



EIGHTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

FRIDAY 10 JULY 2026

CONTENTS

PAPERS LAID

QUESTION (*Oral*)

MOTION

BILL (*Public*)

ADJOURNMENT

THE CABINET

(Formed by Dr. the Hon. Navinchandra Ramgoolam)

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister of Finance, Minister for Rodrigues and Outer Islands
Hon. Mrs Marie Arianne Navarre-Marie	Deputy Prime Minister Minister of Gender Equality and Family Welfare
Hon. Shakeel Ahmed Yousuf Abdul Razack Mohamed, GCSK	Minister of Housing and Lands,
Hon. Rajesh Anand Bhagwan, GCSK	Minister of Environment, Solid Waste Management and Climate Change
Dr. the Hon. Arvin Boolell, GOSK	Minister of Agro-Industry, Food Security, Blue Economy and Fisheries
Hon. Govindranath Gunness	Minister of National Infrastructure
Hon. Anil Kumar Bachoo, GOSK	Minister of Health and Wellness
Hon. Christian Harold Richard Duval	Minister of Tourism
Hon. Ashok Kumar Subron	Minister of Social Integration, Social Security and National Solidarity
Hon. Gavin Patrick Cyril Glover, SC	Attorney-General
Dr. the Hon. Mrs Jyoti Jeetun	Minister of Financial Services and Economic Planning
Hon. Patrick Gervais Assirvaden	Minister of Energy and Public Utilities

Hon. Dhananjay Ramful	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Darmarajen Nagalingum	Minister of Youth and Sports
Hon. Muhammad Reza Cassam Uteem	Minister of Labour and Industrial Relations
Hon. Mahomed Osman Cassam Mahomed	Minister of Land Transport
Hon. John Michaël Tzoun Sao Yeung Sik Yuen	Minister of Commerce and Consumer Protection
Dr. the Hon. Kaviraj Sharma Sukon	Minister of Tertiary Education, Science and Research
Hon. Sayed Muhammad Aadil Ameer Meea	Minister of Industry, SMEs and Cooperatives
Dr. the Hon. Mahend Gungapersad, PDSM	Minister of Education and Human Resource
Dr. the Hon. Avinash Ramtohl	Minister of Information Technology, Communication and Innovation
Hon. Lutchmanah Pentiah	Minister of Public Service and Administrative Reforms
Hon. Ranjiv Wochit, OSK	Minister of Local Government
Hon. Mahendra Gondeea, OSK	Minister of Arts and Culture

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MAURITIUS

Eighth National Assembly

FIRST SESSION

Debate No. 22 of 2026

Sitting of Friday 10 July 2026

The Assembly met in the Assembly House, Port Louis, at 3.00 p.m.

The National Anthem was played

(Madam Speaker in the Chair)

PAPERS LAID

The Prime Minister: Madam Speaker, the Papers have been laid on the Table –

A. Ministry of Environment, Solid Waste Management and Climate Change

- (a) The Annual Report on Performance of the Solid Waste Management Division for the financial year 2022-2023.
- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the National Environment Cleaning Authority for the year ended 30 June 2025.

B. Attorney-General

The Annual Report and Report of the Director of Audit on the Financial Statements of the Law Reform Commission for the year ended 30 June 2025.

ORAL ANSWER TO QUESTION

PENSION REFORM – COMMISSION OF EXPERTS – APPOINTMENT PROCESS & DECLARATION OF INTERESTS

The Leader of the Opposition (Mr G. Lesjongard) (*by Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister of Finance, Minister for Rodrigues and Outer Islands whether, in regard to the Commission of Experts on Pension Reform, he will state whether –

- (a) the appointment process of the experts thereof underwent due diligence in adherence to established standards of independence, transparency and governance;
- (b) any appointee thereof held or currently holds a direct or indirect financial, professional or advisory stake in any financial institution, specifically pension, insurance, investment or actuarial firm, and
- (c) each member thereof was required to submit a declaration of interests prior to assuming office and, if so, whether consideration will be given for the tabling thereof.

Madam Speaker: Yes, hon. Prime Minister!

The Prime Minister: Madam Speaker, as I have previously stated in this very Assembly, the setting up of a Commission of Experts on Pension Reform was announced in the 2025-2026 Budget Speech to make recommendations to reform the three pillars of our pension system, including the revamping of the National Pensions Fund to replace the now notorious *Contribution Sociale Généralisée* (CSG). Incidentally, Madam Speaker, the House would recall that the former Minister of Finance conceded that the CSG is a tax. It is also worth reminding the House how a certain Mr Reaz Chuttoo was so praiseworthy and enthusiastic about this direct tax. Unbelievably, he said that the CSG will be in the best interest of workers.

At its meeting held on 26 September 2025, Cabinet agreed to the setting up of a Commission of Experts and the Steering Committee.

Cabinet also approved the Terms of Reference of the Commission of Experts, which were worked out in consultation with the IMF and the World Bank. The Commission has been mandated to examine the three pillars of the pension system, namely, as I said before in this House –

- (a) the Basic Non-Contributory Pensions, including the Basic Retirement Pension system;
- (b) the Contributory Pension Schemes, and
- (c) the Voluntary Private Pensions, including personal retirement savings plans and occupational pension schemes offered by employers.

Furthermore, Cabinet endorsed the composition of the Commission of Experts, which comprises professionals who are experts from the actuarial, economic and statistical fields. They have excelled in their respective fields, not only locally, but also internationally. They have been appointed for a period of 18 months as from October 2025.

Madam Speaker, let me remind the House that the Commission is chaired by Mr Nureshkumar Prayag, former laureate and who graduated in Actuarial Science in Edinburgh. The other members are –

- (a) Mr Bernard Yen, a former laureate, graduated in Mathematics and Computer Science at the University of Liverpool and is a reputed Actuary;
- (b) Mr Yvan Legris, former laureate, graduated in Economics and Actuarial Science from the London School of Economics;
- (c) Dr. Azad Jeetun, Economist, former Director of the then Mauritius Employers' Federation;
- (d) Dr. Verena Tandrayen-Ragoobur, Economist, Associate Professor in Economics at the University of Mauritius;
- (e) Mr Sattar Jackaria, Actuary, CEO of Eagle Insurance Ltd, and
- (f) Ms Aimé Chung Kai Suet, Statistician and former Director of Statistics Mauritius.

With regard to part (a) of the question, we should all acknowledge that the pension system is a complex issue and requires highly specialised and technical skills, especially actuarial skills and there is a scarcity in this area of expertise. The members of the Commission are among the best in their respective fields. Furthermore, they were appointed in their individual capacities as independent experts, not as representatives of any institution, organisation or private entity.

Madam Speaker, as I have mentioned, three of them are former laureates and the other members are seasoned professional economists, statistician, and actuaries.

With regard to part (b) of the question, based on information compiled by the Ministry of Finance from the CVs of the members of the Commission, Mr Prayag is currently –

- (a) the Chairperson of SICOM Group and some of its subsidiaries;
- (b) the Deputy Chairperson of SBM Holdings Ltd, and
- (c) a minority shareholder of Quantum Insurance Ltd with less than 5% of the capital of the company.

I am informed that Quantum Insurance Ltd is licensed to transact only in short-term general insurance. This, Madam Speaker, is not a subject related to pension reform. As such, there is no conflict of interest, actual or perceived, for serving as Chairperson of the Commission of Experts.

As regards Mr Yvan Legris, he is currently a Non-Executive Director of the MCB Group since November 2024. He is also the non-executive Chairperson of Medine Limited and Actuarix Consulting Limited. He holds an indirect shareholding in Actuarix Consulting Limited through Actuarix Holdings Limited.

I am informed that Actuarix Consulting Limited is currently providing investment advisory services to the NPF-NSF Investment Committee.

Madam Speaker, in fact, Actuarix Consulting Limited, which was formerly known as AON Solutions Ltd, has been advising the Investment Committee since 2007. The contract of the same company was renewed over a period of almost 17 years till March 2024.

It should also be noted that in 2024, the previous Government did not proceed with the appointment of an Investment Adviser, which in most likelihood, would have been Actuarix Consulting Limited. And I wonder why! Why were they not appointed? We are talking about investment.

Madam Speaker, no other companies, where members of the Commission of Experts are directors, are providing advisory or asset management services to the NPF and the NSF.

When we returned back into Government in 2024, we could not leave the NPF and the NSF which have, together, more than Rs200 billion of assets without professional advice regarding investment. That is why the Ministry of Finance proceeded with a tender exercise

for investment advisory services and Actuarix was awarded the contract on 28 April 2026 for an initial period of one year, renewable for a further period of one year for an amount of Rs3.8 million. There were, I should add, five bidders that participated in the tender exercise.

Being an adviser to an Investment Committee on investment does not constitute a conflict of interest in advising on pension reform.

Concerning Mr Bernard Yen, he was the Managing Director, Aon Solutions Ltd from 2001 to 2025. He is also the Non-Executive Director of Caudan Development Ltd, and Promotion & Development Ltd. He is also a part-time consultant of Actuarix Consulting Ltd.

As regards Mr Sattar Jackaria, he is currently the Chief Executive of Eagle Insurance, which transacts in short term insurance products. He was previously Head of Financial Services of IBL Group, and Senior Manager at Swan Life Ltd.

I wish to point out, Madam Speaker, that as per section 29 of the Financial Crimes Commission Act, a conflict of interest would occur where a public official or his relative or associate has a personal interest in a decision which a public body is to take.

The Commission, I should add, has only an advisory mandate and only makes recommendations to the Steering Committee. The decision-making is by the Cabinet and not by the Commission of Experts.

As regards part (c) of the question, given that the Commission of Experts is not a public body as defined in the Financial Crimes Commission Act and purely advisory in nature, the question of submitting a declaration of interest prior to becoming a member of the Commission does not arise.

Madam Speaker, it is ironical that the sole representative of a party which has the unenviable record of having introduced the concept of institutional nepotism and turned Mauritius into a model of abject cronyism is now asking questions about conflict of interest, ethics and good governance.

(Interruptions)

I am tempted to ask him where was he as a Minister when Mr Avinash Gopee or Mr Sattar Hajee Abdoula and one of his own colleagues, Mr Kavy Ramano, were engaged in blatant acts of conflict of interest.

Mr Lesjongard: Madam Speaker, the hon. Prime Minister is imputing motives. Madam Speaker, why should he say that?

(Interruptions)

I have the right to put my question. When he is asking where I was, I am here!

(Interruptions)

The Prime Minister: I am not imputing motives, Madam Speaker. These are actual facts. I am talking about facts!

(Interruptions)

The Prime Minister: Where was the MSM when institutions like the Bank of Mauritius and the State Bank were deeply involved in cases of conflict of interest and incestuous relationships?

Vous savez, Madame la présidente, ces fossoyeurs de la bonne gouvernance veulent aujourd'hui se refaire une virginité by attacking professionals who are recognised as such, both nationally and internationally.

We must ask ourselves, Madam Speaker, if this is not yet another attempt to deviate attention from the decade of corrupt and despicable practices that sullied the reputation of our country on the international front. Or could it be simply a case of selective political amnesia or trying to challenge the collective intelligence of this nation?

Madam Speaker, the systemic attacks on the Commission of Experts smacks of demagoguery and pettiness. The campaign of innuendoes and hitting below the belt demonstrates the level of cheap politics that some people in the Opposition are willing to stoop to present themselves as the neo paragons of good governance, transparency and moral authority of this country.

These people do not seem to realise that this vile campaign is belittling top notch professionals who we badly need for this country to take it to a new level of development.

I, once again, Madam Speaker, want to restate my unflinching support to such professionals.

Madam Speaker: Your first question, hon. Leader of the Opposition.

Mr Lesjongard: Yes, but first, Madam Speaker, let me make it clear, I am not attacking anybody. I am not attacking any committee. It is my duty to put questions to the Ministers of this House, Madam Speaker.

Madam Speaker: Carry on with your duty!

Mr Lesjongard: Now, since you have acknowledged that your Ministry, hon. Prime Minister, has awarded a contract to Actuarix Ltd, will the hon. Prime Minister inform the House whether, Mr Y. L., as member of the Commission of Experts on Pension Reform, had access to any confidential, non-public or procurement-relevant information concerning the NPF or the NSF before or during the tender process?

The Prime Minister: Madam Speaker, may I remind the hon. Leader of the Opposition that the NPF/NSF Investment Committee is a very important committee. It usually retains the services of a consultant to help the Investment Committee to make investment decisions that protect and grow the assets of the NPF/NSF for the benefit of their members. Now, I should add, that Actuarix Consulting Ltd, previously known as Aon Solutions Ltd and Aon Hewitt Ltd, has been providing investment advisory services to the NPF/NSF Committee for a very long period of time –

- from December 2007 to May 2009;
- from June 2009 to June 2012;
- from July 2013 to March 2016;
- from December 2016 to March 2022, and
- from March 2022 to March 2024.

As I said, you need an investment expert for the investments. It is a huge amount of money. We have to protect the assets of the people who are putting money in this. It should

be noted that it was after a tender exercise as well. There were five people who bid for that, but they have been there for a long time including under your Government, at the time when you were in government.

Mr Lesjongard: The question is on tender, hon. Prime Minister. Can the hon. Prime Minister inform the House whether that gentleman, Mr Y. L., declared his interest and recused himself from all discussions related to NPF and NSF?

The Prime Minister: I just said to you that this is not a public body. The Committee does not take the decisions. They provide independent expert advice and when they were taken aboard, it was also after consultations with the IMF and the World Bank.

Madam Speaker: Next question!

Mr Lesjongard: Yes, thank you, Madam Speaker. Can I ask the hon. Prime Minister, was there any legal advice sought before Actuarix Consulting Ltd was allowed to participate in the tender or was the Evaluation Committee informed of his potential conflict of interest?

The Prime Minister: I am not sure of what you are saying. What tender are you talking about? On the investment?

Mr Lesjongard: Yes. This was a public tender, hon. Prime Minister!

The Prime Minister: He has been advising on this. I just mentioned that; I will re-tell you the dates. He has been advising on this Investment Committee for ages – I think, I will just put it here – for 17 years including under your government. 17 years! But God knows for what reason, the last time they did not put anybody there. There was nobody to advise on investment. You can guess why, Madam Speaker. We can guess why, but he was not. He has been there for such a long time, 17 years!

Madam Speaker: Next question!

Mr Lesjongard: Yes, let me put the question differently. Will the hon. Prime Minister confirm that sitting on a State-appointed technical committee dictating the future of national pension reforms, while simultaneously holding stakes in and being paid by a private actuarial

firm that is awarded a multi-million-rupee contract by the same Ministry constitutes a glaring and serious conflict of interest?

The Prime Minister: Multi-million is only in your imagination. I just mentioned the figures, not multi-million. He is paid his fees as a professional, not multi-million. I do not know where you got this multi-million dollars.

Mr Lesjongard: ... million. So, it is a multi-million.

The Prime Minister: It is not a multi-million.

Mr Jhummun: *Al get Sattar komien inn gagne!*

The Prime Minister: This is not the fact, and also, I just explained. So, you appoint experts on pension reform, but you do not take an actuary, you do not take an economist, you do not take a person who knows the subject?

Mr Lesjongard: But he should not participate in the bidding exercise...

The Prime Minister: But why not? Why not? He is giving independent advice. He does not take the decision. The decision is taken by me, by Cabinet, after they give their expert advice. Why can't you understand this bit?

Madam Speaker: Next question, please!

Mr Lesjongard: Madam Speaker, the hon. Prime Minister stated that the Chairperson of the Commission of Experts is also the Chairperson of the SICOM Group. The report recommends, amongst others, the transfer of statutory bodies and civil service pension disease schemes to the NPF 2.0. The Statutory Bodies Pension Funds Act provides that statutory body pension funds are administered by SICOM.

Can the hon. Prime Minister confirm to the House whether the Chairperson was involved in recommendations affecting schemes administered by the SICOM?

The Prime Minister: What the hon. Leader of the Opposition is saying is that we should not have appointed these people. Appoint Bissoon Mungroo, Prakash Maunthrooa, Sattar Jackaria? These are the people that we should have appointed?

An hon. Member: *Cousin, cousine!*

The Prime Minister: We appointed people who are professionals. Independent advice was given. That's it!

Madam Speaker: Next question!

(Interruptions)

Mr Lesjongard: The hon. Prime Minister stated that he is not going to table documents today.

The Prime Minister: What documents?

Mr Lesjongard: Will he, therefore, agree that until documents requested are...

Madam Speaker: I am sorry.

The Prime Minister: What documents am I not tabling?

Madam Speaker: Last time the documents were tendered on the same issue.

Mr Lesjongard: No, today, I am saying. I am saying they are not being tendered today.

Madam Speaker: Yes, but some documents...

Mr Lesjongard: He is compiling.

The Prime Minister: No, I did not say that, Madam Speaker. He again does not want to understand. What documents are you talking about?

Madam Speaker: Do not talk in a sitting...

The Prime Minister: Tell me what documents!

Madam Speaker: Prime Minister, do not talk in sitting position, please.

Mr Lesjongard: Madam Speaker, I refer...

(Interruptions)

No. I refer to part (c) of my question.

(Interruptions)

Madam Speaker: The Prime Minister has already answered. Hon. Leader of the Opposition, the hon. Prime Minister has already answered part (c).

The Prime Minister: I never said that I am compiling any document. The document that had to be given, which you asked for last time, is already with you.

Madam Speaker: I read Hansard today, and documents were presented, but, hon. Prime Minister, you are saying, you are going to compile?

The Prime Minister: No, there is nothing to compile.

Madam Speaker: No, nothing to compile.

Mr Lesjongard: This is about part (c) of my question.

Madam Speaker: He has...

(Interruptions)

An hon. Member: *Li pena kestion pou poze!*

Mr Lesjongard: No, I have got questions!

Now, can the hon. Prime Minister state to the House if, indeed, he received representation from his Minister, hon. Ashok Subron, on this issue of conflict of interest, as the latter stated? Did you receive representations?

The Prime Minister: I cannot recall that he stated that. No, I did not. But, as I said again, Madam Speaker – perhaps, I was not clear, I do not know – the question of Commission of Experts, they are not in a public body, as defined by the Financial Crimes Commission. They are acting only in an advisory capacity. Therefore, there is no need for a declaration of assets because that is not what they are doing.

Mr Lesjongard: Interests.

The Prime Minister: I am sorry?

Mr Lesjongard: Declaration of interests.

The Prime Minister: No, there is no need for a declaration of interests to become a member of the Commission.

Madam Speaker: Yes. You said they do not take a decision?

The Prime Minister: No.

Madam Speaker: That's it! Your friend is asking for a question. Yes!

Mr Lesjongard: Is the hon. Prime Minister in the presence of information that suggests that this *clique* of experts, as stated by hon. Subron....

(Interruptions)

...have proposed a pension reform that would force the citizens of this country to opt for private pension from the very same insurance company they represent?

The Prime Minister: That is absolutely false. It is demagoguery. Absolutely false!

Madam Speaker: Après, ça dépend comment il écrit "clique".

Mr Lesjongard: Madam Speaker, I am not imputing motives. These are facts. It is clear to this House that this Committee is controlled by the private sector.

Can the hon. Prime Minister guarantee to the House and the population, like you always say, at large, Madam Speaker, that the recommendations of the Commission of Experts, which are clearly detrimental to the public, were not made on purpose?

Madam Speaker: That is not a question!

The Prime Minister: Madam Speaker, when he says "detrimental to the public", in other words, we should do no reform of the pension system. Perhaps, he should know that only in 2015, if I am not mistaken, the IMF, in an expert report, projected that by 2050, expenditure on BRP, that is, a non-contributory pension, would be unsustainable at an 8% level of GDP. They predicted in 2050...

Madam Speaker: For 20...?

The Prime Minister: In 2025 – we are already in 2025 – that is 25 years ahead. We already reached over – in fact, it is more than 8% of GDP today. So, you say, we should do

no pension reform and leave it as it is, print money from the Bank of Mauritius, and give it to people. That is what he is saying.

Mr Lesjongard: I have got two last questions, Madam Speaker, but bear with me with this question.

First, Government has removed pension by the introduction of the Means Test. Then the means test was frozen; then abandoned, and then a new proposal was made. Now, we understand that this new proposal has been removed from the Finance Bill. *Comme on dit en français, c'est le monde à l'envers, et je l'avais dit – anba lao !*

Hon. Prime Minister, does this not amount to a total waste of time and also, waste of public funds?

The Prime Minister: No, it does not. In fact, it is not true what you are saying, that another thing has been removed.

What we have done, Madam Speaker, we have listened to people, especially people who do strenuous jobs like *mason* and all those things. They were worried that they would not get the pension at 60. We have now improved and given them the option of taking the pension at the age of 60. Of course, it is going to be in actuarial terms, but it is an option that they have now that they did not have before. That is one thing that we did. We took out the Means Test because people were not happy with the Means Test. So, we decided we will take it out. There is a cost to that. I said that the last time. That are the only two changes we made. What else have we made?

Madam Speaker: Yes, question from hon. A. Duval!

Mr A. Duval: Thank you, Madam Speaker. May I ask the hon. Prime Minister with regard to the statement made by his Minister of Social Security...

Madam Speaker: Again, will he be able to reply to that?

Mr A. Duval: Let me ask the question.

Madam Speaker: Okay. Be careful!

Mr A. Duval: The hon. Subron said, in a public statement, that *ena enn group, enn clique ...*

Madam Speaker: Encore clique!

Mr A. Duval: ...*de bann dimounn ki finn sey* induire le Premier ministre en erreur *lor sa sujet-là*. Whether this is the case, and if so, whether he has raised that issue with the Minister of Social Security?

Madam Speaker: He has already replied on the first part of your question.

Mr A. Duval: No, whether he has taken cognizance of that statement, and if so, whether he has raised this with the Minister of Social Security. That is the question.

Madam Speaker: Okay, that is your question.

The Prime Minister: Madam Speaker, this was a comment which was allegedly – I did not look at the comment – made. But then, we sat down and we discussed, and it is not actually the fact.

Madam Speaker: Again, alright.

Mr Lesjongard: Yes, last one. Madam Speaker, in view of the series of information I have provided to the House today with regard to conflict of interest and vested interest and that public confidence in pension reform has been undermined, would the hon. Prime Minister, therefore, consider to revoke all the members of that Committee of Experts?

The Prime Minister: The hon. Leader of the Opposition is asking to revoke the members who were giving independent advice. They did not take the decisions. We need independent advice. We are not experts. You are not an expert on pensions. Now, he is saying – remove them and put Mr Prakash Maunthrooa, put Mr Bissoon Mungroo, put Mr Beekarry, put Mr Dulthumun. These are the people who would advise us on the Commission? This is *le monde à l'envers*!

Mr Lesjongard: As if you do not have competent people in your Government.

(Interruptions)

Madam Speaker: Alright, that was the last question. That was the last question! Thank you very much everyone.

MOTION

SUSPENSION OF S.O. 10(2)

The Prime Minister: Madam Speaker, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

PUBLIC BILL

Second Reading

THE DOMESTIC ABUSE BILL

(NO. VIII OF 2026)

Order read for resuming adjourned debate on the Domestic Abuse Bill (No. VIII of 2026).

Question again proposed.

Madam Speaker: Yes, hon. Minister.

(3.29 p.m.)

The Minister of Social Integration, Social Security and National Solidarity (Mr A. Subron): Madam Speaker, what we are debating this afternoon is at the very heart of the foundation of human society and our *vivre ensemble*.

First, this Bill, like its predecessor of 19...

Madam Speaker: Let me just explain. I have been told that you were going to speak. There is no problem, everybody will speak today.

I am going to be here. Inshallah.

Carry on. Carry on!

Mr Subron: Carry on?

Madam Speaker: Yes.

Mr Subron: Thank you, Madam Speaker. Yes, let me start again.

What we are debating this afternoon is at the very heart of the foundation of human society and our *vivre ensemble*. First, this Bill, like its predecessor of 1997, aims at addressing violence and abuse within the unit, the very unit of our society responsible for nurturing life, care, love, and social reproduction: the family unit. This is one of the deepest paradoxes of all.

The second paradox and critical issue we face is: how does a society address violence within its internal domestic unit when the whole society itself was born out of a system of violence and abuse, slavery, indentured labour, colonialism, and, presently, capitalism?

This Bill is not an ordinary Bill. It is part of a historical collective process to repair the psychological and social wounds, and the trauma of violence and abuse of the past as well as the present system. It is also part of a permanent restorative process of rebuilding human connections and trust within society and its domestic unit. The debates and inputs we have had on this Bill testify this deeply felt process. Heartfelt inputs, passionate contribution and deep analysis were made in this Assembly in the context of this debate.

Madam Speaker, I think, this afternoon is an appropriate moment for the mourning all the victims, especially the women of slavery, indentured labour, colonialism who suffered from the violence of the bondage system. We mourn all the victims, especially of the present patriarchal system, and we mourn all the women who are victims of feminicides, violence and abuse. It is for them that we will be enacting this Bill tonight.

Madam Speaker, this afternoon is also an appropriate time to pay tribute to all the women who stood up and fought. Tribute to the first women's freedom fighter, Anna de Bengale, who rebelled against the Dutch slavery system in Mauritius. Tribute to Anjalay, our '*mama kouraz*' labourer, standing in front of colonial bullets in 1943. Tribute to the first woman member of the National Assembly and the first woman in Parliament who was elected with the support of the Labour Party in the first universal suffrage election of 1948. Tribute to the first free zone women workers of the 1917s.

Tribute to the young girls' students of May 1975 who stood with their boy schoolmate for a better society and education system. Tribute to the brave Chagossian woman, called the *Zilwa* at the time, to *Solidarité Fam*, in which you were part of, Madam Speaker, to the MLF, to SOS Fam, and to all the NGOs giving a helping hand to victims of domestic abuse. Tribute to the unknown people who stood up and assisted women victims in violence and abuse.

Tribute also to people in institutions and legal system who have stood up for many years for women's rights against domestic abuse.

The Bill we will be enacting tonight bears the imprint of all the people, groups and movements mentioned above. Madam Speaker, violence and abuse and power relations within the family have, for decades, been the subject of thoughts and fierce debate. For centuries, it was seen as a husband's right to abuse his wife and children. In some countries in the 19th century, certain states legally rescinded this right and criminalised wife beating.

Over the next few decades, with financial freedom, women gained through working, strengthened the struggles for women's rights. By the late 1970s, domestic violence shifted from a taboo subject to a widespread social justice issue. Here, we must emphasise that men and women do not exist independently or symbiotically as separate life forms. Instead, they are complementary components of a single, unified reproductive system, evolved socially as human society.

We must also stress that the so-called century-old right for a husband to abuse his wife or a male to abuse a female is not a given. For roughly 95% of its existence, humans live as nomadic hunter-gatherers. Anthropological-archaeological evidence shows that these pre-historic societies were remarkably egalitarian. While tasks were often split, women foraging typically provided the baseline caloric survival for the group, granting them high social status and autonomy.

This shift towards patriarchy, a social system where men hold primary power, began roughly 12,000 years ago with the Neolithic Revolution period, the revolution of agriculture, paradoxically generated by women's knowledge. There are abundant examples from the Middle Ages and early modern period of European legal systems that codified these ancient patriarchal biases into highly restrictive doctrines.

Under many legal frameworks, a wife was not viewed as an equal partner, but as an economic asset owned by the husband. For example, the doctrine of coverture, originating in English common law, dictated that upon marriage, a woman's legal identity was completely subsumed by her husband. She became a *feme covert*, a covered woman. Legally, she could not no longer own property, sign contracts, keep her own wages, or write an independent will. Everything she brought into the marriage automatically became the absolute property of the husband.

This historical architecture explained why even today, the home remains statistically the most dangerous place for a woman. According to global data of the United Nations Office on Drugs and Crime (UNODC), more than half of all female homicides worldwide are committed by intimate partners or family members. The very unit designed to protect life became dangerous because it was legally and culturally built on ownership rather than equality.

Madam Speaker, all this to say that domestic violence and abuse is primarily the product of a patriarchal society where human beings are reduced to commodities and property at the service of others, and where human beings are subject to power structures, be it at the societal or domestic level.

Domestic abuse is not just a behavioural problem of a few mad men. It is rooted in the millennial patriarchal societal practices. Patriarchy is far broader than a simple binary of men dominating women. While the fundamental definition of patriarchy, from the Greek *patriarches*, meaning ruling father, especially describes a system where men hold primary power, sociologists and political theorists argue that it is a totalising system of domination.

Madam Speaker, it was my duty as an eco-socialist sympathetic to eco-feminism to share these basic philosophical, anthropological and historical premises in the context of the debate on this cardinal Bill being debated this afternoon. Let me come to the Bill.

The transition from the Protection from Domestic Violence Act (PDVA) 1997 to the Domestic Abuse Bill represents a major shift in how Mauritius legally handles domestic abuse. The original 1997 framework focused primarily on immediate physical protection and restraining orders. The new legislation adapts to a modern understanding of domestic harm, moving from reactive protection against physical violence to a holistic survivor-centred approach that targets non-physical and structural abuse.

The most significant shift is the language itself. The 1997 Act targeted domestic violence, which inherently favours visible and easily provable physical acts like assaults, physical intimidation, or property damage. The Bill now adopts the term ‘domestic abuse’, acknowledging that some of the most destructive forms of control leave no physical marks. The Bill moves beyond the isolated incident viewed as domestic violence by explicitly recognising economic abuse, emotional and psychological abuse and marital rape. The legislation acknowledges that violence is the mechanism of power and control rather than just an uncontrolled individual impulse.

Some key differences between the two laws – the law and the new Bill. The 1997 Act focused heavily on issuing civil court orders, protection, occupation and tenancy orders after an act occurred. The Domestic Abuse Bill is proactive and comprehensive, focusing on addressing structural causes, systemic support and perpetrator accountability.

The 1997 Act centred largely on physical harm, immediate threats of bodily injury, explicit confinement or physical property damage. The Domestic Abuse Bill broadens the definition significantly to explicitly criminalise coercive control, financial abuse and non-consensual sexual acts. The 1997 Act relied heavily on district courts and individual enforcement officers to execute orders independently. The Domestic Abuse Bill implements a global judicial support network, ensuring seamless coordination between enforcement officers, emergency services, shelters and frontline courts. The Domestic Abuse Bill starts to deal with one of the four fundamental issues, the role of state and public institutions, which are themselves objectively embedded in the patriarchal system. The new Bill creates best interest principles for public institutions. The new law will enable access to any Police stations and give more power to enforcement officers to protect the victims and enforce the law.

Madam Speaker, behavioural tools alone are not sufficient. A behavioural approach assumes that if we fix the abuser's psychology or train the Police, the violence will stop. An eco-socialist approach, to which my Party adheres, postulates that if a women and other members of the domestic unit remain trapped in a socio-economic system and structure of power, society will continue to generate violence regardless of individual rehabilitation. This is why measures to empower women with new rights are essential to change power imbalances. The recent Government decisions in favour of extended maternity leave or the introduction of menstrual leaves moves in this direction of restructuring these power relations.

Madam Speaker, as Minister of Social Security, Social Integration and National Solidarity, I believe this Bill will complement existing legislation and coming legislations to better protect elderly persons and people with disabilities within the domestic unit. This is also a major step forward, especially when combined with the new definition of abuse. As the Minister responsible for the National Solidarity Fund, we are proud to have humbly contributed to the institution of an allowance for citizens who are victim of domestic abuse, including those in Government-sponsored shelters. This will empower victims of domestic abuse to transition from a space of violence to a future peaceful life.

Madam Speaker, let me conclude by thanking the hon. Deputy Prime Minister, herself coming from a modest Mauritian family, originating from Chagossian roots and the daughter of a dock worker, for having laid this historical Bill in this Assembly. Her origins give this Bill an added ethos. After having mourned the victims, after having paid tribute to our heroic fighters, after having understood patriarchy and depicted the soundness of this Bill. Let us celebrate the journey towards a society where all human beings will live in harmony and love with one another and in harmony with our mother nature. Let me quote John Lennon –

“You may say

I'm a dreamer, but I'm not the only one

I hope someday you'll join us

And the world will live as one”

Mr Mohamed: Sing it!

Madam Speaker: You should sing.

Mr Subron: With this conclusion...

Madam Speaker: You should sing it.

Mr Subron: I do not know whether the Standing Orders allow it.

With this conclusion and this song, I, as a Member of Parliament, as a Minister and spokesperson of Rezistans ek Alternativ, proudly support this Bill. Thank you, Madam Speaker.

Madam Speaker: Let us imagine then, right?

Okay, now I am calling on hon. Minister Pentiah. My discretion to call on you now.

(3.47 p.m.)

The Minister of Public Service and Administrative Reforms (Mr L. Pentiah): Yes, of course, Madam Speaker. Far from disputing the discretion, but respecting it.

Madam Speaker, I shall start with a quote from Nelson Mandela –

“Freedom cannot be achieved unless women have been emancipated from all forms of oppression”.

These words of Mandela, or Madiba, are about women as victims of oppression, not men. Let us all agree on the fact that those who suffer most from domestic abuse in Mauritius

are women. Indeed, the hon. Deputy Prime Minister and Minister of Gender Equality and Family Welfare, Mrs Arianne Navarre-Marie, provided statistics indicating that some 80% of domestic abuse victims in Mauritius are women. This can only mean that the major problem we are facing in Mauritius is a situation where women bear the brunt of abuse in households. However, without losing sight and/or consideration that the remaining 20% may also be men and children as aggrieved persons.

Madam Speaker, today this Government as representatives of the Mauritian population are precisely undertaking the historic mission of addressing the demeaning problem of domestic abuse by broadening the very definition of domestic abuse to consider psychosocial and economic factors besides physical abuse.

At first glance, this Bill may appear to be about one issue only, the prevention of domestic abuse and the protection of women victims. But Madam Speaker, I respectfully submit that it is much more than that. It is about the kind of Mauritius this Government is determined to build. It is about the values that define us as a nation.

This Bill is about the responsibility that we have as legislators, owed to every citizen who expects this Parliament to protect not only their rights, but also their self-respect, their dignity and their contributions to build the Mauritian nation.

Today, we are not simply debating a legal text, Madam Speaker. We are making a statement about the society we want to build. Today, this Government is not just proposing legislative reforms. This Government is also building a just society where the rights of women, men and children against abuse, is recognised, is respected and above all, is protected. Today, we, as representatives of the Mauritian population, are meeting precisely to undertake the historic mission of ensuring wider emancipation for our women, children and families, and allowing them to break the shackles of irrational and unwarranted oppression. We are providing the needed legal framework to repair and strengthen the social fabric, to make it more resilient against abuse and more effective towards gender equality.

Madam Speaker, as the Minister of Public Service and Administrative Reforms, I approach this Bill from a different but complementary perspective. A law can establish rights. A law can define offenses. A law can impose sanctions but it is only through efficient, compassionate and responsive public service that those rights become a lived reality for our women, children and families. An aggrieved person, Madam Speaker, who finally gathers the courage to seek help, should not encounter bureaucracy instead of empathy. This person

should not be sent from office to office. This person should not have to repeat the painful story countless times before receiving assistance. This person should encounter a State that listens, a State that acts, a State that protects.

Madam Speaker, that is precisely what a modern public service must represent. Too often, administrative reform is associated solely with software, new procedures or organisational charts. Albeit these are important, but they are not the ultimate objective. The true purpose of administrative reform is to improve the daily lives of our people. Here, I have in mind the Family Protection Officers, the Probation Officers, the Police Officers, the Court Officers, Medical and Educational Service Providers and Administrative Officers, just to name a few, where training and capacity building will be imperative and my Ministry undertakes to provide all the necessary support to the line Minister to implement the provisions of this legislation because precisely, Madam Speaker, public administration is not about files, it is about families. It is not about procedures; it is about people. It is not about institutions existing for their own sake, it is about institutions serving citizens with professionalism, compassion and integrity. That is the philosophy guiding the reforms that this Government is pursuing in a holistic manner.

Madam Speaker, I am sure you have encountered this person, Émile Durkheim. Émile Durkheim reminded us that society is held together by what he called social solidarity, the bonds of trust, mutual respect and shared values that unite individuals into a community. Whenever violence enters a home, those bonds are weakened. Domestic abuse is therefore not simply an attack on one individual; it is an assault on the social fabric that binds our nation together. Every act of violence diminishes not only a family, but a society itself. It affects public health, education, productivity, mental well-being and social cohesion. It leaves deep scars on women, men, children and families. It creates cycles of violence that may continue across generations if we fail to act decisively.

And, Madam Speaker, this Government is acting firmly and decisively. When Government speaks about building a better Mauritius, we naturally think of economic development, infrastructure, digital transformation and innovation. These are essential but a truly developed nation is measured by something even more fundamental. It is measured by the safety of its families, by the trust citizens place in their institutions, by the respect shown to every individual regardless of gender, age or social status. A better Mauritius is not measured only by the roads we build; it is measured by the lives we protect. It is not

measured only by economic growth; it is measured by the dignity we preserve. That is why this Bill deserves the support of every Member of this House.

Madam Speaker, we cannot not agree with what Jimmy Carter said –

“The abuse of women and girls is the most pervasive and unaddressed human rights violation on Earth.”

At the time, Jimmy Carter was making a worldwide assessment. In Mauritius too, we have recorded heinous crimes against women for quite a long time. Even now, we often hear on *faits divers*, news about atrocities committed. This had to be stopped a long time ago. Unfortunately, the previous Government remained silent on this matter. We are taking concerted, considered and responsible action against domestic abuse.

Madam Speaker, while combating crime and abuse of women still constitutes an appeal battle, this Government has successfully undertaken considerable efforts to ensure equality in rights between women and men. Many decisions have been taken to ensure women empowerment already. Let me start as far back as 1975; 51 years ago. The first Prime Minister of Mauritius, Sir Seewoosagur Ramgoolam, appointed the first ever woman Minister in our history, Mrs Radhamaney Poonoosamy. She was the first woman MP to join the Cabinet as Minister of Women's Affairs, Price Control and Consumer Protection. 56 years after the Poonoosamy achievement, a woman MP, hon. Arianne Navarre-Marie, has acceded to the office of Deputy Prime Minister, a first in our history.

It should be noted that several politicians, starting with yourself, Madam Speaker, and Mrs Sheila Bappoo, in the 70s and 80s, have contributed immensely for the cause of gender equality and women empowerment. Much has been accomplished since 1975 indeed in the empowerment of Mauritian women. More so at the Government level, when the Labour Party has been in office and history will retain, once more under the leadership of a Labour Prime Minister, decisions, actions and legislations are paving the way towards women empowerment. It is important at this point to note that under the present Government –

- at the level of Senior Chief Executives serving our country, men and women are at parity: four of each;
- at the level of Permanent Secretaries, there are 21 women and only 18 men;
- at the level of Deputy Permanent Secretaries, there are 44 women and only 29 men, and

- at the level of Assistant Permanent Secretaries, we have 92 women against only 57 men.

This is concrete example of what this Government is doing. And at the level of my Ministry, I am happy to report that we have introduced and reinforced policies aimed at ensuring that public officers work in an environment free from harassment, bullying, discrimination and workplace violence. Public officers benefit from welfare services, counselling support and referrals to specialised services where appropriate.

Madam Speaker, the Bill also reminds us that violence is not born overnight. It often begins with disrespect. It begins with intolerance. It begins with controlling behaviour. It begins with humiliation. Madam Speaker, how can we forget when Pravind Jugnauth was Prime Minister? He showed utmost disrespect to a woman, a sitting magistrate in function. He humiliated her honour by publicly calling her names, only because her honour showed the courage to perform her function in the inquiry of the death of the very political agent of Pravind Jugnauth, the late Kistnen, which has since been established to be a clear case of murder.

Madam Speaker, the psychologist Albert Bandura demonstrated, through his social learning theory, that behaviour is often learnt through observation. Children who repeatedly witness violence may come to regard aggression as a normal means of resolving conflict. Unless the cycle is broken, violence risks reproducing itself from one generation to the next. This Bill is, therefore, not only about protecting today's victims. It is also about preventing tomorrow's perpetrators. If we are serious about eliminating domestic abuse, then we must also promote a culture of mutual respect, dialogue, responsibility, and equality.

At some point, the hon. Leader of the Opposition expressed his negative views on section 17 of the present Bill. Madam Speaker, I was sitting as a magistrate in Flacq. One morning, a Family Protection Officer appeared before me with three files, moving to extend the Immediate Care and Control Order (ICC) of three children. When it concerns children, I had the habit to examine each and every file in details. I noted they were all siblings.

So, I called the officer in the chamber, and I requested her to provide me with a Social Inquiry Report (SIR), and an update to what is happening to the children. She provided me with a report which was not to my satisfaction. So, I told her what I requested and what I needed to know before I extend the ICC. Otherwise, I will not extend. Eventually, I had to

call to see the three children. They were all at Pointe aux Sables. They were living in Olivia, Antoinette.

From there, they moved to Pointe aux Sables. The children came. The youngest was nine years old. She cried her eyes out. She wanted to go back to her mom and dad. The eldest did so well at the CPE exams. He was already in Form III, at NSS College, in the vicinity of Port Louis. The second one was still at primary school. They were all willing to go back to the bosom of their family. The reason there was an ICC is because neighbours reported that the children were neglected, did not have a bathroom or a toilet, and were not taken care of.

Eventually, Madam Speaker, to cut it short, with the help of NGOs, with the help of the then Minister Suren Dayal, responsible for such cases, we built a house for the family with a bathroom and a toilet. We had counselling for the parents, and sent the three children back in the bosom of their family. Section 17 is all about that. Giving magistrates like me, sitting in a court, the reason to call for inquiries, the reason to seek for rehabilitation, the reason to reconstruct families instead of destroying them.

Madam Speaker, developmental psychology teaches us that human behaviour is shaped by multiple environments indeed: the family, the school, the workplace, the community, and public institutions. If we truly wish to eradicate abuse, then each of these environments must send the same message: that violence is unacceptable, respect is non-negotiable, and dignity belongs to every human being. I shall quote Nelson Mandela again –

“There can be no keener revelation of a society's soul than the way in which it treats its children.”

I strongly believe that in our education system – and my brother is next to me – children and adolescents should be sensitised to the benefits of equality and the negative consequences arising from violation of rights. We can thus create conditions where children will teach recalcitrant parents about the new society we are building.

For many decades, Mauritius has been extolled by international institutions, foreign visitors and media for its democratic values and the peaceful and fruitful interaction between people of diverse origins. Let us strive towards making Mauritius a model also in gender equality and the existence of peaceful and striving close-knit families.

Madame la présidente...

Madam Speaker: Il faut conclure!

Mr Pentiah: Oui, deux minutes, Madame la présidente, s'il vous plaît.

Je reviens avec Victor Hugo, que j'aime bien : 'La plus grande force d'une société réside dans sa capacité à protéger les plus vulnérables.' Cette pensée nous rappelle que le véritable progrès d'une nation ne se mesure pas uniquement par son développement économique, mais aussi par sa capacité à défendre la dignité humaine.

Nous pouvons construire davantage de bâtiments, Madame la présidente. Nous pouvons investir davantage dans des infrastructures. Nous pouvons moderniser notre économie. Mais si une femme vit dans la peur chez elle, si un enfant grandit dans la violence, si une famille est brisée par les abus, notre devoir collectif n'est pas encore pleinement accompli. Voilà pourquoi ce projet de loi s'inscrit pleinement dans la vision d'une République de Maurice plus juste, plus solidaire et plus humaine. Et je félicite notre vice-Première ministre et ministre de l'Égalité des genres et du Bien-être de la famille pour ce projet de loi.

Madame la présidente, notre fonction de parlementaire dépasse parfois les clivages politiques. Il existe des moments où nous devons parler d'une seule voix. La lutte contre les violences domestiques est l'un de ces moments. Nos différences politiques peuvent subsister, mais notre engagement envers la dignité humaine doit être commun. Cette loi envoie un message clair, Madame la présidente : la violence n'a pas sa place dans nos foyers, dans nos communautés, ni dans notre République.

Madame la présidente, je saisis cette opportunité devant cette auguste Assemblée pour m'adresser aux femmes, aux hommes, aux enfants, aux familles d'Agaléga ; pour m'adresser aux femmes, aux hommes, aux enfants et aux familles de Rodrigues ; pour m'adresser à chaque citoyen de notre République. Pour gouverner, il faut avoir une vision ; et gouverner, c'est prévoir. Et pour qu'un navire arrive à bon port, Madame la présidente, il est impératif que les gouvernails du navire soient entre les mains de quelqu'un qui a une vision claire, un sens du devoir et qui est résilient aux adversités.

Chers citoyens de notre République, rassurez-vous, notre Premier ministre a ces qualités. Vous nous avez fait confiance. Nous honorerons votre confiance. Mais prenez garde

aux démagogues regorgeant de mensonges, assez assoiffés de pouvoir, qui brûlent imprudemment notre tissu social pour leur propre bénéfice. Prenez garde à ceux qui, par la démagogie et les mensonges, attisent les divisions et ébranlent notre cohésion sociale et ne poursuivent que leurs propres intérêts. Prenez garde aux marchands d'illusions, aux moyens de la démagogie et du mensonge, qui cherchent à diviser notre nation, à affaiblir notre tissu social et à satisfaire leur seule soif de pouvoir.

Madam Speaker, every generation is called upon to leave the nation stronger than it inherited, except the MSM, of course. Some generations build roads, others build institutions. Our generation must also build trust, restore dignity and create homes where every Mauritian can live without fear of domestic abuse. That is a Mauritius our children deserve. And that is a Mauritius this Government has a firm intention to build.

Madam Speaker, for these reasons, I support the Bill.

Madam Speaker: Thank you. Yes, hon. Minister Dr. Sukon. *Il est 16h10.* I am keeping an eye on the time.

Je ne veux pas trop vous bousculer mais quand on conclut, il faut conclure.

(4.10 p.m.)

The Minister of Tertiary Education, Science and Research (Dr. K. Sukon): *Merci, Madame la présidente. Exactement.*

Madam Speaker, I rise in support of this Bill.

Madame la présidente, quand une femme vit dans la peur sous son propre toit, le foyer devient une prison. If one statement that continues to harbour domestic violence is '*sa zot zafer personel sa*'. '*Sa zot zafer prive sa*'. It is a private matter. Yes, privacy matters. Yes, privacy is part of dignity. Yes, privacy provides the space where the family loves, the family grows, the family discusses, and the family forgives.

I am happy that this Bill tears that statement apart. Because the wedding ring cannot become a weapon. The marriage certificate cannot become a licence to terrify. The family name cannot be a hiding place for violence. I heard the Opposition saying - not hon. Baboolall - that this Bill is theoretical. Theoretical? I invite them to read all the clauses of the Bill. Section 9, provides interim protection. Section 10 tells us that yes, you can apply for social protection order electronically. It talks about remote hearing. Section 29 gives the

power for arrest without warrant. Section 34, talks about the speed at which the protection orders application must be processed. Section 41 ensures that the victim is made aware when the abuser is released on bail or is out of prison.

The Opposition is harping on the clause that the coordinating panel is meeting at least four times a year. But they fail to say that the officers are working every day. That six Ministries, the Police officers are involved in ensuring that people are protected in this country. I am happy that this Bill comes at the right time, before things worsen. Because if you look at the international statistics, for example, United Nations Women. They released a press release in last year, stating that every day 137 women are killed by their partner or somebody in their family. This implies that a woman is being killed by someone she loves, practically every 10 minutes. That is why I congratulate the hon. Deputy Prime Minister - I know how keen she has been to bring this Bill to the House -, the hon. AG, and the hon. Prime Minister for coming up with this Bill.

One of the strongest points of this Bill is that it defines abuse like no law has done it before: economical, psychological, emotional. In fact, Madam Speaker, the wounds that we cannot see are the wounds that take time to heal and sometimes never heal. As this Bill clause after clause fights domestic violence, I humbly suggest the title ought to have been Anti-Domestic Violence and Abuse Bill. I am happy that the law itself today, is coming to correct what it has been partially responsible for. I explain myself.

In 1765, we had Sir William Blackstone. At that time, he was a professor at University of Oxford and eventually, he would be appointed as a Judge. He wrote in his commentaries that following the marriage, the man, the husband and the wife become one legal person and that person could have been the wife, but that person was the man. Which means that after marriage, the woman, the wife vanishes completely into the husband.

17 years later, that is, in 1783. Another Judge, Sir Francis Buller made an outrageous ruling. He said that a man, a husband is allowed to correct his wife using a stick which is not thicker than his thumb. This is where, from this ruling, that emanates the jargon that we use today, the rule of thumb.

Madam Speaker, when we look at the research being carried out on this topic, we find that most of the research publication show how the situation is becoming out of control. That is why this Bill is important. I will cite one of them. A landmark research study which says –

“that out of every 100 abused women, 64 will suffer from post-traumatic stress. And children who experience domestic violence, who are there, who witness domestic violence, they are likely to convey love and fear because they feel the same thing, to others”.

Madam Speaker, that is why I have been requesting researchers to devote their time to find out why in certain cases the protection order may not work. What are the barriers for implementation of the protection order? As I said, this Bill has a lot of strong points. But two points that I really, really, like is first, rehabilitation, and second, sharing of information.

Why rehabilitation? I went to do a search between the 2016 Act and the current Bill. And I asked how many times the word rehabilitation appears in the 2016 law. Can you imagine? It appears zero times. In the current Bill, the word rehabilitation appears 17 times.

Why rehabilitation and sharing of information plays a pivotal role in protection of women? I will take the case of the lady called Clare Wood in England. She was a mother of a 10-year-old daughter, Madeleine. She married to a person, but she did not know at that time that that person had been in prison because he had held a lady at the knife point for 12 hours. Nobody told her. The police knew, everybody knew, but nobody told her. When she was abused, she decided to leave, but the person killed her in February 2009. The father of the lady Clare Wood fought for five years and today, in England, we have the Clare Wood’s Act, which says that if you have information, you must share that information. It is Clare's Law today in England which forces those who have the information to inform everybody, to inform the person – yes, there has been a past. So, Madam Speaker, for me, this Bill comes at the right time.

I support this Bill fully because this Bill makes home, home again. Thank you.

Madam Speaker: Thank you for keeping good time. Yes, now I think I have hon. Dr. Boolell!

(4.21 p.m.)

The Minister of Agro Industry, Food Security, Blue Economy and Fisheries (Dr. A. Boolell): Madam Speaker, I shall be brief, not only because brevity is the soul of the wit, but I have listened very intently to the speech delivered by the distinguished hon. Deputy Prime Minister, Minister of Gender Equality and Family Welfare. I make it a point of course

to pay heed to speeches delivered by all our friends. I must say, the speeches have depth, scale, and scope and therefore, I will have to be like Yifter the Shifter, moving here and there to make sure that I can canvass some points that have not been raised.

Madam Speaker: Without repeating. Thank you.

Dr. Boolell: Let me first of all not only congratulate the mover of the Motion, but you have the full support of the Parliament and the nation. But of course, no legislation is an end in itself and there is a call for wide debate at the bar of public opinion. The people have to be sensitised and this is a Bill that has to be whipped and the provisions of the Bill well disseminated in a language which is common to one and all because we are talking of family welfare; how to bring the family together, not withstanding the many issues which can make life difficult.

Now, I am also happy to hear, I hope I am not disclosing very sensitive information hon. DPM, that at a later stage, she will bring amendment to the Civil Status Act, the hon. AG sorry, we are all part of a team. Relevant legislation will, okay, will address the issue of undeclared children and you know what it means for a right for a child not to be declared and we know of kids attending schools who have not been declared.

So, you can imagine the psychological trauma that a child has to undergo. They can be victims of parents whose dependency on illicit drugs is almost irreversible and as a responsible Government, we should all work against all forms of abuse and discrimination against our children and any victim.

Madam Speaker, when we look at the Explanatory Memorandum of Protection from Domestic Abuse, it sends strong signals, and I have stated earlier, there is a call for wide discussion at the bar of popular opinion. But the best empowerment of a person is knowledge of his and her rights. Then equality can become magnanimity and when we look at the interpretation section, I have never seen an interpretation section, which is very thorough. I am sure, as we say, every penny was well spent.

Of course, there is always room for improvement. That is why I say the law sometimes is an ass. But the interpretation talks of not only domestic abuse or emotional abuse, but as has been stated by the distinguished hon. Minister responsible for Tertiary Education, the

rehabilitation programme. Adult interdependent relationship, they are all there and all those who intervened have of course described cases of domestic abuse, neglect and violence and sometimes it is not obvious to establish domestic abuse.

It can be very hard at times to establish at all, under the correction of the beautiful lawyer sitting on the right side who is also on Government bench. I have known her since a very long time seeing her growing up and always very much in the forefront to canvass in Constituency No. 18. So, it is the power of the lady. This is what we call empowerment, best empowerment.

Now, I will come to an issue which is highlighted in this Bill, which I think is not only provocative, but *très avant-gardiste*. The term adult interdependent relationship, amazing and it is full of significance and it extends domestic abuse to adults of the same sex. Hats off, Madam. That is the way it should be and it has been spelt out in the Bill without fear or prejudice. There was a time when it was taboo to talk of people of the same sex living together and the issue of homosexuality. I think we should talk of homosexuality without fear or prejudice because all human beings are humane and all human beings have equal rights. The Protection from Domestic Violence was first introduced on 29 April 1998. I recall when the distinguished hon. lady introduced the Bill, hon. Mrs Thacoor-Sidaya.

Much to my surprise, our friends on the Opposition bench were having a dig at her, calling her Mrs James Bond. Now, you know, anything goes just to try to, make the lady feel uneasy and yet, the lady is there, not to be admired, to be looked at. Sometimes the lady can also act with a clenched fist. So, we have, as we say, to err on the side of caution – which we equally can share.

Madam Speaker: Men are also good to look at, you know that? Men are also good to look at.

Dr. Boolell: Yes, of course. Irrespective of the profile, but as long as he is not for making a U-turn.

So, the Protection from Domestic Violence Bill was first introduced on 29 April 1998 and amended in May 2004, December 2007, July 2011, and June 2016. I am glad that in the

last three amendments brought to the legislation or in the last two rather, the issue of cybercrime also has been highlighted.

Now, when we talk of cybercrime, I will refer to the cybersecurity offenses, which are on the rise, but unresolved cases have doubled as hon. A. Duval has stated. But he can rest assured that Government is not indifferent or insensitive, and the Ministry is working closely with ICTA and Cybercrime Unit of the police force to investigate those cases frontally.

I do have to say one thing also, the hon. Minister responsible for IT is not here, but, still the online safety remains an uphill battle. Domestic abuse, as we have stated, is cross-cutting. To combat the scourge, we have to identify the persons at risk. The first person who can identify the at-risk case is the teacher. The teacher as a responsible person should be trained to identify those at-risk cases for psychological support. Very often, as I have stated, he is the first contact person of a traumatised child.

Government, Madam Speaker, is governing, and Government is acting forcefully to make provision amongst others for an effective and more accessible judicial system to Domestic Abuse Orders.

The prevalence of domestic violence – I know you would be surprised if I say that – among women was during the COVID-19 period. I am sure you would be surprised to hear that. There were several factors identified as contributing to potential increase in both the prevalence and severity of domestic violence during the COVID-19 pandemic.

There have been studies conducted and information well disseminated. One of the studies which highlights the severity of domestic violence during COVID-19 pandemic was a study conducted by one of the forceful institutions responsible for family welfare in Australia. I highlight: victims and offenders spend more time together, increase social isolation and decrease social movement, which may restrict avenues for women to seek help, and increase situational stresses associated with domestic violence, financial stress and job insecurity.

The best thing that the Labour Party has done, and could have done, and constantly doing is not only the empowerment of women, but the emphasis being laid on education, education and education. This is of prime importance. What education has done: it has levelled up both men and women, making them at par. When there is parity of esteem, this inherent problem to a large extent is mitigated and assuaged.

Now, when we look at cases in Mauritius as at 2024, approximately 1,507 cases under the Protection from Domestic Violence Act were lodged at the level of district courts of Mauritius. In more than 50% of these cases, the complaints were withdrawn, set aside, dismissed or struck off. It is good to have an in-depth study over this repeated pattern. This is something that we need to look into, whether the cases were withdrawn out of fear, whether there was substance in relation to the cases being withdrawn, whether the two partners have come together. I think there is a call for study to be conducted.

Now, the Domestic Abuse Bill provides for greater provisions and protection of victims. We are more responsive to victims. The victim can report emotional abuse. Cases of psychological damage can be, at times, difficult to repair. The Bill makes the difference and serves the best interest of the aggrieved person and he/she remains in the care of the aggrieved person who should be given the support to recover from the abuse.

Madam Speaker, human rights are women's rights and every individual's rights. We have to subscribe fully to conventions on all forms of discrimination and abuse against women. Of course, men are also victims of violence, and the issue is not sidelined. Is the name of a woman frailty? Certainly not! She is the apple of our eyes, as I have stated earlier, but she has no right also to be physically, emotionally, psychologically abusive and play misty to torment or torture her husband, living in companion or children.

Notwithstanding poor parenting, Madam Speaker, alcohol and drugs are precipitating factors with high prevalence of domestic violence. The consequences are far-reaching and the children who are referred to homes of shelters sometimes suffer from maladaptive conditions. The DPM is revisiting the prevailing conditions to protect the welfare of our young who are restless and helpless. They are our angels. Sometimes, as I have said angels, with tight fists.

Rehabilitation has to take place with tender love and care. This is vital. Sometimes, we do not have the resources to make this happen. So, we have to address this in a very forceful and meaningful manner. We need to look at our level of preparedness and see to it that those who have the acumen deliver on what is expected of a society which is on the move.

I refer to a few sections: 22, 25, 27. Now, a Domestic Abuse Coordinating Panel will be established to coordinate cases of domestic abuse reported at the ministry, police stations or any other institutions. Prior to reporting domestic abuse cases to the Domestic Abuse Coordinating Panel, committees shall be set up to conduct risk assessment, monitoring of

cases, to conduct case conferencing on acts of domestic abuse. Of course, report and remedial actions will be forwarded to the Domestic Abuse Coordinating Committee.

Enforcement officers, officers of the Ministry of Gender, will also conduct risk assessment exercises, ensure the safety of the aggrieved person, submit assessment reports of the court, and where Domestic Abuse Order has been issued, do regular home visits to the place of residence of the aggrieved person for the duration of the order.

Section 32: an application for Domestic Abuse Order shall be heard in camera – and this is very important – or remotely, either *proprio motu* or at the request of a party. Also, if I refer to sections 33 and 34, if the circumstances so require, an enforcement officer, officer of the Ministry of Gender may make an application for any protection order through technological means on behalf of the aggrieved person. The court may then conduct a remote hearing to determine whether an interim protection order should be issued. This will be a quicker way of making an application in cases which are urgent. This will help the aggrieved person get an order within a matter of hours for her or his protection.

Furthermore, Madam Speaker, any application on a motion by the applicant may be heard through such live video or live television link system as may be approved by the court. This helps the aggrieved person by minimising the trauma and providing a safe and secure environment to testify to victims of domestic abuse. The penalties in relation to offences in section 39 are stiff, and rightly so.

Madam Speaker, as I have said, no legislation is an ending process, but it has to be enforced. To give it the force of the law, we have to make sure that the relevant information is well disseminated and the population is taken onboard. We need to be a nation on the march, a nation which puts a lot of premium on family values. We need to make sure that we live up to the expectations of our people.

God bless! Thank you very much.

Madam Speaker: Thank you.

Yes, hon. Prime Minister!

(4.37 p.m.)

The Prime Minister: Madam Speaker, we are addressing, today, an issue of national importance, which unfortunately has been kept on the back burner for a long time.

This Bill before the House reflects the commitment of the Government, as hon. Dr. Boolell has just said, to strengthen the protection afforded to victims of domestic abuse and to ensure that such abuse, in whatever form it takes, is met with an effective response from the law.

I must commend the hon. Deputy Prime Minister and Minister of Gender Equality and Family Welfare for having worked assiduously on this Bill and brought it to the House. She deserves, Madam Speaker, our gratitude and our congratulations.

Domestic abuse rarely occurs in public. It happens behind closed doors and very often in a home that, to the outside world, looks entirely ordinary. For some of our citizens, unfortunately, the house is not the place of safety it is meant to be, it can become a hell instead.

Abuse of this kind can start in a very insidious way – an insult, a threat, a controlling remark dressed up as concern. It can grow into the withholding of money, the cutting off of a person from her own family, the monitoring of a phone, the use of a child as a tool of pressure. Left unaddressed, it can end in physical violence, in sexual abuse, and in the worst cases, it can result in death. Our law, Madam Speaker, must be capable of seeing behind all of that, not just the part that leaves just a visible bruise.

Madame la présidente, nous sommes malheureusement confrontés à un paradoxe. D'un côté, notre droit consacre la protection à la sphère privée des citoyens, dans le sens où il garantit le respect de la vie privée, une valeur fondamentale dans une démocratie. Toutefois, cette protection rend dans une certaine mesure plus difficile la lutte contre les violences et les abus domestiques.

Le respect de la vie privée s'érige parfois en véritable bouclier. Il dissuade ceux qui sont témoins ou qui ont connaissance d'actes de violence, que ce soit des voisins, des collègues, des membres de la famille ou encore une organisation non-gouvernementale, d'intervenir ou de signaler ces faits aux autorités compétentes.

Lorsque les violences éclatent au sein d'un couple, il est très fréquent d'entendre : « C'est une affaire privée. » ou encore : « *Enn dispute ant mari ek fam sa, pa rant ladan.* » Cette perception contribue, malheureusement, à banaliser la violence et à maintenir les victimes dans le silence. Par leurs inactions, ces témoins deviennent malgré eux des

complices. Des complices d'un système où le secret et le silence se cachent derrière le principe du respect de la vie privée.

Si nous voulons véritablement renverser cette situation, il est indispensable de provoquer un changement profond des mentalités. Nous devons mettre fin à cette interprétation erronée du respect de la vie privée et faire de chaque citoyen, voisin, collègue, membre de la famille, ou même simple témoin, un acteur engagé dans la lutte contre les violences et les abus domestiques.

Le respect de la vie privée ne doit jamais servir de refuge à la violence. Il y a une ligne rouge, Madame la présidente. La vie privée doit s'arrêter là où commencent les violences et les abus domestiques.

L'abus domestique ne constitue pas seulement une problématique que le droit peut résoudre à lui seul. Il convient de comprendre qu'il est souvent – très souvent – le produit d'un conditionnement social et d'un système dominant qui érigent une culture de domination fondée sur le genre en norme sociale, voire un comportement perçu comme logique et acceptable au sein de la société.

Cette situation, Madame la présidente, se perpétue, notamment, grâce aux stéréotypes de genre profondément ancrés dans les mentalités qui contribuent à minimiser la gravité des violences domestiques et à banaliser leurs conséquences. Ces stéréotypes se transmettent de génération en génération, empêchant ainsi une condamnation ferme, unanime et sans équivoque des actes d'abus domestique par l'ensemble de la société. Ce phénomène social constitue un obstacle majeur à la lutte contre les violences domestiques.

Dans un contexte où ces stéréotypes persistent, les sanctions prévues par la loi, qu'il s'agisse de peines d'emprisonnement, d'amendes ou d'autres sanctions, peuvent apparaître comme une réponse essentiellement punitive, voire populiste, plutôt comme une solution véritablement efficace face à l'urgence de protéger les victimes. Si elles sont indispensables pour sanctionner les auteurs, elles demeurent insuffisantes lorsqu'elles ne s'accompagnent pas d'une transformation profonde des mentalités et des comportements. À elles seules, elles ne permettent pas de prévenir efficacement les récidives ni de protéger les victimes actuelles ou les victimes futures.

Réduire durablement l'incidence des abus domestiques suppose donc une approche globale qui dépasse le seul cadre juridique. Il est indispensable de déconstruire l'héritage culturel et les stéréotypes qui alimentent ces violences par des actions continues de sensibilisation, de plaidoyer et d'éducation dès le plus jeune âge.

Je me rappelle, Madame la présidente, de Madame Loga Virahsawmy qui a fait beaucoup de recherches sur le sujet. Elle m'avait dit un jour : un petit garçon voit son père frapper sa mère, l'insulter. Et revoir la même scène à plusieurs reprises, il finit par croire que c'est normal. C'est comme ça qu'il grandit. C'est pourquoi il faut commencer l'éducation dès le plus jeune âge. C'est pourquoi je veux inclure cette notion dans le projet NICE que je vais recommencer très bientôt.

Ms Anquetil: Très bien.

The Prime Minister: Parallèlement, les auteurs de violence devraient être soumis à des programmes obligatoires de réhabilitation comprenant un accompagnement psychologique, un suivi comportemental et des interventions visant à modifier durablement les attitudes qui contribuent à ces comportements violents. Ce n'est qu'ainsi qu'en agissant simultanément sur les dimensions, que ce soit juridique, sociale, éducative et psychologique, qu'il sera possible de lutter efficacement contre les abus domestiques.

Madam Speaker, with the passage of time, we have realised that there is a need to bring altogether a different Bill. The Bill, which is before this House, is not a touch-up of the existing Protection from Domestic Violence Act, which was introduced in 1997 by the then former Minister, hon. Indira Sidaya, and it dates back to 30 years, Madam Speaker.

The Bill repeals the Protection from Domestic Violence Act entirely, and places it with legislation that is wider in its protection, more realistic about how abuse happens, and considerably more accessible to the person who needs the court's help.

Even the change in the title is deliberate, because, Madam Speaker, violence tends to be read narrowly as a physical act whereas abuse is broader. It captures the pattern of domination and coercive control that can destitute a person of her or his dignity and humanity.

A person can be cut off from her or his own income, prevented from working, pressured into signing a loan, a guarantee – I have seen cases like this – give a power of attorney that she or he never wanted to sign. Her medication can be withheld. Intimate photographs can be used to threaten and humiliate that person. None of that shows up as a bruise or on a Medical Certificate – none of it. Yet, it can all strip a person of his or her dignity without having raised a hand against the victim.

That is why this Bill widens the legal definition of an act of domestic abuse to cover, not only physical but also, sexual, emotional, psychological and economic abuse, together with the conduct that is violent, threatening, controlling or coercive that places the person in fear for his or her own safety and for the safety of someone close to that person. It further widens its scope to capture perpetrators who attempt to commit an act of domestic abuse, and also those who cause another person to commit that act of domestic abuse.

This Bill, Madam Speaker, also addresses expressly non-consensual sexual order, sexual conduct within these relationships, including rape. I want to be absolutely clear, Madam Speaker. A marriage certificate or a shared address or an intimate relationship has never been and will never be a licence to disregard another person's consent. During the speech, I will describe some of the situations that the victims experience because it is the most common pattern we see.

Hon. Members should be in no doubt that this Bill itself has been drafted without distinction. It protects every aggrieved person, regardless of gender; whatever the relationship and the conduct fall within its ambit.

This Bill also catches abuse through digital means, repeated messages, surveillance, the circulation of private images, harassment through social media, interference with the partner's online banking – all fall under the purview of this Bill.

A victim today, Madam Speaker, can be followed by her or his abuser, well beyond the walls of his own house or her house, through the phone which is in his or her pocket.

The Bill, now, also addresses such conduct expressly and ensures that protection of the law extends to abuse committed through contemporary digital and electronic means, which is today a reality.

The class of persons protected is also widened. Protection, under this Bill, does not turn upon the existence of a formal marriage or a person living under the same roof, as is presently the case under the Protection from Domestic Abuse Act. It extends to former spouses, to partners living or having lived together, to persons in an intimate relationship, whatever its duration, to parents of a shared child, to members of the same household, and through the new concept of an adult interdependent relationship, to two adults who may not be married or related by blood but who live in a committed and mutually supportive relationship in which one significantly depends upon the other for care and assistance. The law ought to look at the real nature of a relationship and the vulnerability that comes with it, rather than stopping just at the label.

Madam Speaker, a child who repeatedly hears or witnesses, as I said, abuse in his or her home is not a silent observer. He or she carries it with him or her. The Bill recognises that a child as a collateral victim in his or her own right requires the Court when deciding what protection may be warranted to weigh the welfare of any child who is or is likely to be affected.

This is along the guiding principles of Part (II) of the Bill, which requires any person, the Court, the police, and every institution exercising functions under this new legislation to treat an aggrieved person who has been subject to an act of domestic abuse with dignity, to act promptly, to take into account any disability or special need, and to have regard to her or his mental and psychological well-being and act in the best interests of the victim.

I would ask hon. Members not to read that as a formality. It sets the tone for everything that follows in the Bill. A person who comes forward is given today the necessary consideration as a person and not processed as a case file or a number.

Domestic abuse survives very often on silence as I said earlier. A victim may be afraid. The victim may be financially dependent on the very person who is abusing her or him. The victim may simply not believe that anyone will actually act on what she or he says. The professionals who encounter her or him, such as a doctor or a nurse, a psychologist, a social worker, a family counsellor, is frequently the first person to notice that something is wrong.

The Bill places a duty on such persons to report where they have reasonable grounds, to believe a person has been or is being or is likely to be a victim of an act of domestic violence, and it affords protection to anyone who reports an act of domestic abuse in good faith from being sued or prosecuted for having done so.

We want professionals, Madam Speaker, to be able to speak up when they see warning signs and not to have fear. They do not fear personal liability to be the reason why they stay quiet. A right that cannot be exercised swiftly is in practice no right at all for someone who is in danger.

An aggrieved person who believes further abuse is likely, may apply to the District Court for a protection order. The Court may prohibit further abuse, restrict contact and proximity, bar entry to specified premises, and prohibit the related person from retaining an offensive weapon or from holding a firearm license. Such an order may run for up to two years.

Where the danger is immediate, the Court may issue an interim order, protection order, even before hearing the perpetrator and may summon her or him to appear within three working days to show cause why the order should not be enlarged, varied or discharged.

The Bill also allows an enforcement officer to make such an urgent application by electronic means, and the Court may, where appropriate, conduct a remote hearing.

A victim facing immediate danger should not be required to navigate unnecessary physical or administrative barriers before obtaining the protection of the law. This is happening now. There are so many barriers to it. Time, very often is of the essence in such cases. Too often, it is the victim or her or his children who are compelled to leave the family home sometimes in the middle of the night, disrupting their security, the schooling of the children, their employment, while the perpetrator remains in place.

This Bill turns this around completely. Where it is justified in the family's best interest, the Court may issue an exclusion order granting the victim the exclusive right to remain in the common residence and requiring the perpetrator to leave it.

In deciding, the Court will weigh naturally the continuity for any children, the accommodation needs of both parties, and any hardship that could result. This is a judicial discretionary power. It is for the person who is a Magistrate or a Judge to decide. The Court may address the practical consequences of such an order. Very often, they lease residence, all the furniture, the household effects, rent, mortgage, repairs. Where an exclusion order is not appropriate, the Court may order the perpetrator to secure suitable alternative accommodation for the victim and her children.

There is also a further provision for alimony for the reimbursement of monetary losses flowing directly from the abuse such as loss of earnings, medical or dental costs, and for a

victim to be accompanied by the police back to the common residence to collect her or his belongings and those of her or his children.

This may sound like small administrative matters, but to a person who has fled his or her home with nothing, they are very often the difference between a fresh start and renewed dependence on that very person she or he has just left.

Madam Speaker, no single Ministry, police station or Court can carry this on its own. A victim may need police protection, may need medical care, psychological support, housing, access to justice, sometimes all these within the same day.

This Bill establishes a domestic abuse Coordinating Panel bringing together the Ministry responsible for gender equality, education, health, reform institutions, social security and the police, supported by committees responsible for risk assessment and case conferencing at operational level because the information must flow lawfully and responsibly between those institutions. Risks must be flagged before they escalate, and there has to be clarity and accountability about who acts on what.

Enforcement officers will conduct risk assessments and home visits. They will prepare reports. They will arrange transport to a place of safety, or to a hospital where it is needed, and assist victims to file complaints. Where the victim is unable to give consent, an enforcement officer may apply for a domestic abuse order on that person's behalf, provided that the reasons for acting without consent are clearly put in front of the Court.

A complaint can now be recorded at any police station in Mauritius. Generally, it is more often a woman than a man, more than 90%, they go and complain, they say – oh, this has happened elsewhere, you have to go to a different police station. Now, it can be recorded at any police station in Mauritius, regardless of where the abuse occurred or where the victim lives. The question of jurisdiction must not be a bar to report such a case.

Where the statutory conditions are satisfied, a police officer not below the rank of Assistant Superintendent of Police, may cause the perpetrator of abuse to be arrested without a warrant and brought before a Magistrate at the earliest opportunity because sometimes it is very urgent to act. We have seen recently in France, in England, these have happened.

Where the victim withdraws her complaint, sometimes under pressure, now the matter has to go to the Director of Public Prosecutions because withdrawal, as I say, can come from fear or from pressure as much as from genuine reconciliation, and that judgment must be independent, not between the parties alone.

Proceedings will be heard in camera or where appropriate, remotely with audio and visual recordings, admissible again subject to the rules of evidence.

The Bill provides for the Court to dispose of applications expeditiously and to provide safe waiting areas and pre-trial support as far as practicable.

An appeal to the Supreme Court lies against substantive domestic abuse orders, though not against interim domestic orders. An appeal will not suspend the order under challenge. A person's protection should not lapse simply because the other side has filed an appeal. It will not lapse.

No costs will be awarded under the Act, and the proceedings will be exempt from registration and stamp duty. Madam Speaker, a person's safety should never, never depend on whether she or he can afford to pursue it. This Bill protects – it does not excuse, it protects.

A domestic abuse order is an order of the Court and wilful non-compliance is an offense and is the underlying act of abuse itself. The penalties rise with repetition, a fine of up to Rs50,000 and up to 12 months imprisonment on a first conviction. But a fine of Rs100,000 and up to three years on a second offence, and a penal servitude up to 10 years on a third or subsequent conviction.

At the same time, the Bill makes room for rehabilitation where necessary, that is, psychological assessment, and where appropriate, a structured programme addressing coercive control and the risk of reoffending.

After conviction, the Court may, in exceptional cases and under close supervision, order counselling rather than a sentence. If the convicted person fails to comply, the Court then will sentence him or her for the original offence under the penalties this Bill prescribes.

Rehabilitation, Madam Speaker, has its place in this Bill. It is not as if and was never intended, to be a way around accountability. Persons who come to know a victim's circumstances in the course of their duties are bound to confidentiality, subject, of course, to narrow and clearly defined exceptions. A court order, a criminal investigation or the victim's own consent are the victim's best interest.

Unauthorised disclosure is itself made an offence. The Supervising Officer of the Ministry of Gender Equality and Family Welfare must be informed when a person charged

with domestic abuse is released on bail and when a convicted person is released from prison so that any renewed risk can be assessed and managed in time.

The Bill also provides; it makes proper saving and transitional provision for matters already underway and shall come into operation by proclamation with different provisions commencing on different dates so that the institutional and administrative groundwork can be put in place in an orderly manner.

Madam Speaker, the question has been raised whether one should have recourse to chemical castration to punish serial rapists, in particular those having sexually assaulted children and engaged in incestuous acts. I must say, Madam Speaker, chemical castration has proved to be effective wherever it is practised today. I believe – it is a matter of personal conviction – that we should seriously concern this for certain repugnant cases while we should be mindful of the human rights implications of such a practice. And it must always, always be based on very clear evidence.

I took note of the proposals, Madam Speaker, made by non-governmental organisations to introduce electronic bracelets in addition to the protection order in cases of systematic domestic abuse. This will be given consideration.

Madam Speaker, as hon. Dr. Boolell has just said, no statute on its own can walk into a home and stop an act of abuse before it happens. What this Bill does is set out plainly what our society will no longer tolerate, give a victim a workable and timely route to safety and place the responsibility for what has happened squarely where it belongs – on the person who chose to abuse, to control or to intimidate someone who trusted him or her.

This is not a Bill against the family. It is a Bill in the defence of the family. It is a Bill against conduct that hollows a family out from within. Affection is not ownership. Dependence is not consent. And the privacy of a home is not and cannot be a shield for what happens behind the closed doors.

Madam Speaker, our responsibility does not end when this Bill is passed. It would be measured in training, in resourcing, in coordination between institutions and in how the person who finally finds the courage to come forward and is treated when she or he does.

This legislation is necessary. It is urgent and it reflects the kind of society we want to live in, a society where dignity is protected, vulnerability is not exploited and no one is left to face abuse alone and in silence on the hands of a bully, an oppressor or a tyrant.

Madame la présidente, une famille heureuse et stable où règne le respect pour chaque membre demeure la fondation de toute société. Durant ces dernières années, nous avons malheureusement été témoins d'une dégradation sans précédent de notre société. Cela est grandement dû à une perte de repères, au non-respect des valeurs morales et à l'ampleur grandissante de la drogue depuis 2015.

Les enjeux de notre société liés au bien-être de la cellule familiale sont multiples. J'ai mentionné la drogue, mais il y a aussi depuis très longtemps maintenant les autres fléaux tels que l'alcool, la précarité, le manque d'éducation, qui sont des facteurs qui entraînent plusieurs formes d'abus domestiques.

On ne peut laisser au seul droit du système judiciaire et à la police la responsabilité de lutter contre un problème de société.

Dans les cas de violences domestiques, il est indispensable de s'interroger sur la responsabilité de chacun, pas uniquement sur celle des témoins, comme je l'ai évoqué plus haut, qu'il s'agisse des voisins ou des membres de la famille.

Cette responsabilité, Madame la présidente, incombe également à l'ensemble des organisations de la société civile, aux associations socioculturelles, aux organisations non gouvernementales, ainsi qu'aux institutions religieuses. Tous doivent se demander quelle est leur part de responsabilité, quel est le devoir qu'elles ont envers la société, quel message elles doivent porter et à quel plaidoyer elles doivent prendre part afin de contribuer activement à la prévention de la lutte contre les violences domestiques.

Ce n'est qu'à partir du moment où chacun apportera sa pierre à l'édifice qu'il sera possible de relever un défi d'une telle ampleur. Les violences domestiques ne constituent pas seulement un problème juridique ou policier. Elles sont avant tout un problème de société, comme je l'ai dit, qui exige une mobilisation collective.

Le même raisonnement s'applique à d'autres fléaux qui fragilisent le tissu social, tels que la consommation de la drogue ou d'autres problématiques qui affectent profondément la

vie de notre société. Face à ces défis, seule une approche collective fondée sur la responsabilité partagée et l'engagement de tous les acteurs sociaux permettra d'apporter des réponses durables.

Je vous remercie, Madame la présidente.

Madam Speaker: Thank you. Thank you very much, hon. Prime Minister.

Yes, hon. Deputy Prime Minister. Now, your winding-up speech!

(5.07 p.m.)

The Deputy Prime Minister: Madame la présidente, ce débat que nous refermons aujourd'hui n'était pas un débat comme les autres. Il touchait à ce que notre société a de plus intime et trop souvent de plus dangereux, ce qui se passe au sein même d'un foyer.

Tout d'abord, je tiens à exprimer ma profonde reconnaissance à tous les honorables membres des deux côtés de la Chambre pour leur contribution réfléchie et précieuse à ce débat. Un remerciement spécial au Premier ministre. Son intervention sur ce projet de loi témoigne de son engagement personnel. Son discours démontre qu'il accorde tout son soutien à la mise en œuvre de cette législation.

C'est un acte tellement symbolique, fort et porteur d'espoir pour les nombreuses victimes d'abus. Chaque intervention a témoigné d'un engagement réel à traiter la question qui nous occupe, appuyé par une analyse rigoureuse, une préoccupation sincère et des perspectives constructives. La richesse des échanges témoigne de la volonté collective de cette Chambre de faire face à cet enjeu social pressant.

Je suis profondément touchée par le soutien indéfectible et la confiance exprimée par les honorables membres. Les contributions ont renforcé ma détermination à intensifier nos efforts pour éradiquer le fléau de l'abus domestique qui continue d'affecter un trop grand nombre d'individus et de familles au sein de notre société.

J'ai écouté avec une profonde émotion le témoignage de l'honorable Leu-Govind, et je tiens à saluer son courage d'avoir partagé un vécu que d'autres femmes, d'autres enfants par pure honte continuent encore d'enfouir au plus profond d'eux-mêmes. Je forme le vœu sincère

que ce courage devienne un phare pour tous ceux qui souffrent en silence par peur, par honte ou par crainte du regard sévère de la société. Je me réfère à ce que mon collègue le ministre, Dr. Sukon, a rappelé sur le *Clare's Law*, qui est basée sur l'importance de partager des informations sur les antécédents criminels d'un des époux ou si elles ou ils ont été des abuseurs. Oui, c'est extrêmement important.

J'ai pris note des propos tenus par le chef de l'Opposition concernant le signalement obligatoire par les professionnels et la sécurité des victimes. C'est précisément la raison pour laquelle la section 5 du projet de loi introduit le signalement obligatoire par les professionnels dans l'exercice de leur fonction. Je tiens à souligner que la confidentialité sera assurée à tous les niveaux du mécanisme de signalement. Rappelons que de nombreuses victimes ont eu recours à une aide professionnelle sans que leur situation ne soit signalée. Le rôle des *enforcement officers* a toujours été crucial pour assurer la sécurité des victimes.

Avec l'adoption du *Domestic Abuse Act*, leurs attributions et responsabilités se trouvent considérablement élargies, puisqu'ils devront désormais veiller avec diligence au bien-être et à la sécurité des victimes. C'est dans cette optique qu'une formation spécialisée sera dispensée conjointement par les officiers du ministère de l'Égalité des genres et par les formateurs de *SafeLives UK*, qui avaient déjà conduit une première formation parrainée par la Haute Commission britannique plus tôt cette année. Ces mêmes formateurs seront à nouveau sollicités pour dispenser une formation plus approfondie sur les dispositions de cette nouvelle législation destinée aux *enforcement officers* du ministère, des membres de la Commission des affaires féminines de Rodrigues, ainsi que des officiers de la police.

Je souhaite également revenir sur un point que j'ai soulevé lors de la présentation de ce texte de loi, celui des victimes qui ayant déposé une demande de *Protection Order*, choisissent ensuite de la retirer. Entre 2023 et mai 2026, près d'un cas sur quatre a fait l'objet d'un retrait. Nous savons hélas que ce retrait ne signifie que trop rarement que le danger a disparu. La section 30 de ce texte de loi prévoit qu'un tel dossier sera soumis par la police au bureau du Directeur des poursuites publiques, le *DPP*, qui pourra demander au service du ministère d'ouvrir une enquête avant que l'affaire ne soit classée.

Madame la présidente, je tiens à rassurer les honorables membres que les propositions visant à inclure des représentants de l'Assemblée régionale de Rodrigues et des ONG seront prises en compte au sein du *Coordinating Panel*. Le projet de loi donne également au ministre la possibilité de nommer deux membres additionnels au *Coordinating Panel*. Je

précise que ces deux membres seront issus de la société civile, notamment des représentants des ONG. Je souligne enfin que le *Coordinating Panel* se réunira aussi souvent que nécessaire, mais au moins deux fois par an. Il ne se limite donc pas à seulement deux réunions annuelles.

Madame la présidente, cette législation n'a pas pour vocation de détruire les familles, mais avant tout de protéger les victimes et de tenir les auteurs de violence responsables de leurs actes. L'*Intervention Order* sera accordée au cas par cas, mais cela ne signifie pas pour autant qu'aucune sanction ne sera infligée à l'agresseur. Conformément à la section 17(3), un tribunal peut émettre simultanément un *Protection Order* et un *Intervention Order*. Je tiens à préciser que mon ministère à travers ses 12 *Family Support Services* offre un soutien psychosocial et un accompagnement aux familles avec dans certains cas où cela s'avère nécessaire, une interaction avec les auteurs de violence. La Brigade pour la protection de la famille disposait auparavant d'un programme de médiation dans les affaires de violence domestique, le *Reconstruction and Recovery Programme*. Elle ne l'applique plus. Nous avons obtenu confirmation de la Brigade pour la protection de la famille que la police traite désormais tout dossier de violence domestique comme un délit et que ces dossiers sont référés à mon ministère.

La section 40 du texte de loi prévoit dans des cas exceptionnels, l'appréciation de ce caractère exceptionnel relevant de la Cour ; la possibilité d'ordonner une thérapie au lieu d'une sanction. Ces cas tiendront compte des circonstances entourant l'infraction, de sa nature, des antécédents, de l'état psychologique et mental, ainsi que de l'âge et de la santé de la personne poursuivie. Madame la présidente, il ne s'agit pas de substituer systématiquement la thérapie à la sanction. Ce sera uniquement dans les cas que la Cour jugera nécessaire, non pour l'ensemble des affaires d'abus domestiques.

Je le redis devant cette Chambre, la loi à elle seule ne saurait mettre fin à l'abus domestique. Elle doit être accompagnée d'autres mesures pour garantir une mise en œuvre rigoureuse de ce texte de loi. Cela suppose indéniablement des ressources tant financières qu'humaines. Investir dans la mise en œuvre de cette législation, c'est investir pour nos générations futures. C'est là ce que l'on peut appeler une réforme véritablement transformatrice, une réforme qui change des vies. Il est clair comme plusieurs intervenants l'ont aussi souligné, que la mise en application effective des dispositifs de cette loi dépendra des ressources mises à disposition, les officiers de mon ministère et les membres de la force

policière. À cet égard, mon ministère prévoit le recrutement de nouveaux officiers dès cette année. Le budget nécessaire a déjà été alloué à cet effet.

Je suis pleinement consciente des préoccupations exprimées par les membres de cette Chambre quant à la charge supplémentaire que cette législation fait peser sur la police, ainsi qu'aux responsabilités additionnelles qui lui sont confiées. Je suis confiante que les ressources additionnelles seront allouées à la force policière. La formation spécialisée demeure au cœur de la réussite de la mise en œuvre de cette loi et elle sera dispensée de manière régulière à l'ensemble des *stakeholders*, y compris aux ONG et au personnel des *shelters*. Dans le cadre du budget 2026-2027, mon ministère s'est vu allouer un financement additionnel de R 10 millions pour couvrir les frais de fonctionnement du *half-way home*.

Dans son intervention, l'honorable François a exprimé sa préoccupation quant à l'absence de refuges à Rodrigues et a sollicité une assistance pour sa mise en place. Mon ministère a déjà entamé des consultations avec la Commission des affaires féminines à sa demande. Je comprends pleinement les inquiétudes de mes collègues concernant l'abus de substance, en particulier des drogues illicites qui constitue l'un des fléaux sociaux majeurs affectant injustement nos concitoyens, nos familles et nos enfants. Les fils, filles, épouses et époux sous l'emprise de la drogue sont bien souvent les auteurs d'abus domestiques, notamment, sur le plan financier, ce qui débouche fréquemment sur la violence physique.

Pour faire face à ce problème, la NADC a élaboré un *National Drug Control Master Plan 2026-2030*, dans le cadre duquel l'ensemble des parties prenantes sont appelées à mettre en œuvre, de manière collaborative, les actions recommandées. Je tiens à saluer l'initiative de l'honorable Premier ministre et ministre des Finances d'avoir alloué, dans le Budget 2026-2027, la somme de R 2 millions au ministère concerné dans le cadre de l'initiative nationale de lutte contre la drogue.

J'aimerais, par ailleurs, rappeler à cette Chambre deux avancées majeures introduites par ce texte. D'une part, à la section 11 (1), le tribunal devra désormais procéder à un réexamen périodique du comportement de l'auteur des violences tous les 3 mois. Le *Protection Order* n'est plus un document statique, mais un instrument suivi et contrôlé. D'autre part, à la section 13, ce texte de loi introduit les *Exclusion Orders*. C'est désormais l'auteur des violences qui devra quitter le domicile et non la victime qui devra déraciner ses enfants et abandonner son foyer.

Certains honorables membres ont fait part de leurs appréhensions quant à l'application effective de cette loi. Une fois la loi promulguée, un plan de mise en œuvre sera exécuté en collaboration avec les autres *stakeholders*, avec un accent particulier sur la protection, la prévention, la réhabilitation, la réintégration, et le suivi de l'application de la législation. Pour chacun de ces piliers, Madame la présidente, des résultats attendus, des indicateurs de résultats, des activités et des indicateurs de performance, *KPIs*, seront définis afin de nous permettre de suivre la mise en œuvre du plan.

Par ailleurs, avec la mise en place des *multi-agency risk assessment committees* par le biais des *Family Support Services*, tel que stipulé à la section 25, il y aura une plus grande responsabilisation des fonctionnaires des différents secteurs traitant des cas de violence domestique.

Madame la présidente, la presse demeure un partenaire clé dans la diffusion de l'information et la sensibilisation du public. C'est pourquoi mon ministère a déjà entamé des sessions de formation destinées aux journalistes de Maurice et de Rodrigues. Une première session dispensée par la Merck Foundation a eu lieu l'année dernière. Une seconde est prévue dans une semaine, en collaboration avec cette fondation et le Media Trust.

Madame la présidente, je comprends parfaitement la préoccupation exprimée par certains membres de cette Chambre concernant l'introduction du bracelet électronique ou d'un dispositif de sécurité pour les victimes. Nous y penchons sérieusement. Je tiens également à souligner qu'en vertu de la section 34 de ce projet de loi, les affaires seront entendues et traitées avec promptitude. Nous espérons ainsi mettre fin à ce que certains membres ont qualifié de lenteur juridique.

Je rappelle, également, Madame la présidente, que ce texte renforce considérablement les sanctions applicables. À la section 39, toute personne qui manque délibérément de se conformer à une ordonnance en matière d'abus domestique s'expose, dès une troisième condamnation, à la servitude pénale pour une durée n'excédant pas 10 ans.

Madame la présidente, plusieurs membres de cette Chambre ont soulevé la question des enfants, victimes collatérales de l'abus domestique, qui souffrent trop souvent en silence. Ils ont insisté sur la nécessité de leur apporter un soutien psychologique soutenu et de veiller à ce que leur situation fasse l'objet d'un suivi rapproché.

Permettez-moi, Madame la présidente, avant de conclure, de partager avec cette Chambre un fait qui a profondément marqué ma semaine et qui me conforte plus que jamais dans la conviction que ce texte de loi était nécessaire. Une victime est venue me rencontrer, il y a quelques jours à peine. Elle m'a raconté un moment qu'elle n'oubliera jamais, celui où son enfant, encore tout jeune, s'est adressé à son père, l'auteur des violences, en ces termes : « *Pa, to bizin pa bat mama, to pou al dan prizon.* » Madame la présidente, cet enfant sait déjà que frapper sa mère mène en prison. Voilà, je crois, la preuve la plus éloquente que le message de ce Parlement commence à porter. Mais, voilà aussi, dans cette même phrase, la preuve qu'aucun enfant ne devrait avoir à porter un tel savoir. Aucun enfant ne devrait grandir en évaluant dans son propre foyer la gravité pénale des actes de son père.

C'est pourquoi, Madame la présidente, je le dis avec toute la gravité que ce moment commande. Cette loi, aussi robuste soit-elle, ne suffira pas à elle seule. Le véritable changement est celui des mentalités, et ce changement-là ne se décrète pas par voie législative. Il se construit patiemment par chacun d'entre nous. La société civile a un rôle à jouer en refusant de détourner le regard, en cessant de considérer l'abus domestique comme une affaire de famille. L'école a un rôle à jouer en enseignant à nos enfants, dès le plus jeune âge, le respect, l'égalité entre les genres et la non-violence comme des valeurs et non comme des exceptions. Les ONG ont un rôle à jouer. Celles qui sont bien souvent les premières à recueillir la détresse des victimes avant même que l'État n'en soit informé. Chacun, Madame la présidente, a sa part de responsabilité dans ce combat. Aucune institution, aucun secteur ne peut agir seul.

Madame la présidente, je tiens à saluer les efforts des officiers du *Family Welfare and Protection Unit* de mon ministère qui œuvrent au développement de stratégies pour combattre l'abus domestique. Je salue également les officiers affectés dans les 12 *Family Support Services*, qui, bien souvent, font face à des situations à risque lors de leurs interventions dans des cas de violence domestique. Ce n'est pas toujours un travail facile et je tiens, sincèrement, à les remercier pour le travail accompli. Ils méritent notre respect.

Je remercie l'*Attorney General* et son personnel pour le *drafting* de ce projet de loi. Je remercie également le Premier ministre pour son soutien indéfectible pour la mise en œuvre de cette législation.

Je conclurai, Madame la présidente, en pensant une nouvelle fois aux victimes qui n'ont pas survécu et à celles qui ont eu le courage de raconter leur histoire pour que ce texte voie le jour. Ce texte porte leur voix. En œuvrant collectivement et avec détermination, nous ferons en sorte que cette législation apporte un changement significatif et durable pour celles et ceux qui en ont le plus besoin.

Je vous remercie.

Madam Speaker: Merci.

Hon. Deputy Prime Minister, will you, please, move to commend the Bill to the House?
Yes, once more.

The Deputy Prime Minister: I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Madam Speaker in the Chair)

The Domestic Abuse Bill (No. VIII of 2026) was considered and agreed to.

On the Assembly resuming with Madam Speaker in the Chair, Madam Speaker reported accordingly.

Madam Speaker: Please take your seats.

Third Reading

On motion made and seconded, the Domestic Abuse Bill (No. VIII of 2026) was read a third time and passed.

Madam Speaker: Adjournment! Hon. Prime Minister!

ADJOURNMENT

The Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 14 July 2026 at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

Madam Speaker: The House stands adjourned!

Yes, adjournment question!

MATTER RAISED

(5.36 p.m.)

RIAMBEL - PAS GÉOMÉTRIQUES – ENVIRONMENTAL DEGRADATION

Ms J. Bérenger (First Member for Vacoas & Floréal): Je vous remercie. Ma requête s'adresse à l'honorable ministre de l'Environnement.

Madame la présidente, certains titulaires de baux sur les pas géométriques se croient malheureusement tout permis. Un nouveau cas à Riambel. Il y a deux jours où des lianes batatran et des veloutiers ont été déracinés et une dune de sable modifiée alors qu'il s'agit d'un *Environmentally Sensitive Area* (ESA) répertorié sur la carte officielle. Ces éléments sont essentiels pour protéger nos plages de l'érosion.

La section 25 de l'*Environment Act* exige une autorisation préalable avant toute intervention sur une ESA. Et à ma connaissance, aucune autorisation officielle, en tout cas, n'a été donnée ici.

Le cas a donc été signalé à la police. Mais je demanderais à l'honorable ministre de bien vouloir s'assurer que les dommages à l'environnement soient réparés, que de nouveaux dommages soient empêchés, et que les responsables soient jugés pour leurs actes. Mais surtout, je lui demanderais de communiquer clairement sur le sujet parce qu'il y a eu d'autres cas récemment à Belle Mare, à Mont Choisy, et maintenant à Riambel.

Je lui demanderais d'envoyer un signal fort et clair, c'est-à-dire : qu'être titulaire d'un bail ne donne pas le droit de faire n'importe quoi avec notre patrimoine naturel.

Je vous remercie.

Madam Speaker: Merci. Je suis sûr que vous allez faire ce qu'il faut.

The Minister of Environment, Solid Waste Management and Climate Change (Mr R. Bhagwan): We are very well aware of this case. So, there has been a site visit yesterday by the different responsible persons of the Ministry of Housing, *la Police de l'Environnement*, our Ministry, and the District Council.

It is true that the owner of the property has effected some works on the sand dunes, and he has been taken to task. He has even been served a programme notice and he will be prosecuted according to the legislation.

As far as communication to the population, we know what we have to do. We have been doing it, and we will continue to communicate to the population with regard to its responsibilities.

Madam Speaker: Thank you. The hon. Minister of Housing spoke about that issue last time.

The Minister of Housing and Lands (Mr S. Mohamed): Yes. Since it also concerns State land, let me just inform the hon. Member, Madam Speaker, that not only have we had the site visit, but we are also already in talks with the Attorney General's Office in order to clarify by way of regulations, perhaps, the responsibilities and rights, what happens from the low-water mark to the high-water mark, from the high-water mark to the building line, and who has rights and what are the responsibilities.

So, this is already underway because there was a huge lacuna in the law, which led a lot of people doing a lot of things that they are not allowed to do. But let me say, in particular to this matter: those are leases and approvals that were given before the last general elections. But, nevertheless, we will continue to wipe the mess created by others.

Madam Speaker: Yes. I remember you were talking about this in Parliament the other day. Thank you for bringing it up. Thank you, hon. Ministers, for clearing the matter.

Now, I think that is it for the day!

At 5.39 p.m. the Assembly was, on its rising, adjourned to Tuesday 14 July 2026 at 11.30 a.m.