the Minister of Health, has taken note also. I take that point. I will inquire first, and if there is need to take further action, we will take further action along the lines suggested.

Dr. Ramgoolam: Can he confirm that the same prisoner has actually lost the eyesight from one of his eye?

The Prime Minister: No.

Dr. Ramgoolam: I heard the hon. Prime Minister say that there were two versions, as is usually the case. But can he say whether the films from the cameras have been secured?

The Prime Minister: Sure they must have been, Mr Speaker, Sir. The Police is in charge of the inquiry and I am sure the Commissioner of Police and his officers and Mr Jogannah who is posted at the Police must have done all the necessary.

Dr. Ramgoolam: When I asked that question to the Prime Minister in the past he said 'yes', and at the time you asked for the films to look at, they said that the films had disappeared or the camera was not functioning. This is why I am asking the question. It would be vital to know what has actually happened through the cameras - they must have filmed it. Can I ask whether any disciplinary action has been taken so far such as suspension of any officers pending the finality of the inquiry?

The Prime Minister: Mr Speaker, let me repeat something I said on Saturday. These events took place on the 26. I was sworn in on the 30th. The first meeting I had, as Prime Minister, was with all the people concerned the following morning. There was a very delicate situation that had developed until the 26. I repeat what I said. Strictly speaking, probably, several Prison Officers should have been interdicted or even arrested. But on the same count, the father of Wendy Lafleur, should have normally been arrested also by the way he behaved. There were accusations against him that he aggressed certain Prison Officers. The Commissioner of Police and myself discussed the situation in details;

(Interruptions)

Mr Speaker: Order!

The Prime Minister: We wanted a few days to allow everything to settle down. We talked to everybody and I did not want either *de casser le ressort, de casser le moral* of the Prison Officers but, at the same time, the Commissioner of Police and I could understand also the feelings of the father of Wendy Lafleur. So, we took a few days to allow matters to settle down; and, in the meantime, Wendy Lafleur's health recovered in a fantastic way. This gave me a few days to meet again with all the officers concerned and now the situation is well under control. I repeat there will be absolutely no cover-up and all those who need to be taken to task, if any, will be taken to task

Dr. Ramgoolam: What happened with the father is something else. According to the Prime Minister - he must have enough information to say that - some of them should have been suspended, if not arrested. If they are still there, does he not think there will be tampering with evidence?

The Prime Minister: There will be no tampering with evidence. As I said, the Police is in charge, not the Prison Officers. I have full confidence in the Commissioner of Police; Mr Joganah is there. So, the Police is in charge of the inquiry. There will be no tampering with evidence. There will be no cover-up either and sanctions if required will be taken.

Dr. Ramgoolam: How can the Prime Minister say there will be no tampering when the full possibility of intimidation is there? The Prison Officers will go and threaten those very people who were supposed to give evidence to say: don't say this, don't say that or else we will take care of you. That is the point I am trying to make.

The Prime Minister: Maybe the Leader of the Opposition mixes tampering with evidence with intimidation. These are two things. As I said, the Police is in charge of the inquiry, and I raised the issue with the Commissioner of Police. I know the Commissioner of Police and Mr Joganah. I know they will not allow for any tampering of evidence.

As far as intimidation is concerned, there has been only one allegation of intimidation of which I am aware. We will not allow for any kind of intimidation. There is one allegation made by Mr Wendy Lafleur to the effect that, whilst he was travelling to Rose Belle Hospital, one Prisons Officer - not directly, but he was in the vicinity - was saying threatening words. At this stage, this is an allegation that is being very seriously inquired into. But at this stage this is an allegation and an allegation only. I appeal to the hon. Leader of the Opposition that we should not go to the other extreme.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Those who are convicted, in certain cases, are hardened criminals. I would request the Opposition to bear in mind that the Prison Officers do a difficult and even dangerous job. I will give one example. Yesterday, a Prisons Officer was bitten, *mordu*, by an HIV positive prisoner. I am handling the situation very carefully. It

will keep on improving, but we should not believe everything that convicted prisoners say. It should be double-checked and we should have sympathy for the difficult job which Prisons Officers have to do in general and, now, with the HIV/AIDS situation, it becomes even more difficult a job.

Dr. Ramgoolam: I want to tell the hon. Prime Minister that we know of the difficulty that the Prison Officers have. I have been Prime Minister too and I know what difficulty they have and we sympathise with them. But here there seems to have been an attempt at murder practically, and, therefore, this is serious. Even though they are hardened criminals this is not

a certificate to go and beat them up and kill them. That is not a certificate for that. I am sure the Prime Minister agrees. Therefore, what I am ...

The Prime Minister: Mr Speaker, I will respond to that. Of course, I agree fully. But I repeat that there are *deux versions*. The Prison Security Squad and the Prison Authorities are saying that they had to use some force on that evening, because some of the prisoners were misbehaving, were refusing to obey orders. That is their official version. Then, we have the prisoners' version. We will know the truth at the end of the inquiries.

Dr. Ramgoolam: Precisely because there are two versions, it would have been very important to, at least, not to allow the same Prison Officers to have access to the same prison. That is the difficulty that you will get if you have two versions.

The Prime Minister: But I repeat, there has been no allegation of any intimidation. I am in touch daily with the Commissioner of Police, with the Acting Commissioner of Prisons.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: I am sure that all precautions have been and are being taken for no intimidation to take place in any way. The prisoners have the opportunity to say all that they wish or have to say, Mr Speaker, Sir.

Dr. Ramgoolam: The hon. Prime Minister has himself said that there has been at least one case of intimidation. I heard him say that earlier.

The Prime Minister: I said that there has been one and only one allegation of intimidation. The hon. Leader of the Opposition was talking to the hon. Member next to him. Maybe he missed that. It is an important *nuance*.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: I did not say that there has been a case of intimidation. I said that there has been one allegation of intimidation by detainee Wendy Lafleur and that it is being fully inquired into. This is what I said.

Dr. Ramgoolam: There has been, therefore, one allegation by one detainee. One is too many. I am sure the Prime Minister will agree to it. The fact that there has already been one allegation and the fact that these people are having access to the prison, obviously, if they wanted to have recourse to intimidation, they will have recourse to it and we will not know what is happening. That is why I urge the hon. Prime Minister to look into it

and perhaps avoid these people to have access to that prison. Let them go to any prison, if need be!

The Prime Minister: I will look further into it. But I am sure I will be able to inform the House that the officers whose names have been mentioned to date by the prisoners are not in touch with the prisoners. I will come back to the House. I will double-check on that. But I have taken it for granted that the Prison Officers whose names have been mentioned are not in contact in any way with the prisoners. I will confirm that.

Dr. Ramgoolam: I want to show to the Prime Minister that in a PNQ I put on 17 June to the then Rt. hon. Prime Minister, he did not seem to know anything that was happening in the prison. Furthermore, he quoted a letter from the Commissioner of Prisons who says: "Such problems do not exist. The allegations made are false and unfounded." We have seen what has happened. There were allegations of drug abuse, including heroine, sexual harassment, physical harassment, corrupt practices, gambling. The then hon. Prime Minister then said that he has to believe what the Commissioner of Prisons was telling him! I said to him that if there was going to be a cover-up, of course, he would not tell you everything that needs to be told. In view of this, I urge the Prime Minister whether he will again consider at least transferring some of these Prison Officers.

The Prime Minister: The Leader of the Opposition read what took place some time back in Parliament, so be it. I am satisfied that the former Prime Minister took the required measures and that is why I am saying that one of the major problems was overcrowding ...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: ... and that provided for a general deterioration of the situation. That is behind us. It is a big achievement and it has been achieved when the former Prime Minister was around. In life there is always room to improve and that is what we have been doing these recent days and will keep on doing.

Dr. Ramgoolam: I beg to differ with the hon. Prime Minister. The Previous Prime Minister knew nothing. I asked him a question: "Is he aware of what is happening in the prisons?" His answer was: "I have just like the Leader of the Opposition read what the newspaper is saying. I do not know whether it is founded or not." He did not take any action. But he is gone, let us forget about him. The Prime Minister then said that there was going to be

a report that had already started by ACP Joganah six weeks prior. Can the Prime Minister say whether that report has been completed and is he aware of the contents of the report?

The Prime Minister: We received regularly reports from Mr Joganah – very good advice. He is still there. The Commissioner of Prisons is on leave, there is an acting Commissioner of Prisons. There is team work going on and, as I said, Mr Joganah is daily on the job and provides reports daily.

Dr. Ramgoolam: The former Prime Minister made allegation to a report that is being finalised by ACP Joganah six weeks prior. I had, in fact, asked him whether there was any preliminary report because six weeks is a long time if these things are continuing, especially since the newspapers like '5-Plus', 'L'Express' and 'Le Mauricien' had actually published reports of what is happening in the prisons. He said that the report was not final. It is that report which I am referring to. Has Mr Joganah made a final report on the incidents at that time?

The Prime Minister: No. Mr Joganah – I am quoting from memory – was not called upon to make a report on the events of 26 September.

(Interruptions)

But the Leader of the Opposition put the question on the events of 26 September! Mr Joganah went there and gave a report on the situation in the prisons generally whilst the former Prime Minister was still in office. That was examined and since then we have received other complementary reports from Mr Joganah.

Mr Duval: Is the hon. Prime Minister aware that Mr Wendy Lafleur, whilst being seriously injured and was in a coma, was kept in chains on his hospital bed?

The Prime Minister: I do not think 'chains' is the proper word, but handcuffed. At one point, the hospital staff thought that it would be safer – I am informed that he was quite agitated at one point – to have him strapped to his bed. According to my information at a given point in time, this is what the hospital staff thought was better for his own good. After discussing with the Commissioner of Police, at one point I insisted that, whilst he was in coma, the handcuff should be taken away. One day was lost. Whoever had to hear me heard me. The handcuffs were withdrawn. I must say – I mentioned that earlier on – the way this young detainee has recovered *relève du miracle*. Within two days, without any cover-up or any making up, he recovered in a fantastic manner. He is a very difficult character. He had to be handcuffed again before being transferred back within hours, I must say, on the recommendation of the doctors. We have been as fair as we can be.

Dr. David: Can I know from the Prime Minister who gave instructions, while Wendy Lafleur was in a coma, for him to be handcuffed?

The Prime Minister: All prisoners that are sent to Rose Belle Hospital are handcuffed. Again, I would appeal to the Opposition not to make angels of all sentenced detainees. We have had quite a number of cases where detainees pretend to be ill and whilst being taken to hospital or whilst in hospital, break free. We have had several examples of that. So, it is regular practice for prisoners sent to hospital to be handcuffed to their hospital bed. This is standard procedure.

Dr. Chady: With regard to the HIV positive prisoners, the Prime Minister stated that there were 93 cases out of 1,107, that is, about 10%, which, as everybody will agree, is quite a high prevalence rate. Now that the prisoners have been transferred to Beau Bassin Prison, are they completely separated from other prisoners? Is it just HIV positive prisoners who are in one cell?

The Prime Minister: First of all, let me make it clear that not all detainees have been HIV tested, as I said in my reply. It is only those who have agreed to be HIV tested that have been tested. Those who refused have not been forced. Under the law, we can do that. I checked the law, and we can compulsorily have all detainees HIV tested. We are not resorting to that or, at least, not yet. With better co-ordination between the AIDS Unit of the Ministry of Health, which does a superb work, I have seen to it that there is increasing collaboration, so that those who are HIV tested are handed over to the AIDS Unit. They are trained, they are professionals, they know how to counsel, they know how to put information across, and they know also how to make the detainee understand that if he is HIV positive, he has to be HIV tested. Mauritius is one of the few countries where anti-retroviral drugs against HIV are given free not only to all prisoners but to all Mauritians and foreigners who are HIV positive. So, we are convincing them for all the detainees to agree to be HIV tested. I have no doubt that with the assistance of the AIDS Unit, we will progress in that direction. I agree with the hon. Member that 10% HIV positive is high, but I must say that I am not surprised. I think we all knew what was the situation. Now, we are proving that this is the situation. At a given point in time, before the 26, it was decided to have all the HIV positive detainees in one block. That is the

situation as it is today. I am not very happy with that arrangement and, therefore, we are looking at something else. I hope that in a few months' time, Mauritius will be a model there also. I would wish to have a model *hospital-prison* to take care of all detainees that need hospital treatment, including the HIV/AIDS, but not segregating the HIV/AIDS from other detainees requiring hospital treatment. There are other ideas that we are examining. I am going to bring in NATReSA also to help us with better rehabilitation inside the prisons. So, there are lots of things happening, and I am confident that in a few months' time the Prisons of Mauritius will be something that we can all be proud of.

Mr Speaker: Time is almost up. I'll allow the Leader of the Opposition a last question.

Dr. Ramgoolam: I thought that you would have given us more time, Mr Speaker, because some of my colleagues...

Mr Speaker: I am allowing you two more questions. I have already given you an additional five minutes.

Dr. Ramgoolam: Can the Prime Minister look into the question of handcuffed prisoners? Before the 26, one unconscious detainee died with his handcuffs on. Will the Prime Minister take that on board also?

The Prime Minister: The hon. Leader joined the gesture to his words. As far as I am aware, they are not handcuffed like he showed. One arm is handcuffed to the bed. I would again appeal to the Opposition. Sometimes, some detainees are so active, not to say violent, that the hospital staff will not approach them if they are not handcuffed to their bed. Even then, it is not always easy. It is a difficult situation; we are not dealing with angels only. So, let's keep serious about it.

Dr. Beebeejaun: We are dealing with human beings. I would like to draw the attention of the Prime Minister to the fact that this year a prisoner, suffering from a medical condition, transferred from Beau Bassin to Nehru Hospital, died with handcuffs on in spite of the doctors requesting that the handcuffs be removed. The reason given was that it's in the manual. So, I would propose that that they review the manual.

The Prime Minister: I agree with the hon. Member that we are dealing with human beings and not angels. We agree on that. If there is need to review the procedures, we shall do so.

Dr. Ramgoolam: I have got a couple of questions.

Mr Speaker: Unfortunately, I have ruled...

Dr. Ramgoolam: But, you said five minutes, Mr Speaker. Already one minute is gone. So, I can have four minutes.

Can I ask the hon. Prime Minister whether he is aware that one of the officers of the Prisons Security Squad has said that *l'ordre est venu de très haut*, referring to this attack on the prisoners? Is he aware of that?

The Prime Minister: I don't know how high he was looking, but all that I have seen shows that decisions were taken on the spot. Whether the officer concerned, if he did make that remark, meant '*de très haut*' within the prison service or what have you, we have to be careful what we read or hear these days. Everything has to be double, triple, quadruple checked. Let's wait for the reports to come in, in their final shape. But, I am convinced that the decisions taken were taken on the spot that evening.

Dr. Ramgoolam: The former Prime Minister, in his reply last time, said that an investigation was under way, after having quoted the Commissioner of Prisons saying that no problem existed. He said 'there is an investigation under way, and I wish to inform the House, in no uncertain terms, that should the inquiry reveal any lack of control or

tolerance of indiscipline, action will be taken'. That is why I asked about the report of ACP Joganah and what the inquiry revealed. It is important to know what it has revealed, whether things were left as they are, and we have ended with this problem.

The Prime Minister: I have no quarrel with the statement made, and measures have been taken; the main measure being that the Commissioner of Prisons has been asked to go on leave, and allow us to set the house in order. That is the main measure, and then there is the list of measures to which I referred – I am not going to repeat. But, the reform is on and, as I said, I have no doubt that in a few months' time the Prisons of Mauritius will be a place of which we can all be proud of.

Dr. Ramgoolam: Can...

Mr Speaker: Hon. Leader of the Opposition, I am sorry. I have been very fair to you. Can you take your seat? The Prime Minister has chosen to answer three other PQs together with the PNQ. This is why I have given ten additional minutes. If we go beyond that, this will be an abuse of the rules. I will allow you a last supplementary.

Dr. Ramgoolam: I thank you, Mr Speaker, Sir. Can I ask the hon. Prime Minister whether the Ag. Commissioner of Prisons was, in fact, in charge of the Prisons Security Squad before?

The Prime Minister: I am not aware. But, I made a point to refer to teamwork earlier on. We are in a difficult situation. We have the Commissioner of Prisons who has been asked to go on leave; we have an Ag. Commissioner of Prisons; and we have the No. 3. So, we are working as a team.

Mr Speaker: I am advised that PQ Nos. B/632 and B/642 will be answered by the hon. Prime Minister.

BEST LOSER SYSTEM

(No. B/622) Mr D. Hurnam (Third Member for Pamplemousses and Triolet) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether, in the wake of the democratic event of 12 September 2000 and the historic occasion of 30 September 2003, he will consider the appointment of a Constitutional Commission or arrange for the appointment of a Select Committee to review the provisions of the Constitution relating to the Best Loser System

The Prime Minister: Mr Speaker Sir, I join the hon. Member in rejoicing and sharing a feeling of national pride on the occasion of the democratic event of 12 September 2000 and the historic occasion of 30 September 2003.

Over the last three years, we have been translating into reality our electoral programme for the September 2000 general election which was reproduced faithfully in the Presidential Address of 03 October 2000. Considerable progress has been achieved to date.

It is the firm intention of this Government to complete over the next two years the remaining items in our programme. At the same time, I must point out that this Government will legislate on major issues only if it has a mandate from the electorate.

Our 2000-2005 electoral programme and the Presidential Address of 03 October 2000 do not mandate us to review the provisions of the Constitution relating to the Best Loser System. However, having said this, the House will remember that there is a Select Committee at work on the reform of our electoral system and the introduction of a degree of proportional representation. This exercise would inevitably impact on the Best Loser System. The Select Committee is expected to complete its work before the end of the month.

It is, therefore, not proposed to appoint a Constitutional Commission or another Select Committee as suggested by the hon. Member, but we shall certainly review the whole situation after having received the report of the Select Committee on electoral reform.

**PRISONS - PRISONERS SERVING SENTENCE,
REMAND CASES ETC.**

(No. B/623) Mr D. Hurnam (Third Member for Pamplemousses & Triolet) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will -

for the benefit of the House, obtain information as to the present number of prisoners;

ing sentence; and

emand at each of the country's prisons; and

say if additional detention centres are being put up and, if so, when will they be completed and made operational.

(Vide Reply to PNQ)

DRIVING TEST - APPOINTMENTS

(No. B/624) Mr D. Hurnam (Third Member for Pamplemousses & Triolet) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he is aware of the long queues and inordinate delays endured by applicants in quest for appointment for a driving test and which queues shape themselves as early as 0500 hours and, if so, will he use his good offices with the Commissioner of Police with a view to finding a reasonable solution to obviate the above difficulties.

The Prime Minister: Sir, I am informed by the Commissioner of Police that on an average 550 persons call daily at the Licensing Office for appointment which is given on a first come first serve basis.

I am further informed that the Examiners Section has a pool of 26 officers for the conduct of driving tests, and the number of persons convened daily by the Licensing Office is as follows -

Cars	350
Buses & Lorries	30
Taxis	25
Motor/autocycles	15
Oral tests	150

On average 30 minutes are taken per candidate for each test session. An average of 40% of those convened fail to turn up and of those who take the test, 66% fail.

The Line Barracks premises is a restricted area and access thereto is controlled by Police. Members of the public are allowed access only after check-in as from 0700 hours.

The Licensing Office operates from 0800 to 1600 hours during weekdays and from 0800 hours to noon on Saturdays with no break for lunch. From 0700 hours to 0800 hours, members of the public avail themselves of the sitting accommodation under the open veranda at the Traffic Branch.

Mr Speaker Sir, it is a fact that applicants have to queue up for an appointment.

In an endeavour to provide a better service, since July 2003, the appointment counters for driving and oral tests have been increased from two to three and the cashier counter from one to two. However, the Commissioner of Police has drawn attention that following an announcement made on 28 July 2003 of an increase in driving test fee from Rs60.50 to Rs300 as from 01 August 2003, some 8,000 interested parties called at the Licensing Office to take advantage of the situation thereby causing a backlog on the waiting list. A return to normalcy is expected in two months time.

Mr Speaker, Sir, we shall try to improve, but with the present facilities existing at the Line Barracks, it will be difficult to do away completely with the queuing. However, the situation will improve considerably when the Police Headquarters will shift to the Trianon region where a plot of land of an extent of approximately 30 Arpents is being obtained and where the new set up will provide for facilities in line with present and foreseen future requirements.

STE CROIX - DRUG PROBLEMS

(No. B/625) Mr M. Chumroo (First Member for Port Louis North and Montagne Longue) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether, with a view to pursuing Government's fight against drug trafficking, he will, for the benefit of the House, obtain information from the Commissioner of Police as to whether he is contemplating a complete crackdown on drug traffickers in certain areas of Ste Croix.

The Prime Minister: Sir, in reply to PQ B/465 on the same subject on 23 July 2002, the House was informed of the measures being taken by the Police to eradicate the drug problem in the Ste Croix region, which is classified as a high risk area. Moreover, the preventive measures, including sensitization campaigns carried out by the National Agency for the Treatment and Rehabilitation of Substance Abusers in collaboration with the *forces vives* of the locality were highlighted.

Mr Speaker Sir, this Government is fully committed to a complete crackdown on drug traffickers not only in Ste Croix, but in all regions where drug trafficking prevails. Following the amendments brought to the Dangerous Drugs Act in August last, which have toughened penalties against drug traffickers, the Anti Drug and Smuggling Unit (ADSU) has intensified its efforts to eradicate drug trafficking.

With regard to Ste Croix specifically, the Police is interacting with members of socio-cultural groups of the locality and sensitizing all components of the population against the ill-effects of drugs and its repercussions on the family unit and the society at large. It is also devoting additional resources to tracking of traffickers in the area.

Mr Speaker, Sir, as I had indicated during the debate on the Dangerous Drugs (Amendment Bill) 2003, we are taking every possible measure to eradicate drug trafficking in the country. In that context, we are stepping up control mechanisms in the harbour and at the airport. In the harbour, there is an ongoing customs reform that targets not only smugglers, but also drug traffickers. We have already provided the airport with the necessary X-Ray equipment. We are now in the process of purchasing a very sophisticated static scanner for the port to be able to exercise full control over containers. Also, we have sought the assistance of the Customs Administration of France for the provision of sniffer dogs.

Mr Speaker, Sir, over the past months, much improvement has been noted in the control of drug trafficking. Nevertheless, there is room for improvement and in this connection, I propose to convene a meeting shortly with the Secretary for Home Affairs, the Commissioner of Police and the Head of ADSU to review the whole set-up of the Unit so as to enhance its efficiency and effectiveness.

NATIONAL COAST GUARD - SCHOOL HOLIDAYS

- PATROLS

(No. B/626) Mr M. Chumroo (First Member for Port Louis North and Montagne Longue) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether, having regard to the number of cases of people disappearing at sea, he will, for the benefit of the House, ascertain whether the National Coast Guard will henceforth require all sorties to be registered and whether security measures will be imposed on children under twelve going on sea trips.

The Prime Minister: Sir, Government is deeply concerned about the cases of people who have disappeared at sea recently.

However, the idea of having all sorties at sea to be registered is hardly feasible, nor is it practical for Government to impose strict security measures on children under twelve going on sea trips.

Mr Speaker, Sir, safety of life at sea is both an individual and a collective responsibility. The National Coast Guard as an instrument of the State provides for safety by immediate response using all available assets, both water and airborne, whenever an accident is reported. While Government is assuming fully its responsibility, it expects all those who go out at sea to do the same.

I have asked the National Coast Guard to exercise extra vigilance on their patrols during school holidays and I have been informed by the Commissioner of Police that the National Coast Guard proposes to launch a media campaign as regards safety of life at sea.

More generally, Mr Speaker, Sir, I propose to convene a meeting shortly with the Secretary to the Cabinet, the Secretary for Home Affairs, the Commissioner of Police and the Head of the National Coast Guard to review the whole set-up of the National Coast Guard so as to enhance its efficiency and effectiveness.

NEW SUPREME COURT HOUSE PROJECT

(No. B/627) Mr. V. Baloomoody (Third Member for Rivière des Anguilles and Souillac) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will, for the benefit of the House, ascertain the progress achieved so far on the New Court House project.

The Prime Minister: Mr Speaker, Sir, I take it that the hon. Member is referring to the new Supreme Court House Project.

It is a fact that there is at present a severe overcrowding in the existing building housing the Supreme Court, the Judges and their staff.

To solve the problem, the intention some time back was to put up a new building on the premises of the ex-Port Louis District Court.

However, following a site visit which I effected on 19 July 2003 along with the Chief Justice and the Master and Registrar and thereafter at meetings held under my Chairmanship at which my colleagues, the Minister of Public Infrastructure, Land Transport and Shipping, the Attorney-General and the Minister of Arts and Culture were also present, it was proposed not to proceed with the construction of a new building on the premises of the Port Louis District Court.

Instead, it is now proposed that the historical old Supreme Court building be rehabilitated, the building behind the Supreme Court, which is about 30 years old, be pulled down, and a new building be erected in its place just behind the Supreme Court, with the rehabilitated Supreme Court building and the new building being linked.

Mr Speaker Sir, we feel that this idea of rehabilitating the Supreme Court building and erecting a new building linked to it would do full justice not only to the requirements of the Judiciary but also to history.

Technicians are already at work on the new project which will be presented to the Chief Justice and the Master and Registrar very soon. A firm of Architects will be appointed for the design of the building and I wish to confirm to the House that construction will proceed as expeditiously as possible.

At the same time, a project for the rehabilitation of the old Prison building which is located in the same area is being worked out.

PRISONS - AIDS CASES

(No. B/628) Dr. S. Chady (Second Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will, for the benefit of the House, obtain information as to the present number of cases of AIDS identified in the prisons and state the measures, if any, taken to prevent the spreading of same to other prisoners.

(Vide reply to PNQ)

PRISONER WENDY LAFLEUR - CHARGES AGAINST

PRISON OFFICERS

(No. B/629) Dr. S. Chady (Second Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will state if prisoner W. L. has levelled charges against certain Prison officers on the ground that they have beaten him up recently and, if so, will he make a statement on the whole matter.

(Vide reply to PNQ)

CHAGOSSIANS - RESETTLEMENT, COMPENSATION, ETC.

(No. B/630) Mr J. C. Armance (Third Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will state if Mauritius –

contributed to the resettlement of the Chagossians

- to independence and

ore the payment of compensation by the British Government in 1982, and

participated and contributed in the struggle of the Chagossian community to obtain compensation from the British Government and, if so, indicate the contribution of the Mauritian Government to the Chagossians who wish to return to their homeland.

The Prime Minister: Mr Speaker, Sir, our compatriots, the Chagossians, *les Ilois*, are citizens of Mauritius and this Government has been in total sympathy with the sufferings which the Ilois community have endured from 1965 onwards as a result of their inhuman up-rooting from the Chagos Archipelago islands where they had lived for generations. We have given all assistance that we could and have morally supported their claims.

In regard to parts (a) (i) and (ii) of the question, it has not been possible to trace records of any contribution made towards the resettlement of the Chagossians prior to independence or up to 1982.

In relation to an eventual return of the Ilois to the Chagos Archipelago, this Government has left no stone unturned to maintain our claim of sovereignty over the

Chagos Archipelago. In his statement at the United Nations General Assembly on 24 September 2003, the then Prime Minister once more made reference to the sovereignty of Mauritius over the Archipelago. The exercise of our sovereignty over the Chagos Archipelago would allow for the return to their home islands of the Chagossians who so wish.

I wish to avail myself of this opportunity, Mr Speaker, Sir, to inform the House that a ceremony marking the arrival of Chagossians forcibly displaced from the Chagos Archipelago will be held on 03 November next in the port area.

ADVISERS - TERMS AND CONDITIONS OF SERVICE

(No. B/631) Dr. B. Hookoom (Second Member for Piton and Rivière du Rempart) asked the Prime Minister, Minister of Defence and Home Affairs and Minister of External Communications whether he will state if the 2003 PRB Report applies to advisers appointed by Government and, if so, will he, for the benefit of the House, table a list of such advisers appointed since September 2000 and indicate their new terms and conditions of service.

The Prime Minister: Mr Speaker Sir, the recommendations made by the Pay Research Bureau (PRB) at para 10.63 to 10.65 of its 2003 Report apply specifically to Advisers employed on contract by the Government. The PRB has in fact recommended that the salary of such Advisers should continue to be determined on the basis of negotiations. As regards the entitlement of Advisers for leave, passage benefits, travelling and car benefits, the PRB has made specific recommendations thereon. The PRB has further recommended that the other terms and conditions of Advisers should, in principle, be in line with those recommended for public officers. However, these new conditions will be applicable only on the renewal of the running contracts and for new contracts.

The information requested in the second part of the question is being compiled and will be placed in the library of the National Assembly as soon as possible.

GOVERNMENT PAID PUBLICITY - EXPENDITURE INCURRED - FEBRUARY 2001 TO OCTOBER 2003

(No. B/642) Dr. B. Hookoom (Second Member for Piton and Rivière du Rempart) asked the Deputy Prime Minister, Minister of Finance and Minister of Agriculture, Food Technology & Natural Resources whether he will give a breakdown of expenditure incurred on Government publicity in respect of each daily and each weekly for the period February 2001 to date.

The Prime Minister: Mr Speaker Sir, with your permission, I shall reply to Parliamentary Question B/642 addressed to the Deputy Prime Minister, Minister of Finance and Minister of Agriculture, Food Technology and Natural Resources since Government paid publicity is paid either from the Government Information Service of my Ministry or from the Vote of other Ministries.

A statement giving the information requested is being compiled and will be placed in the library of the National Assembly shortly.

I wish to inform the House that I shall be reviewing the criteria for qualification to Government paid publicity in the near future.

SOLAR ENERGY

(No. B/633) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Minister of Environment whether he will make a statement on the policy of his Ministry on the development of solar energy as an alternative means of energy.

The Minister of Public Utilities (Mr A. Ganoo): Sir, Mauritius, being a tropical country, has a very good potential for the use of solar energy. This source can be harnessed for direct heating of water as well as for the production of electricity.

The policy of Government, Mr Speaker, Sir, is to promote the use of solar water heaters in the domestic, commercial and tourism sectors with a view to displacing as much as possible the use of other sources of energy such as electricity or gas for water heating. The Development Bank of Mauritius with the assistance of Government has, since 1991, put in place loan facilities to encourage domestic consumers to purchase solar water heaters. In the last budget, the interest on the loan has been reduced from 10% to 6% and the ceiling has been raised from Rs15,000 to Rs25,000, payable over 7 years instead of three years. As at to date, some 9,000 consumers have benefited from the DBM scheme for the purchase of solar water heaters.

The use of solar energy for electricity generation, that is, the photovoltaic system is relatively more expensive than solar water heaters. While the technology is well established, the cost of generation of electricity therefrom is still high when compared to electricity generated from conventional sources such as oil and coal for grid-connected systems. However, for isolated system such as in Agalega, where generation of electricity is restricted by the unavailability of a well-developed grid system due to limited and dispersed demand, photovoltaic electricity is more competitive as compared to other sources of electricity. I understand that the Outer Island Development Corporation has implemented a number of initiatives, whereby photovoltaic systems are used to meet the demand in Agalega.

Sir, my Ministry is presently working closely with the Government of India through the Ministry of Non Conventional Energy Sources to prepare a master plan for the development of renewable sources of energy including solar energy in Mauritius and Outer Islands. The areas of co-operation include, *inter alia*, a programme for phased development of renewable energy of Mauritius, joint demonstration projects as well as investment possibilities in terms of joint ventures for the implementation of renewable energy projects. In this context, a Memorandum of Understanding will be signed between my Ministry and the Ministry of Non Conventional Energy Sources of India. The objective is to further increase the contribution of renewable sources of energy, other than bagasse, over the next ten years.

16^{EME} MILE CREMATION GROUND - ACCESS ROAD, DATE OF CONTRACT, ETC.

(No. B/634) Mr G. Paya (Second Member for Curepipe and Midlands) asked the Minister of Local Government and Rodrigues and Minister of Housing and Lands whether, in regard to the upgrading of the 16^{eme} Mile cremation ground and access road thereto, he will, for the benefit of the House, ascertain -

he date the contract was awarded;

he name of the contractor, and

hether works have already started and, if not, why not.

Mr Lesjongard: Mr Speaker, Sir, with regard to parts (a) and (b) of the question, the contract for the upgrading of the 16^{eme} Mile cremation ground and access road thereto, was awarded on 24 June 2003 to Twin Engineering & Co. Ltd.

As regards part (c), following the award, the contractor was requested to liaise in terms of clause 7 of the letter of award with the Consultant, GIBB (Mtius) Ltd. for the taking over of the sites and this has been done.

In accordance with the conditions of the contract, the works were expected to start on 15 September 2003. However, the contractor did not start works as scheduled and informed the NDU that he was encountering difficulties in starting the project.

The contractor was, therefore, convened to a meeting at the NDU on 03 October 2003 where, after discussions, he agreed to start works by 01 November 2003.

**FOREST SIDE SPORTS COMPLEX FOOTBALL GROUND - WORKS
COMPLETED, NAME OF CONTRACTOR, ETC.**

(No. B/635) Mr G. Paya (Second Member for Curepipe and Midlands) asked the Minister of Local Government and Rodrigues and Minister of Housing and Lands whether, in regard to the Forest Side sports complex football ground, he will, for the benefit of the House, ascertain -

he date the works were completed;

he name of the contractor and that of the consultant, together with the amount paid to each of them, and

whether the football ground has been handed over to the Municipal Council of Curepipe.

Mr Lesjongard: Mr Speaker, Sir, with regard to the Forest Side sports complex football ground, commonly known as *Cité Atlee* football ground, the following information is submitted -

works were completed on 25 April 2002;

the contract was awarded to Twin Engineering Co. Ltd. on 30 July 2001 and the work was supervised by the engineering staff of the ex-MURD. As at to date, payments of the sum of Rs4,186,749.96 have been effected to the contractor, and

the football ground has not yet been handed over to the Municipal Council of Curepipe because of the absence of a proper draining system. To address the problem urgently, the Municipal Council of Curepipe has been requested to submit an estimate of the additional works to be effected. The NDU would release funds to the Council for the execution of the additional works on receipt of the estimates thereof.

Mr Dowarkasing: Can the hon. Minister inform the House whether the draining system was included in the original contract that was allotted?

Mr Lesjongard: No, Mr Speaker, Sir. Additional drainage was not included in the original contract. It was only when the site was visited for the handing over that this came to the knowledge of those concerned and that is why I chaired a meeting some time back and it was agreed that we would be going ahead with the drainage works, and that the Municipality of Curepipe will submit the necessary details so that we could go forward with the works.

Mr Dowarkasing: Mr Speaker, Sir, in a previous question on this issue, I was informed that there were plans for drains and if I am not mistaken, there were around 21.6 metres of drains that should have been constructed. I had even requested the hon. Minister to have it verified whether, in fact, those drains were constructed or not.

Mr Lesjongard: Mr Speaker, Sir, provisions were made for drains. Those provided in the original contract have already been carried out. Now, there seems to be additional drains required for that particular project and that's why I am saying that those additional drains will be carried out by the Municipal Council of Curepipe and the fund will be provided by the Ministry.

MAURITIUS - TOURISM PROMOTION IN CHINA

(No. B/636) Mr A. K. Gungah (Second Member for Grand' Baie and Poudre d'Or) asked the Minister of Tourism and Leisure whether he will state if Government has initiated any course of action to attract tourists from China and, if so,

whether Government is pursuing diplomatic efforts to have Mauritius included in China's approved tourist destinations.

Mr Bodha: Mr Speaker, Sir, preliminary assessment by the World Tourism Organisation suggests that China, as an emerging market, will generate substantial travellers in the short and medium-terms taking into consideration the consistent economic growth registered for that country. China, therefore, is considered as important in our strategy to develop alternative market sources.

I wish to inform the House, that the Mauritius Tourism Promotion Authority, together with Air Mauritius organised a road show in the main cities of Beijing, Shanghai and Guangzhou from 15 to 20 April 2002. Private stakeholders, i.e. Sun International Hotels, Nāiade Resorts, Cathay Tours and MTTB/Mautourco participated in the roadshow. The main objective in the roadshow was to introduce Mauritius as a tourism destination to Chinese travel agents and tour operators.

Mr Speaker, Sir, the development of Chinese outbound tourism is still in a developing stage and is dominated by regional trips to East Asia and Pacific regions. Currently, Chinese nationals must nominate the country of destination when applying for a passport. The system works more speedily for countries, which are granted the Approved Tourist Destination Status (ADS). Mauritius does not, as yet, appear as a holiday/leisure destination on the list of approved destinations by the Chinese authorities.

However, Government has therefore made a formal request to the Chinese authorities to grant Mauritius the Approved Destination Status. The former Prime Minister raised the matter during his official visit to China on 06 July 2002. Diplomatic efforts are being made in this respect and the matter was again discussed by my colleague, the Minister of Foreign Affairs and Regional Cooperation, hon. Gayan, with H.E. Mr Tang Jiaxuan, the then Chinese Foreign Minister who was on official visit to Mauritius in January this year.

There is indication to the effect that our request is being given due consideration and our ambassador in Beijing is following up the matter very closely.

ADSL TECHNOLOGY - GOVERNMENT POLICY

(No. B/637) Mr A. K. Gungah (Second Member for Grand' Baie and Poudre d'Or) asked the Minister of Information Technology and Telecommunications whether, in regard to ADSL technology, he will -

tate Government policy for the provision of same;

tate the regions which are supplied with same and indicate those which can be connected in the short-term, and

tate if he will give special attention to industrial zones, especially the EPZ sector with a view to their being connected to ADSL.

Mr Jeeha: Mr Speaker, Sir, as the House is aware, it is the policy of Government to democratise access to the internet to enable all stakeholders, including the business and industrial sectors to have access to ICT services. In the context of this policy, Government is encouraging the introduction of all kinds of technologies, including ADSL technology at affordable costs.

The ADSL service has, since June 2002, been provided to Mauritius Telecom on a commercial basis to regions covered by the following exchange areas -

Port Louis and Plaine Verte exchanges

Rose Hill exchange

Candos exchange

Floreal & Forest Side exchanges

Vacoas exchange

The ADSL service has been extended to 24 additional exchange areas at the end of September 2003. Ten other exchange areas will be covered by the end of the year and the remaining 20 exchange areas by the end of 2004.

EPZ companies operating in these areas, where ADSL is available, can avail themselves of this technology. However, by the end of 2004 all EPZ companies and industrial zone will be provided with ADSL service.

Mr Gungah: May we know from the hon. Minister when the southern part of Mauritius will be connected by ADSL?

Mr Jeeha: It depends where. For instance, Baie du Cap, Chamarel, Grand Bois, L'Escalier and La Gaulette will be connected by the end of next year. Right now, Chemin Grenier and Souillac have already been provided with the ADSL facilities.

Mr Gungah: But, what about the industrial zone of Surinam?

Mr Jeeha: The industrial zone of Surinam is served as from Souillac. I don't think there should be any major problem of ADSL connectivity.