

PARLIAMENTARY QUESTION

B/530 The Honourable Third Member for Piton and Rivière du Rempart (**Mr Rutnah**)

To ask the Honourable the Attorney-General, Minister of Justice, Human Rights and Institutional Reforms –

Whether, in regard to the Appeal to Her Majesty's Judicial Committee of the Privy Council in the matter of the Director of the Public Prosecutions v Pravind Kumar Jugnauth and anor, he will state (a) the quantum of fees paid by the Government of Mauritius to the Queen's Counsel and his juniors (b) the number of Law and other officers who travelled to the United Kingdom in support thereof, indicating the expenditure incurred in terms of airfare, accommodation and *per diem* allowances and (c) if any order for costs was made and, if so, indicate (i) against whom and (ii) the quantum thereof?

REPLY

Madam Speaker,

This case is Privy Council Appeal No. 30 of 2018 which is an appeal by the DPP against the judgment given by the Supreme Court of Mauritius. The House will recall that on 25th May 2016 the Supreme

Court of Mauritius delivered a judgment in the matter of Jugnauth vs ICAC & Anor reference being 2016 SCJ 187. The DPP had appealed against the said judgment. The matter was heard before the Privy Council on 15 January 2019 and judgment given on 25 February 2019. At paragraph 42 of the judgment, the Privy Council said, I quote –

“...for these reasons, the appeal will be dismissed with costs for the respondent, Mr Jugnauth”.

Madam Speaker,

I am informed that following the award of costs as I have quoted above, the DPP has made representations to the Privy Council regarding the quantum and apportionment of costs. It can safely be assumed that in the light of the said representations, the other parties to the appeal will be making their respective submissions concerning costs if they have not done so yet. I am informed that the decision of the Privy Council on this issue of costs i.e. quantum and apportionment is still being waited.

Madam Speaker,

In the light of the foregoing, I am not in a position at this stage to provide the answer to part (c) of the question. To the extent that the parties and their legal representatives are still making representations and submissions on costs in this case and the

decision of the Privy Council on this issue is still being awaited I cannot at this stage provide the final figure of fees paid in answer to part (a) of the question.

However, I am informed that –

- (a) the quantum of legal fees paid by the Government of Mauritius up to now amount to 1,550,538 rupees;
- (b) 2 law officers, who were involved in the preparation of the appeal and who appeared together with the QC, travelled to London for the purpose of the hearing. The total expenditure incurred for the 2 law officers including airfare, accommodation, per diem amount to 440,882.

Madam Speaker,

The figures I have provided above exclude the expenses incurred by ICAC which is also a party to the case and whose budget comes from public funds.