

B/321 The Honourable Second Member for Grand' Baie and Poudre d'Or (Mr Rughoobur)

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

Whether, in regard to civil and criminal cases, he will, for the benefit of the House, obtain from the Master and Registrar, information as to the number thereof pending over ten years before the Supreme Court?

REPLY

Madam Speaker,

I am informed by the Master and Registrar that the statistics requested are as follows:

Civil cases pending over 10 years before the Supreme Court:
412

Criminal cases pending over 10 years before the Supreme Court: **Nil**

ADDITIONAL INFORMATION PROVIDED BY MASTER AND REGISTRAR

(A)The Supreme Court has unlimited criminal and civil jurisdiction (Section 76 of the Constitution). It has original jurisdiction in all civil suits (Section 15 of the Courts Act) but also acts as an appellate court for all subordinate courts (Section 82 of the Constitution) and tribunals, when so empowered by law.

It is a Court of Equity, has the same powers and functions as the High Court of Justice in England and exercise disciplinary powers in respect of the professional conduct of a law practitioner or a ministerial officer including a land surveyor (sections 16, 17 and 18 of the Courts Act).

The Judges of the Supreme Court also sit “in Chambers” to hear urgent injunctions and applications

Cases, when in shape, are fixed for merits according to an established order of priority as follows:

- I. Constitutional redress
- II. Criminal cases
- III. Criminal Appeals
- IV. Civil Appeals
- V. Judicial Reviews
- VI. Accidents at work
- VII. Road accidents

It follows that civil cases other than the above will have to take their turn on the list and fixed for merits as and when a slot is available.

(B)Number of posts for Judges (funded, not funded and vacancies)

Year	No in post		Funded position	Non-funded
position	No of vacancies			
2009	15	18	0	3
2010	15	22	0	7
2011	17	23	0	6
2012	18	23	5	5
2013	18	18	5	0
2014	17	18	5	1
2015	18	19	4	1
2016	17	19	4	2
2017	18	19	4	1

The Judicial and Legal Service Commission will soon proceed with the appointment of a new Puisne Judge. We have the same infrastructural problems at the Supreme Court especially in the two wings of the historical building. In September 2014 one Puisne Judge had to occupy an office at the Commercial Division since her appointment although she sits at the Civil Division of the Supreme Court. Further another Puisne Judge had to vacate his office because of water leakages at the left wing and one Court room had to be closed for the same reason.

The Honourable Chief Justice would therefore invite Honourable members of Parliament to make a site visit of the Supreme Court building especially in times of rain.