

VOTE 15 - ATTORNEY-GENERAL'S OFFICE, MINISTRY OF JUSTICE & HUMAN RIGHTS

CONTEXT FOR BUDGET INTERVENTION

The Attorney General, is by virtue of the Constitution, the principal legal adviser to the Government of Mauritius. He holds office of a Minister and is entitled to take part in the proceedings of the National Assembly. The Attorney General's Office provides, without fear or favour, hatred or ill-will, to the Government sound and independent legal advice and contributes in the development of a fair and just legal system and the promotion of the rule of law, in the interest of the State and the people.

The Attorney General's Office and Ministry of Justice & Human Rights, commonly called the State Law Office, is the only institution that interacts with the 3 arms of the Government in its functions, namely the Executive, the Parliament and the Judiciary. In this respect the State Law Office has the following three programmes:

- (a) **Advisory and Representation (Legal)** which encompasses legal advice and representation as well and human rights issues, services to the public like change of name and minor petitions, assistance in negotiations with foreign nations and organisations as well as and drafting of international documents like bilateral, plurilateral or multilateral agreements, treaties and conventions;
- (b) **Legislative Drafting** which recoups the drafting of preliminary and subsidiary legislations, constitutional matters and the Law Revision Unit; and
- (c) **Public Prosecutions (Litigation and Advisory – Criminal)** which deals mainly with the Office of the Director of Public Prosecutions and the issue of Certificates of Morality.

SUMMARY OF BUDGET

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
A Expenditure by Programme (Rs)			
1 Advisory and Representation (Legal)	79,120,000	78,952,957	83,851,146
2 Legislative Drafting	14,857,000	16,215,957	16,703,951
3 Public Prosecutions (Litigation and Advisory-Criminal)	21,305,000	22,331,087	23,444,902
Total	115,282,000	117,500,000	124,000,000
B Expenditure by Economic Categories (Rs)			
1 Recurrent Expenditure	110,282,000	117,500,000	124,000,000
1.1 Personal Emoluments	54,282,000	58,500,000	62,500,000
1.2 Other Staff Costs	10,720,000	11,430,000	12,150,000
1.3 Other Goods and Services	40,320,000	41,720,000	43,200,000
1.4 Subsidies and other Current Transfers	4,960,000	5,850,000	6,150,000
2 Capital Expenditure	5,000,000	-	-
2.1 Acquisition of Fixed Capital Assets	5,000,000	-	-
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	115,282,000	117,500,000	124,000,000
C Staffing - funded positions			
1 Managerial positions	11	11	11
2 Technical positions	89	89	89
3 Support positions	75	75	75
Total	175	175	175

VOTE 15 - Attorney - General's Office, Ministry of Justice and Human Rights - PBB - 2007/08 - 2009/10

MAIN ACTIVITIES (A)	SPECIFIC OBJECTIVES (SO)	OUTPUTS (O)	PERFORMANCE INDICATORS (P)
PROGRAMME 1 - ADVISORY AND REPRESENTATION (LEGAL)			
Outcome: Ensure fair and independent legal advisory work and representation within a reasonable period of time.			
A1: Functional reorganisation of the Attorney General's Office (AGO) and ministry.	SO: Achieve appropriate task allocation and specialisation (Directorates)	O1: Approval and implementation of the reorganisation plan.	P1: Setting up the new AGO and ministry structure by October - November 2007.
A2: Train and build capacity of the AGO & ministry.	SO: Meet the necessary prerequisites for developing and implementing the new organisational structure and improving the competency level.	O1: Delivery of a structured training plan with both internal and external components.	P1: Training plan available by December 2007.
A3: Reforming the operational strategy in line with the new reorganised AGO and ministry structure.	SO: Achieve efficiency gains.	O1: Development of new operational schemes for AGO and ministry.	P1: A guide book to be published by May 2008.
A4: Security of AGO and the ministry.	SO: Enhance security of files of people and property.	O1: Finalisation and preparation of security strategies and plan.	P1: Security strategies and related implementation plan available by March 2008.
A5: Advisory and representation (civil).	SO: To provide legal advisory services to ministries/departments and to represent government before the courts and adjudicatory bodies.	O1: Advise ministries and departments on legal matters through proper documentation.	P1: Advice within 10 working days (subject to complexity and urgency) in 2007/08.
		O2: Advise government on the legal aspects of treaties, memorandum of understanding (MOU) and agreements.	P1: Number of treaties, MOUs and agreements on which advice has been given in 2007/08.
		O3: Representing government in court including the judicial committee of the Privy Council.	P1: Number of cases treated in 2007/08.
A6: Reviewing the laws of Mauritius (Law Reform Commission).	SO: To ensure that laws are adapted to the actual needs of the country.	O1: Reviewing the law on admissibility of confessions.	P1: Review report and draft bill available by no later than May 2008.
		O2: Issue paper on necessary reforms on the public law.	P1: Status report to be disseminated before June 2008.
		O3: Assessing the extent to which the laws of Mauritius take into consideration gender and human rights issues.	P1: Final report and draft bill before December 2007.
		O4: Consultation paper on reviewing the "Law Practitioners Act" so as to open Mauritius to international firms and allow the formation of law corporations.	P1: Consultation paper on the Law Practitioners Act available before December 2007.
		O5: Discussion paper on the disclosure of information in criminal proceedings.	P1: Discussion paper on the disclosure of information in criminal proceedings available before December 2007.

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MAIN ACTIVITIES (A)	SPECIFIC OBJECTIVES (SO)	OUTPUTS (O)	PERFORMANCE INDICATORS (P)
A7: Improving the promotion and protection of Human Rights in Mauritius.	SO: To ensure proper sensitisation of the general public on human rights matters.	O1: Sensitisation campaigns (example: media, public Speeches).	P1: Semi-annual report by December 2007 and June 2008.
		O2: Training sessions /workshops on human rights organised in collaboration with United Nations Development Program (UNDP) and NGOs.	P1: Number of training sessions and workshops in 2007-2008.
		O3: Amendment / rectifications of civil status e.g change of name, birth certificates, etc.	P1: Semi-annual report by December 2007 and June 2008.
PROGRAMME 2 - LEGISLATIVE DRAFTING			
Outcome: Ensure efficiency in the legislative drafting process.			
A1: Specialised training in "Legislative Drafting".	SO: Improve efficiency in drafting by identifying basic minimum staff to legislative drafting.	O1: Training programme for increasing the capacity of the drafting unit.	P1: Increase of skilled staff (professional and legal) in the drafting unit from 6 to 10 in 2007/2008.
A2: Building a central database for legislative drafting.	SO: To provide easy access to best reference material.	O1: Legislative drafting guide for drafters.	P1: Outlines of the Legislative Drafting Guide available by April 2008 and final Legislative Drafting Guide available by June 2010.
A3: Preparation of legislations.	SO: To ensure that policy set out by government are translated in legal text.	O1: Draft primary bills and secondary legislation (regulations, rules, orders) on the basis of drafting instructions received from ministries and departments (ongoing process).	P1: Number of primary and secondary legislations drafted in 2007/08 as required.
PROGRAMME 3 - PUBLIC PROSECUTIONS (LITIGATION AND ADVISORY - CRIMINAL)			
Outcome: Ensure fair and independent criminal advisory work and prosecution within a reasonable period of time (2-4 weeks depending on complexity and urgency).			
A1: Legal assistance during enquiry.	SO: To ensure good administration of laws and to improve application of human rights standards.	O1: Examination of cases submitted from police and other prosecuting agencies (e.g preparing brief; collecting of information and evidence for prosecution).	P1: All cases submitted by the police examined in 2007/08.
		O2: Report on the reduction of human rights violations.	P1: Annual report on human rights violations available by May 2008.
A2: Legal advice on prosecution.	SO: Upholding of the safeguard mechanism and assistance during investigation stage.	O1: Advice to the police and other prosecuting agencies.	P1: All files related to prosecution received in 2007/08 to be advised upon.
A3: Conduct of prosecutions.	SO: To institute and undertake criminal proceedings.	O1: Prosecution of criminal cases.	P1: Number of criminal cases prosecuted in 2007/08 to be a larger proportion of all pending cases as compared to 2006/07.

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MAIN ACTIVITIES (A)	SPECIFIC OBJECTIVES (SO)	OUTPUTS (O)	PERFORMANCE INDICATORS (P)
A4: Morality certificates.	SO: Enhance public satisfaction in relation to the service provided.	O1: Issue of certificates of morality.	P1: Certificates of morality issued within 15 days of application (depending of police report) in 2007/08.

Programme 1: Advisory and Representation (Legal)

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
1 Recurrent Expenditure (Rs)	74,120,000	78,952,957	83,851,146
1.1 Personal Emoluments	33,482,000	36,676,957	39,634,146
1.2 Other Staff Costs	6,542,000	7,098,000	7,658,000
1.3 Other Goods and Services	33,716,000	34,778,000	36,109,000
1.4 Subsidies and other Current Transfers	380,000	400,000	450,000
2 Capital Expenditure (Rs)	5,000,000	-	-
2.1 Acquisition of Fixed Capital Assets	5,000,000	-	-
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	79,120,000	78,952,957	83,851,146
Recurrent Expenditure	74,120,000		
Personal Emoluments	33,482,000		
Other Staff Costs	6,542,000		
Wages	370,000		
Travelling and transport	5,510,000		
Staff welfare	12,000		
Overtime	650,000		
Other Goods and Services	33,716,000		
Office expenses and incidentals	334,990		
Telephone bills	875,000		
Rent	8,600,000		
Maintenance and running of vehicles	350,000		
Office equipment and furniture	150,000		
Maintenance of buildings, grounds, plant and equipment	600,000		
Training of staff	240,000		
I.T. facilities	430,000		
Electricity charges	400,000		
Publications	575,000		
Uniforms	51,000		
Postage	50,000		
Printing and stationery	580,000		
Human Rights Division	800,000		
Other operating expenses	100,000		
Expenses in connection with Privy Council Cases	18,500,000		
International Conference on Human Rights	10		
Consultancy services	1,080,000		
Subsidies and other Current Transfers	380,000		
Contribution to International Organisation(s)	380,000		
Capital Expenditure	5,000,000	-	-
Refurbishment Works - Human Rights Division	5,000,000	-	-
Staffing - funded positions			
Managerial positions	7	7	7
Technical positions	52	52	52
Support positions	52	52	52
Total	111	111	111

Programme 2: Legislative Drafting

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
1 Recurrent Expenditure (Rs)	14,857,000	16,215,957	16,703,951
1.1 Personal Emoluments	7,100,000	7,426,957	7,621,951
1.2 Other Staff Costs	1,378,000	1,464,000	1,494,000
1.3 Other Goods and Services	2,679,000	2,825,000	2,888,000
1.4 Subsidies and other Current Transfers	3,700,000	4,500,000	4,700,000
2 Capital Expenditure (Rs)	-	-	-
2.1 Acquisition of Fixed Capital Assets	-	-	-
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	14,857,000	16,215,957	16,703,951
Recurrent Expenditure	14,857,000		
Personal Emoluments	7,100,000		
Other Staff Costs	1,378,000		
Wages	120,000		
Travelling and transport	1,030,000		
Staff welfare	3,000		
Overtime	225,000		
Other Goods and Services	2,679,000		
Office expenses and incidentals	50,000		
Telephone bills	225,000		
Rent	1,500,000		
Maintenance and running of vehicles	150,000		
Office equipment and furniture	50,000		
Maintenance of buildings, grounds, plant and equipment	50,000		
Training of staff	50,000		
I.T. facilities	60,000		
Electricity charges	80,000		
Publications	95,000		
Uniforms	14,000		
Postage	10,000		
Printing and stationery	345,000		
Subsidies and other Current Transfers	3,700,000		
Contribution to Law Reform Commission	3,700,000		
Staffing - funded positions			
Managerial positions	3	3	3
Technical positions	8	8	8
Support positions	10	10	10
Total	21	21	21

Programme 3: Public Prosecutions (Litigation and Advisory - Criminal)

	2007/08 Estimates	2008/09 Estimates	2009/10 Estimates
1 Recurrent Expenditure (Rs)	21,305,000	22,331,087	23,444,902
1.1 Personal Emoluments	13,700,000	14,396,087	15,243,902
1.2 Other Staff Costs	2,800,000	2,868,000	2,998,000
1.3 Other Goods and Services	3,925,000	4,117,000	4,203,000
1.4 Subsidies and other Current Transfers	880,000	950,000	1,000,000
2 Capital Expenditure (Rs)	-	-	-
2.1 Acquisition of Fixed Capital Assets	-	-	-
2.2 Purchase of Land/Intangible Assets	-	-	-
2.3 Capital Transfers	-	-	-
Total	21,305,000	22,331,087	23,444,902
Recurrent Expenditure	21,305,000		
Personal Emoluments	13,700,000		
Other Staff Costs	2,800,000		
Wages	110,000		
Travelling and transport	2,560,000		
Staff welfare	5,000		
Overtime	125,000		
Other Goods and Services	3,925,000		
Office expenses and incidentals	65,000		
Telephone bills	250,000		
Rent	2,000,000		
Maintenance and running of vehicles	50,000		
Office equipment and furniture	100,000		
Maintenance of buildings, grounds, plant and equipment	50,000		
Training of staff	60,000		
I.T. facilities	110,000		
Electricity charges	150,000		
Publications	180,000		
Uniforms	15,000		
Postage	20,000		
Printing and stationery	375,000		
Other operating expenses	500,000		
Subsidies and other Current Transfers	880,000		
Contribution to International Organisation(s)	880,000		
Staffing - funded positions			
Managerial positions	1	1	1
Technical positions	29	29	29
Support positions	13	13	13
Total	43	43	43