## ATTORNEY-GENERAL'S OFFICE, MINISTRY OF JUSTICE AND HUMAN RIGHTS

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#### PART A: PROGRAMME BASED BUDGET (PBB) STATEMENT

#### MISSION

- (i) Develop the Attorney General's Office (AGO) as a centre of excellence for legal and legislative drafting service.
- (ii) Provide to Government sound and independent legal advice and representation.
- (ii) Contribute to the development of a fair and just legal system in consonance with the rule of law and the interests of the State and the People.

#### **STRATEGY**

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. The main functions of the Ministry include:

- (i) Legal advice and representation as well as human rights issues;
- (ii) Services to the public like change of name and issue of Certificates of Morality;
- (iii) Drafting of international documents like bilateral, plurilateral or multilateral agreements, treaties and conventions;
- (iv) Drafting of preliminary and subsidiary legislations; and
- (v) Institute and undertake criminal proceedings.

#### PRIORITY OBJECTIVES, OUTPUTS AND PERFORMANCE INDICATORS

Programme 561: Policy and M	lanagement for Justice and Human I	Rights			
Outcome: Provide essential expert support to the Government in the maintenance and improvement of Mauritius' system of law, justice and human rights					
Priority Objectives	Outputs	Performance Indicators			
PO1: Formulate policies and ensure implementation thereof.	O1: Government measures implemented as announced in the 2008/09 Budget Speech.	P1: More than three quarters of measures dependent on AGO implemented in 2008-09.			
PO2: Support the Minister in formulating policy proposals that can be implemented and are costed and financed.	O1: Effective leadership, direction and support to all units to deliver agreed outputs and achieve outcomes.	P1: More than 80 % of PBB performance indicators are met by June 2009.			
	O2: Better provision of support to Ministries and Departments	P1: Satisfaction of other Ministries / Departments with Ministry's competence in managing justice and human rights as reflected in annual independent survey.			

Programme 562: Legal Adviso	ry and Representation	
Outcome: Ensure fair and indepotime.	endent legal advisory work and represen	tation within a reasonable period of
Priority Objectives	Outputs	Performance Indicators
Sub-Programme 56201: Civil Ad	visory and Litigation	
PO1: Strengthen the capacity of the unit in the delivery of legal advice and services for the good governance of the Republic.	O1: Ministries / departments provided with prompt and quality legal advice on domestic, regional, international and constitutional issues, on draft legislation and interpretation of legal documents.	P1: Advice to be tendered within 10 days of receipt of requests (general rule), subject to complexity and urgency of the matter.
PO2: Enhance security of official information.	O1: Confidentiality of information is secured.	P1: New security for access and IT available by December 2008.
Sub-Programme 56202: Legislati	ve Drafting and Law Revision	
	O1: Clear and simple legal text reflecting the intention of the Parliament.	P1: Bills presented in Parliament within a reasonable time frame.
PO2: Ensure timely drafting of preliminary and secondary legislations.	O1: Enhanced capacity of Drafting Unit to produce clear and simple legal text.	P1: Reduce drafting time to an average of six weeks (depending on complexity and urgency)
		P2: Outlines of the Legislative Drafting Guide available by June 2009.
Sub-Programme 56203: Crimina	l Advisory and Litigation	
PO1: Strengthen and promote a fair criminal justice.	PO1: A fair and just prosecution of offenders.	P1: Prosecution of cases within 4 weeks of the referral of the case to the DPP's Office (depending on complexity and urgency).
O1: Reduce the number of challenges in the prosecution of criminal cases for violation of human rights.	O1: Good administration of laws and improved application of human rights standards.	P1: Lodging of information in criminal cases within 9 months of start of inquiry (depending on complexity and urgency).
Programme 563: Law Reform	and Development	!
Outcome: Ensure our laws are in international obligations.	conformity with constitutional and hun	nan rights standards as well as with our
Priority Objectives	Outputs	Performance Indicators
PO1: Improve and maintain justice in the law for all persons through the review and reform of existing laws / legislations.	O1: Updated law of Mauritius made more understandable, accessible and responsive to society.	P1: At least one report containing final recommendations for reform by June 2009 on each of the following area: (i) Constitution, human rights, court structure; (ii) criminal justice system and criminal law; (iii) civil justice system and civil Law; and (iv) business and tax laws.  P2: Preliminary Assessment Report on requests for review of any aspects of the Law to be made available within one month.

Programme 564: Human Rights Awareness					
Outcome: Disseminate a "Culture of the Human Rights", based on the Universal Declaration of Human Rights.  Priority Objectives Outputs Performance Indicators					
PO1: Carry out education and awareness on human rights through the layout of essays and texts of educational value and the promotion of awareness campaigns.	O1: A better informed population on human rights matters.	P1: An adequately documented Human Rights Centre by 2009.  P2: Three symposium / workshops on access to justice, child related rights and human rights organised by June 2009.			

## PART B: FINANCIAL RESOURCES

#### SUMMARY BY PROGRAMMES/SUB-PROGRAMMES

		Rs	Rs	Rs	Rs
Code	Programmes and Sub-Programmes	2007/08	2008/09	Jul-Dec 2009	2010
Couc	110grammes and 540 110grammes	Estimates	Estimates	Planned	Planned
561	Policy and Management for Justice	15,620,000	18,068,000	10,050,000	19,300,000
	and Human Rights				
562	Legal Advisory and Representation	90,162,000	99,707,000	55,250,000	107,400,000
56201	Civil Advisory and Litigation	62,132,000	68,292,000	38,450,000	74,500,000
56202	Legislative Drafting and Law Revision	6,775,000	8,446,000	4,100,000	8,100,000
56203	Criminal Advisory and Litigation	21,255,000	22,969,000	12,700,000	24,800,000
563	Law Reform and Development	3,700,000	6,500,000	4,300,000	8,500,000
564	<b>Human Rights Awareness</b>	5,800,000	8,325,000	3,000,000	2,100,000
	Total	115,282,000	132,600,000	72,600,000	137,300,000

#### SUMMARY BY ECONOMIC CATEGORIES

		Rs	Rs	Rs	Rs
Code	Economic Categories	2007/08 Estimates	2008/09 Estimates	Jul-Dec 2009 Planned	2010 Planned
21	Compensation of Employees	64,116,000	69,439,000	40,004,000	76,117,000
22	Goods and Services	41,206,000	49,401,000	25,476,000	51,423,000
24	Interest	-	-	-	-
25	Subsidies	-	-	-	-
26	Grants	4,960,000	7,760,000	5,120,000	9,760,000
27	Social Benefits	-	-	-	-
28	Other Expense	-	-	-	-
31	Acquisition of Non-Financial Assets	5,000,000	6,000,000	2,000,000	-
32	Acquisition of Financial Assets	-	-	-	-
	Total	115,282,000	132,600,000	72,600,000	137,300,000

### **SUMMARY FOR FINANCIAL YEAR 2008/09**

		Rs	Rs	Rs	Rs
Code	Programmes	Compensation of Employees [code 21]	Goods and Services [code 22]	Subsidies/ grants [codes 25-28]	Acquisition of Assets [codes 31- 32]
561	Policy and Management for Justice and Human Rights	14,358,000	3,710,000	-	-
562	Legal Advisory and Representation	54,511,000	43,936,000	1,260,000	-
563	Law Reform and Development	-	-	6,500,000	-
564	Human Rights Awareness	570,000	1,755,000	-	6,000,000
	Total	69,439,000	49,401,000	7,760,000	6,000,000

Programme 561: Policy and Management for Justice and Human Rights

	Ç	Rs	Rs	Rs	Rs
Item No.	Details	2007/08 Estimates	2008/09 Estimates	Jul-Dec 2009 Planned	2010 Planned
21	Compensation of Employees	12,825,000	14,358,000	7,829,000	14,797,000
21110	Personal Emoluments	11,175,000	12,298,000	6,784,000	12,652,000
21111	Other staff costs	1,650,000	2,060,000	1,045,000	2,145,000
22	Goods and Services	2,795,000	3,710,000	2,221,000	4,503,000
22010	Cost of Utilities	510,000	620,000	320,000	650,000
22030	Rent	1,300,000	1,390,000	968,000	1,938,000
22040	Office Equipment & Furniture	50,000	40,000	25,000	50,000
22050	Office Expenses	110,000	160,000	85,000	175,000
22060	Maintenance	410,000	705,000	398,000	830,000
22100	Publications & Stationery	235,000	320,000	170,000	345,000
22110	Overseas Travel	40,000	100,000	50,000	100,000
22120	Fees	40,000	100,000	50,000	100,000
22900	Other Goods and Sevices	100,000	275,000	155,000	315,000
	Total	15,620,000	18,068,000	10,050,000	19,300,000

#### **Programme 562: Legal Advisory and Representation**

#### Sub- Programme 56201: Civil Advisory and Litigation

		Rs	Rs	Rs	Rs
Item No.	Details	2007/08 Estimates	2008/09 Estimates	Jul-Dec 2009 Planned	2010 Planned
21	Compensation of Employees	32,661,000	35,280,000	21,352,000	40,540,000
21110	Personal Emoluments	27,356,000	29,005,000	17,555,000	32,920,000
21111	Other staff costs	5,305,000	6,275,000	3,797,000	7,620,000
	of which				
21111002	Travelling & Transport	4,700,000	5,550,000	3,400,000	6,825,000
22	Goods and Services	29,091,000	32,632,000	16,718,000	33,580,000
22010	Cost of Utilities	912,000	1,140,000	585,000	1,185,000
22020	Fuel and oil	50,000	75,000	40,000	90,000
22030	Rent	6,985,000	7,299,000	5,060,000	10,150,000
22040	Office Equipment & Furniture	125,000	2,260,000	125,000	250,000
22050	Office Expenses	151,000	250,000	130,000	265,000
22060	Maintenance	940,000	785,000	440,000	950,000
22070	Cleaning Services	68,000	78,000	40,000	80,000
22100	Publications & Stationery	980,000	1,290,000	630,000	1,350,000
22110	Overseas Travel	80,000	175,000	100,000	200,000
22120	Fees	18,580,000	18,775,000	9,350,000	18,700,000
	of which				
22120011	Fees icw Privy Council cases	18,500,000	18,500,000	9,250,000	18,500,000
22900	Other Goods & Services	220,000	505,000	218,000	360,000

		Rs	Rs	Rs	Rs
Item No.	Details	2007/08 Estimates	2008/09 Estimates	Jul-Dec 2009 Planned	2010 Planned
26	Grants	380,000	380,000	380,000	380,000
26210	International Organisations of which	380,000	380,000	380,000	380,000
26210101	Asian- African Legal Consultative Organisation	190,000	190,000	190,000	190,000
26210103	Commonwealth Legal Advisory Service	80,000	80,000	80,000	80,000
	Total	62,132,000	68,292,000	38,450,000	74,500,000

#### **Sub-Programme 56202: Legislative Drafting and Law Revision**

		Rs	Rs	Rs	Rs
Item No.	Details	2007/08	2008/09	Jul-Dec 2009	2010
item ivo.	Details	Estimates	Estimates	Planned	Planned
21	Compensation of Employees	4,065,000	4,247,000	2,388,000	4,587,000
21110	Personal Emoluments	3,300,000	3,421,000	1,973,000	3,752,000
21111	Other staff costs	765,000	826,000	415,000	835,000
22	Goods and Services	2,710,000	4,199,000	1,712,000	3,513,000
22010	Cost of Utilities	145,000	164,000	90,000	175,000
22030	Rent	840,000	870,000	585,000	1,230,000
22040	Office Equipment & Furniture	50,000	210,000	45,000	70,000
22050	Office Expenses	15,000	20,000	15,000	30,000
22060	Maintenance	140,000	200,000	127,000	283,000
22100	Publications & Stationery	390,000	1,505,000	230,000	490,000
22110	Overseas Travel	25,000	75,000	40,000	80,000
22120	Fees	1,105,000	1,155,000	580,000	1,155,000
	Total	6,775,000	8,446,000	4,100,000	8,100,000

#### Sub-Programme 56203: Criminal Advisory and Litigation

_		Rs	Rs	Rs	Rs
Item No.	Details	2007/08	2008/09	Jul-Dec 2009	2010
item No.	Details	Estimates	Estimates	Planned	Planned
21	Compensation of Employees	14,100,000	14,984,000	8,120,000	15,573,000
21110	Personal Emoluments	11,700,000	12,284,000	6,745,000	12,798,000
21111	Other staff costs	2,400,000	2,700,000	1,375,000	2,775,000
22	Goods and Services	6,275,000	7,105,000	4,140,000	8,347,000
22010	Cost of Utilities	450,000	490,000	255,000	515,000
22030	Rent	2,975,000	3,070,000	2,128,000	4,260,000
22040	Office Equipment & Furniture	75,000	290,000	50,000	100,000
22050	Office Expenses	20,000	30,000	20,000	45,000
22060	Maintenance	210,000	285,000	188,000	417,000
22100	Publications & Stationery	545,000	700,000	379,000	770,000
22110	Overseas Travel	50,000	150,000	75,000	150,000

		Rs	Rs	Rs	Rs
Item No.	Details	2007/08 Estimates	2008/09 Estimates	Jul-Dec 2009 Planned	2010 Planned
22120	Fees	1,470,000	1,590,000	795,000	1,590,000
	of which				
22120012	Retainer fees to Counsel	1,440,000	1,440,000	720,000	1,440,000
22900	Other Goods & Services	480,000	500,000	250,000	500,000
26	Grants	880,000	880,000	440,000	880,000
26210	International Organisations	880,000	880,000	440,000	880,000
26210104	International criminal Court	880,000	880,000	440,000	880,000
	Total	21,255,000	22,969,000	12,700,000	24,800,000

# **Programme 563: Law Reform and Development**

		Rs	Rs	Rs	Rs
T. N.	Details	2007/08	2008/09	Jul-Dec 2009	2010
Item No.		Estimates	<b>Estimates</b>	Planned	Planned
26	Grant	3,700,000	6,500,000	4,300,000	8,500,000
26313	Extra- Budgetary Units	3,700,000	6,500,000	4,300,000	8,500,000
26313029	Law Reform Commission	3,700,000	6,500,000	4,300,000	8,500,000
	Total	3,700,000	6,500,000	4,300,000	8,500,000

### **Programme 564: Human Rights Awareness**

		Rs	Rs	Rs	Rs
Item No.	Details	2007/08	2008/09	Jul-Dec 2009	2010
item i to:	Details	Estimates	Estimates	Planned	Planned
21	Compensation of Employees	465,000	570,000	315,000	620,000
21110	Personal Emoluments	260,000	270,000	155,000	300,000
21111	Other staff costs	205,000	300,000	160,000	320,000
22	Goods and Services	335,000	1,755,000	685,000	1,480,000
22010	Cost of Utilities	105,000	210,000	95,000	225,000
22020	Fuel and oil	60,000	100,000	58,000	120,000
22030	Rent	-	200,000	100,000	200,000
22040	Office Equipment & Furniture	-	530,000	30,000	60,000
22050	Office Expenses	40,000	135,000	72,000	165,000
22060	Maintenance	50,000	125,000	95,000	195,000
22100	Publications & Stationery	30,000	150,000	80,000	170,000
22900	Other Goods & Services	50,000	305,000	155,000	345,000
31	Acquisition of Non-Financial Assets	5,000,000	6,000,000	2,000,000	-
31112	Non-Residential Buildings	5,000,000	6,000,000	2,000,000	-
31112401	Upgrading of Office Buildings	5,000,000	6,000,000	2,000,000	-
	Total	5,800,000	8,325,000	3,000,000	2,100,000

#### PART C: HUMAN RESOURCES

#### SUMMARY OF FUNDED POSITIONS

Code	Programmes	Up to Rs 18,800		Rs 19,400-42,500		Above Rs 45,000		<b>Funded Positions</b>	
		2007/08	2008/09	2007/08	2008/09	2007/08	2008/09	2007/08	2008/09
561	Policy and Management	8	8	1	2	5	9	14	19
	for Justice and Human								
	Rights								
562	Legal Advisory and	87	89	68	80	2	2	157	171
	Representation								
56201	Civil Advisory and	68	70	39	51	1	1	108	122
	Litigation								
56202	Legislative Drafting and	4	4	7	7	-	-	11	11
	Law Revision								
56203	Criminal Advisory and	15	15	22	22	1	1	38	38
	Litigation								
563	Law Reform and	-	-	-	-	-	-	-	-
	Development								
564	<b>Human Rights Awareness</b>	-	-	-	-	-	-	-	-
	<b>Total Funded Positions</b>	95	97	69	82	7	11	171	190

## DETAILS OF FUNDED POSITIONS BY PROGRAMMES AND SUB-PROGRAMMES

Salary	Position Titles		<b>Funded Positions</b>		
Code			2008/09		
Progran	nme 561: Policy and Management for Justice and Human Rights	14	19		
-	Minister	1	1		
12 00 92	Solicitor General	1	1		
12 00 89	Parliamentary Counsel	1	1		
12 00 89	Deputy Solicitor General	-	1		
12 00 85	Assistant Solicitor General	2	4		
12 00 85	Chief Legal Secretary	-	1		
12 00 76	Legal Secretary	1	1		
12 63 72	Assistant Legal Secretary	-	1		
08 33 50	Confidential Secretary	8	8		
Programme 562: Legal Advisory and Representation		157	171		
Sub-Programme 56201: Civil Advisory and Litigation		108	122		
12 71 76	Principal State Counsel	6	6		
12 63 72	Senior State Counsel	10	10		
12 54 66	State Counsel	13	18		
12 00 85	Chief State Attorney	1	1		
12 71 76	Principal State Attorney	2	2		
12 63 72	Senior State Attorney	1	4		
12 55 66	State Attorney	5	7		
12 55 67	Curator of Vacant Estates	1	1		
12 47 56	Principal Legal Assistant	2	2		
12 40 52	Senior Legal Assistant	3	3		
12 25 47	Legal Assistant	7	9		
05 34 53	Law Library Officer	1	1		

# DETAILS OF FUNDED POSITIONS BY PROGRAMMES AND SUB-PROGRAMMES

Salary	Position Titles		<b>Funded Positions</b>		
Code	rosition rities	2007/08	2008/09		
	Legal Research Officer	1	3		
	Higher Executive Officer	2	2		
	Executive Officer	2	2		
	Office Supervisor	1	1		
	Special Clerical Officer	1	1		
	Clerical Officer	12	12		
	Confidential Secretary	3	3		
	Senior Word Processing Operator	1	1		
	Word Processing Operator	10	10		
	Receptionist/Telephone Operator	4	4		
24 26 33	Head Office Attendant	4	4		
24 08 25	Office Attendant	13	13		
24 11 32	Driver	1	1		
24 03 20	Handy Worker	1	1		
	ramme 56202: Legislative Drafting and Law Revision	11	11		
	Principal State Counsel	1	1		
12 54 66	State Counsel	4	4		
12 57 66		1	1		
12 52 60	Chief Legal Assistant	1	1		
12 25 47	Legal Assistant	1	1		
08 33 50	Confidential Secretary	1	1		
	Word Processing Operator	1	1		
24 11 32	Driver	1	1		
Sub-Prog	ramme 56203: Criminal Advisory and Litigation	38	38		
12 00 92	Director of Public Prosecution	1	1		
12 71 76	Principal State Counsel	4	4		
12 63 72	Senior State Counsel	4	4		
12 54 66	State Counsel	14	14		
12 40 52	Senior Legal Assistant	2	2		
12 25 47	Legal Assistant	3	3		
12 18 20	Trainee Legal Assistant	2	2		
08 17 41	Clerical Officer	6	6		
08 33 50	Confidential Secretary	1	1		
08 28 45	Executive Officer	1	1		
Program	nme 563: Law Reform and Development	_	-		
Program	nme 564: Human Rights Awareness	-	-		
	Total Funded Positions	171	190		