



LAW REFORM COMMISSION

Strategic Plan 2010-2012

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Port Louis, Republic of Mauritius

4th Floor, Cerné House

Tel: (230) 212-3816/212-4102

Fax: (230) 212-2132

E-Mail: lrc@mail.gov.mu

URL <http://lrc.gov.mu>

About the Commission

The functions of the Commission are to –

- (a) keep under review in a systematic way the law of Mauritius;
- (b) make recommendations for the reform and development of the law of Mauritius;
- (c) advise the Attorney-General on ways in which the law of Mauritius can be made as understandable and accessible as is practicable.

The Commission consists of –

- (a) a Chairperson, appointed by the Attorney-General;
- (b) a representative of the Judiciary appointed by the Chief Justice;
- (c) the Solicitor-General or his representative;
- (d) the Director of Public Prosecutions or his representative;
- (e) a barrister, appointed by the Attorney-General after consultation with the Mauritius Bar Council;
- (f) an attorney, appointed by the Attorney-General after consultation with the Mauritius Law Society;
- (g) a notary, appointed by the Attorney-General after consultation with the Chambre des Notaires;
- (h) a full-time member of the Department of Law of the University of Mauritius, appointed by the Attorney-General after consultation with the Vice-Chancellor of the University of Mauritius; and
- (i) two members of the civil society, appointed by the Attorney-General.

The Chief Executive Officer has responsibility for all research to be done by the Commission in the discharge of its functions, for the drafting of all reports to be made by the Commission and, generally, for the day-to-day supervision of the staff and work of the Commission.

The Secretary to the Commission is also responsible, under the supervision of the Chief Executive Officer, for the administration of the Commission.



LAW REFORM COMMISSION

Chairperson : Mr. Guy OLLIVRY, QC, GOSK

Chief Executive Officer : Mr. Pierre Rosario DOMINGUE

Secretary : Mrs. Saroj BUNDHUN

Members : Mr. Satyajit BOOLELL

Mr. David CHAN KAN CHEONG

Mr. Rashad DAUREEAWO

Mr. Pazhany RANGASAMY

Mr. Roland CONSTANTIN

Ms. Odile LIM TUNG

Ms. Juliette FRANÇOIS

Dr. Sheila BUNWAREE

MISSION

Review the Laws of Mauritius, make recommendation for reform and advise on the ways the law can be made relevant, responsive, effective, and equally accessible to all, and just.

VISION

The Commission's vision is that of just, fair and efficient laws. Laws must reflect and advance the Nation's social and economic interests, in the light of the exigencies of globalization.

VALUES

In discharging its mandate, the Commission puts a particular emphasis on the following values:

Independence: The complete independence afforded to the Commission in reviewing the law and in formulating proposals for necessary reform is rooted in constitutionalism and is the most important factor in ensuring that it fully meets its obligations under its mandate.

Impartiality: The Commission recognises the crucial importance of carrying out its mandate in an impartial and objective way and fully adheres to these principles in all aspects of its work.

High quality research: Research is at the core of the Commission's work. The Commission recognizes the paramount need to have recourse to high quality and committed researchers (inter alia through collaborative arrangements with other law reform agencies), as well as undertaking extensive public consultation. Access to high quality information and technology infrastructure and research resources is essential to the Commission's ability to provide high quality advice.

Effective relationships and communication: The Commission strives to make considerable use of external legal and other experts, which may play an important role in assisting it in examining particular areas of the law. It has ongoing relationships with the Office of the Attorney-General, the Office of Director of Public Prosecutions, other Government Departments and Non Governmental Departments having an interest in the law reform enterprise. The Commission regards the development of effective relationships in areas within its mandate as being of key importance to its work. The Commission is committed to improving the quality and nature of the information and facilities provided on its website.

Performance culture: The Commission firmly believes that a performance culture (accompanied by clear responsibilities and accountabilities), which sets standards of excellence and which constantly seeks to improve the way things are done, should apply to all activities undertaken in pursuance of its mandate.

Good governance: The Commission adheres to best practices in corporate governance.

Building and maintaining our people capability: The Commission recognizes the essential contribution of all staff and other human resources, both administrative support and legal research cadre, to effective performance. It fully accepts the need to involve all staff on a partnership basis in ongoing activities and to have effective communication arrangements throughout the organization. No effort is spared for continuous training of staff and other human resources.

STRATEGIC DIRECTION

During the next three years, the Commission will strive to address the concerns of people and organizations about the law, legal process and legal institutions by focusing its research activities and recommendations on the following strategic objectives:

Creativity: The Commission will identify new concepts of and new approaches to law. Commission's studies will explore why principles of law, legal procedures and legal institutions may have become inadequate or outmoded. They will focus on uncovering, elaborating and recommending creative solutions such as the identification and promotion of best practices.

Balance: The Commission will address questions of law through the lens of justice. It will research equal access to and treatment by the law and legal system to see where they do not produce in practice the equality that they proclaim in principle. In seeking to understand the causes of injustice, the Commission will consider the role of disparities in information, in resources and in power. It will advance proposals intended to ensure that the law serves the interests of all Mauritians and strives to meet their aspirations for achieving justice.

Responsiveness: The Commission will examine how to enhance the engagement of Mauritians with the law and public institutions. Studies will investigate measures to make legal institutions more open and accessible, to reduce the cost of justice and improve the responsiveness of administrative agencies and courts. A focus on where the law succeeds in contributing to individual and social well-being will indicate where a lack of responsiveness undermines social trust and citizen involvement. The Commission will make recommendations about governance intended to renew the faith of Mauritians in the law and public institutions.

KEY RESULTS

The Commission's priorities and strategic objectives reflect our operating environment and our commitment to work with our stakeholders and other sector agencies to achieve, in particular:

1. More accessible and user-friendly legislation that enhances public awareness, confidence and understanding of the law;
2. Higher quality legislation that facilitates underlying policy objectives, that meets society's contemporary needs and reflects its diverse values;
3. Constitutionally appropriate and consistent law that acknowledges the international human rights instruments and other treaties to which Mauritius is a party; and
4. The development of a legal environment that reflects the increasingly global nature of law and co-operation between legal systems.

PERFORMANCE INDICATORS

At least three reports/papers par semester on the following aspects of the law reviewed: Constitution, Human Rights, Court System & Legal Services, and other Public Law issues; Criminal Justice System and Criminal Law; Civil Justice System and Civil Law; Business Law, Tax Law, and other Law and Development Issues.