

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

COMMUNIQUE

1. The Director of Public Prosecutions (The DPP) refers to the disclosure of the findings of the District Magistrate of Moka and the Attorney General's Communiqué of 16th of October 2022.
2. The DPP takes strong exception to any insinuation that any criminal offence may have been committed by any officer of the Office of the DPP (ODPP), who would allegedly be subjected to a police enquiry and to possible disciplinary proceedings.
3. A Judicial Inquiry into the death of late Soopramanien Kistnen was ordered by the DPP and was duly held in public before the District Court of Moka. Upon receipt of the Learned Magistrate's findings, the DPP has, on the 26th of January 2022, advised the Commissioner of Police to carry out an in-depth enquiry, in line with all of the Learned Magistrate's recommendations.
4. The ODPP remains focused on the urgency of the completion of the police enquiry to identify, once and for all, those responsible for the death of late Soopramanien Kistnen which occurred two years ago, with a view to bringing them to justice.
5. The ODPP refrains from commenting on the various possible ways of such disclosure. However, the public should know that the findings of the Magistrate following a Judicial Inquiry are addressed to the DPP, who, it must be emphasized is the person who requested the Inquiry in the first place.
6. As such, it is for the DPP alone to decide in what particular circumstances the findings should be made public taking as sole consideration the public interest in such disclosure. In the past, the DPP has exercised this discretion in relation to the findings of the District Magistrate of Port Louis regarding the flash flood which led to the death of ten persons. Obviously, the flash flood was the subject of a police enquiry in the first instance before a Judicial Inquiry was held. Similarly, as a matter of practice, victims of road accidents or insurance companies obtain upon request the proceedings in a Judicial Inquiry which are ultimately produced in Court.
7. The independence with which the officers of the ODPP need to exercise their functions, especially in relation to their interaction with the Police, has come under severe attack through the Attorney General's Communiqué referred to in Paragraph 1. The ODPP will not allow itself to be intimidated, in yet another attempt to curtail its independence and fearlessness to uphold the Rule of Law in our democratic society.
8. The DPP and ODPP renew their commitment to continuing to uphold the dignity and the independence of the Office in line with established Constitutional guarantees.

17 October 2022