



The Mauritius Police Force

Serving the community since 1762

Police e-News



Quality Service with Pride and Care

In This Issue

- News;
- Our People;
- Education; and,
- Training.



Articles/ Suggestions may be sent to:

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Police e-news Committee
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Articles should be concise and of not more than 300 words. Digital photos of good quality supporting articles are welcomed.

N.B: The Editorial Committee wishes to inform contributors that for obvious reason, articles may be abridged, amended or corrected and every effort will be made to preserve the originality of articles.

Foreword

Dear readers,

We are pleased to release the second edition of the Police e-news, the erstwhile Police Journal.

As announced during the last edition, we are now confined to four corners: News, Our People, Education and Training.

Furthermore, the change from paper to electronic version has received positive feedback from various quarters. However, we are in a transition period and those who are used to holding a hard copy in their hands will have to adapt to this change. In any case, we are already in the information age where the use of ICT is the norm.

In the present edition, the reader will have an insight of the successful implementation of Place Based Policing as advocated by the Commissioner of Police during the end of year Police deployment.

That said, our prime intention remains to offer to each and every single reader interesting material for the purpose of pleasant and meaningful reading.

Again, thank you for your unflinching contribution and support.

C. Bhojoo, DCP
Chairman

On the Cover



The cover illustrates snaps taken in connection with Place Based Policing in Central Division in December 2015.

Disclaimer

All views and opinions expressed or statements made in this e-news are entirely those of the authors and should not be considered as an endorsement of editorial, official or Force policy. They therefore, do not commit the Police Force, any officer or any other person or authority and render them liable in whatsoever manner.

Editorial Committee

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Implementation of Place Based Policing for End of Year Festivities

The influx of people and vehicles in well frequented commercial areas and other places of public amusement for the end of year festivities posed yet another challenge to the Mauritius Police with regard to the safety and security of citizens.

The Commissioner of Police who always advocates innovative approaches in handling situational exigencies found it opportune to push forward the concept of Place

Based Policing-which prescribes Police heightened presence, vigilance and swift response at all times at certain strategic locations- in all Divisions. Albeit, Police deployment in all Divisions, the most striking display of Place Based Policing was no doubt Police deployment in the arteries of the periphery of Phoenix Commercial Centre by Central Division. Such enhanced Police visibility and vigilance received favourable comments of drivers and other passers-by. It was certainly a reassuring feature amply demonstrated by the absence of any incident requiring Police intervention.

It was well seen that the implementation of Place Based Policing, boosted by the concomitant conduct of security awareness campaigns led to less crime. The success of this novel crime fighting strategy will generate fresh approaches in the minds of Commanders in the planning & preparation of policing during forthcoming major events.

Editorial Committee

Passing out Ceremony



A passing out ceremony was held on 17 Oct 2015 for 644 Trainee Police Officers from different training institutions of the Force at Gymkhana Sports Complex, Vacoas.

The impressive parade marked the successful completion of the first stage of a two-year training programme. Thousands of family members, friends and well-wishers were present to cheer those freshly trained officers who looked smart and immaculate in their turnout. Amongst a host of VVIPs, The Rt Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC, Prime Minister, graced the ceremony as the Chief Guest. In his address, the Hon. Prime Minister harped on the high expectations of the public and impressed on the recruits on the need to serve the nation with patriotism, loyalty and dedication to duty.

The trainees had undergone six months rigorous training at the different training schools of the Force namely PTS (Beau Bassin, Les Casernes & Vacoas), SMF and NCG. They received training on a wide range of subjects such as laws, evidence, first aid, weapon handling, officer safety, map reading, foot and rifle drills, among others followed by written and practical assessments. Three TPCs, namely 11104 Boodhun (PTS), 11318 Gontrand (NCG) and 1305 Boodhoa (SMF) distinguished themselves as the '*Best all Round Students*'.



NEWS

Undoubtedly, this memorable event will remain etched in their minds throughout their career. Most TPCs (except SMF & NCG) have been posted to different Police Stations and are being closely supervised and assessed on the job under stage two and three of their training. There, they are having the opportunity to work in an in-vivo environment. After two years, their training will culminate in a final written assessment before confirmation in their appointment as Police Constable.

A warm welcome to these TPCs amidst our big Police family and we wish them plenty of success in their burgeoning career.

Editorial Committee

Visiting Tour to India



A five member delegation from Mauritius headed by Mr Nayen Koomar Ballah, Secretary for Home Affairs and comprising Mr Karl Mario Nobin, Commissioner of Police, Captain Saurabh Thakur, Commandant National Coast Guard and two other officials visited Western Naval Command, Mumbai, India on 16 and 17 December 2015. During the visit, the delegation interacted with Vice Admiral SPS Cheema, Flag Officer Commanding-in-Chief Western Naval Command and also held high level discussions of mutual interest to the two countries. The delegation also visited the Naval Dockyard and indigenously built guided missile destroyer INS Kolkata.

The Commissioner of Police took stock of the operational capability of the newly built Mauritian Fast Interceptor Boats (FIB) at the Goa Shipyard in presence of the secretary for Home Affairs and Commandant National Coast Guard.

Ten advanced high speed boats are scheduled to be delivered to Mauritius by early 2016. These 35-knots speed boats will be highly useful in maritime operations such as curbing drug, illegal fishing and contraband activities, as well as tackling piracy in the territorial waters of Mauritius.

The Mauritian delegation had the privilege of a trial at sea in the first constructed FIB.

Editorial Committee

Enhancing Service Delivery at Outer Islands

Crew of Coast Guard Ship (CGS) 'Barracuda' together with a team of Police Officers from several Branches of the Force left mainland on 14 Dec 2015 and reached Agalega on 16 Dec 2015 with mission to enhance service delivery in the island.

Various activities were organized as follows:
Community Policing forums to address

safety and security issues, sensitization campaign on drug abuse, improvement of child welfare, rights, protection and development as well as promoting an eco-friendly environment.



In the end, the visiting Police Delegation organised a social gathering gifting toys, sweets and

chocolate to children in a melodious atmosphere of Xmas carols.

Before leaving, an official ceremony was held during which driving licences/learner licences were presented by the resident manager to 50 successful Agalean drivers who had earlier undergone driving test in mainland.

The residents expressed great joy and satisfaction after this rewarding visit.

Editorial Committee

Mass Health Screening Programme for Police Officers on "World Diabetes Day 2015"



To mark the 'World Diabetes Day 2015', the Mauritius Police in conjunction with the Ministry of Health and Quality of Life launched a mass health screening programme for Police Officers and their families on Thursday 12th Nov 2015 at Line Barracks Football pitch.

The objective of the programme was to keep under control Non-Communicable Diseases (NCD), commonly known as the silent killer due to the fact that most people become aware of diseases such as diabetes, hypertension, etc.. only after health complications. The high proliferation of NCD worldwide as well as in Mauritius is a matter of serious concern and authorities are endeavouring to reverse this trend.

This programme was befitting for the Police and in line with the Commissioner of Police policy who always impresses for a healthy workforce. On that day, during his address, he

sensitised members of the Force and their families on the need for sound health and wellness.



Editorial Committee

Certificate Awarding Ceremony

A certificate award ceremony was held on 28 October 2015 at the Police Band, Vacoas.

Certificates were presented to administrative staff of Police Headquarters, Divisional and Branch Headquarters by the Honourable, Marie Roland Wong Yen Cheong, MSK, Minister of Civil Service Affairs and Administrative Reforms and the Commissioner of Police.

The training programme on administrative duties was conducted during July and August 2015 at the Police Headquarters under the aegis of the Training Unit of the Ministry. The attendees have

commended the value of this training opportunity as it has considerably improved their knowledge and skills in their field of duties.



Editorial Committee

NEWS

The Relentless fight against Illicit Drugs

Fighting drugs is multi-faceted and perennial. ADSU is heavily engaged in the fight against drugs in mainland as well as the outer islands. Besides, the Commissioner of Police has also called for the involvement of the whole Force in the war against drugs. Apart from engaging in drug prevention to reduce the drug demand, ADSU leads a relentless combat against drug abuse on the supply side, commonly termed repression. ADSU officers unyieldingly and dedicatedly are on the forefront of the drugs fight arresting consumers, peddlers, traffickers, securing drugs and uprooting vast areas of cannabis cultivation. The following is a testimony of cases established by ADSU to keep our citizens safe from drugs.



- On 25 November 2015, Airport ADSU intercepted a parcel which arrived by a flight from Johannesburg as a postal packet classified as documents. The parcel contained around 1.03 Kg of Heroin valued at Rs 15 M/-.



A control Delivery Exercise was set up at Residence Kennedy, Quatre Bornes, under the

charge of a senior ADSU officer and on 26 November 2015, three persons who came to fetch the parcel namely Mr. L.S.N.N 36 yrs, J.G.K.M. 18 yrs, and Miss B.L.A 18 yrs were arrested. Other arrests subsequently followed.

- On Wednesday 16 December 2015, team of ADSU Plaine Verte swept a hidden spot found deep inside Petrin Forest near a sloppy cliff and arrested Mr. A.C, 27 yrs, for cultivating one thousand and fifteen (1,015) Cannabis Plants measuring from 30 cm to 1m15cm in height. On spot, the officers also secured several items used in the cultivation of these cannabis plants. Several persons who were sighted there and suspected to be involved in this case are being looked for. Their arrests are imminent.



- Team of ADSU Plaine Verte effected a raid on Monday 28 December

2015 in the dwelling house and premises of Miss M.C.S.B, 37 yrs, at Ste Croix where around 450 gms of Heroin worth around Rs 6.5M/- contained in several insulating tape parcels was secured. An electronic scale smeared with heroin and several paraphernalia including adulterants were also seized by ADSU. Subsequently, the enquiry led to the arrest of Mr. A.R.T, 25



yrs. Both suspects are facing a provisional charge of Drug Dealing with Aggravating



Circumstances: Possession of Heroin for the purpose of Distribution with an averment of Trafficking.

Congratulation to ADSU for these great arrests and to the contribution of many units of the Force to keep at bay drug traffickers.

**DI Rujub
ADSU**

Barkly Police rewarded by the Ministry of Youth & Sports



In line with the Force Strategic Objective No. 5 - Combating trafficking and use of illegal drugs- Insp Ramasawmy, Station Manager Barkly Police, PC 6206 Mungroo, Neighbourhood Officer and these NGOs, namely: Caritas, Espoir Revive Barkly, Femme Debout and Association FEMA conducted a well coordinated house-to-house sensitization campaign at Cité Barkly to increase public awareness and educate them on the ill-effects of drug abuse. Residents responded positively to this Police initiative, the more so in a drug-prone area and invited other future forceful actions against the proliferation of drugs.

For this commendable action to serve and protect the community, during a short ceremony on 01 Dec 2015, a representative



from the Ministry of Youth and Sports presented a shield to Barkly Police. Well done

staff of Barkly Police!

**PC 6206 Mungroo
Western Division**

Service to Mankind



On 11 Dec 2015, the staff of Police Headquarters, headed by Mr Booneeady, ASP, Staff Officer (Admin) organized a Hearts and Minds day at Gayasingh Ashram, Tranquebar, Port Louis. There, Police Officers organized an entertainment programme for the inmates and thereafter served a special lunch to them.



Such initiative befits the philosophy of a caring Police as one of its mission for selfless service to people.

The participation of members of the

Force in philanthropic activities reinforces their sense of compassion and care for the less fortunate and vulnerable of the society.

**Mr K. Booneeady, ASP
Police Headquarters**

OUR PEOPLE

Successful Medical Evacuation by the Dornier

In yet another successful mission, the Dornier aircraft of the Maritime Air Squadron of the NCG carried out the successful Medical evacuation of a French tourist onboard Passenger Cruise 'Liner Costa Neo Romantica' about 600 miles north of Mauritius. The male middle aged traveler fell in a coma after suffering a cardiac arrest.

The Dornier took off from SSRJ Airport, Plaisance immediately on receipt of the distress call in the wee hours. The aircraft landed at Agalega airstrip where the ship made an unscheduled halt to disembark the patient. From there it safely flew back to mainland Mauritius.

Thanks to the swift response and professionalism of crew of the Dornier, the patient was rushed to a clinic and recovered from the coma and a life was saved.



Editorial Committee

Free Music Class for All

Since April 2015, the Mauritius Police Band is in the frontline of philanthropic activities in favour of underprivileged children. It has been providing them with self-development opportunities through music and thereby preventing them from falling prey to anti-social activities.

Musicians of the Police Band have been delivering free music classes to children of l'Agrément St Pierre and Riche Lieu in Community Centres. In the same spirit, on Saturdays, since 12 Dec 2015, Band Constable Lebon has been dispensing free music courses to children aged between five and fourteen years to members of Grand River South East Wanderers Sports Club.

Such initiative has gained the good appreciation of the community in those areas and will no doubt raised the image of a caring Police in its magnitude of roles for the security, safety and wellbeing of the citizen. Congratulations to our Band Officers.



*PC 8680 Andy
Police IT Unit*

Bronze Winner at the World Championships of Speed Badminton

WPC 362 Caugant working in Western Division represented Mauritius at the World Championships of Speed Badminton 2015 in Berlin, Germany between 28 and 30 Aug 2015.

Actually ranked No. 6, she faced tough competitors from big countries such as Japan, Poland, Netherlands but still managed to win the bronze medal in Women Double. On the 01 Aug 2015 she also participated in the Speed Badminton ISBO Norwegian Open 2015 and won a bronze medal in Women Division.

Lastly, on 8 Aug 2015 she represented Mauritius in the Speed Badminton ISBO Swedish Open 2015 and came out third in the Women Division.



PC Yagambrun
PRDU, PHQ

Promotion of Officers and Ranks

Hearty congratulations to the newly promoted. We wish them best of luck in their professional advancement and future prospects. No doubt they will be shouldering higher responsibilities with diligence and commitment.

Promotions and assignment of duties are as hereunder:

- ♦ 164 PCs and one WPC to the rank of Police Corporal/ Woman Police Corporal on Saturday 24 Oct 2015.
- ♦ 23 Insp. to CI, 28 CI (incl 2 WCI) to ASP and 25 ASP (incl 1 WASP) to SP, assigned higher responsibilities on 22 Dec 2015.



They received their letters of appointment from the Commissioner of Police and DCPs with pride, honour and sense of accomplishment.

In his emphatic address, the Commissioner of Police stressed upon the newly promoted to develop strong leadership and managerial skills, which are capital for the enhancement of service delivery in the Force.



Editorial Committee

OUR PEOPLE

Children of Police Officers who have passed the CPE 2015 Examination with Six 'A+'

SNo.	Name	Name of Officer	Posting
1	Adeenah	WPC 438 Khodadin	Metro 'South' Prosecutor'
2	Ashee	PC 6944 Basuntoo	NCG
3	Bhavi	PS 5841 Sumputh	Traffic Branch
4	Bhuvanesh	PC 6078 Bhantoa	SSU
5	Chetna Medini	WPC 231 Teeluck	ADSU Western
6	Chitrakshi Devi	Insp Seewoogoolam	Old Grand Port Police
7	Danisha	PS 5848 Allagapen	ADSU Western
8	Dhanish	PC 1299 Seelochund	SOCO Northern
9	Dooshvee	PC 5417 Ramiah	Camp Diable Police
10	Dwij Anand	PS 257 Benidin	BDM HQ
11	Gyanada	PS 1758 Bhujun	CID G/Bay
12	Harsh Rishab	PC 295 Bungshee	G/Bay Police
13	Hemshini	PC 7294 Ghoorah	Central Division
14	Hurshita Devi	Insp Ramnanan	Flacq Prosecutor's Office
15	Jivraj	Insp Vinktaremdoo	Traffic Branch
16	Kamlesh	Sgt 4809 Seewoolall	SMF
17	Kamlesh	PS 7099 Madhub	DHQ Eastern
18	Karishma Tejaswinee	PC 7186 Hurnaum	Rose Belle Police
19	Khushee Hurshinee	Cpl 7389 Rambarruth	SMF
20	Kordas	PC 6951 Bheema Naiko	Traffic Branch
21	Lakshya	PS 6468 Boodnah	G/Bay Police
22	Lavisha	PC 7464 Padaruth	PIO
23	Loven	Pte 7069 Gopaulen	SMF
24	Manvi Khushi	PC 2479 Dabydoyal	La Tour Koenig Police
25	Mayilan	PC 7643 Arnasalon	NCG
26	Mohammad Junyad Naheed	PC 6090 Beekhorry	R/ Rempart Police
27	Mohammud Khalef Khan	Insp Codabaccus	Police Headquarters
28	Morganah Lutchmee Pillay	PC 6663 Rungapen	NCG
29	Muhammad Ayman	PC 6648 Fokeerbux	NCG
30	Muhammad Oowais	Lt Jugon	SMF
31	Navishthee	PC 3421 Pawnowa	Transport Branch
32	Nemisha	PC 6325 Ramrecha	R/ Rempart Prosecutor's Office
33	Nimai Hrishikesh	PC 356 Caussy	ERS Southern
34	Pallavee	PC 6625 Gunesh	NCG
35	Riddhi	CI Ramessur	Rose Belle Police
36	Ritika Vrishni	PS 6592 Ghoorbin	SOCO Northern
37	Riya	Pte 6479 Chumbit	SMF
38	Rusha Aliyah	PC 5942 Heetun	Piton Police
39	Saadiyah	Insp Carrim	PHS
40	Tanveersingh	Cpl 8020 Nyechoray	SMF
41	Teesha	PS 7542 Bundhoo	La Tour Koenig Police
42	Tushita	PC 2019 Ruttun	SSRNH Police Post
43	Um-Kulthoom	PS 4306 Joomun	Pamplemousses Police
44	Urvashi Lutchmee	WPC 466 Teelucksing	Chemin Grenier Police
45	Vedika	PS 6470 Bootun	VIPSU
46	Vikramt Jay	PS 5528 Beeharay	VIPSU
47	Yashveer	Insp Narain	Tombeau Bay Police
48	Yasveer	Cpl 4597 Kowlessur	NCG
49	Yoshita	PC 7929 Gungabissoon	Traffic Branch
50	Yuvraj	PS 7242 Bhujun	VIPSU
51	Zakiyyah Bibi Azraa	PC 6042 Mungroo	DSU Western Division

Children of Police Officers who have passed the CPE 2015 Examination with five 'A+'

SNO.	Name	Name of Officer	Posting
1	Anish Kumar	Insp Seewoodin	CCID
2	Bhuvanesh	PC 7816 Fokeer	ERS Southern
3	Bibi Ulyaa	PC 3995 Bhowarkan	CID Mahebourg
4	Devashish	PC 7172 Pullwan	Q/Militaire Police
5	Dheevasha Devi	PC 4856 Bholla	NCG
6	Diego Mathias Juan	PC 750 Francois	SOCO Northern
7	Elisa Noemie Serena	Cdt Insp Pierre	DSU Southern
8	Faria	Cpl 32 Ahmine	Plaine Verte Police
9	Gavin	PC 9061 Nurse	PIO
10	Haarishinee	PC 6898 Moothia	Police Training School
11	Haniya	Cpl 4310 Dowlut	SMF
12	Karishma	Insp Seekunto	SSU
13	Krishta	PS 6062 Soobanah	PIO
14	Kusumita	Cpl 5261 Maudhoo	CID Piton
15	Lavaraaj	WPC 414 Puntaya	ADSU Airport
16	Leanne	SI Elisa	PHS
17	Leepshita	PC 3942 Mocheeroy	Savanne Prosecutor's Office
18	Marie Anielle	Insp Carpenen	NCG
19	Mohamed Wazeer Fardeen	PC 7205 Ajubtally	Quatre Bornes Police
20	Mohammad Irshaad Riaz	PS 5289 Makoon	Police du Tourism
21	Mohuneesh	PC 6579 Gokool	Port Police
22	Prateek	PC 7417 Seenauth	CID Terre Rouge
23	Shaista Saania	Insp Rujub	ADSU FIO
24	Shreyna Yoginee	PC 6706 Canoosamy Pillay	Traffic Branch
25	Siddhi	Insp Pultoo	G/ Port Prosecutor's Office
26	Tanisha	Insp Botharrygadoo	Police Prosecutions Office
27	Tanushri	Wpte 381 Gobin	SMF
28	Thusveen Beersing	PS 7357 Narain	CCID
29	Vandini Vaishnavi	WPS 323 Nagiah	ADSU HQ
30	Vighnesh	PS 2778 Gukhoul	L'Escalier Police

OUR PEOPLE

Our hearty congratulations to all on their success and allow us to share your joy. We also take pride in their achievements and wish them plenty of success in all their future endeavours.

From all members of the Force

Obituary

Sno.	Name	Date	Sno.	Name	Date
1	PC 1379 THOPSAY Jaganaden	15.10.2015	5	PS 1179 GUNOWA Roopsingh	24.11.2015
2	PC 7721 KOWLESSUR P.D. Enrico	29.10.2015	6	CPL 2361 TOUR Louis J. Reynald	26.11.2015
3	PS 573 DOUQUIA Iswardev	31.10.2015	7	PC 9114 SONOO Vijayandra	09.12.2015
4	ASP AUMJEEDALLY M. Feroz	20.11.2015	8	PC 2355 RAMBEERICH Vinaysingh	13.12.2015

May their soul rest in Peace.....

Workshop on Marine Navigation, Safety and Security at Sea

EDUCATION



The NCG organised a two-day workshop on 9 and 10 December 2015, for the fisherman community, pleasure craft owners and operators in the Northern, Southern, Eastern and Western region of Mauritius.

The objective set was to enhance the knowledge and skills of the participants so as to increase safety and security of all concerned in the sector and thereby show pro-activeness as a good deterrent against accidents and other hazards at sea. It was also an opportunity for the Police to promote its 'Police de proximité' Campaign.

The award of certificate ceremony was held at the Indira Gandhi Centre for Indian Culture (IGCIC) where the Commissioner of Police presented certificates to participants.

Editorial Committee

VEERAPEN K.D. v THE STATE 2015 SCJ 439

The appellant was seriously injured in a road accident, was in a coma and admitted in hospital for more than a month. Blood sample was taken from him for analysis, in relation to the offence of *driving a motor vehicle with alcohol concentration above prescribed limit*. No warning was given to him under *section 123H (5) of the Road Traffic Act (RTA)*, nor did he consent to a specimen of blood being taken from him for analysis purposes as he was not conscious at the time. He pleaded guilty and was convicted by the Learned Magistrate of the District Court of Pamplemousses.



Was the taking of the blood sample tainted with illegality in that it had been taken in breach of *section 123M (2) of the RTA*, and without any warning on the part of a police officer under *section 123H (5) of the RTA*? Should the FSL report have been admissible though there was no objection to its production before the trial Court? Relevant parts of the provisions under *Sections 123H and 123M of the RTA* read as follows:

123H Provision of specimens for analysis

- (1) *Subject to section 123K, a police officer may, in the course of an investigation into whether a person has committed an offence under section 123F, require the person to -*
- (b) *provide at hospital a specimen of blood or urine, or both, for a laboratory test.*
- (4) *A person who, without reasonable excuse, fails to provide a specimen when required to do so in pursuance of this section shall commit an offence.*
- (5) *A police officer shall, on requiring any person to provide a specimen for a laboratory test in pursuance of this section, warn him that a failure, without any excuse, to provide it may render him liable to prosecution and may be used against him as evidence.*
- (6) (a) *In a prosecution under section 123D or 123F of this Act, a refusal without reasonable excuse by a person to submit himself to a breath test or to give a specimen of his blood or specimens of his urine when required to do so in pursuance of this section shall be held against him as prima facie evidence that at the material time the proportion of alcohol in his blood exceeded the prescribed limits.*
- (b) *Paragraph (a) shall not apply where the person has not been warned by a police officer in accordance with subsection (5).*

123M Provision of specimens

- (2) *A person shall provide a specimen of blood only if he consents to it being taken by a medical practitioner or a nursing officer and it is so taken by a disposable syringe."*

In **Veerapen K.D. v The State 2015 SCJ 439**, it was held that it is mandatory for a person to give his consent before a specimen of blood can be taken from him analysis; this is clear from the unambiguous provisions of section 123M (2) of the RTA as well as the words "require the person to provide" in section 123H (1) and (5) which connote a positive act on the part of the person from whom the specimen is required. The person can be

required by a police officer to provide a specimen but cannot be compelled to provide a specimen against his will. If he withholds consent without reasonable excuse, he can at most be prosecuted under section 123H (4) and an adverse inference may be drawn against him under section 123H (6) if he is prosecuted under section 123D or 123F.

Added protection seems to have been provided for patients admitted in hospitals, presumably because they may not be in a position to give their effective consent on account of their medical condition. Section 123K provides that it is mandatory that the medical practitioner in immediate charge of the case be notified before a hospital patient is required to provide a specimen. The medical practitioner may object on the ground/s under section 123K (2).

123K Duties of doctors regarding patients

- (1) *A person who has been admitted as a patient at a hospital shall not be required to provide a specimen of breath for a breath test, or to provide a specimen of blood or specimens of urine for a laboratory test, unless the medical practitioner in immediate charge of his case has been notified of the proposal to make the requirement and -*
- (a) *if the requirement is then made, it shall be for the provision of a specimen at the hospital; but*
- (b) *if the medical practitioner objects on the ground specified in subsection (2) below, the requirement shall not be made.*
- (2) *The ground on which the medical practitioner may object is that the requirement or the provision of a specimen or, in the case of a specimen of blood or urine, the warning required under section 123H(5), would be prejudicial to the proper care and treatment of the patient.*

The case of **Payet v Seagull Insurance Co Ltd (1990 Mr 347)** which referred to section 9 of the Constitution, observed that "(one) cannot think of a case where the protection of fundamental rights and freedoms of the individual can be more sacrosanct than where the protection relates to the body of the individual" and held that in a civil case it

would be inappropriate to compel a person to submit himself to a medical examination against his will. This reasoning would apply *a fortiori* to the taking of a blood specimen from a person in contemplation of a criminal case.

The Court in **Veerapen K.D. v The State 2015 SCJ 439** noted that provision is made in the *DNA Identification Act* for an application to be made to the Judge in Chambers for an order authorising the taking of a DNA sample from a person who refuses to comply with a request for a DNA sample for the purpose of forensic analysis. But, the *RTA* makes no express provision for such an application to be made where a person refuses or fails to consent to the provision of a specimen for analysis, and there does not appear to be any other law which could be invoked under *section 9(2)* of the *Constitution* to allow the taking of a blood specimen from a person without his consent for analysis under the *RTA*. The Court therefore considered it to be disturbing that a specimen of blood should have been taken from the appellant when he was apparently in a coma and without his consent.

The Court was of the view that the FSL report cannot in the circumstances be relied upon. A Court always has discretion to exclude material the prejudicial effect of which outweighs the probative value. In **State v Sir Bhinod Bacha and Ors (1996 MR 97)**, the Court left open the question as to whether material obtained in breach of a fundamental right protected under the *Constitution* should automatically be excluded but held that, in exercising its discretion to allow or exclude evidence which a party is seeking to adduce, a Court should give "the gravest consideration" to any claim of interference with a constitutional right.

In **Veerapen K.D. v The State 2015 SCJ 439**, it was considered that the blood specimen of the Appellant who was in a coma and admitted in hospital was obtained in breach of the *RTA* and of his fundamental right to privacy under the *Constitution*. To make matters worse, the appellant was *inops consilii* before the trial Court and, although the FSL report was shown to him and duly explained to him in Creole, the record does not indicate whether he was informed of his right to cross-examine the maker of the report (which is a breach of

section 10(2)(e) of the *Constitution*). The circumstances of the taking of the blood specimen could have been questioned if the Forensic Technologist had been cross-examined.

However, the conviction was upheld in view of the appellant's unambiguous plea of guilty, which was confirmed by his excuses from the dock.

C/ Insp Moosoohur
CCID

Humour



Source: Internet

Police Swimming Gala

The Police Swimming gala was held on Saturday 05 Dec 2015 at Serge Alfred Swimming Pool, Beau Bassin. The event saw a large number of participants who were supported and cheered all along by colleagues and families.

In his speech, Mr Appadoo, Deputy Commissioner of Police and Chairman of the Sports Committee made a special mention of Cpl Meeterjoye (retiring from the Force soon) for his outstanding contribution in the field of swimming both at national and international level.



The winners of the different categories are listed hereunder:

- ♦ Best Swimmer: TPC 1187 Sadoolah of NCG and PC 8233 Bactora of PHS in Branch and Division Category respectively.
- ♦ Champion Team: NCG and Southern Division in Branch and Division category respectively.

All Divisions and Branches deserve a big applause for their outstanding performance. Well done!

Editorial Committee

Mauritius Police Football Tournament 2015 - Boys & Girls

The finals of the Mauritius Police Football Tournament 2015 was held on 11 December 2015 at the Line Barracks Football Pitch, between the Special Mobile Force (SMF) Team and the Western Division Team. The match ended on a score of 4-0 in favour of the SMF. The goal scorers were Privates Luidialam, Camangue and Monvoisin (2).



Prior to the male finals, the female category were also in action between the Police Women Football Team and GRSE Women Football Club. The Police Women Football Team won by a score of 2-0. Goals scored by WPCs Edward and Bootshah.



Editorial Committee

Finals of the Indoor Game Competition 2015 at Junior Police Officers' Mess

The Finals of the Indoor Game Competition 2015 was organised on 12th December 2015 at 09.00 hours at the Junior Police Officers' Mess, Line Barracks. In front of a host of invitees comprising the Commissioner of Police, Senior Officers, Mess members and families, it was so nice to see Police Officers competing against their fellow colleagues in a very jovial and relaxed atmosphere.

The winners of the tournament were:

- Domino - Inspector Ramkhalawon
Police Sergeant Theodore
- Carom - Corporal Yu Shui Leung
Police Constable Gopaul
- Dart - Chief Inspector Dussoye
- Scrabble - Police Constable Momus
- Snooker - Police Sergeant Suttroogun



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Le Tonfa (2nd Part)

A Police Officer is defending himself with his Tonfa baton from an aggressor who is performing side knife attack. The Police Officer has performed a side block with his Tonfa and at the same time holding the right wrist of the Aggressor by applying a distraction technique on his radial bone to which the aggressor feels pain and drops the knife.



The Police Officer moves his left hand to the long extended part of the Tonfa baton with a firm grip between both hands of the Aggressor to free up the Tonfa baton.



The Police Officer after performing the distraction technique, moves the long extended part of the Tonfa baton forward to apply a second distraction technique to the lower part of the abdomen of the aggressor to gain control and to keep distance from the Aggressor.



The Police Officer pulls the Tonfa baton with his left hand and at the same time forces the shorter portion of the Tonfa to the collar bone of the aggressor, creating another distraction technique.



Here the aggressor manages to free up his right hand from the grip of the Police Officer and holds the Tonfa baton with his both hands preventing from being controlled.



The Police Officer moves the Tonfa baton by using his right hand and pushes the shorter portion slightly under the arm pit of the aggressor to apply the arrest technique.



TRAINING

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The Police Officer moves slightly behind the aggressor by keeping the position to gain control and to make the arrest more effective.



The aggressor is trying to escape the arrest and the Police Officer uses his left hand under the chin of aggressor for better control and at the same time keeping the pressure on the right hand of the aggressor with the Tonfa.



The Police Officer has already gained control by applying a rear figure four lock. The right hand of the Police Officer has twisted the right hand of the aggressor and by keeping the body of the aggressor down this will help the Police Officer for better control.



To gain full control on the aggressor, it is very important for the Police Officer to switch his right foot in front of the aggressor keeping both legs slightly flex, forcing the aggressor to continue leaning forward and keep on applying the pressure on both hands and the neck of the aggressor.



This demonstration has been prepared and presented by PC 9527 Jaunbocus and PC 2509 Jhugursing of the SSU PTI TEAM.

Don't miss out the next edition of the Police e-News.

"Never give up, never give in, and when the upper hand is ours, may we have the ability to handle the win with the dignity that we absorbed the loss."

Doug Williams