

Republic of Mauritius

ANNUAL REPORT
OF
THE JUDICIARY
2013

May 2014

JUDGES OF THE SUPREME COURT

CHIEF JUSTICE

Honourable Yeung Kam John YEUNG SIK YUEN G.O.S.K.

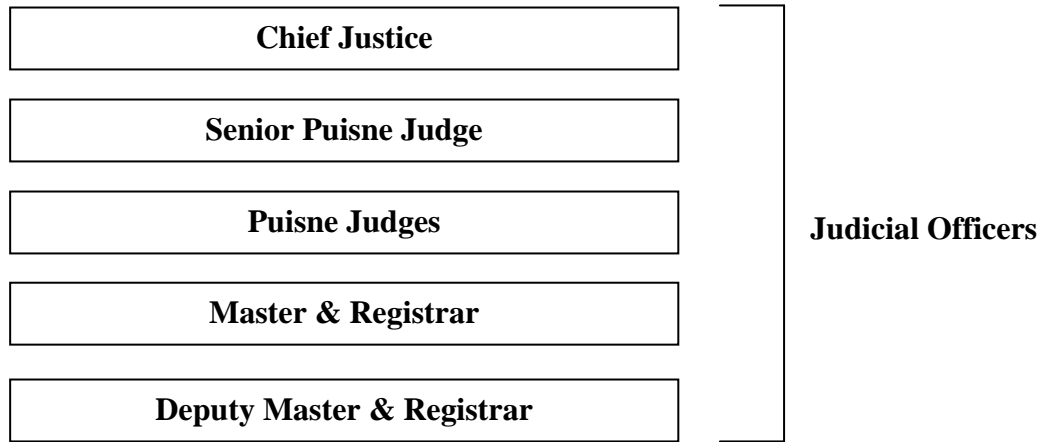
SENIOR PUISNE JUDGE

Honourable Keshoe Parsad MATADEEN

PUISNE JUDGES

1. Honourable Marc France Eddy BALANCY
2. Honourable Paul LAM SHANG LEEN
3. Honourable Shaheda PEEROO
4. Honourable Ah Foon CHUI YEW CHEONG
5. Honourable Asraf Ally CAUNHYE
6. Honourable Sathyabhooshun Gupt DOMAH
7. Honourable Abdurrafeek HAMUTH
8. Honourable Hima Nalini MATADEEN
9. Honourable Joseph Gérard ANGOH
10. Honourable Bibi Rehana MUNGLY-GULBUL
11. Honourable Abdul Razack HAJEE ABDOULA
12. Honourable Deviyanee BEESOONDOYAL
13. Honourable Shaheed BHAUKAURALLY
14. Honourable Nirmala DEVAT
15. Honourable David CHAN KAN CHEONG
16. Honourable Rita TEELock
17. Honourable Prithviraj FEKNA
18. Honourable J Benjamin G MARIE JOSEPH

The Supreme Court Organisation Chart



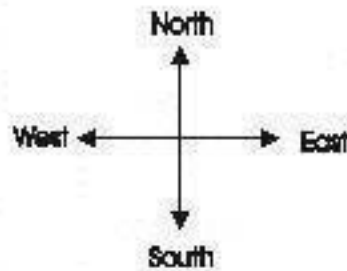
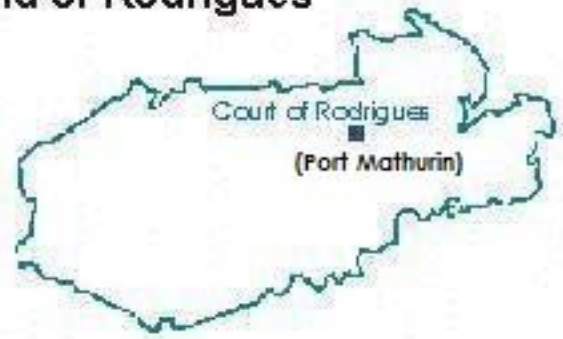
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**Administrative
& Technical
Officers**

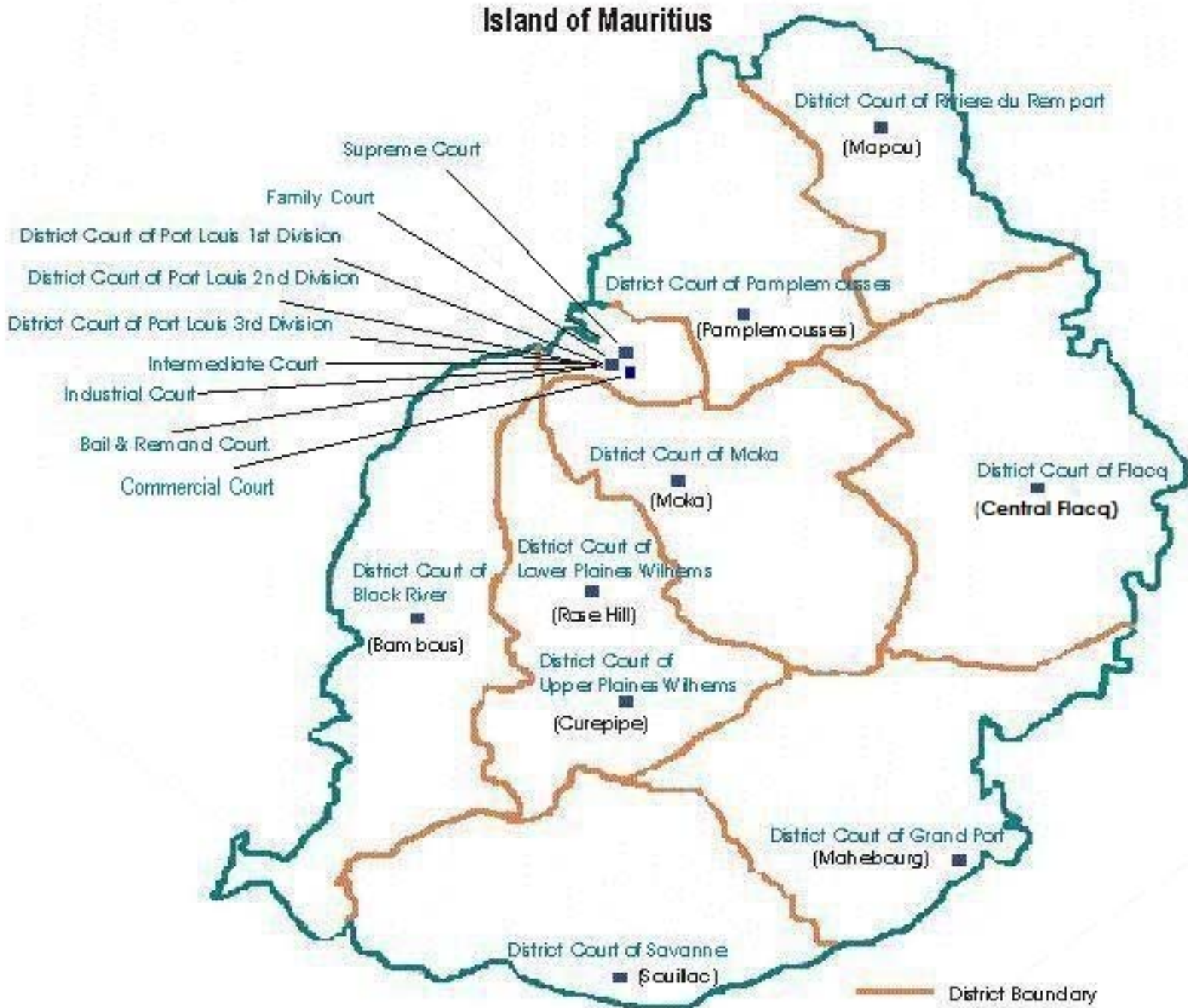
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|---------------------------------------|------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Secretary to the Chief Justice | Chief Registrar | | | | | |
| Regional Court Administrator | Senior Registrar | Chief Court Officer/Court Manager | Chief Court Officer/Court Manager | Chief Court Officer/Court Manager | Chief Court Officer/Court Manager | Chief Court Officer/Court Manager |
| Internal Control Unit | Registry | Registry | Master's Office | Commercial Division | Family Division | Secretary to Judges' Office |
| Chief Court Usher | Senior Court Officer | Manager Human Resources | Manager Financial Operations | Senior Systems Analyst | Senior Librarian | Statistician |
| Court Ushers' Office | Legal Aid Unit | Personnel Unit | Finance Unit | Information Services Section | Library | Statistics Unit |

Location of Various Courts

Island of Rodrigues



Island of Mauritius



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1. THE JUDICIARY

1.1 INTRODUCTION

The Judiciary is one of the three pillars of our sovereign democratic State. By virtue of the Constitution, it is vested with the power to administer justice in the Republic of Mauritius. Conformably with the Constitution which provides for the institution of an independent judiciary based on the concept of separation of powers, the Judiciary of Mauritius is independent of the other two organs of the State - the Executive and the Legislature. This status of the Mauritian Judiciary constitutes a vital element for the functioning of our democratic system of government in upholding the rule of law and affording the necessary protection for the safeguard of the fundamental rights of the citizens. The Chief Justice is the head of the Judiciary.

1.2 VISION OF THE JUDICIARY

Be a Justice System which is a national and regional model of excellence.

1.3 PRIORITY OBJECTIVES AND SERVICES PROVIDED

1.3.1 Aims and priority objectives

- i. Provide easier and faster access to justice indiscriminately to all users.
- ii. Reduce delays in the final disposal of cases and delivery of judgment.

1.3.2 Major services provided

- i. Resolution of disputes within a reasonable time subject to complexity.
- ii. Adjudication through written judgments that are posted on the Supreme Court website.
- iii. Grant of legal aid and legal assistance in certain categories of cases to litigants and detainees who do not have the means to afford legal advisers.
- iv. Enforcement and execution of Judicial Orders and decisions, including collection of fines.
- v. Safeguarding and protecting all fundamental rights as guaranteed by the Constitution.

1.4 OVERVIEW OF THE JUDICIARY

1.4.1 Achievements

- i. Speedier disposal of family matters (undefended cases within 4 months and defended cases within 8 months).
- ii. 75% of backlog at the Assizes of the Supreme Court cleared.
- iii. Over 75% drug cases are disposed of between one to six months.

- iv. Introduction of fast track process for children victims attending Court as witnesses before the Intermediate Court (Criminal Division).
- v. Bail and Remand Court operational 7 days a week all year round.

1.4.2 Constraints and challenges addressed

- i. Delivery of judgments in a timely manner.
 - a) This is being addressed by providing each Judge with a Judicial Research Officer to assist in research work for judgment writing.
 - b) Continuous training to supporting staff. Various training schemes will be implemented across the board for all staff to improve the quality of service.
- ii. Space constraints to deal with increasing number of cases and old and inappropriate premises.
 - a) Programme of renovation and construction of court houses.
 - b) In the interim, leasing and repairs of court houses.
 - c) The appointment of a Project Manager for design, supervision and monitoring of all infrastructural projects.

1.4.3 Strategic direction for the future

- i. Create a Court of Appeal to improve public perception of independence, transparency and objectivity in dispensing justice and in order to streamline appeal cases.
- ii. Continue to focus on the creation of more specialized Divisions of the Supreme Court to optimize skills and reduce delays in the disposal of cases.
- iii. Introduce electronic filing and management of cases in all Courts thereby reducing waiting time and improving service quality on a 24/7 basis.
- iv. Increase the number of cases channeled at the Mediation Division of the Supreme Court for faster disposal rates at reduced costs for litigants.
- v. Promote continuous training programmes through the Institute for Judicial and Legal Studies in order to improve the quality of service.

1.5 JUDICIAL SYSTEM

Mauritius has a single-structured judicial system consisting of two parts - the Supreme Court and the subordinate courts. The Supreme Court has various divisions exercising jurisdiction, as the Master's Court, the Court of first instance in civil and criminal proceedings, the appellate jurisdiction (to hear and determine civil & criminal appeals from decisions of the subordinate courts), the Court of Civil Appeal and the Court of Criminal Appeal (to hear and determine appeals from decisions of the Supreme Court sitting in the exercise of its original jurisdiction in

civil matters and in criminal matters respectively). The subordinate courts, on the other hand, consist of the Intermediate Court, the Industrial Court, the District Courts, the Bail and Remand Court and the Court of Rodrigues.

1.6 SUPREME COURT

The Supreme Court is composed of the Chief Justice, the Senior Puisne Judge and eighteen Puisne Judges. It is vested with all the powers and jurisdiction necessary to administer the laws of Mauritius. It is a superior Court of Record and has unlimited jurisdiction to hear and determine any civil and criminal proceedings. It has the same original jurisdiction as the High Court in England and is vested with all the necessary powers and authority to exercise its equitable jurisdiction as a Court of Equity. The Supreme Court also exercises supervisory jurisdiction over the subordinate courts in order to ensure that justice is duly administered by any such court. It has original jurisdiction to determine whether any provision of the Constitution has been contravened, including the power to determine whether any law made by Parliament is void on the ground that it contravenes any section of the Constitution. It is also empowered to secure the enforcement of the protective provisions entrenched in the Constitution.

1.6.1 Civil Jurisdiction of the Supreme Court as Court of first instance

The Supreme Court is the principal Court of original civil jurisdiction to hear and determine:

- i. any civil matter, although it will generally entertain and hear claims where the matter in dispute is of the value which is more than Rs 500,000;
- ii. divorce and matrimonial proceedings;
- iii. petitions for insolvency, and all matters of a commercial nature;
- iv. admiralty matters and
- v. claims for constitutional relief.

Every civil proceeding is heard and determined by a single Judge, unless otherwise provided for under any written law or as may be decided by the Chief Justice, having regard to the magnitude of the interests at stake or the importance or intricacy of the questions of fact or law involved.

The Supreme Court, in the exercise of its civil jurisdiction, has power and jurisdiction to hear and determine any complaint of a disciplinary nature, brought up by any of the authorities or bodies exercising powers of supervision over the professional conduct of law practitioners or ministerial officers, including land surveyors.

(a) The Family Division of the Supreme Court

The Family Division of the Supreme Court was set up administratively in January 2008. It exercises jurisdiction in any matter under the Divorce and Judicial Separation Act or under any other enactment which relates to alimony, maintenance or the custody or guardianship of minors, other than a matter which is, under an enactment, within the exclusive jurisdiction of a Magistrate. Two Puisne Judges designated by the Chief Justice, preside over that division.

(b) The Commercial Division of the Supreme Court

The Commercial Division of the Supreme Court was set up administratively in 2009. Two Puisne Judges designated by the Chief Justice preside over that division. It entertains, hears and determines matters arising under the Insolvency Act 2009 and the Companies Act, disputes relating to banking, bills of exchange, offshore business, patents, and trademarks or passing off, disputes between traders and related matters and generally anything which is of a commercial nature.

(c) Master's Court

The Master's Court is presided by the Master & Registrar and the Deputy Master & Registrar. It exercises the jurisdiction conferred upon it by the Code Civil Mauricien in relation to the division of immovable property and by the Sale of Immovable Property Act. The Master's Court also deals with and rules upon all pre-trial issues for civil cases lodged before the Supreme Court.

1.6.2 The Criminal Division of the Supreme Court

The Supreme Court is the principal Court of original criminal jurisdiction. It has jurisdiction to try any person charged with having committed a crime or a misdemeanor.

Assizes and serious drug cases are heard on every working day at the Criminal Division of the Supreme Court. Criminal trials are either held before a Presiding Judge and a jury consisting of 9 persons who are qualified to serve as jurors or before a Presiding Judge without a jury. Offences laid down under the Criminal Code, falling under the exclusive jurisdiction of the Supreme Court are tried at the Criminal Division before a Presiding Judge and a jury. However, offences specified in the Fifth Schedule to the Criminal Procedure Act are tried before a Presiding Judge without a jury.

In the exercise of its criminal jurisdictions, the Supreme Court is empowered to inflict life imprisonment for certain serious offences.

1.6.3 Appellate jurisdiction of the Supreme Court

The Supreme Court has full power and jurisdiction to hear and determine all appeal cases, whether civil or criminal, made to the court from the decision of:

- i. the Judge in Chambers;
- ii. the Master's Court;
- iii. the Intermediate Court;
- iv. the Industrial Court;
- v. the District Courts and
- vi. a body established under any other enactment.

Appeals to the Supreme Court are heard before at least two judges, except as otherwise provided for in any other enactment.

1.6.4 Court of Civil Appeal

The Court of Civil Appeal is a division of the Supreme Court. It hears and determines all appeals from the decisions of the Supreme Court sitting as the Court of first instance in civil proceedings. It is constituted of two or three Judges as the Chief Justice may decide. Where the Chief Justice is absent or is for any reason unable to sit on the Court of Civil Appeal, the Senior Puisne Judge, presides over the Court of Civil Appeal.

1.6.5 Court of Criminal Appeal

The Court of Criminal Appeal is a division of the Supreme Court. It is constituted of three Judges and has full power to hear and determine all appeals from the decisions of the Supreme Court sitting as the Court of first instance in criminal proceedings. The Chief Justice and, in his absence, the Senior Puisne Judge, presides over the Court of Criminal Appeal.

1.7 THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

The Judicial Committee is the final court of appeal of Mauritius. An appeal shall lie from decisions of the Court of Appeal or of the Supreme Court to the Judicial Committee as of right in the following cases:

- i. final decisions, in any civil or criminal proceedings, on questions as to the interpretation of the Constitution;
- ii. where the matter in dispute on the appeal to the Judicial Committee is of the value of Rs 10,000 or upwards or where the appeal involves, directly or indirectly, a claim to or a question respecting property or a right of the value of Rs 10,000 or upwards;
- iii. final decisions in proceedings under section 17 of the Constitution for the enforcement of protective provisions;
- iv. with leave of the Supreme Court where in the opinion of the Court the question involved in the appeal is one that, by reason of its great general or public importance or otherwise, ought to be submitted to the Judicial Committee.

Since the year 2008 the Judicial Committee of the Privy Council periodically holds sittings in Mauritius to hear appeals from decisions of the Supreme Court of Mauritius.

1.8 SUBORDINATE COURTS

1.8.1 Intermediate Court

The Intermediate Court is established under the Courts Act and has civil and criminal jurisdiction in all districts of Mauritius including Rodrigues. It consists of two Presidents, two Vice-

Presidents and any such number of Intermediate Court Magistrates established under the Civil Establishment Act.

(a) Civil Jurisdiction of the Intermediate Court

The Intermediate Court has jurisdiction in all civil cases where the claim or matter in dispute, whether in balance of account or otherwise, does not exceed Rs 500,000. The bench of the Intermediate Court is constituted by one or more Magistrates as may be decided by the President.

(b) Criminal Jurisdiction

The Intermediate Court has jurisdiction to hear and determine serious criminal offences provided under specific sections of the Criminal Code and any other offence that can be tried by the Intermediate Court under any other enactment. It has power to inflict penal servitude on convicted offenders for a period not exceeding fifteen years and imprisonment for a period not exceeding ten years. However, for persistent offenders, the Intermediate Court may increase the sentence to twenty years' penal servitude. The Intermediate Court is also empowered to inflict a higher sentence for offences under the Dangerous Drugs Act and the Criminal Code.

1.8.2 Industrial Court

The Industrial Court consists of a President and a Vice-President. Established under the Industrial Court Act. It has exclusive civil and criminal jurisdiction to try any matter arising out of the Employment Rights Act, Boilers Act, Employment and Training Act, Export Processing Zones Act, Passenger Transport Industry (Buses) Retiring Benefits Act, Sugar Industry Retiring Benefits Act, Workmen's Compensation Act and Health & Welfare legislations.

1.8.3 District Courts

There are ten District Courts in the Island of Mauritius and one in Rodrigues. The District Courts have jurisdiction to try and determine both civil and criminal cases as provided for by the law. Each District Court is presided by a District Magistrate and any such number of District Magistrates as may be decided by the Chief Justice.

(a) Civil Jurisdiction of the District Court

The District Court has jurisdiction in all civil cases where the claim or matter in dispute does not exceed Rs 50,000. Conversely, District Magistrates have exclusive jurisdiction in landlord and tenant disputes, irrespective of the amount of the claim for non-payment of rent.

(b) Jurisdiction under the Domestic Violence Act 1997

By virtue of the Protection from Domestic Violence Act 1997, District Clerks are entrusted with the duty of receiving and processing applications for a Protection Order from aggrieved spouse and from persons living under the same roof, victims of domestic violence. District Magistrates are empowered to hear and determine such applications and to issue Protection Orders when the

Court is satisfied that there is a serious risk of harm to the applicants. District Magistrates are also empowered to receive and determine applications for the issue of Occupation Orders and Tenancy Orders. Such orders confer upon the victim of domestic violence the exclusive right to the use and occupation of the conjugal house.

(c) Small Claims Procedure

The Small Claims Procedure was introduced in 1999 to enable District Courts to adjudicate on minor claims not exceeding Rs 25,000 in a summary and expeditious manner. Such claims are lodged at the court by the litigants themselves after filling in a prescribed form which is served on the adverse parties. Both parties are convened before the Magistrate in Chambers to resolve the dispute. In the event of no agreement between the parties, the matter is set down for trial. It is to be noted that such cases are disposed by this method of conflict resolution rather than a trial.

(d) Criminal Jurisdiction

The District Court has power and jurisdiction to hear and determine criminal cases punishable by a term of imprisonment not exceeding five years and a fine not exceeding Rs 100,000.

(e) Juvenile Court

District Magistrates exercise jurisdiction as Magistrate of the Juvenile Court. The Juvenile Court tries criminal offences committed by young persons (above 14 and below 17 years of age). The Juvenile Court also deals with children who are beyond parental control and/or who need care and protection.

(f) Bail and Remand Court

The Bail and Remand Court (BRC) established under Part IV of the Bail Act 1999, as subsequently amended by Act No 34 of 2011, has exclusive jurisdiction with regard to remand or release of persons charged with an offence or arrested on reasonable suspicion of having committed an offence, and operates on weekends and public holidays to safeguard the constitutional rights of detainees.

The BRC is presided over by a District Magistrate and operates from the premises of the New Court House, Port Louis.

(g) Court of Rodrigues

In Rodrigues, justice is administered by a full-time Magistrate and a visiting Judge of the Supreme Court.

A Magistrate also visits the other smaller islands, like Agalega which forms part of the Republic of Mauritius.

1.9 THE RULES COMMITTEE

The Rules Committee was set up in August 2001 to advise and make recommendations to the Chief Justice in respect of rules to be made under section 198 of the Courts Act. The Rules Committee consists of a Judge (Chairperson of the Committee) appointed by the Chief Justice, the Master and Registrar or his representative, a representative of the Bar Council, a representative of the Law Society, a representative of the Attorney-General's Office and two other law practitioners appointed by the Chief Justice.

1.10 REFORM

e-judiciary

The Judiciary has since April 2010, embarked on the development and implementation of an electronic filing of cases and an electronic case management system.

The programme has materialized with the help of Investment Climate Facility for Africa (ICF) which made a grant of 75% of the project costs, the balance being funded by the government. Mauritius Network Services Ltd has been contracted to develop and implement the software, with the assistance of its foreign partner, Crimson Logic of Singapore.

Phase I of the project concerns cases lodged before the Supreme Court (Commercial & Civil cases) and before the Judge in Chambers. The launching of the first phase on a pilot basis has taken place in April 2013 at the Commercial Division of the Supreme Court. The system will be extended to other divisions of the Supreme Court with the exception of the Family Division and the Criminal Division. These divisions as well as all subordinate courts will be taken on board in phase II of the Modernization of the Judiciary programme.

2. SUPREME COURT

2.1 All cases

The total number of cases lodged (excluding appeal cases) at the Supreme Court increased by 4% to 9,248 in 2013 from 8,883 in 2012 (Table 1.1).

Conversely, the total number of cases disposed of (excluding appeal cases) at the Supreme Court dropped by 2% to 7,874 in 2013.

A physical count of the total number of outstanding cases (excluding appeal cases) showed that 9,258 cases were not yet disposed of at the end of the year 2013 (Table 1.1).

2.2 The Criminal Division of the Supreme Court

Compared to 2012, the number of criminal offences convicted at the Criminal Division of the Supreme Court had more than doubled in 2013 with a big rise in custodial sentences for manslaughter and for drug offences. Some 12 accused were sentenced for manslaughter in 2013, compared to 4 in 2012, whilst the number of accused for murder remained at 1 in 2012 & 2013. For drug offences, 23 accused were sentenced in 2013 compared to 8 in 2012 (Table 1.3a).

2.3 Appellate Jurisdiction

In 2013, some 369 appeal cases (211 civil and 158 criminal) were lodged at the Supreme Court with a marginal decrease over the 2012 figure of 370. Only about one seventh of the 211 civil appeals were from lower Courts. On the contrary, out of the 158 criminal appeal cases lodged, 153 were from the lower Courts and only 5 from the Criminal Division of the Supreme Court.

The total number of cases disposed at the Appellate Jurisdiction increased by 2% to 464 in 2013, with a rise of 31% in criminal cases to 274 and a drop of 22% in civil cases to 190.

Some 765 cases (481 civil and 284 criminal) were physically counted as outstanding at the end of year 2013 (Table 1.4).

2.4 Family Division

The total number of divorce petitions lodged at the Family Division for the Republic of Mauritius kept increasing to attain 2,450 in 2013. Although a rise of 2% to 2,354 was noted in Mauritius, there was a drop of 8% to 96 in Rodrigues (Table 1.6).

Conversely, the number of divorce petitions disposed of decreased from 2,409 in 2012 to 1,893 in 2013. This decrease may be explained by a decline of 21% in the number of divorce pronounced for the same period (Table 1.8).

In 2013, around 48% of the petitioners were females compared to 28% of males; 69% were married for 14 years or less; 23% of divorces were pronounced on mutual consent from both parties and 65% had only one or no child from the marriage (Tables 1.7 to 1.9).

A physical count of the total number of cases outstanding was 1,959 at the end of year 2013.

2.5 Mediation Division

The number of civil cases received at the Mediation Division of the Supreme Court dropped by 32% to 393 in 2013 from 582 in 2012. Out of 602 cases (393 received in 2013 and 209 pending at the beginning of 2013), about 43% have been referred back to court, 29% were where agreements between parties have been successfully recorded and 8% were purely and simply struck out/set aside.

The number of outstanding cases at the end of 2013 was 119 (Table 1.10).

Table 1.1 - All cases at the Supreme Court, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|---------------------------|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------|--------------|--------------|--------------|--|--------------|--------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Appeal cases | 1,021 | 979 | 943 | 860 | 356 | 398 | 370 | 369 | 398 | 381 | 453 | 464 | 979 | 943 | 860 | 765 |
| <i>Civil</i> | 562 | 544 | 520 | 460 | 178 | 198 | 184 | 211 | 196 | 201 | 244 | 190 | 544 | 520 | 460 | 481 |
| <i>Criminal</i> | 459 | 435 | 423 | 400 | 178 | 200 | 186 | 158 | 202 | 180 | 209 | 274 | 435 | 423 | 400 | 284 |
| Other cases | 8,359 | 8,460 | 8,202 | 7,884 | 8,878 | 8,763 | 8,883 | 9,248 | 8,383 | 8,078 | 8,015 | 7,874 | 8,460 | 8,202 | 8,073 | 9,258 |
| <i>Civil</i> ¹ | 8,344 | 8,429 | 8,190 | 7,853 | 8,842 | 8,746 | 8,849 | 9,216 | 8,363 | 8,052 | 8,000 | 7,846 | 8,429 | 8,190 | 8,042 | 9,223 |
| <i>Criminal</i> | 15 | 31 | 12 | 31 | 36 | 17 | 34 | 32 | 20 | 26 | 15 | 28 | 31 | 12 | 31 | 35 |
| Total | 9,380 | 9,439 | 9,145 | 8,744 | 9,234 | 9,161 | 9,253 | 9,617 | 8,781 | 8,459 | 8,468 | 8,338 | 9,439 | 9,145 | 8,933 | 10,023 |

¹Other cases (civil) pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Table 1.2 - Cases at the Criminal Division of the Supreme Court, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|---|--|-----------|-----------|-----------|--------------|-----------|-----------|-----------|-------------------|-----------|-----------|-----------|--|-----------|-----------|-----------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Criminal Division | 15 | 31 | 12 | 31 | 36 | 17 | 34 | 32 | 20 | 26 | 15 | 28 | 31 | 12 | 31 | 35 |
| Trial by Jury (murder & manslaughter cases, etc.) | 3 | 12 | 7 | 15 | 18 | 9 | 15 | 16 | 9 | 8 | 7 | 11 | 12 | 7 | 15 | 20 |
| Trial without Jury (drug cases) | 12 | 19 | 5 | 16 | 18 | 8 | 19 | 16 | 11 | 18 | 8 | 17 | 19 | 5 | 16 | 15 |

Table 1.3 - Offences¹ disposed of by type of offence at the Criminal Division of the Supreme Court, 2010 - 2013

| Offences | 2010 | 2011 | 2012 | 2013 |
|---------------------------|-----------|-----------|-----------|-----------|
| Trial by Jury | 11 | 11 | 7 | 13 |
| Murder | 8 | 5 | 3 | 1 |
| Manslaughter | 1 | - | 4 | 12 |
| Arson causing death | 1 | - | - | - |
| Rape | 1 | 6 | - | - |
| Trial without Jury | 11 | 23 | 10 | 23 |
| Importation of heroin | 11 | 10 | 6 | 21 |
| Importation of gandia | - | 13 | - | - |
| Other ² | - | - | 4 | 2 |
| Total | 22 | 34 | 17 | 36 |

¹A case may comprise one or more offences

²Other include importation/trafficking/possession of other drugs (e.g hashish, subitex, buprenorphine, etc.)

Table 1.3a - Offences¹ disposed of by type of offence and outcome of judgement at the Criminal Division of the Supreme Court, 2010 - 2013

| | 2010 | 2011 | 2012 | 2013 |
|--|-----------|-----------|-----------|-----------|
| Total convictions | 22 | 32 | 15 | 36 |
| <u>Imprisonment</u> | 22 | 32 | 13 | 36 |
| <i>Intentional homicide</i> | 10 | 5 | 5 | 13 |
| <i>Murder</i> | 8 | 5 | 1 | 1 |
| <i>Manslaughter</i> | 1 | - | 4 | 12 |
| <i>Arson causing death</i> | 1 | - | - | - |
| <i>Sexual offences</i> | 1 | 6 | - | - |
| <i>Rape</i> | 1 | 6 | - | - |
| <i>Drug offences</i> | 11 | 21 | 8 | 23 |
| <i>Importation of heroin</i> | 11 | 8 | 6 | 21 |
| <i>Importation of gandia</i> | - | 13 | - | - |
| <i>Other²</i> | - | - | 2 | 2 |
| <u>Fine</u> | - | - | 2 | - |
| <i>Drug offences:</i> | - | - | 2 | - |
| <i>Other²</i> | - | - | 2 | - |
| Dismissed/Struck Out/Nolle Prosequi | - | 2 | 2 | - |
| <i>Intentional homicide:</i> | - | - | 2 | - |
| <i>Murder</i> | - | - | 2 | - |
| <i>Drug offences</i> | - | 2 | - | - |
| <i>Importation of heroin</i> | - | 2 | - | - |
| Total | 22 | 34 | 17 | 36 |

¹A case may comprise one or more offences

²Other include importation/trafficking/possession of other drugs (e.g hashish, subitex, buprenorphine, etc.)

Table 1.4 - Appellate Jurisdiction at the Supreme Court, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|--|--|------------|------------|------------|--------------|------------|------------|------------|-------------------|------------|------------|------------|--|------------|------------|------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Civil | 562 | 544 | 520 | 460 | 178 | 198 | 184 | 211 | 196 | 201 | 244 | 190 | 544 | 520 | 460 | 481 |
| Civil appeals from lower Courts | 254 | 221 | 173 | 162 | 66 | 60 | 56 | 36 | 99 | 80 | 67 | 71 | 221 | 173 | 162 | 127 |
| Appeals from decisions of the Judge sitting at Chambers, Tribunals & other authorities, etc. | 184 | 192 | 237 | 181 | 66 | 86 | 68 | 114 | 58 | 64 | 124 | 77 | 192 | 237 | 181 | 218 |
| Court of Civil Appeals | 124 | 131 | 110 | 117 | 46 | 52 | 60 | 61 | 39 | 57 | 53 | 42 | 131 | 110 | 117 | 136 |
| Criminal | 459 | 435 | 423 | 400 | 178 | 200 | 186 | 158 | 202 | 180 | 209 | 274 | 435 | 423 | 400 | 284 |
| Criminal appeals from lower Courts | 436 | 405 | 395 | 380 | 168 | 185 | 184 | 153 | 199 | 175 | 199 | 263 | 405 | 395 | 380 | 270 |
| Court of Criminal Appeals | 23 | 30 | 28 | 20 | 10 | 15 | 2 | 5 | 3 | 5 | 10 | 11 | 30 | 28 | 20 | 14 |
| Total | 1,021 | 979 | 943 | 860 | 356 | 398 | 370 | 369 | 398 | 381 | 453 | 464 | 979 | 943 | 860 | 765 |

Table 1.5 - Civil cases at the Supreme Court, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|--|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------|--------------|--------------|--------------|--|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Commercial Court | 436 | 183 | 258 | 339 | 1,349 | 1,405 | 1,394 | 1,449 | 1,304 | 1,318 | 1,257 | 991 | 183 | 258 | 339 | 797 |
| Chambers | 20 | 65 | 45 | 35 | 764 | 721 | 641 | 507 | 754 | 752 | 629 | 395 | 65 | 45 | 35 | 147 |
| Commercial matters | 388 | 101 | 185 | 249 | 531 | 623 | 624 | 818 | 495 | 509 | 526 | 474 | 101 | 185 | 249 | 593 |
| Bankruptcy notices | 6 | 1 | - | - | - | - | - | - | 5 | 1 | - | - | 1 | - | - | - |
| Bankruptcy petitions | 22 | 16 | 28 | 55 | 54 | 61 | 129 | 124 | 50 | 56 | 102 | 122 | 16 | 28 | 55 | 57 |
| Master's Court | 1,170 | 962 | 1,051 | 1,389 | 766 | 687 | 713 | 690 | 999 | 746 | 542 | 564 | 962 | 1,051 | 1,312 | 1,515 |
| Levy cases ¹ | 602 | 537 | 480 | 745 | 516 | 408 | 389 | 425 | 591 | 545 | 321 | 351 | 537 | 480 | 668 | 819 |
| Division in kind cases | 568 | 425 | 571 | 644 | 250 | 279 | 324 | 265 | 408 | 201 | 221 | 213 | 425 | 571 | 644 | 696 |
| Family Division¹ | 2,271 | 2,607 | 2,996 | 1,906 | 3,552 | 3,798 | 3,776 | 3,906 | 3,216 | 3,409 | 3,700 | 3,223 | 2,607 | 2,996 | 2,172 | 2,589 |
| Divorce petitions | 1,772 | 1,974 | 2,127 | 1,368 | 2,221 | 2,248 | 2,300 | 2,354 | 2,019 | 2,095 | 2,323 | 1,797 | 1,974 | 2,127 | 1,337 | 1,925 |
| Motions (alimony, child custody, etc.) | 396 | 441 | 485 | 271 | 646 | 630 | 620 | 621 | 601 | 586 | 587 | 520 | 441 | 485 | 385 | 372 |
| Chambers | 103 | 192 | 384 | 267 | 685 | 920 | 856 | 931 | 596 | 728 | 790 | 906 | 192 | 384 | 450 | 292 |
| Registry (Le Greffe) | 4,124 | 4,219 | 3,539 | 3,741 | 990 | 1,020 | 1,054 | 1,064 | 895 | 947 | 852 | 1,008 | 4,219 | 3,539 | 3,741 | 3,797 |
| Plaints with summons | 3,367 | 3,432 | 3,115 | 3,229 | 671 | 684 | 720 | 749 | 606 | 710 | 606 | 653 | 3,432 | 3,115 | 3,229 | 3,325 |
| Motions and other applications & Reference from Chambers | 757 | 787 | 424 | 512 | 319 | 336 | 334 | 315 | 289 | 237 | 246 | 355 | 787 | 424 | 512 | 472 |
| Chambers (civil) | 343 | 458 | 346 | 478 | 2,185 | 1,836 | 1,912 | 2,107 | 1,949 | 1,632 | 1,649 | 2,060 | 458 | 346 | 478 | 525 |
| Total | 8,344 | 8,429 | 8,190 | 7,853 | 8,842 | 8,746 | 8,849 | 9,216 | 8,363 | 8,052 | 8,000 | 7,846 | 8,429 | 8,190 | 8,042 | 9,223 |

¹For Master's Court (levy cases) and Family Division, cases pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Figure 1.5a - Cases lodged at the Supreme Court, 2012 & 2013

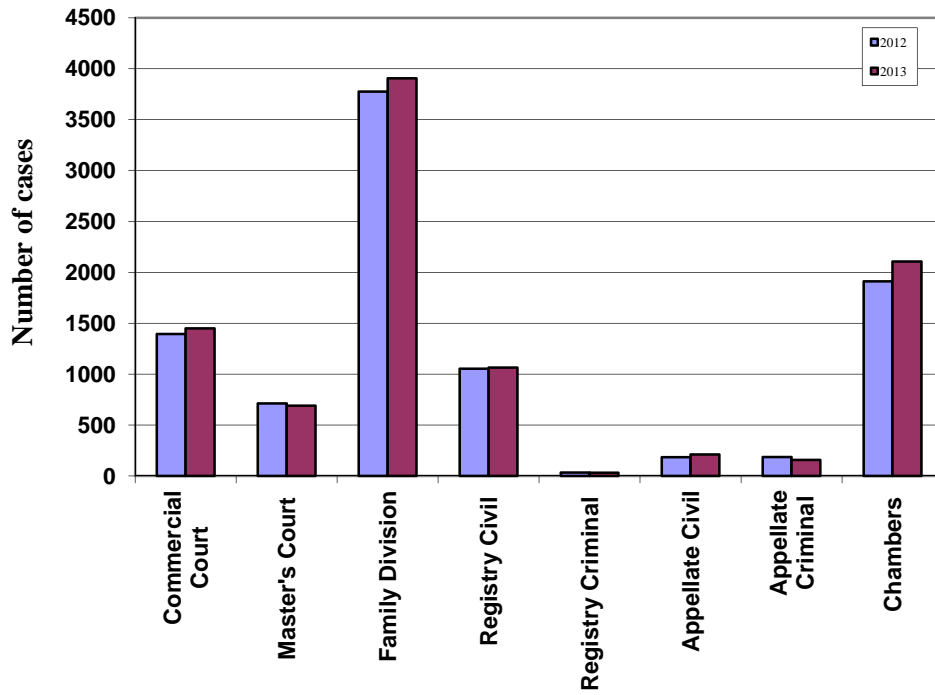


Figure 1.5b - Cases disposed of at the Supreme Court, 2012 & 2013

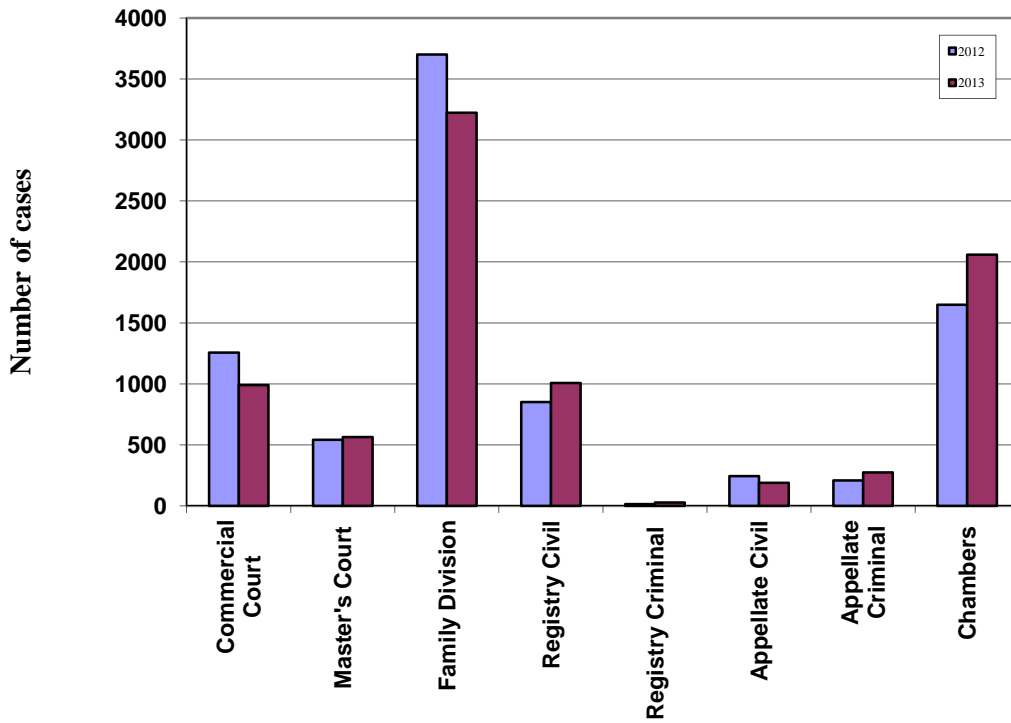


Table 1.6 - Divorce cases, Republic of Mauritius, 2010 - 2013

| | Island of Mauritius | | | | Island of Rodrigues | | | | Republic of Mauritius | | | |
|---|---------------------|-------|-------|-------|---------------------|------|------|------|-----------------------|-------|-------|-------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Cases ¹ pending at the beginning of the year | 1,772 | 1,974 | 2,127 | 1,368 | 69 | 71 | 52 | 34 | 1,841 | 2,045 | 2,179 | 1,402 |
| Cases lodged | 2,221 | 2,248 | 2,300 | 2,354 | 59 | 50 | 104 | 96 | 2,280 | 2,298 | 2,404 | 2,450 |
| Cases disposed of: | 2,019 | 2,095 | 2,323 | 1,797 | 57 | 69 | 86 | 96 | 2,076 | 2,164 | 2,409 | 1,893 |
| <i>Divorce pronounced</i> | 1,790 | 1,727 | 1,929 | 1,494 | 47 | 61 | 74 | 90 | 1,837 | 1,788 | 2,003 | 1,584 |
| <i>Withdrawn/Struck out/Set aside</i> | 227 | 353 | 391 | 289 | 10 | 7 | 11 | 5 | 237 | 360 | 402 | 294 |
| <i>Dismissed</i> | 1 | 13 | 2 | 12 | - | 1 | 1 | 1 | 1 | 14 | 3 | 13 |
| <i>Judicial separation</i> | 1 | 2 | 1 | 2 | - | - | - | - | 1 | 2 | 1 | 2 |
| Cases outstanding at the end of the year | 1,974 | 2,127 | 1,337 | 1,925 | 71 | 52 | 70 | 34 | 2,045 | 2,179 | 1,407 | 1,959 |

¹Cases pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013 both for the islands of Mauritius and Rodrigues

Table 1.7 - Divorces/Judicial separations pronounced by number of children involved in the marriage, Republic of Mauritius, 2010 - 2013

| No. of children involved | Island of Mauritius | | | | Island of Rodrigues | | | | Republic of Mauritius | | | |
|--------------------------|---------------------|--------------|--------------|--------------|---------------------|-----------|-----------|-----------|-----------------------|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| 0 | 602 | 606 | 689 | 537 | 6 | 9 | 11 | 12 | 608 | 615 | 700 | 549 |
| 1 | 552 | 494 | 580 | 446 | 19 | 24 | 27 | 37 | 571 | 518 | 607 | 483 |
| 2 | 468 | 405 | 466 | 357 | 14 | 16 | 15 | 26 | 482 | 421 | 481 | 383 |
| 3 | 134 | 166 | 152 | 118 | 6 | 8 | 15 | 7 | 140 | 174 | 167 | 125 |
| 4 | 29 | 45 | 26 | 32 | 1 | 2 | 3 | 5 | 30 | 47 | 29 | 37 |
| 5 | 3 | 8 | 13 | 5 | 1 | - | 1 | 1 | 4 | 8 | 14 | 6 |
| 6 and above | 3 | 5 | 4 | 1 | - | 2 | 2 | 2 | 3 | 7 | 6 | 3 |
| Total | 1,791 | 1,729 | 1,930 | 1,496 | 47 | 61 | 74 | 90 | 1,838 | 1,790 | 2,004 | 1,586 |

Table 1.8 - Divorces pronounced by petitioning parties and grounds, Republic of Mauritius, 2010 - 2013

| Petitioning party & grounds | Island of Mauritius | | | | Island of Rodrigues | | | | Republic of Mauritius | | | |
|--|---------------------|--------------|--------------|--------------|---------------------|-----------|-----------|-----------|-----------------------|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Husband petitioner | 662 | 663 | 603 | 415 | 12 | 17 | 24 | 35 | 674 | 680 | 627 | 450 |
| Grounds: | | | | | | | | | | | | |
| <i>Faute</i> | 454 | 389 | 341 | 235 | 9 | 14 | 12 | 22 | 463 | 403 | 353 | 257 |
| <i>Rupture de vie commune</i> | 27 | 32 | 27 | 26 | 2 | 1 | 4 | - | 29 | 33 | 31 | 26 |
| <i>Aux torts partagés</i> | 181 | 242 | 235 | 154 | 1 | 2 | 8 | 13 | 182 | 244 | 243 | 167 |
| Wife petitioner | 1,128 | 1,021 | 994 | 713 | 35 | 42 | 46 | 50 | 1,163 | 1,063 | 1,040 | 763 |
| Grounds: | | | | | | | | | | | | |
| <i>Faute</i> | 969 | 755 | 728 | 512 | 33 | 38 | 41 | 47 | 1,002 | 793 | 769 | 559 |
| <i>Rupture de vie commune</i> | 16 | 17 | 9 | 8 | - | 2 | - | - | 16 | 19 | 9 | 8 |
| <i>Aux torts partagés</i> | 143 | 249 | 257 | 193 | 2 | 2 | 5 | 3 | 145 | 251 | 262 | 196 |
| Joint petitioners (both husband & wife) | .. | 43 | 332 | 366 | .. | 2 | 4 | 5 | .. | 45 | 336 | 371 |
| Ground: | | | | | | | | | | | | |
| <i>Mutual consent</i> ¹ | .. | 43 | 332 | 366 | .. | 2 | 4 | 5 | .. | 45 | 336 | 371 |
| Total | 1,790 | 1,727 | 1,929 | 1,494 | 47 | 61 | 74 | 90 | 1,837 | 1,788 | 2,003 | 1,584 |

¹Divorce on ground of mutual consent was introduced in May 2011

Table 1.9 - Divorces/Judicial separations pronounced by duration of marriage (years), Republic of Mauritius, 2010 - 2013

| Duration of marriage (years) | Island of Mauritius | | | | Island of Rodrigues | | | | Republic of Mauritius | | | |
|------------------------------|---------------------|--------------|--------------|--------------|---------------------|-----------|-----------|-----------|-----------------------|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Under 5 | 369 | 396 | 425 | 309 | 5 | 6 | 7 | 6 | 374 | 402 | 432 | 315 |
| 5 - 9 | 506 | 475 | 528 | 435 | 20 | 16 | 20 | 35 | 526 | 491 | 548 | 470 |
| 10 - 14 | 368 | 333 | 418 | 298 | 12 | 15 | 22 | 15 | 380 | 348 | 440 | 313 |
| 15 - 19 | 273 | 230 | 234 | 194 | 5 | 9 | 12 | 9 | 278 | 239 | 246 | 203 |
| 20 - 24 | 151 | 148 | 175 | 144 | 4 | 6 | 5 | 5 | 155 | 154 | 180 | 149 |
| 25 - 29 | 67 | 92 | 82 | 57 | - | 5 | 2 | 9 | 67 | 97 | 84 | 66 |
| 30 and above | 57 | 55 | 68 | 59 | 1 | 4 | 6 | 11 | 58 | 59 | 74 | 70 |
| Total | 1,791 | 1,729 | 1,930 | 1,496 | 47 | 61 | 74 | 90 | 1,838 | 1,790 | 2,004 | 1,586 |

Figure 1.9 - Divorces/Judicial separations pronounced by duration of marriage (years), Republic of Mauritius, 2013

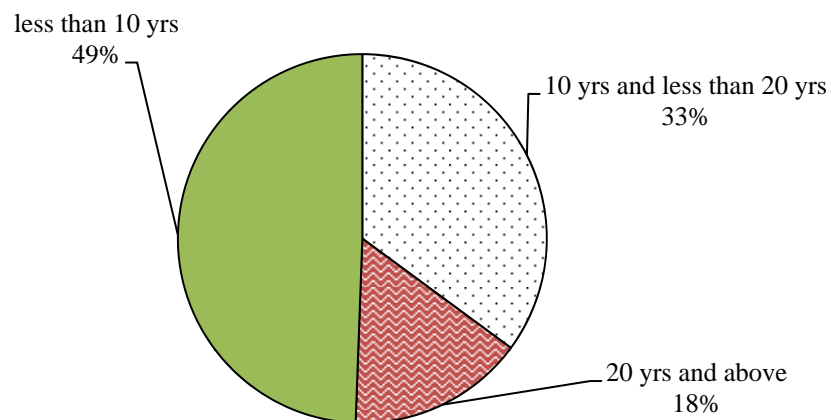


Table 1.10 - Civil cases at the Mediation Division of the Supreme Court, 2011 - 2013

| | 2011 | 2012 | 2013 |
|---|------|------|------|
| Cases ¹ pending at the beginning of the year | .. | 109 | 209 |
| Cases received during the year | 444 | 582 | 393 |
| No of cases where agreement has been recorded | 147 | 171 | 172 |
| No of cases purely and simply struck out/set aside | 40 | 43 | 50 |
| No of cases referred back to court (Master & Registrar) to be fixed | 148 | 268 | 261 |
| Cases outstanding at the end of the year | 109 | 209 | 119 |

¹There were no outstanding cases at the beginning of year 2011 as the Mediation Division of the Supreme Court was established in January 2011

3. INTERMEDIATE COURT

The total number of cases lodged at the Intermediate Court increased slightly by 2% from 2012 to 2013 resulting from a rise of 11% in the number of criminal cases and a drop of 5% in the number of civil cases.

Increases were noted in the number of cases disposed of for civil and criminal cases by 8% and 9% respectively.

The number of cases outstanding at the end of year 2013 were 4,273 for civil and 2,140 for criminal cases.

Table 2.1 - Civil and criminal cases at the Intermediate Court, 2010 - 2013

| | Civil cases | | | | Criminal cases | | | | Total | | | |
|--|-------------|-------|-------|-------|----------------|-------|-------|-------|-------|-------|-------|-------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Cases ¹ pending at the beginning of the year | 2,844 | 3,026 | 2,502 | 4,264 | 1,411 | 1,804 | 1,385 | 1,733 | 4,255 | 4,830 | 3,887 | 5,997 |
| Cases lodged | 2,167 | 2,322 | 2,080 | 1,979 | 1,961 | 1,743 | 1,757 | 1,945 | 4,128 | 4,065 | 3,837 | 3,924 |
| Cases disposed of | 1,985 | 1,814 | 1,827 | 1,970 | 1,568 | 1,628 | 1,409 | 1,538 | 3,553 | 3,442 | 3,236 | 3,508 |
| Cases ² outstanding at the end of the year | 3,026 | 2,502 | 3,106 | 4,273 | 1,804 | 1,385 | 1,733 | 2,140 | 4,830 | 3,887 | 4,839 | 6,413 |

¹Civil cases pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

²As from 2011, figures are based on physical count carried out at the end of the year

4. INDUSTRIAL COURT

The total number of cases lodged at the Industrial Court has increased marginally from 1,181 in 2012 to 1,183 in 2013. A rise of 2% was noted in civil cases whilst criminal cases declined by 6%.

An overall increase of 17% was registered in the number of cases disposed of with a respective rise of 16% in civil cases and 25% in criminal cases.

A physical count of the total number of cases showed that 1,155 cases (856 civil and 299 criminal) were outstanding at the end of the year 2013.

Table 3.1 - Civil and criminal cases at the Industrial Court, 2010 - 2013

| | Civil cases | | | | Criminal cases | | | | Total | | | |
|--|-------------|------|------|------|----------------|------|------|------|-------|-------|-------|-------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Cases pending at the beginning of the year | 415 | 657 | 641 | 845 | 117 | 159 | 194 | 304 | 532 | 816 | 835 | 1,149 |
| Cases lodged | 1,037 | 788 | 922 | 939 | 235 | 307 | 259 | 244 | 1,272 | 1,095 | 1,181 | 1,183 |
| Cases disposed of | 928 | 804 | 803 | 928 | 191 | 274 | 199 | 249 | 1,119 | 1,078 | 1,002 | 1,177 |
| Cases outstanding at the end of the year | 657 | 641 | 845 | 856 | 159 | 194 | 304 | 299 | 816 | 835 | 1,149 | 1,155 |

5. DISTRICT COURTS

In 2013, about 42% of civil and criminal cases were lodged in urban areas. From 2012 to 2013, a fall of 9% was noted in the number of these cases in the two District Courts of Plaines Wilhems from 31,175 to 28,299, whereas there was a rise of 20% in the three divisions of the District Court of Port Louis, from 22,665 to 27,245. Among the rural areas, in 2013, the District Court of Pamplemousses registered the largest number of cases lodged, at 18,567 (Table 4.1).

The number of criminal cases lodged increased by 5% from 119,027 in 2012 to 125,059 in 2013. However, in 2013, a decrease was noted at the District Court of Rodrigues followed by Grand Port, Upper Plaines Wilhems, Savanne, Riviere du Rempart and Black River (Table 4.2).

Although the total number of civil cases lodged decreased by 21% to 7,411 in 2013, a rise was shown in these cases at the courts of Pamplemousses, Riviere du Rempart and Flacq (Table 4.3).

From 2012 to 2013, the total number of civil and criminal cases which were disposed of increased by 15% to 132,928 due to respective rises of 15% in criminal cases from 107,325 to 123,832 and 8% in civil cases from 8,421 to 9,096. The largest number of cases disposed of in 2013 was recorded at the Pamplemousses District Court.

In 2013, despite an increase in the number of criminal cases disposed of, a decrease was felt at the District Courts of Grand Port, Savanne, the two District Courts of Plaines Wilhems and the Court of Rodrigues (Table 4.2).

A decrease in the number of civil cases disposed of was noted in all District Courts except for Flacq and the two courts of Plaines Wilhems (Table 4.3).

From 2012 to 2013, the number of cases under the Small Claim Procedure lodged and those disposed of showed respective decreases of 23% to 961 and 36% to 932 (Table 4.4). Conversely, the number of applications lodged under the Protection from Domestic Violence Act 1997 increased by 17% to 1,805 in 2013. More than half of the applications were lodged in the urban District Courts and half of them came from the Lower Plaines Wilhems (Table 4.5).

From 2012 to 2013, the total number of applications received under the Protection from Domestic Violence Act 1997 increased from 1,545 to 1,809, with a rise of 17% for Protection Orders and 25% for Occupation Orders.

The applicants for Protection Orders among spouse/partner showed an increase of 12% to 1,500 in 2013. More than 95% of them were females (Tables 4.7 & 4.8).

Table 4.1 - Civil and criminal cases at the District Courts, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|------------------------------------|--|---------------|---------------|---------------|----------------|----------------|----------------|----------------|-------------------|----------------|----------------|----------------|--|---------------|---------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Port Louis Division I | 1,229 | 1,171 | 869 | 843 | 1,663 | 1,927 | 1,628 | 1,264 | 1,499 | 1,678 | 1,651 | 1,473 | 1,171 | 869 | 843 | 634 |
| Port Louis Division II | 2,252 | 2,071 | 3,802 | 3,538 | 7,206 | 9,687 | 9,250 | 12,583 | 6,238 | 7,956 | 7,720 | 13,343 | 2,071 | 3,802 | 3,538 | 2,778 |
| Port Louis Division III | 2,241 | 1,580 | 678 | 1,078 | 12,670 | 10,179 | 11,787 | 13,398 | 11,149 | 11,081 | 9,429 | 9,794 | 1,580 | 678 | 1,078 | 4,682 |
| Pamplemousses | 3,239 | 2,913 | 2,878 | 2,641 | 12,350 | 15,273 | 12,741 | 18,567 | 11,833 | 14,891 | 12,688 | 18,120 | 2,913 | 2,878 | 2,641 | 3,088 |
| Riviere du Rempart | 3,472 | 3,165 | 3,553 | 5,490 | 9,057 | 10,766 | 12,360 | 11,785 | 9,112 | 9,553 | 11,654 | 14,762 | 3,165 | 3,553 | 5,490 | 2,513 |
| Flacq | 1,684 | 3,126 | 3,474 | 5,254 | 10,248 | 9,999 | 13,862 | 14,236 | 8,831 | 9,641 | 10,826 | 14,189 | 3,126 | 3,474 | 5,254 | 5,301 |
| Moka | 1,283 | 1,279 | 1,512 | 2,664 | 8,269 | 7,830 | 8,635 | 8,773 | 7,851 | 7,318 | 7,483 | 9,234 | 1,279 | 1,512 | 2,664 | 2,203 |
| Lower Plaines Wilhems | 4,306 | 1,488 | 1,856 | 2,414 | 14,061 | 12,578 | 14,916 | 15,171 | 15,343 | 13,538 | 14,317 | 14,259 | 1,488 | 1,856 | 2,414 | 3,326 |
| Upper Plaines Wilhems ¹ | 1,224 | 3,401 | 2,266 | 4,182 | 17,724 | 12,445 | 16,259 | 13,128 | 15,528 | 13,187 | 13,683 | 14,209 | 3,401 | 2,266 | 4,182 | 3,101 |
| Grand Port | 3,339 | 1,855 | 1,677 | 1,362 | 10,365 | 7,133 | 9,083 | 7,780 | 11,849 | 6,826 | 9,398 | 8,015 | 1,855 | 1,677 | 1,362 | 1,127 |
| Savanne | 3,081 | 1,667 | 1,617 | 1,837 | 6,007 | 6,816 | 7,242 | 6,508 | 6,791 | 6,649 | 6,849 | 6,135 | 1,667 | 1,617 | 1,837 | 2,210 |
| Black River | 1,280 | 680 | 981 | 1,331 | 4,357 | 5,529 | 5,463 | 5,336 | 4,104 | 5,209 | 5,151 | 5,187 | 680 | 981 | 1,331 | 1,480 |
| Rodrigues ² | 1,008 | 321 | 306 | 572 | 2,323 | 2,162 | 5,244 | 3,941 | 3,010 | 2,469 | 4,897 | 4,208 | 321 | 306 | 653 | 305 |
| Island of Mauritius | 28,630 | 24,396 | 25,163 | 32,634 | 113,977 | 110,162 | 123,226 | 128,529 | 110,128 | 107,527 | 110,849 | 128,720 | 24,396 | 25,163 | 32,634 | 32,443 |
| Republic of Mauritius | 29,638 | 24,717 | 25,469 | 33,206 | 116,300 | 112,324 | 128,470 | 132,470 | 113,138 | 109,996 | 115,746 | 132,928 | 24,717 | 25,469 | 33,287 | 32,748 |

¹As from May 2012, civil cases include state debts cases, following amendment of the Local Government Act

²Civil cases (divorce) pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Table 4.2 - Criminal cases at the District Courts, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|------------------------------|--|---------------|---------------|---------------|----------------|----------------|----------------|----------------|-------------------|----------------|----------------|----------------|--|---------------|---------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Port Louis Division II | 2,252 | 2,071 | 3,802 | 3,538 | 7,206 | 9,687 | 9,250 | 12,583 | 6,238 | 7,956 | 7,720 | 13,343 | 2,071 | 3,802 | 3,538 | 2,778 |
| Port Louis Division III | 2,241 | 1,580 | 678 | 1,078 | 12,670 | 10,179 | 11,787 | 13,398 | 11,149 | 11,081 | 9,429 | 9,794 | 1,580 | 678 | 1,078 | 4,682 |
| Pamplemousses | 3,098 | 2,810 | 2,778 | 2,575 | 11,744 | 14,705 | 12,261 | 18,003 | 11,142 | 14,298 | 12,116 | 17,605 | 2,810 | 2,778 | 2,575 | 2,973 |
| Riviere du Rempart | 3,383 | 3,056 | 3,482 | 5,450 | 8,617 | 10,369 | 12,032 | 11,396 | 8,678 | 9,118 | 11,294 | 14,424 | 3,056 | 3,482 | 5,450 | 2,422 |
| Flacq | 1,469 | 3,033 | 3,336 | 5,133 | 9,512 | 9,339 | 13,361 | 13,693 | 7,996 | 9,026 | 10,301 | 13,632 | 3,033 | 3,336 | 5,133 | 5,194 |
| Moka | 1,223 | 1,190 | 1,394 | 2,600 | 7,797 | 7,294 | 8,324 | 8,501 | 7,408 | 6,811 | 7,118 | 8,959 | 1,190 | 1,394 | 2,600 | 2,142 |
| Lower Plaines Wilhems | 3,509 | 1,281 | 1,259 | 1,843 | 12,555 | 11,294 | 13,276 | 13,586 | 13,495 | 12,533 | 12,709 | 12,598 | 1,281 | 1,259 | 1,843 | 2,831 |
| Upper Plaines Wilhems | 791 | 3,165 | 1,927 | 2,367 | 16,424 | 11,486 | 13,170 | 11,634 | 14,248 | 12,326 | 12,070 | 11,147 | 3,165 | 1,927 | 2,367 | 2,854 |
| Grand Port | 3,210 | 1,738 | 1,419 | 1,280 | 9,863 | 6,557 | 8,515 | 7,270 | 11,335 | 6,391 | 8,654 | 7,549 | 1,738 | 1,419 | 1,280 | 1,001 |
| Savanne | 3,052 | 1,619 | 1,519 | 1,809 | 5,692 | 6,481 | 6,940 | 6,253 | 6,497 | 6,350 | 6,477 | 5,917 | 1,619 | 1,519 | 1,809 | 2,145 |
| Black River | 1,235 | 593 | 927 | 1,296 | 3,908 | 5,052 | 5,100 | 5,006 | 3,697 | 4,699 | 4,778 | 4,863 | 593 | 927 | 1,296 | 1,439 |
| Rodrigues | 877 | 206 | 164 | 516 | 2,135 | 1,891 | 5,011 | 3,736 | 2,806 | 2,225 | 4,659 | 4,001 | 206 | 164 | 516 | 251 |
| Island of Mauritius | 25,463 | 22,136 | 22,521 | 28,969 | 105,988 | 102,443 | 114,016 | 121,323 | 101,883 | 100,589 | 102,666 | 119,831 | 22,136 | 22,521 | 28,969 | 30,461 |
| Republic of Mauritius | 26,340 | 22,342 | 22,685 | 29,485 | 108,123 | 104,334 | 119,027 | 125,059 | 104,689 | 102,814 | 107,325 | 123,832 | 22,342 | 22,685 | 29,485 | 30,712 |

Table 4.3 - Civil cases at the District Courts, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|------------------------------------|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------|--------------|--------------|--------------|--|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Port Louis Division I | 1,229 | 1,171 | 869 | 843 | 1,663 | 1,927 | 1,628 | 1,264 | 1,499 | 1,678 | 1,651 | 1,473 | 1,171 | 869 | 843 | 634 |
| Pamplemousses | 141 | 103 | 100 | 66 | 606 | 568 | 480 | 564 | 691 | 593 | 572 | 515 | 103 | 100 | 66 | 115 |
| Riviere du Rempart | 89 | 109 | 71 | 40 | 440 | 397 | 328 | 389 | 434 | 435 | 360 | 338 | 109 | 71 | 40 | 91 |
| Flacq | 215 | 93 | 138 | 121 | 736 | 660 | 501 | 543 | 835 | 615 | 525 | 557 | 93 | 138 | 121 | 107 |
| Moka | 60 | 89 | 118 | 64 | 472 | 536 | 311 | 272 | 443 | 507 | 365 | 275 | 89 | 118 | 64 | 61 |
| Lower Plaines Wilhems | 797 | 207 | 597 | 571 | 1,506 | 1,284 | 1,640 | 1,585 | 1,848 | 1,005 | 1,608 | 1,661 | 207 | 597 | 571 | 495 |
| Upper Plaines Wilhems ¹ | 433 | 236 | 339 | 1,815 | 1,300 | 959 | 3,089 | 1,494 | 1,280 | 861 | 1,613 | 3,062 | 236 | 339 | 1,815 | 247 |
| Grand Port | 129 | 117 | 258 | 82 | 502 | 576 | 568 | 510 | 514 | 435 | 744 | 466 | 117 | 258 | 82 | 126 |
| Savanne | 29 | 48 | 98 | 28 | 315 | 335 | 302 | 255 | 294 | 299 | 372 | 218 | 48 | 98 | 28 | 65 |
| Black River | 45 | 87 | 54 | 35 | 449 | 477 | 363 | 330 | 407 | 510 | 373 | 324 | 87 | 54 | 35 | 41 |
| Rodrigues ² | 131 | 115 | 142 | 56 | 188 | 271 | 233 | 205 | 204 | 244 | 238 | 207 | 115 | 142 | 137 | 54 |
| Island of Mauritius | 3,167 | 2,260 | 2,642 | 3,665 | 7,989 | 7,719 | 9,210 | 7,206 | 8,245 | 6,938 | 8,183 | 8,889 | 2,260 | 2,642 | 3,665 | 1,982 |
| Republic of Mauritius | 3,298 | 2,375 | 2,784 | 3,721 | 8,177 | 7,990 | 9,443 | 7,411 | 8,449 | 7,182 | 8,421 | 9,096 | 2,375 | 2,784 | 3,802 | 2,036 |

¹As from May 2012, state debts cases included following amendment of the Local Government Act

²Divorce cases pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Table 4.4 - Small Claim Procedure at the District Courts, 2010 - 2013

| | Cases lodged | | | | Cases disposed of | | | |
|------------------------------|--------------|--------------|--------------|------------|-------------------|--------------|--------------|------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Port Louis Division I | 147 | 112 | 107 | 115 | 157 | 111 | 96 | 85 |
| Pamplemousses | 134 | 77 | 102 | 87 | 140 | 74 | 87 | 60 |
| Riviere du Rempart | 104 | 80 | 80 | 68 | 112 | 86 | 95 | 54 |
| Flacq | 238 | 163 | 85 | 82 | 309 | 183 | 102 | 88 |
| Moka | 215 | 270 | 81 | 112 | 207 | 236 | 147 | 92 |
| Lower Plains Wilhems | 166 | 103 | 126 | 127 | 172 | 84 | 111 | 146 |
| Upper Plains Wilhems | 231 | 131 | 115 | 122 | 167 | 128 | 120 | 149 |
| Grand Port | 121 | 156 | 264 | 104 | 109 | 99 | 325 | 122 |
| Savanne | 125 | 159 | 172 | 73 | 118 | 111 | 239 | 60 |
| Black River | 158 | 123 | 99 | 68 | 148 | 125 | 113 | 73 |
| Rodrigues | 24 | 29 | 13 | 3 | 14 | 38 | 17 | 3 |
| Island of Mauritius | 1,639 | 1,374 | 1,231 | 958 | 1,639 | 1,237 | 1,435 | 929 |
| Republic of Mauritius | 1,663 | 1,403 | 1,244 | 961 | 1,653 | 1,275 | 1,452 | 932 |

Table 4.5 - Cases under the Protection from Domestic Violence Act 1997 at the District Courts, 2010 - 2013

| | Cases lodged | | | | Cases disposed of | | | |
|------------------------------|--------------|--------------|--------------|--------------|-------------------|--------------|--------------|--------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Port Louis Division I | 208 | 174 | 162 | 231 | 201 | 177 | 145 | 209 |
| Pamplemousses | 233 | 250 | 208 | 188 | 216 | 228 | 213 | 196 |
| Riviere du Rempart | 168 | 123 | 91 | 175 | 156 | 120 | 99 | 171 |
| Flacq | 167 | 145 | 173 | 158 | 151 | 136 | 162 | 171 |
| Moka | 94 | 106 | 90 | 69 | 86 | 110 | 88 | 76 |
| Lower Plains Wilhems | 543 | 330 | 416 | 520 | 520 | 321 | 403 | 478 |
| Upper Plains Wilhems | 204 | 187 | 180 | 189 | 196 | 187 | 141 | 225 |
| Grand Port | 115 | 95 | 59 | 78 | 112 | 95 | 72 | 79 |
| Savanne | 29 | 16 | 17 | 39 | 37 | 16 | 17 | 34 |
| Black River | 106 | 136 | 88 | 84 | 104 | 143 | 79 | 85 |
| Rodrigues | 38 | 50 | 60 | 74 | 40 | 49 | 59 | 73 |
| Island of Mauritius | 1,867 | 1,562 | 1,484 | 1,731 | 1,779 | 1,533 | 1,419 | 1,724 |
| Republic of Mauritius | 1,905 | 1,612 | 1,544 | 1,805 | 1,819 | 1,582 | 1,478 | 1,797 |

Table 4.6 - Breakdown of Orders under the Protection from Domestic Violence Act 1997 at the District Courts, 2012 & 2013

| | Orders | | | | | | | | Total | |
|--|------------|-------|------------|------|---------|------|------------|------|-------|-------|
| | Protection | | Occupation | | Tenancy | | Revocation | | | |
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Applications received | 1,522 | 1,775 | 20 | 25 | 2 | 8 | 1 | 1 | 1,545 | 1,809 |
| Interim Orders issued | 1,465 | 1,596 | 2 | 6 | - | 1 | - | - | 1,467 | 1,603 |
| Orders issued | 813 | 977 | 8 | 7 | 1 | 1 | 1 | - | 823 | 985 |
| Orders extension made | 211 | 370 | 5 | - | - | - | - | - | 216 | 370 |
| Applications withdrawn/set aside/struck out/dismissed | 650 | 802 | 7 | 11 | 1 | 2 | - | - | 658 | 815 |
| Cases where parties have been ordered to attend counselling sessions | 26 | 19 | - | - | - | - | - | - | 26 | 19 |

Figures for applications received/Orders issued are not comparable to cases lodged/disposed (table 4.5) due to applications made for different Orders or for more than one person in a case

Table 4.7 - Breakdown of Protection Orders under the Protection from Domestic Violence Act 1997 at the District Courts, 2012 & 2013

| | Spouse/partner | | Other persons living under the same roof | | Total | |
|--|----------------|-------|--|------|-------|-------|
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Applications received | 1,341 | 1,500 | 181 | 275 | 1,522 | 1,775 |
| Interim Orders issued | 1,296 | 1,349 | 169 | 247 | 1,465 | 1,596 |
| Orders issued | 730 | 839 | 83 | 138 | 813 | 977 |
| Orders extension made | 203 | 370 | 8 | - | 211 | 370 |
| Applications withdrawn/set aside/struck out/dismissed | 567 | 660 | 83 | 142 | 650 | 802 |
| Cases where parties have been ordered to attend counselling sessions | 26 | 18 | - | 1 | 26 | 19 |

Table 4.8 - Breakdown by sex of Protection Orders under the Protection from Domestic Violence Act 1997 at the District Courts, 2013

| | Spouse/partner | | | Other persons living under the same roof | | | Total | | |
|--|----------------|--------|-------|--|--------|-------|-------|--------|-------|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Applications received | 63 | 1,437 | 1,500 | 77 | 198 | 275 | 140 | 1,635 | 1,775 |
| Interim Orders issued | 50 | 1,299 | 1,349 | 67 | 180 | 247 | 117 | 1,479 | 1,596 |
| Orders issued | 23 | 816 | 839 | 46 | 92 | 138 | 69 | 908 | 977 |
| Orders extension made | 12 | 358 | 370 | - | - | - | 12 | 358 | 370 |
| Applications withdrawn/set aside/struck out/dismissed | 33 | 627 | 660 | 45 | 97 | 142 | 78 | 724 | 802 |
| Cases where parties have been ordered to attend counselling sessions | - | 18 | 18 | 1 | - | 1 | 1 | 18 | 19 |

Figure 4.1a - Total cases lodged, disposed of and outstanding at the District Courts, Republic of Mauritius, 2012 & 2013

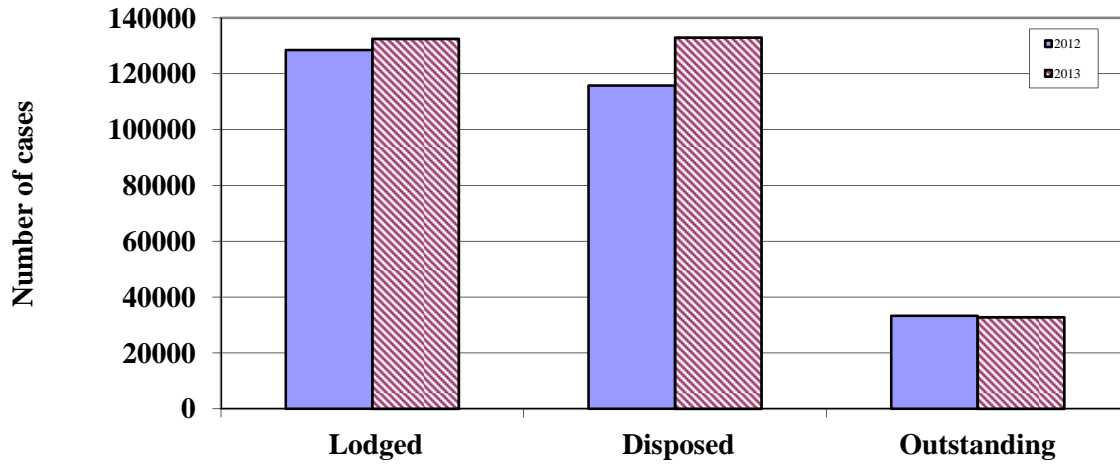
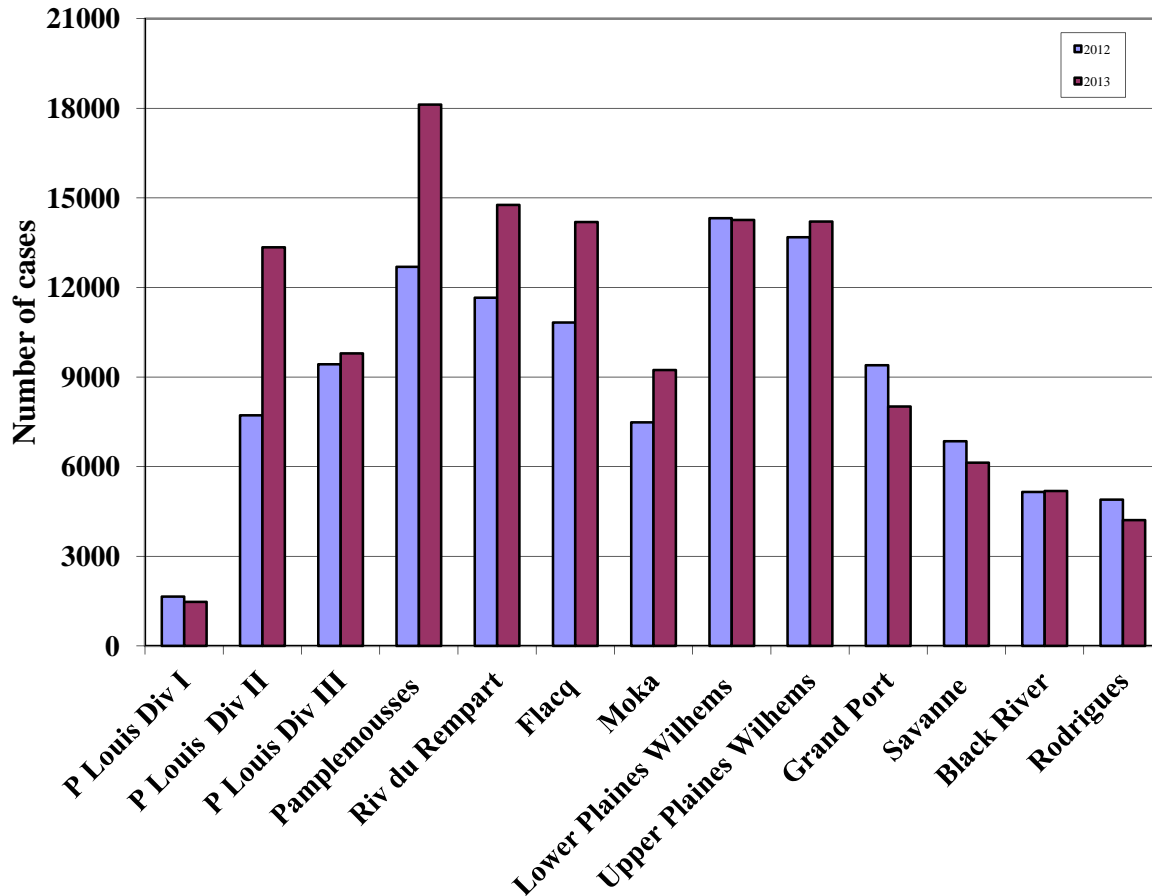


Figure 4.1b - Civil and criminal cases disposed of by District Courts, 2012 & 2013



6. CASES (CIVIL AND CRIMINAL) IN THE REPUBLIC OF MAURITIUS

The number of cases lodged in the Republic of Mauritius increased by 3% from 142,741 in 2012 to 147,194 in 2013, with a rise of 5% for criminal cases and a fall of 8% for civil cases. Conversely, in the Island of Rodrigues a fall was noted in both criminal and civil cases respectively at 25% and 12%.

Similarly, for the same period, the total number of cases disposed of rose by 14% resulting from an increase in both criminal (15%) and civil (4%) cases.

A physical count of the total number of outstanding cases at the end of year 2013 stood at 50,339, with 33,470 for criminal and 16,869 for civil cases (Tables 5.1 - 5.3).

Table 5.1 - Total cases, Republic of Mauritius, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|---------------------------------------|--|---------------|---------------|---------------|----------------|----------------|----------------|----------------|-------------------|----------------|----------------|----------------|--|---------------|---------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Republic of Mauritius | 43,805 | 39,802 | 39,336 | 49,096 | 130,934 | 126,645 | 142,741 | 147,194 | 126,591 | 122,975 | 128,452 | 145,951 | 39,802 | 39,336 | 48,208 | 50,339 |
| Island of Mauritius | 42,797 | 39,481 | 39,030 | 48,524 | 128,611 | 124,483 | 137,497 | 143,253 | 123,581 | 120,506 | 123,555 | 141,743 | 39,481 | 39,030 | 47,555 | 50,034 |
| Supreme Court | 9,380 | 9,439 | 9,145 | 8,744 | 9,234 | 9,161 | 9,253 | 9,617 | 8,781 | 8,459 | 8,468 | 8,338 | 9,439 | 9,145 | 8,933 | 10,023 |
| <i>Appeal cases</i> | <i>1,021</i> | <i>979</i> | <i>943</i> | <i>860</i> | <i>356</i> | <i>398</i> | <i>370</i> | <i>369</i> | <i>398</i> | <i>381</i> | <i>453</i> | <i>464</i> | <i>979</i> | <i>943</i> | <i>860</i> | <i>765</i> |
| <i>Other cases</i> | <i>8,359</i> | <i>8,460</i> | <i>8,202</i> | <i>7,884</i> | <i>8,878</i> | <i>8,763</i> | <i>8,883</i> | <i>9,248</i> | <i>8,383</i> | <i>8,078</i> | <i>8,015</i> | <i>7,874</i> | <i>8,460</i> | <i>8,202</i> | <i>8,073</i> | <i>9,258</i> |
| Industrial Court | 532 | 816 | 835 | 1,149 | 1,272 | 1,095 | 1,181 | 1,183 | 1,119 | 1,078 | 1,002 | 1,177 | 816 | 835 | 1,149 | 1,155 |
| Intermediate Court ¹ | 4,255 | 4,830 | 3,887 | 5,997 | 4,128 | 4,065 | 3,837 | 3,924 | 3,553 | 3,442 | 3,236 | 3,508 | 4,830 | 3,887 | 4,839 | 6,413 |
| District Courts | 28,630 | 24,396 | 25,163 | 32,634 | 113,977 | 110,162 | 123,226 | 128,529 | 110,128 | 107,527 | 110,849 | 128,720 | 24,396 | 25,163 | 32,634 | 32,443 |
| Court of Rodrigues¹ | 1,008 | 321 | 306 | 572 | 2,323 | 2,162 | 5,244 | 3,941 | 3,010 | 2,469 | 4,897 | 4,208 | 321 | 306 | 653 | 305 |

¹Civil cases (divorce) pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Table 5.2 - Total criminal cases, Republic of Mauritius, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|------------------------------|--|---------------|---------------|---------------|----------------|----------------|----------------|----------------|-------------------|----------------|----------------|----------------|--|---------------|---------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Republic of Mauritius | 28,342 | 24,771 | 24,699 | 31,953 | 110,533 | 106,601 | 121,263 | 127,438 | 106,670 | 104,922 | 109,157 | 125,921 | 24,771 | 24,699 | 31,953 | 33,470 |
| Island of Mauritius | 27,465 | 24,565 | 24,535 | 31,437 | 108,398 | 104,710 | 116,252 | 123,702 | 103,864 | 102,697 | 104,498 | 121,920 | 24,565 | 24,535 | 31,437 | 33,219 |
| Supreme Court | 474 | 466 | 435 | 431 | 214 | 217 | 220 | 190 | 222 | 206 | 224 | 302 | 466 | 435 | 431 | 319 |
| <i>Appeal cases</i> | <i>459</i> | <i>435</i> | <i>423</i> | <i>400</i> | <i>178</i> | <i>200</i> | <i>186</i> | <i>158</i> | <i>202</i> | <i>180</i> | <i>209</i> | <i>274</i> | <i>435</i> | <i>423</i> | <i>400</i> | <i>284</i> |
| <i>Other cases</i> | <i>15</i> | <i>31</i> | <i>12</i> | <i>31</i> | <i>36</i> | <i>17</i> | <i>34</i> | <i>32</i> | <i>20</i> | <i>26</i> | <i>15</i> | <i>28</i> | <i>31</i> | <i>12</i> | <i>31</i> | <i>35</i> |
| Industrial Court | 117 | 159 | 194 | 304 | 235 | 307 | 259 | 244 | 191 | 274 | 199 | 249 | 159 | 194 | 304 | 299 |
| Intermediate Court | 1,411 | 1,804 | 1,385 | 1,733 | 1,961 | 1,743 | 1,757 | 1,945 | 1,568 | 1,628 | 1,409 | 1,538 | 1,804 | 1,385 | 1,733 | 2,140 |
| District Courts | 25,463 | 22,136 | 22,521 | 28,969 | 105,988 | 102,443 | 114,016 | 121,323 | 101,883 | 100,589 | 102,666 | 119,831 | 22,136 | 22,521 | 28,969 | 30,461 |
| Court of Rodrigues | 877 | 206 | 164 | 516 | 2,135 | 1,891 | 5,011 | 3,736 | 2,806 | 2,225 | 4,659 | 4,001 | 206 | 164 | 516 | 251 |

Table 5.3 - Total civil cases, Republic of Mauritius, 2010 - 2013

| | Cases pending at the beginning of the year | | | | Cases lodged | | | | Cases disposed of | | | | Cases outstanding at the end of the year | | | |
|---------------------------------------|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-------------------|---------------|---------------|---------------|--|---------------|---------------|---------------|
| | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 | 2010 | 2011 | 2012 | 2013 |
| Republic of Mauritius | 15,463 | 15,031 | 14,637 | 17,143 | 20,401 | 20,044 | 21,478 | 19,756 | 19,921 | 18,053 | 19,295 | 20,030 | 15,031 | 14,637 | 16,255 | 16,869 |
| Island of Mauritius | 15,332 | 14,916 | 14,495 | 17,087 | 20,213 | 19,773 | 21,245 | 19,551 | 19,717 | 17,809 | 19,057 | 19,823 | 14,916 | 14,495 | 16,118 | 16,815 |
| Supreme Court | 8,906 | 8,973 | 8,710 | 8,313 | 9,020 | 8,944 | 9,033 | 9,427 | 8,559 | 8,253 | 8,244 | 8,036 | 8,973 | 8,710 | 8,502 | 9,704 |
| <i>Appeal cases</i> | <i>562</i> | <i>544</i> | <i>520</i> | <i>460</i> | <i>178</i> | <i>198</i> | <i>184</i> | <i>211</i> | <i>196</i> | <i>201</i> | <i>244</i> | <i>190</i> | <i>544</i> | <i>520</i> | <i>460</i> | <i>481</i> |
| <i>Other cases</i> | <i>8,344</i> | <i>8,429</i> | <i>8,190</i> | <i>7,853</i> | <i>8,842</i> | <i>8,746</i> | <i>8,849</i> | <i>9,216</i> | <i>8,363</i> | <i>8,052</i> | <i>8,000</i> | <i>7,846</i> | <i>8,429</i> | <i>8,190</i> | <i>8,042</i> | <i>9,223</i> |
| Industrial Court | 415 | 657 | 641 | 845 | 1,037 | 788 | 922 | 939 | 928 | 804 | 803 | 928 | 657 | 641 | 845 | 856 |
| Intermediate Court ¹ | 2,844 | 3,026 | 2,502 | 4,264 | 2,167 | 2,322 | 2,080 | 1,979 | 1,985 | 1,814 | 1,827 | 1,970 | 3,026 | 2,502 | 3,106 | 4,273 |
| District Courts | 3,167 | 2,260 | 2,642 | 3,665 | 7,989 | 7,719 | 9,210 | 7,206 | 8,245 | 6,938 | 8,183 | 8,889 | 2,260 | 2,642 | 3,665 | 1,982 |
| Court of Rodrigues¹ | 131 | 115 | 142 | 56 | 188 | 271 | 233 | 205 | 204 | 244 | 238 | 207 | 115 | 142 | 137 | 54 |

¹Cases pending at the beginning of year 2013 revised in light of physical count carried out at the end of the year 2013

Figure 5.1 - Total cases lodged, disposed of and outstanding, Republic of Mauritius, 2012 & 2013

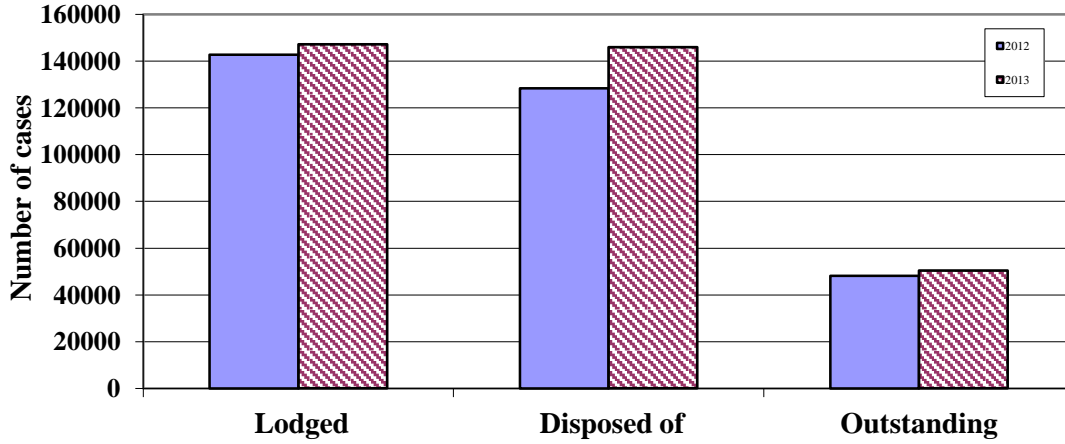


Figure 5.2- Total criminal cases lodged, disposed of and outstanding, Republic of Mauritius, 2012 & 2013

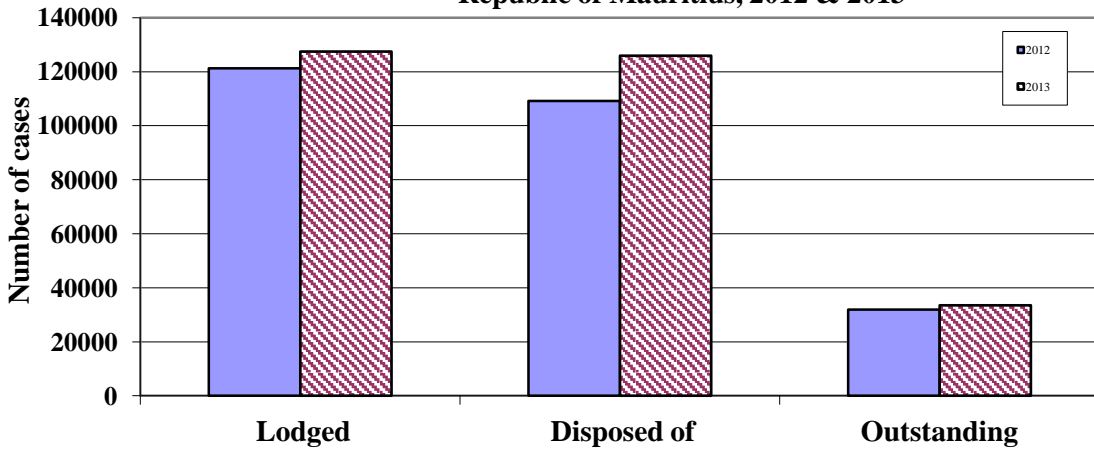
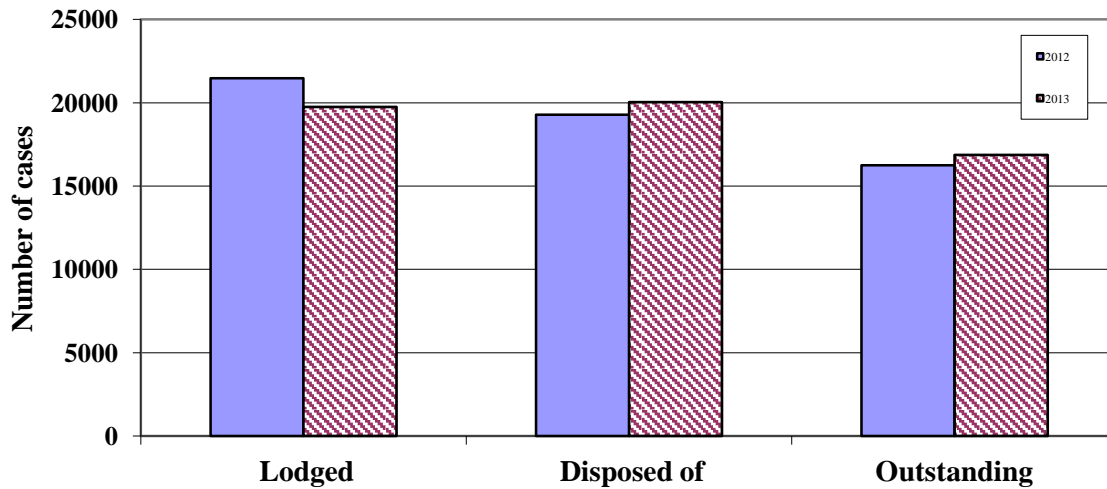


Figure 5.3 - Total civil cases lodged, disposed of and outstanding, Republic of Mauritius, 2012 & 2013



7. CRIME STATISTICS

7.1 Summary of criminal offences disposed of

In 87% (128,667) of the 147,922 criminal offences disposed of in 2013, the defendants were proven guilty and sentenced; while 13% of the offences were acquitted or non-adjudicated (Figure 6.2).

The Supreme Court has the highest percentage (100%) of offences proven guilty followed by the Industrial Court (93%).

Only 3,779 (3%) of the offences proven guilty were sentenced to Custodial Orders, i.e. the persons were detained in an institution to serve their sentences. For the majority (97%) of these offences, the defendants were either sentenced to pay fines or to serve Community Service/Probation Orders (Non-Custodial Orders).

All the sentences pronounced (proven guilty) at the Supreme Court and 37% of those pronounced at the Intermediate Court were Custodial Orders. Conversely, all the sentences pronounced at the Industrial Court and 98% of those pronounced at the District Courts were Non-Custodial Orders.

7.2 Convicted offences

The overall convicted offences went up by 13% from 113,695 in 2012 to 128,667 in 2013 (Table 6.3). This increase is due to main rises in convicted homicide offences (+27%), sexual offences (+16%), road traffic contraventions (+14%), property offences (+4%) and drug offences (+1%).

The convicted homicide offences rose to 104 in 2013 from 82 in 2012. Out of the 104 cases, 84 were non intentional homicides (involuntary homicides), 18 were intentional homicides committed (murder, manslaughter and abortion) and the remaining were attempted intentional homicides.

The increase in convicted sexual offences was due to main rises in rape from 2 in 2012 to 18 in 2013 and sodomy from 10 in 2012 to 16 in 2013.

Similarly, the main rise in convicted property offences was due to an increase in theft from 3,447 in 2012 to 3,696 in 2013.

About 79% of the criminal offences disposed in the Republic of Mauritius in 2013 were road traffic contraventions. In addition to the 101,004 contraventions convicted in 2013 as shown in Table 6.3, more road traffic contraventions were paid via fixed penalty notices. These are directly paid to cash offices and are not considered as offences lodged and disposed at court. However, if the contravened is not agreeable to pay the fine, then a case is lodged.

Table 6.1 - Criminal offences¹ disposed of according to United Nations classification of offences (broad categories), Republic of Mauritius, 2012 & 2013

| | Island of Mauritius | | Island of Rodrigues | | Republic of Mauritius | |
|---|---------------------|----------------|---------------------|--------------|-----------------------|----------------|
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Homicide and related offences | 129 | 133 | 3 | 1 | 132 | 134 |
| <i>Intentional Homicide (committed)</i> | 14 | 18 | - | - | 14 | 18 |
| <i>Intentional Homicide (attempted)</i> | 10 | 2 | - | - | 10 | 2 |
| <i>Non Intentional Homicide</i> | 105 | 113 | 3 | 1 | 108 | 114 |
| Assault and related offences | 7,208 | 7,756 | 364 | 318 | 7,572 | 8,074 |
| Sexual offences | 273 | 308 | 9 | 33 | 282 | 341 |
| Property offences | 8,092 | 8,268 | 214 | 191 | 8,306 | 8,459 |
| <i>Fraud and dishonesty</i> | 1,128 | 861 | 29 | 9 | 1,157 | 870 |
| <i>Embezzlement</i> | 201 | 194 | 13 | 2 | 214 | 196 |
| <i>Theft</i> | 3,760 | 4,039 | 101 | 121 | 3,861 | 4,160 |
| <i>Robbery</i> | 1,230 | 1,290 | 5 | 28 | 1,235 | 1,318 |
| <i>Burglary</i> | 448 | 410 | 31 | 18 | 479 | 428 |
| <i>Other theft (excluding automobile theft)</i> | 2,082 | 2,339 | 65 | 75 | 2,147 | 2,414 |
| <i>Other property offences</i> | 3,003 | 3,174 | 71 | 59 | 3,074 | 3,233 |
| Drug offences | 2,449 | 2,466 | 43 | 61 | 2,492 | 2,527 |
| Road traffic contraventions ² | 92,033 | 106,233 | 4,475 | 3,283 | 96,508 | 109,516 |
| Other contraventions ³ | 285 | 5,100 | 39 | 317 | 324 | 5,417 |
| Other offences | 15,584 | 13,300 | 727 | 154 | 16,311 | 13,454 |
| Total | 126,053 | 143,564 | 5,874 | 4,358 | 131,927 | 147,922 |

¹An offence may involve one or more persons

²Exclude figures on fixed penalty notice

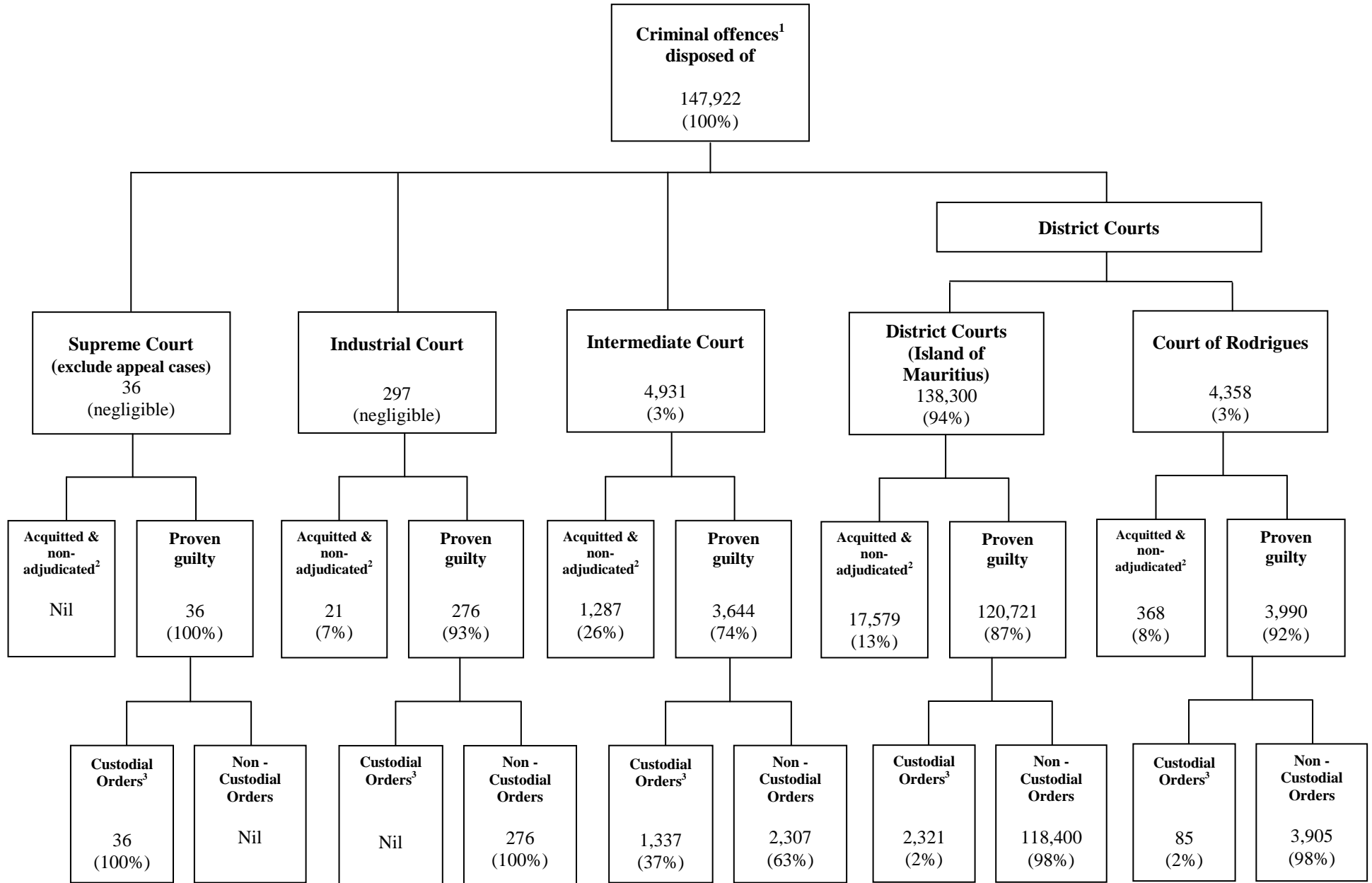
³Certain offences under other offences classified under other contraventions in 2013

Table 6.2 - Criminal offences¹ disposed of by courts and outcome of judgment, Republic of Mauritius, 2012 & 2013

| | Acquitted & non-adjudicated | | Convictions by penalty imposed | | | | | | | | Total | |
|------------------------------|-----------------------------|---------------|--------------------------------|--------------|-------------------------------|-----------|----------------|----------------|---|--------------|----------------|----------------|
| | | | Imprisonment | | RYC, CYC & other institutions | | Fine | | Probation, Community Service, Conditional & Absolute Discharges | | | |
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Supreme Court | 2 | - | 13 | 36 | - | - | 2 | - | - | - | 17 | 36 |
| Industrial Court | 10 | 21 | - | - | - | - | 267 | 276 | - | - | 277 | 297 |
| Intermediate Court | 1,569 | 1,287 | 1,367 | 1,330 | 3 | 7 | 1,462 | 1,547 | 864 | 760 | 5,265 | 4,931 |
| District Courts: | 16,651 | 17,947 | 1,686 | 2,351 | 59 | 55 | 106,548 | 120,481 | 1,424 | 1,824 | 126,368 | 142,658 |
| <i>Port Louis Div II</i> | 1,888 | 2,751 | 148 | 198 | 5 | 4 | 8,640 | 11,574 | 134 | 138 | 10,815 | 14,665 |
| <i>Port Louis Div III</i> | 1,884 | 2,736 | 112 | 89 | 19 | 1 | 9,252 | 10,581 | 98 | 113 | 11,365 | 13,520 |
| <i>Pamplemousses</i> | 1,144 | 609 | 192 | 216 | 2 | 8 | 12,353 | 20,070 | 148 | 161 | 13,839 | 21,064 |
| <i>Riviere du Rempart</i> | 1,620 | 1,913 | 76 | 72 | - | 2 | 10,841 | 10,967 | 210 | 162 | 12,747 | 13,116 |
| <i>Flacq</i> | 1,389 | 1,675 | 100 | 117 | 11 | 3 | 11,138 | 14,864 | 131 | 221 | 12,769 | 16,880 |
| <i>Moka</i> | 621 | 999 | 15 | 42 | - | 11 | 6,795 | 8,699 | 22 | 83 | 7,453 | 9,834 |
| <i>Lower Plaines Wilhems</i> | 2,795 | 2,414 | 444 | 648 | 11 | 4 | 11,319 | 11,179 | 161 | 254 | 14,730 | 14,499 |
| <i>Upper Plaines Wilhems</i> | 1,769 | 1,413 | 78 | 118 | 3 | 10 | 10,593 | 10,835 | 120 | 109 | 12,563 | 12,485 |
| <i>Grand Port</i> | 1,436 | 1,300 | 301 | 536 | - | 4 | 8,721 | 7,130 | 121 | 213 | 10,579 | 9,183 |
| <i>Savanne</i> | 1,022 | 1,084 | 104 | 141 | - | 1 | 7,063 | 6,200 | 127 | 182 | 8,316 | 7,608 |
| <i>Black River</i> | 506 | 685 | 62 | 94 | - | 2 | 4,677 | 4,519 | 73 | 146 | 5,318 | 5,446 |
| <i>Rodrigues</i> | 577 | 368 | 54 | 80 | 8 | 5 | 5,156 | 3,863 | 79 | 42 | 5,874 | 4,358 |
| Island of Mauritius | 17,655 | 18,887 | 3,012 | 3,637 | 54 | 57 | 103,123 | 118,441 | 2,209 | 2,542 | 126,053 | 143,564 |
| Republic of Mauritius | 18,232 | 19,255 | 3,066 | 3,717 | 62 | 62 | 108,279 | 122,304 | 2,288 | 2,584 | 131,927 | 147,922 |

¹An offence may involve one or more persons

Figure 6.2 - Summary of criminal offences disposed of, Republic of Mauritius, 2013



¹ An offence may involve one or more persons

² Acquitted means dismissed and non-adjudicated means struck out & Nolle Prosequi

³ Custodial Orders comprise imprisonment and detention in Rehabilitation & Correctional Youth Centres

Table 6.3 - Convicted offences¹ according to United Nations classification of offences, Republic of Mauritius, 2012 & 2013

| Offences | Imprisonment | | RYC, CYC & other Institutions | | Fine | | Probation, Community Service, Conditional & Absolute Discharges | | Total | |
|---|--------------|--------------|-------------------------------|-----------|--------------|--------------|---|--------------|--------------|--------------|
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Homicide and related offences | 33 | 38 | - | - | 47 | 57 | 2 | 9 | 82 | 104 |
| <i>Intentional Homicide (committed)</i> | <i>6</i> | <i>13</i> | - | - | - | - | - | <i>5</i> | <i>6</i> | <i>18</i> |
| Murder | 2 | 1 | - | - | - | - | - | - | 2 | 1 |
| Manslaughter | 4 | 12 | - | - | - | - | - | - | 4 | 12 |
| Abortion | - | - | - | - | - | - | - | 5 | - | 5 |
| <i>Intentional Homicide (attempted)</i> | <i>9</i> | <i>2</i> | - | - | - | - | - | - | <i>9</i> | <i>2</i> |
| Attempt at murder | 9 | 2 | - | - | - | - | - | - | 9 | 2 |
| <i>Non-Intentional Homicide</i> | <i>18</i> | <i>23</i> | - | - | <i>47</i> | <i>57</i> | <i>2</i> | <i>4</i> | <i>67</i> | <i>84</i> |
| Wounds and blows causing death without intention to kill | 18 | 19 | - | - | 2 | 2 | - | 1 | 20 | 22 |
| Involuntary homicide | - | 4 | - | - | 45 | 55 | 2 | 3 | 47 | 62 |
| Assault and related offences | 107 | 117 | - | 1 | 3,508 | 3,549 | 145 | 287 | 3,760 | 3,954 |
| Assault causing loss of eye and limbs | - | - | - | - | 1 | - | - | 1 | 1 | 1 |
| Assault/wounds & blows | 63 | 70 | - | 1 | 3,329 | 3,263 | 87 | 230 | 3,479 | 3,564 |
| Assault causing sickness or incapacity for personal labour for > 20 days | 5 | 6 | - | - | 29 | 33 | 27 | 18 | 61 | 57 |
| Assault against member of the assembly or judicial officer or public functionary | 22 | 24 | - | - | 117 | 191 | 15 | 19 | 154 | 234 |
| Assault with aggravating circumstances (with corrosive substance, upon minors/mentally handicapped persons, etc.) | 9 | 4 | - | - | 18 | 12 | 5 | 6 | 32 | 22 |
| Assault with premeditation | 8 | 13 | - | - | 14 | 50 | 11 | 13 | 33 | 76 |
| Sexual offences | 64 | 70 | 4 | 3 | 42 | 52 | 80 | 95 | 190 | 220 |
| Rape | 1 | 16 | - | - | 1 | - | - | 2 | 2 | 18 |
| Sodomy | 3 | 7 | 4 | 2 | 1 | 4 | 2 | 3 | 10 | 16 |
| Attempt upon chastity | 25 | 12 | - | 1 | 2 | 3 | 11 | 18 | 38 | 34 |
| Sexual intercourse with minor under 16 | 29 | 24 | - | - | 1 | 6 | 66 | 63 | 96 | 93 |
| Sollicits/importunes another person for immoral purpose | 3 | 3 | - | - | 26 | 23 | - | - | 29 | 26 |
| Sexual offences other | 3 | 8 | - | - | 11 | 16 | 1 | 9 | 15 | 33 |
| Property offences | 1,903 | 1,849 | 29 | 37 | 2,103 | 2,283 | 1,517 | 1,625 | 5,552 | 5,794 |
| <i>Fraud and dishonesty</i> | <i>257</i> | <i>157</i> | - | - | <i>319</i> | <i>389</i> | <i>237</i> | <i>143</i> | <i>813</i> | <i>689</i> |
| Forgery | 89 | 32 | - | - | 79 | 80 | 51 | 46 | 219 | 158 |
| Swindling | 99 | 54 | - | - | 13 | 28 | 25 | 22 | 137 | 104 |
| Making use of forged document | 6 | 1 | - | - | 16 | 12 | 42 | 4 | 64 | 17 |
| Swearing false affidavit | 1 | - | - | - | - | 3 | 1 | 2 | 2 | 5 |
| Impersonation | 1 | - | - | - | - | 4 | 2 | - | 3 | 4 |
| Counterfeiting/possession/uttering of counterfeit bank notes | 9 | 5 | - | - | 11 | 21 | 40 | 6 | 60 | 32 |
| Forgery of passport/making use of forged passport | - | - | - | - | 2 | 8 | 2 | - | 4 | 8 |
| Extortion | - | 3 | - | - | - | - | - | - | - | 3 |
| Giving false evidence | - | 2 | - | - | - | 3 | - | - | - | 5 |
| Issuing cheque without provision | 38 | 36 | - | - | 112 | 138 | 50 | 44 | 200 | 218 |

Table 6.3 (cont'd) - Convicted offences¹ according to United Nations classification of offences, Republic of Mauritius, 2012 & 2013

| Offences | Imprisonment | | RYC, CYC & other institutions | | Fine | | Probation, Community Service, Conditional & Absolute Discharges | | Total | |
|--|--------------|--------------|-------------------------------|-----------|----------------|----------------|---|--------------|----------------|----------------|
| | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 | 2012 | 2013 |
| Demanding money or property by threat of false accusation | 3 | 7 | - | - | 1 | 10 | 1 | 1 | 5 | 18 |
| Fraud and dishonesty other | 7 | 15 | - | - | 84 | 68 | 19 | 16 | 110 | 99 |
| Offences under Prevention of Corruption Act (POCA) | | | | | | | | | | |
| Bribery by Public Official | 4 | 2 | - | - | - | 13 | 2 | 1 | 6 | 16 |
| Bribery of Public Official | - | - | - | - | 1 | 1 | 1 | 1 | 2 | 2 |
| Other offences under POCA | - | - | - | - | - | - | 1 | - | 1 | - |
| Embezzlement | 32 | 33 | - | - | 53 | 56 | 77 | 58 | 162 | 147 |
| Theft | 1,528 | 1,522 | 24 | 36 | 953 | 968 | 942 | 1,170 | 3,447 | 3,696 |
| Robbery | 638 | 584 | 9 | 12 | 83 | 118 | 344 | 419 | 1,074 | 1,133 |
| Larceny armed with offensive weapon | 53 | 48 | - | - | 12 | 5 | 14 | 10 | 79 | 63 |
| Larceny with violence by night breaking | 101 | 10 | 3 | - | 7 | 7 | 17 | 2 | 128 | 19 |
| Larceny with aggravating circumstances/violence | * | 43 | * | 1 | * | 11 | * | 39 | * | 94 |
| Larceny with aggravating circumstances (violence upon minors or handicapped persons, etc.) | 28 | 4 | 3 | - | 4 | 1 | 21 | 12 | 56 | 17 |
| Larceny by 2 or more individuals | 391 | 407 | 2 | 10 | 52 | 79 | 274 | 326 | 719 | 822 |
| Larceny on public road | 65 | 72 | 1 | 1 | 8 | 15 | 18 | 30 | 92 | 118 |
| Burglary | 290 | 264 | 7 | 5 | 44 | 35 | 105 | 97 | 446 | 401 |
| Larceny by night breaking | 96 | 105 | 1 | 1 | 6 | 16 | 29 | 39 | 132 | 161 |
| Larceny by day breaking | 44 | 19 | - | 1 | 3 | 1 | 14 | 13 | 61 | 34 |
| Larceny scaling | 150 | 140 | 6 | 3 | 35 | 18 | 62 | 45 | 253 | 206 |
| Other theft (excluding automobile theft) | 600 | 674 | 8 | 19 | 826 | 815 | 493 | 654 | 1,927 | 2,162 |
| Larceny by person in receipt of wages | 35 | 49 | - | - | 43 | 30 | 173 | 232 | 251 | 311 |
| Simple larceny | 349 | 329 | 8 | 13 | 618 | 651 | 219 | 191 | 1,194 | 1,184 |
| Larceny other | 147 | 228 | - | 5 | 128 | 98 | 73 | 171 | 348 | 502 |
| Attempt at larceny | 69 | 68 | - | 1 | 37 | 36 | 28 | 60 | 134 | 165 |
| Other property offences | 86 | 137 | 5 | 1 | 778 | 870 | 261 | 254 | 1,130 | 1,262 |
| Damages to property | 11 | 18 | 1 | - | 508 | 538 | 29 | 28 | 549 | 584 |
| Receiving & possession of stolen property | 74 | 117 | 4 | 1 | 268 | 328 | 228 | 222 | 574 | 668 |
| Arson | 1 | 2 | - | - | 2 | 4 | 4 | 4 | 7 | 10 |
| Drug offences | 221 | 267 | - | - | 2,159 | 2,123 | 14 | 32 | 2,394 | 2,422 |
| Road traffic contraventions² | 103 | 106 | - | - | 88,066 | 100,779 | 48 | 119 | 88,217 | 101,004 |
| Other contraventions³ | 6 | 14 | - | - | 294 | 4,335 | 3 | 27 | 303 | 4,376 |
| Other offences | 629 | 1,256 | 29 | 21 | 12,060 | 9,126 | 479 | 390 | 13,197 | 10,793 |
| <i>of which offences under:</i> | | | | | | | | | | |
| Environment Protection Act | - | - | - | - | 1,283 | 1,120 | 1 | - | 1,284 | 1,120 |
| Food Act & Public Health Act | - | - | - | - | 1,530 | 1,121 | 1 | 2 | 1,531 | 1,123 |
| Local Government Act | - | 1 | - | - | 1,052 | 644 | 1 | - | 1,053 | 645 |
| Protection from Domestic Violence Act | 30 | 44 | - | - | 220 | 302 | 17 | 9 | 267 | 355 |
| Total | 3,066 | 3,717 | 62 | 62 | 108,279 | 122,304 | 2,288 | 2,584 | 113,695 | 128,667 |

¹An offence may involve one or more persons

³Certain offences under other offences classified under other contraventions in 2013

²Exclude figures on fixed penalty notice

*Not available (due to reclassification of offences)

Table 6.4 - Convicted offences¹ by court and according to United Nations classification of offences (broad categories), Republic of Mauritius, 2013

| Offences | Port Louis | | Pamplemousses | Riv. du Rempart | Flacq | Grand Port | Savanne | Rose-Hill | Curepipe | Moka | Black River | Intermediate | SC ² | IC ³ | Rodrigues | All Courts |
|--|---------------|---------------|---------------|-----------------|---------------|--------------|--------------|---------------|---------------|--------------|--------------|--------------|-----------------|-----------------|--------------|----------------|
| | Div II | Div III | | | | | | | | | | | | | | |
| Homicide and related offences | 2 | - | 1 | 6 | 1 | 15 | 1 | 2 | 4 | 5 | - | 53 | 13 | - | 1 | 104 |
| <i>Intentional Homicide (committed)</i> | - | - | 1 | - | - | - | - | - | - | - | - | 4 | 13 | - | - | 18 |
| <i>Intentional Homicide (attempted)</i> | - | - | - | - | - | - | - | 2 | - | - | - | - | - | - | - | 2 |
| <i>Non Intentional Homicide</i> | 2 | - | - | 6 | 1 | 15 | 1 | - | 4 | 5 | - | 49 | - | - | 1 | 84 |
| Assault and related offences | 242 | 237 | 434 | 530 | 592 | 396 | 385 | 374 | 203 | 138 | 199 | 42 | - | - | 182 | 3,954 |
| Sexual offences | 8 | 4 | 2 | 2 | 10 | - | 1 | 25 | 6 | 3 | 2 | 131 | - | - | 26 | 220 |
| Property offences | 387 | 296 | 502 | 272 | 433 | 486 | 208 | 673 | 293 | 222 | 229 | 1,634 | - | - | 159 | 5,794 |
| <i>Fraud and dishonesty</i> | 38 | 75 | 24 | 32 | 41 | 31 | 12 | 58 | 25 | 19 | 10 | 317 | - | - | 7 | 689 |
| <i>Embezzlement</i> | 6 | 5 | 22 | 8 | 12 | 5 | 2 | 11 | 16 | 10 | 6 | 43 | - | - | 1 | 147 |
| <i>Theft</i> | 240 | 154 | 316 | 168 | 226 | 341 | 123 | 483 | 204 | 143 | 165 | 1,027 | - | - | 106 | 3,696 |
| <i>Robbery</i> | 76 | 28 | 89 | 38 | 52 | 69 | 23 | 153 | 20 | 46 | 59 | 457 | - | - | 23 | 1,133 |
| <i>Burglary</i> | 32 | 19 | 41 | 11 | 8 | 36 | 13 | 62 | 10 | 8 | 12 | 133 | - | - | 16 | 401 |
| <i>Other theft⁴</i> | 132 | 107 | 186 | 119 | 166 | 236 | 87 | 268 | 174 | 89 | 94 | 437 | - | - | 67 | 2,162 |
| <i>Other property offences</i> | 103 | 62 | 140 | 64 | 154 | 109 | 71 | 121 | 48 | 50 | 48 | 247 | - | - | 45 | 1,262 |
| Drug offences | 349 | 117 | 189 | 71 | 72 | 91 | 52 | 271 | 211 | 59 | 98 | 760 | 23 | - | 59 | 2,422 |
| Road traffic contraventions ⁵ | 9,241 | 8,039 | 18,917 | 9,880 | 11,814 | 5,559 | 5,038 | 8,867 | 8,773 | 7,777 | 3,816 | 134 | - | - | 3,149 | 101,004 |
| Other contraventions | 727 | 907 | 43 | 116 | 1,242 | 199 | 161 | 434 | 78 | 82 | 59 | 9 | - | - | 319 | 4,376 |
| Other offences | 958 | 1,184 | 367 | 326 | 1,041 | 1,137 | 678 | 1,439 | 1,504 | 549 | 358 | 881 | - | 276 | 95 | 10,793 |
| Total | 11,914 | 10,784 | 20,455 | 11,203 | 15,205 | 7,883 | 6,524 | 12,085 | 11,072 | 8,835 | 4,761 | 3,644 | 36 | 276 | 3,990 | 128,667 |

¹An offence may involve one or more persons

³IC stands for Industrial Court

⁵Exclude figures on fixed penalty notice

²SC stands for Supreme Court

⁴Exclude automobile theft

Table 6.5 - Drug offences convicted by type, Republic of Mauritius, 2010 - 2013

| Drug offences | 2010 | 2011 | 2012 | 2013 |
|--------------------------------|-------------|-------------|-------------|-------------|
| Heroin | 198 | 347 | 284 | 401 |
| Importation | 12 | 8 | 11 | 27 |
| Dealing | 8 | 6 | 3 | 12 |
| Possession (heroin & articles) | 178 | 333 | 270 | 256 |
| Consumption | * | * | * | 106 |
| Gandia | 415 | 565 | 510 | 778 |
| Importation | 1 | 13 | 2 | - |
| Cultivation | * | 63 | 14 | 78 |
| Dealing | 9 | 14 | 2 | 2 |
| Possession (gandia & articles) | 405 | 475 | 492 | 567 |
| Consumption | * | * | * | 131 |
| Other drugs | 2190 | 1744 | 1600 | 1243 |
| Importation | 3 | 4 | 1 | 22 |
| Dealing | 129 | 32 | 33 | 17 |
| Possession (drugs & articles) | 881 | 1011 | 728 | 654 |
| Consumption | 341 | 299 | 410 | 178 |
| Other offences | 836 | 398 | 428 | 372 |
| Total | 2803 | 2656 | 2394 | 2422 |

*Not collected separately

8. THE LEGAL AID UNIT

During the year 2013, for the Republic of Mauritius, some 6,336 applications for legal assistance were received, of which 6,317 were for civil cases. The number of legal aid recipients at the Supreme Court went up by 15% to 2,298 in 2013 from 2,006 in 2012. There were 2,140 recipients in 2013 with respect to matrimonial cases, 139 for other civil suits and 19 for criminal cases (Table 7.1).

Some Rs 1,6 Million were spent for the year 2013 with respect to legal aid in the Republic of Mauritius.

9. REVENUE AND EXPENDITURE OF THE JUDICIARY

Compared to the fiscal year 2012, the revenue collected (at the various courts of the Island of Mauritius and Island of Rodrigues) increased by 6% to Rs 328 Million (provisional) in 2013 (Table 8.1).

The actual recurrent expenditure of the Judiciary for the Republic of Mauritius amounted to Rs 425 Million (provisional) for the fiscal year 2013 compared to Rs 345 Million in 2012. The increase was mainly due to the implementation of the PRB recommendations for salary revision in the service.

The increase in capital expenditure from a Million in 2012 to Rs 31 Million (provisional) in 2013 was mainly for the construction and upgrading of courts and for the acquisition of air conditioners.

Table 7.1 - Legal aid assistance - applications received, services granted and amount paid - Republic of Mauritius, 2010 - 2013

| | 2010 | 2011 | 2012 | 2013 |
|-----------------------------|-----------|-----------|---------|-----------|
| Civil | | | | |
| Received | * | 2,946 | 4,788 | 6,317 |
| <i>of which matrimonial</i> | * | 2,878 | 4,707 | 6,024 |
| Granted | 1,662 | 1,432 | 1,985 | 2,279 |
| <i>of which matrimonial</i> | 1,573 | 1,371 | 1,879 | 2,140 |
| Criminal ¹ | | | | |
| Received & granted | 22 | 10 | 21 | 19 |
| Amount paid (Rupees) | 1,668,483 | 1,198,960 | 985,995 | 1,589,687 |

Table 8.1 - Revenue collected from courts, Republic of Mauritius, 2010 - 2013

| | 2010 | 2011 | 2012 ² | 2013 ³ |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| Fines | 231,178,659 | 258,344,148 | 255,553,758 | 277,466,327 |
| Other ⁴ | 50,037,817 | 49,895,828 | 53,630,312 | 50,357,032 |
| Total | 281,216,476 | 308,239,976 | 309,184,070 | 327,823,359 |

Table 8.2 - Expenditure of the Judiciary, Republic of Mauritius, 2010 - 2013

| | 2010 | 2011 | 2012 | 2013 ³ |
|----------------------|--------------------|--------------------|--------------------|--------------------|
| Capital ¹ | 32,410,115 | 78,108,848 | 1,007,046 | 30,719,139 |
| Recurrent | 300,842,645 | 332,739,356 | 345,068,522 | 424,662,702 |
| Total | 333,252,760 | 410,848,204 | 346,075,568 | 455,381,841 |

Source: The Judiciary & Central Administration Rodrigues (Finance Unit)

¹Refers to Island of Mauritius

²Revised

³Provisional

⁴Other includes court, ushers and other miscellaneous fees

* Not available

Table 9.1 - Staff of the Judiciary, Republic of Mauritius, 2012 & 2013

| Job title | 2012 ¹ | | | 2013 | | |
|--|-------------------|------------|------------|------------|------------|------------|
| | Male | Female | Total | Male | Female | Total |
| Chief Justice | 1 | - | 1 | 1 | - | 1 |
| Senior Puisne Judge | 1 | - | 1 | 1 | - | 1 |
| Puisne Judge | 11 | 7 | 18 | 11 | 7 | 18 |
| Master and Registrar | - | 1 | 1 | - | 1 | 1 |
| Deputy Master and Registrar | 1 | - | 1 | 1 | - | 1 |
| President, Intermediate Court (Civil & Criminal sides) | - | 2 | 2 | - | 2 | 2 |
| President, Industrial Court | 1 | - | 1 | 1 | - | 1 |
| Vice President, Intermediate and Industrial Courts | - | 3 | 3 | - | 3 | 3 |
| Magistrate Intermediate Court | 6 | 6 | 12 | 6 | 6 | 12 |
| Senior District Magistrate | 2 | 12 | 14 | 2 | 12 | 14 |
| District Magistrate | 9 | 13 | 22 | 9 | 13 | 22 |
| Secretary to Chief Justice | 1 | - | 1 | 1 | - | 1 |
| Chief Registrar | 1 | - | 1 | 1 | - | 1 |
| Senior Registrar/Regional Court Administrator | 6 | - | 6 | 6 | - | 6 |
| Adviser | 1 | - | 1 | 1 | - | 1 |
| Chief Court Officer/Court Manager | 18 | - | 18 | 22 | - | 22 |
| Principal Court Officer | 31 | - | 31 | 31 | - | 31 |
| Senior Court Officer | 42 | 31 | 73 | 37 | 37 | 74 |
| Court Officer and Trainee Court Officer | 20 | 49 | 69 | 21 | 70 | 91 |
| Chief/Principal Court Usher | 8 | - | 8 | 10 | - | 10 |
| Senior Court Usher/Court Usher | 50 | 6 | 56 | 50 | 6 | 56 |
| Senior Law Librarian/Law Librarian | - | 1 | 1 | - | 1 | 1 |
| Senior Law Library Officer | - | 1 | 1 | - | 1 | 1 |
| Law Library Officer | 1 | 7 | 8 | 1 | 7 | 8 |
| Senior Transcriber | - | 1 | 1 | 1 | - | 1 |
| Transcriber | - | 9 | 9 | - | 9 | 9 |
| Other Supporting Staff | 111 | 105 | 216 | 91 | 113 | 204 |
| Total | 322 | 254 | 576 | 305 | 288 | 593 |

¹Revised

Table 9.2 - Private legal practitioners (practicing Barristers, Attorneys and Notaries), Republic of Mauritius, 2010 - 2013

| | 2010 | | | 2011 | | | 2012 | | | 2013 | | |
|------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Practicing Barristers | 307 | 148 | 455 | 347 | 158 | 505 | 364 | 189 | 553 | 392 | 182 | 574 |
| <i>of whom:</i> | | | | | | | | | | | | |
| <i>Queen's Counsel</i> | 7 | - | 7 | 7 | - | 7 | 6 | - | 6 | 5 | - | 5 |
| <i>Senior Counsel</i> | 21 | - | 21 | 21 | - | 21 | 18 | - | 18 | 18 | - | 18 |
| Practicing Attorneys | 98 | 55 | 153 | 99 | 54 | 153 | 101 | 55 | 156 | 100 | 62 | 162 |
| <i>of whom:</i> | | | | | | | | | | | | |
| <i>Senior Attorneys</i> | 18 | 1 | 19 | 18 | 1 | 19 | 18 | 1 | 19 | 17 | 2 | 19 |
| Practicing Notaries | 41 | 17 | 58 | 40 | 17 | 57 | 44 | 19 | 63 | 44 | 20 | 64 |

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13. Examination papers - Barristers/Attorneys/Notaries

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CALENDAR OF EVENTS 2013

18 January 2013

Call ceremony. Thirty six new barristers were sworn in before the Full Bench of the Supreme Court.

28 March 2013

- (1) Courtesy visit on the Honourable Chief Justice by Major General (Retired) Ulfat Hussain Shah, Ambassador of the Republic of Pakistan
- (2) Courtesy visit on the Honourable Chief Justice by His Excellency Mr Li Li, Ambassador Extraordinary and Plenipotentiary of the People's Republic of China.

4 April 2013

Launching of E-Judiciary System at the Commercial Division of the Supreme Court

29 April 2013

Courtesy visit on the Honourable Chief Justice by H E Mr Shabbir Ahmad Chowdhury, High Commissioner of the People's Republic of Bangladesh.

11 June 2013

Courtesy visit on the Honourable Chief Justice by Justice Irfaan Khalill, Acting Judge of the High Court of South Africa.

28 June 2013

Courtesy visit on the Honourable Chief Justice by Mrs Arvinder Sambei, Legal and Law Enforcement Specialist, London and former Senior Crown Prosecutor, Crown Prosecution Service, London.

10 July 2013

Study Tour by three-member-delegation of the Judiciary of Tanzania at the Mediation Division.

20 September 2013

Call ceremony. Eighteen new barristers were sworn in before the Full Bench of the Supreme Court.

24 September 2013

- (1) Courtesy visit on the Honourable Chief Justice, by Dr Werner Jahnel, Counsel and Arbitrator from LALIVE law Firm, Geneva.
- (2) Courtesy visit on the Honourable Chief Justice by Mr Elke Paschl, Chief Legal Counsel of the African Development Bank, United States.

19 November 2013

Courtesy visit on the Honourable Chief Justice by H E M Laurent Garnier, Ambassador and Extraordinary and Plenipotentiary of the Republic of France.

GLOSSARY OF TERMS

1. **Absolute discharge** is complete and unconditional release.
2. **Acquitted** is defined as a determination by the Court that a defendant is not guilty of the charge(s) on the grounds that the charge has not been proven and/or due to lack of evidence or no evidence given by the prosecution.
3. **Adjudicated is** defined as the outcomes of the judgment or decision by the Court as to whether or not the defendant is guilty of the charge(s) laid against him. These outcomes include: acquitted (dismissed), guilty finding and guilty plea.
4. **Assault** is physical attack against the body of another person.
5. **Burglary** is the unlawful entry into someone else's premises with the intention to commit a theft.
6. **Case** is one or more defendants against whom one or more charge(s) have been laid and which are heard together by a Court as one unit of work. The charge(s) usually relate to the same criminal incident.
7. **Community Service Order** is a sentence requiring an offender to perform unpaid Community work.
8. **Conditional discharge** is a sentence whereby an offender is released under certain conditions, e.g. regular reporting to police stations for a specified period of time.
9. **Contraventions (least serious offences)** are defined as offences that are punishable by:
 - a) imprisonment for a term not exceeding 10 days;
 - b) fine not exceeding 5,000 rupees.
10. **Criminal case** is a case dealing with an offender indicted for an offence as defined by the law.
11. **Custodial Orders** are sentences imposed on a defendant that require detention, e.g. correctional or rehabilitation institutions, etc.
12. **Drug offences** are as spelt out under the Dangerous Drug Act 2000. They relate mainly to drugs like ganja, heroin, hashish, opium, cocaine and other psychotropic substances.
13. **Embezzlement** is defined as the wrongful appropriation of another person's property that is already in the possession of the person doing the appropriating.
14. **Fraud** is defined as the acquisition of another person's property by deception.
15. **Intentional homicide** is defined as death deliberately inflicted on a person by another person, including infanticide and abortion.

16. **Interim Protection Order** is an order that is issued when the victim spouse or child or any other person living under the same roof, requires urgent protection from the perpetrator.
17. **Jurisdiction** is defined as the legal power or authority which may be exercised by a particular court level and within which the judgments or orders of the court can be enforced or executed. Each court level has its own defined jurisdictional limits.
18. **Juvenile** is defined as a person aged from 12 to 17 years inclusive.
19. **Non-adjudicated** is the formal withdrawal of charge(s) by the Prosecution (e.g. police, Director of Public Prosecutions or Attorney-General) or by the courts; it includes Nolle Prosequi and struck out.
20. **Non-Custodial Orders** are sentences imposed on a defendant that do not require custody and include e.g. Community Service Orders, Probation Orders, Conditional or Absolute Discharge Orders, licence disqualification/suspension, etc.
21. **Occupation Order** is an order that grants the victim the exclusive right to live in the residence belonging to him, to the perpetrator or to both of them. It may last for a period not exceeding 24 months.
22. **Probation Order** is a sentence whereby an offender is placed under the supervision of a probation officer for a period not less than one nor more than three years.
23. **Property offence** includes theft, fraud, embezzlement, damage to property and illegal possession of property and stolen goods.
24. **Protection Order** is an order which prevents the spouse from engaging in any further act of violence; orders him/her to be of good behaviour and lasts for a period not exceeding 24 months.
25. **Proven guilty** is defined as an outcome of criminal proceedings in which a court accepts that a charge is proven through a guilty plea entered by a defendant or the defendant is found guilty by the court. In the Magistrates' and Children's Courts, this includes defendants found guilty.
26. **Revocation Order** is when either party (victim or perpetrator) may apply to the court for a revocation of a Protection Order which is already in force.
27. **Robbery** is the theft of property from a person, overcoming resistance by force or threat of force.
28. **Sexual offence** is defined as sexual intercourse or assault without valid consent.
29. **Tenancy Order** is an order which gives the victim the exclusive use of the house which one or both partners are renting. Before issuing a Tenancy Order the Magistrate has to hear the partners, the witnesses, the landlord and all those who have an interest in the house.
30. **Theft** is defined as the removal of property without the property owner's consent.