

PNQ ON EDUCATION

MITD – RECRUITMENT (17/11/2012)

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the Minister of Education and Human Resources whether, in regard to the Mauritius Institute of Training and Development, he will, for the benefit of the House, obtain therefrom information as to –

- (a) the names and qualifications of the persons recruited thereat, since February 2010 as at to date;
- (b) how Mrs Y. M. was recruited thereat despite her prior conviction for having produced fake certificates to the Public Service Commission when she applied for a post at the Ministry of Youth and Sports, and
- (c) If one Mr N. C. was re-instated in June 2012 after he had been dismissed in January 2012 following his arrest by the Police, indicating if the Child Development Unit has submitted thereto a report on him, having allegedly had a sexual relationship with one of his minor students.

Dr. Bunwaree: Mr Speaker, Sir, in my reply to PQ No. B/559 on 21 June 2011 on recruitment at the Mauritius Institute of Training and Development, MITD, I had informed the House that I would table a full list of officers recruited for the training centres since February 2010. This was subsequently tabled.

Information being sought today on the other officers recruited subsequently is being complied and will be tabled.

I wish to highlight that the MITD has advised me that the recruitment of officers has been done in line with practice and procedures that have been put in place for the past 10 years or more.

Regarding part (b) of the question, Mr Speaker, Sir, in my reply to PQ No. B/632, I had informed the House that one Mrs Y. M. had been employed as Instructor (Information Technology) from 01 July 2010 to 11 June 2012. I had also drawn the attention of the House that allegations had been labeled against her at different levels, especially with regard to her qualifications. Following the representations received, it was established after enquiries conducted from the Mauritius Examinations Syndicate (MES) that she possessed fake certificates. It was also been found that she had been convicted by the District Court for having produced false documents to the Public Service Commission. As I indicated in my reply,

Police and ICAC were and are still enquiring into the matter. It would appear that the photocopies of her certificates that were produced were tampered with and were not counterchecked against any original. The attention of the then Director of the MITD had been drawn to that fact and to the need to investigate into the circumstances that led to her recruitment in spite of the fact that she had fake certificates. My Ministry has also issued a formal letter dated 09 November 2012 to the MITD for an enquiry to be carried out on the circumstances that led to the recruitment by the MITD of an instructor with fake certificates. It has been specified clearly to the MITD that such enquiry should situate responsibilities with regard to –

- (i) the screening of the application form and verification of information provided by her as qualifications against original certificates;
- (ii) overlooking the fact that she had previously been convicted for a criminal offence and dismissed by her former employer and not taking those elements into account in the recruitment process in spite of the fact that these were declared by her in the application form, and
- (iii) ascertaining the submission of detailed information on criminal offence and dismissal by previous employee.

This enquiry, Mr Speaker, Sir, is being conducted under the general supervision of a committee set up recently by the MITD Board.

I also wish to add that Mrs Y. M. has been fined in a Court case No. 3780/08 in the District Court of Curepipe for giving false information.

As regards part (c) of the question, Mr Speaker, Sir, there is - I must say from right at the beginning - a confusion that needs to be cleared. The way the question is put - I don't blame the Leader of the Opposition, of course - there are a few things and there has been mixing of issues and I am trying to clear this.

The contract of Mr N. C., instructor, was terminated in January 2012, following information received that Mr N. C. had been arrested on 24 January 2012, for the offence of breach of protection order sought by his wife against him, a matter pertaining to his personal family live. However, the case was subsequently withdrawn by the wife in April 2012.

Following consultation at a later stage, with the Ministry of Labour, Industrial Relations and Employment, it had come to light that the charges in relation to the case of Mr N. C. pertaining as they did to a personal family matter did not have any bearing on his work.

The SLO advised that it was up to the MITD to take a decision on the way forward. In view of the above, it was decided to re-employ Mr N.C. as soon as

possible. But, regarding a case of alleged sexual relationship with one of his students reported in November 2011, the MITD conducted an enquiry in December 2011, chaired by the-then Director himself and he convened all the people he thought right and he also gave Mr N.C. a hearing on the matter. An enquiry was also conducted at the level of the CDU and no report had subsequently been received from the CDU.

(Interruptions)

I am giving the facts as they are.

It must be highlighted that the minor student denied the allegation and no the statement was made by her to the Police. The Board of the MITD subsequently approved the reinstatement of Mr N. C.

Mr Bérenger: Mr Speaker, Sir, I am sure the hon. Minister is aware that the first part my question asked not only for an updated list of names, but of qualifications and, as I proceed, he will understand why I insist now on having the qualifications or lack of qualifications of those recruited.

If I can start with the case of Mrs Y.M., Mr Speaker, Sir. The hon. Minister has informed us that an enquiry is being carried out by a committee set up by the Board of the MCIT. Can I know the composition of that committee?

Dr. Bunwaree: Yes, the committee has been set up under the provisions of Article 10 of the Act and the committee is being chaired by the acting Chairman of the MITD, Mr De Grivel and then a PS of my Ministry and the Director of the HRDC sits on the Board of the MITD.

Mr Bérenger: I heard the hon. Minister say that the fact that she had been convicted by the Court and so on, was in the form which she filled to find employment and in spite of that, therefore, the MITD did recruit her, although they were informed that she had been convicted for producing fake certificates. We will see how this enquiry explains this. Will the enquiry also find out, after she was recruited, after having been convicted by the Court, how come she had no certificates, except fake certificates? How come she was promoted to Head of section Information Technology without any certificate, except fake certificates?

Dr. Bunwaree: The hon. Leader of the Opposition is right. This is why I said last time, when I was replying to the question, that I was amazed and I was not at all satisfied. But I cannot go and take action myself. I had to go through the procedures. The attention of the then Director was drawn to all these facts. *J'étais*

irrité parce que les actions ne venaient pas. In fact, at the time I was giving information to the House last time, I was not aware that she had herself mentioned on her application form, that she had had problems and had declared them. C'est qui est plus grave encore. Donc, il y a une enquête qui est en cours par ce comité, il faut attendre ce que l'enquête nous dit. Si l'enquête tarde je vais voir d'autres façons, et qui va prendre la responsabilité de toute cette affaire. Mais il y a eu un problème majeur au niveau de MITD pour l'embauche de cette personne.

Mr Bérenger: Is hon. Minister aware and will it be brought to the attention of that committee that quite soon after 2010 elections, that lady was *chaperonnée*, was brought to the MITD Head office and so on, was helped to fill the forms and so on, *chaperonnée*, therefore, by the Senior Adviser to the Minister himself, one Mr D. T.

Dr. Bunwaree: I am not aware of this, Mr Speaker, Sir. I will look into the matter. I don't know on what date that lady came there and what date that person became Adviser to me, because the Adviser came after the elections. I will look into the matter and give the information to the House.

Mr Bérenger: Can I move on to the case of Mr N. C., Mr Speaker, Sir? There also, we are told that now an inquiry is ongoing by MITD and that an inquiry has been carried out by the CDU and no report from the CDU has emerged today. Can I know the date on which the CDU was informed of that case?

Dr. Bunwaree: Mr Speaker, Sir, I have asked the information from the CDU this morning, before coming here. There has been no report from the CDU sent to us.

(Interruptions)

I am not responsible for the CDU, let it be clear! The CDU mentions here that the case of Mr N. C. was referred to the CDU of Phoenix by the officer in charge of the MITD. So, the officer in charge did inform, and then I know that the wife of Mr N. C. also went to the CDU.

There have been things done at the level of the CDU and I am also informed that the CDU proceeded to the MITD on the same day. But the date is not mentioned. The date is asked, but I don't have the date here. I will check that. The facts are like that.

The CDU convenes this victim's family to attend the office of the CDU for urgent psychological appointment and the officer of the CDU, who has given me the information, mentioned that during the session, it was noted that the parent of the

victim were very annoyed by the allegations made against their daughter and the intervention of the CDU in that case. Both the parents and the alleged victim strongly denied the allegations. This is information given to me by the CDU. The minor reported that the rumors arose - this is what I am told. *Ça arrive aux enfants, il faut comprendre ; il ne faut pas s'exciter pour un oui pour un non. Comprenez ça un peu!*

(Interruptions)

Mr Speaker: Order !

Dr. Bunwaree: The hon. Leader of the Opposition is jumping on conclusion.

Mr Speaker: Proceed hon. Minister!

Dr. Bunwaree: The Leader of the Opposition said it is shocking. It is shocking because this is according to information he has gathered. I am giving him information from the file.

(Interruptions)

I was saying that the minor reported that the rumours arose after that she joked with her classmates about Mr N.C and minor X did not show any signs of victimisation or trauma during the session held with the psychologist. This is the information that I am given, and I must also say that the information I have in my hands, mentions that no statement was recorded at the CDU of Phoenix regarding the alleged case on minor by Mr C., that is, the CDU was informed directly, but there was no case reported by the family themselves to the CDU. So, this is the information I can give, which I have gathered from the CDU.

Mr Bérenger: Mr Speaker, Sir, it is shameful. Can I ask the Minister whether he is aware that on 28 October 2011, a lady psychologist interviewed that 14-year old student, student to that so-called instructor, Mr Speaker, Sir. Before I move to that, is it not a fact that, that instructor was recruited as physical education instructor in July 2010 without any qualification once more and that he is now following a course at MIE for Teacher's Diploma in Physical Education?

Dr. Bunwaree: If we go along these lines that will be for the splashing the news.

In the list that I am going to give, there are so many things that appeared queer, but it is not the first time. That person is doing the job and the appointment has taken place according to procedures –

I have said it in my reply – which have been there for the past 10 years. There has been nothing new in the recruitment.

(Interruptions)

Mr Speaker: Order!

Mr Bérenger: I wonder how many in that list have been recruited without any qualifications except fake qualifications. Now, let me move on to the real thing.

The Minister must be aware that, on the 28 of October 2001, a lady psychologist, well-qualified, met with the 14-year old student and the 14-year old student confirmed to her that she had been having a sexual relationship for quite a while with Mr N. C. her teacher. The psychologist gave her report on the 03 November to MITD. Is the hon. Minister aware of the contents of that report? I am going to table a copy, but I would request that the name of the student and of the parents be deleted for obvious reasons. Is he aware, therefore, that, in her report, she confirms that the child has said that she has had a *relation sexuelle* – therefore *relation sexuelle avec mineure*, Mr Speaker, Sir. She writes that the same person *a fait des propositions à d'autres filles* and the conclusion is, I quote:

'Il semble donc que monsieur C. ait des difficultés à contenir ses pulsions sexuelles et qu'il présente donc un danger pour les élèves du MITD car il use de sa position de professeur pour arriver à ses fins.'

I table a copy of that report and was the Minister aware of that report?

Dr. Bunwaree: M. le président, je suis tout à fait au courant de ce rapport. En fait, c'est à la suite de ce rapport que le MITD a demandé à la CDU - comme je l'ai dit tout à l'heure - d'étudier le cas. Je suis surpris. Je ne vais pas mettre en doute la psychologue qui a fait un travail. C'est à la suite d'une visite de routine – c'est ce qu'ils font – que la psychologue a été dans la classe et a laissé cette information à ses supérieurs. Les supérieurs ont regardé dans cette information. Je suis moi aussi au courant de cela. Je ne veux pas envie de mettre en doute ce qui a été dit dedans mais seulement je peux vous dire que tout ce qui a suivi a été fait selon des enquêtes sérieuses. La CDU a reçu la jeune fille et ses parents et la fille - c'est ce que j'ai dit ici – has denied. Cela arrive aux enfants.

(Interruptions)

M. le président, il y a des enfants qui....

(Interruptions)

Allez dire cela dehors, on va prendre cela en considération.

Mr Speaker: Order! Address the Chair please!

(Interruptions)

Dr. Bunwaree: Allez dire cela à la police.

(Interruptions)

Mr Speaker: Order! Order!

(Interruptions)

Dr. Bunwaree: Si vous avez le courage vous allez dire cela à la police.

(Interruptions)

Je ne suis pas là pour laisser l'opposition faire de la démagogie et puis faire croire à la population....

(Interruptions)

Mr Speaker: Un peu de silence s'il vous plaît!

(Interruptions)

Silence !

Dr. Bunwaree: Quelqu'un de l'autre côté de la Chambre peut venir défendre les enfants mieux que moi.

(Interruptions)

C'est faux ce qu'on est en train de dire tel qu'on a les informations.

(Interruptions)

Si les membres de l'opposition ont des informations que moi, je n'ai pas, je vais....

(Interruptions)

Cela a été dit ça, ça a été *ruled out*.

(Interruptions)

Mr Speaker: Order! Order!

(Interruptions)

Silence!

An hon. Member: It is a shame!

(Interruptions)

Mr Speaker: I invite hon. Members to let the Minister answer.

Dr. Bunwaree: Je ne suis pas ici pour défendre qui que ce soit. Mon problème c'est que quand cela est arrivé j'avais demandé au MITD de voir pourquoi la psychologue est venue avec ce rapport et de faire une autre enquête parce que je n'ai pas compris. Il y a eu beaucoup de palabres que j'ai entendus mais que je ne peux venir dire à cette Chambre.

(Interruptions)

Rempli de palabres là bas.

(Interruptions)

M. le président, je ne comprends pas. Je n'ai pas eu le rapport pour savoir ce qui s'est passé; quelle suite a été donnée à ce rapport de la psychologue. Je ne suis pas au courant mais seulement je suis bien agacé parce qu'il fallait étudier; faire appeler la psychologue et lui demander de faire enquête sur enquête. Si la psychologue a raison bien sûr les choses auraient été faites différemment....

(Interruptions)

On a fait des enquêtes supplémentaires et on nous a dit que les faits qui sont mentionnés concernant cette enfant ne paraissaient pas exacts.

Mr Bérenger: *Autre enquête* which had supposedly been carried out by the management of MITD itself with the pressure one can imagine....

Mr Speaker: Put your question!

Mr Bérenger: Is the Minister also aware of a meeting which took place again, chaired by that psychologist – what I have just heard the Minister say about this psychologist, a professional highly qualified; if you read the report, Mr Speaker, you will be very impressed – at which were present the minor student herself and her mother. I shall table copy of the minutes of proceedings. In the course of that meeting, the minor child confessed, I quote: that she has a close relationship with Mr C. They had sexual intercourse on eight occasions in a *pensionnat* at Bonne Terre. They did not use any contraceptive method. The mother said that she is surprised; that she locks the gate whenever she leaves her daughter alone at home. The student explained how she managed to get out. She has a spare key.

The Chairperson – the psychologist – requested the mother to sign a paper stating that she has been notified of the above which she did and that signed paper is in the file if the hon. Minister had cared to look carefully or maybe he knows and I table a copy of the minutes of proceedings of that meeting.

Dr. Bunwaree: Mr Speaker, I never said that things were left like that. En deux heures de temps, je n'ai pas eu le temps d'aller chercher tout ce qui a été fait mais je viendrais sûrement à la Chambre avec un statement pour donner exactement toutes les autres informations. What is mentioned by the hon. Leader of the Opposition is what the psychologist says was told to her, but when these points were taken one after the other at the level of the inquiry by the MITD including inquiry carried out under the chairmanship of the director himself; all these points were not found to be founded on facts. *Même le Commissaire, dans sa letter, nous dit:* I have to inform that no case of physical relationship has been reported to the police station. Nous avons forcé les parents; nous avons donné aux parents la protection pour aller à la police mais ils ont nié en disant que c'est faux ce qu'on est en train de raconter. Il faut savoir qu'est-ce qui est vrai, qu'est-ce qui est faux et s'il y a quelque chose, il faut prendre action.

Mr Bérenger: May I know how the Minister and Government intend explaining to the country that, whilst MITD was already aware of all this, that person is arrested for not respecting a protection order against his spouse. All this is already known. He is arrested, he is dismissed and then he is reinstated instead of all this being on record, Mr Speaker, Sir.

Dr. Bunwaree: M. le président, il ne faut pas...

(Interruptions)

Non, je ne vais pas accepter cela, je vais prendre ma responsabilité, car des allégations sont faites et sont prouvées de ne pas être vraies, je ne peux pas prendre des actions contre des personnes.

Ne comptez pas sur moi pour faire cette sorte de politique.

(Interruptions)

Je sais que l'information a été remise...

(Interruptions)

Je connais qui vous a remis l'information. Je connais quels sont les palabres qui sont en dessous.

Je vais venir avec toute la vérité pour expliquer...

(Interruptions)

Tas de palabres par MITD...

(Interruptions)

Oui. Et palabres deviennent politiques.

Mr Speaker: I said, silence!

(Interruptions)

Dr. Bunwaree: Même politique. Il ne faut pas venir

Mr Speaker: Silence! Order!

(Interruptions)

I said, order! Hon. Baloomoody, please!

(Interruptions)

Hon. Minister! Next question!

Mr Bérenger: An exception before the others. That person who is recruited, as many others, just after the 2010 elections, in that case, without any certificate

again, in that case, I do not have the information. In the first case, I said that the person was accompanied by the Senior Adviser, in that case, has the hon. Minister found out who recommended the employment of that person and who insisted that he be reinstated after he had been dismissed?

Dr. Bunwaree: I'll have to seek the information. I cannot give a reply offhand, but I must again repeat what I've said that in all cases, not only in that case, because there are cases, I could have been on the side of the hon. Leader of the Opposition and mentioned so many cases which I find very queer in the lists that are there, but in each case, the procedures have been followed and, therefore, I cannot do anything.

Dr. S. Boolell: Mr Speaker, Sir, considering the gravity of a sexual assault alleged or otherwise upon the body of a 14-year old, could the hon. Minister inform the House as to whether his Ministry, the MITD or the Child Development Unit has caused the child to be examined medically towards her gynae status?

Dr. Bunwaree: There also, I do not know what type of examination has been carried out, but when the enquiry was taking place, I, personally, did mention: 'do not let any leaf unturned'.

Everything has been done, at least, the House and the country can rely upon it. But, I have had information which I am giving, let us say it may appear that there is some hidden information. I have been informed on - not one - but various occasions, that there has been no assault. But I say, if you have further information, if you can allow the Police to continue the enquiry through any means, because the Police has done its enquiry as he could, but I said that it could
.....

(Interruptions)

Mr Jugnauth: Can the hon. Minister table any medical report on which he has based himself to rule out the report of this psychologist?

Dr. Bunwaree: For this, I'll have to take the point with the MITD to see what can be done. Probably the report cannot be laid the Table, but can be looked into, definitely.

Mrs Labelle: We have heard the hon. Minister mentioning that the CDU has given, even verbally, a different opinion than that of the psychologist. May I know from the hon. Minister who interviewed the girl at the CDU and whether it is the policy of the CDU not to have minutes of meeting, neither a report when they look into such cases?

Dr. Bunwaree: This question has to be looked into by the CDU. I cannot answer offhand, but I said: I know that the CDU has looked into the matter and has not submitted a report to us as such...

(Interruptions)

but there is a file at the level of the Ministry where all other information can be obtained concerning this case.

Mr Obeegadoo: Mr Speaker, Sir, will the Minister not agree that, in fact, the connection between Mrs Y. M., Mr N. C. and all these recruitments at MITD is that there are all, as in the in the case of Mrs Y. M. and Mr N. C, people very close to the Labour Party? So much so, this is my question...

Mr Speaker: I have to interrupt the hon. Member. I allowed the hon. Member to put a question, but not to make a statement.

Mr Obeegadoo: My question: is this not correct, so much so, that when Mrs Y. M was recruited without any interview, without any HR vetting, it was on the basis of two referees, known members of staff and notorious people notoriously close to the Labour Party, so much so that when Mr N. C. was reinstated, it was on the basis of a Board paper coming from the Ministry and denounced to ICAC, so much so that the Minister himself, two weeks ago, admitted to unions that there were lots of people now at MITD who have been recruited month to month on a contractual basis, that they have no qualifications and now they are going to be provided the opportunity to sit for the School Certificate Examinations?

Dr. Bunwaree: No, no, no.

(Interruptions)

I did not say so. This is not exact what I said to the unions. I said to the unions: 'there is a list of people, I am not aware of all of them, have been recruited by the MITD.' In fact, I must inform the House that the list of these workers were being submitted to the Board for them to be placed on permanent basis and this is where my Ministry intervened. This is where the PS of the Ministry said this cannot be done like that, because we have had evidence of, at least, one person having fake certificates, so how can we now take all these people and put them on a permanent basis. This is where we intervened. It is not what hon. Obeegadoo is saying. In fact, we stopped and until now all this question of promotion to be put on a permanent basis has been frozen by me, not by the unions. I said that to the unions 'this is what I am going to do'. Because there have been flaws in so many things

before *et puis les palabres, je dois répéter cela encore. En fonction de cela, j'ai pris la décision de freeze toutes ces démarches de MITD et puis de mettre de l'ordre, c'est pour cela qu'on a institué un comité avec les trois personnes que j'ai mentionnées tout à l'heure pour qu'on puisse mettre un meilleur ordre dans le MITD. Moi-même j'ai dit que je n'étais satisfait de la façon dont cela se déroule.*

Mr Uteem: Can I know from the hon. Minister, how is it that MITD just threw away a psychological report without on his own admission having received a copy of the report from CDU? On what basis did they throw out that psychologist report?

Dr. Bunwaree: I thank you for this question. In fact, the question was just being put by hon. Mrs Labelle and this is where the problem would appear complicated.

The officers of the CDU who saw the girl and the parents, asked for the people to come for a psychological appointment and they have been seen by a psychologist who is as well trained and as well qualified as the other one. It is on the report of this psychologist whom I mentioned...

(Interruptions)

The question has to be put to the CDU. When the CDU does a report, the CDU does an enquiry, the CDU looks into the matter, of course, I cannot, today, at this point in time, give any report, but I have just mentioned...

(Interruptions)

Mr Speaker: I say order, please!

Dr. Bunwaree: ...in our file, there has been no report sent to us. I mentioned I did not say the CDU did not enquire. On the contrary, I said they looked into the matter and I thank the hon. Members for putting me this question that the child was taken care of by a competent psychologist at the CDU.

Mr Bérenger: Supposedly at one point in time, after receiving the report of a well fully qualified independent psychologist, after having received minutes of proceedings of meetings where all this was confirmed, supposedly the MITD found cause to refer the matter to the CDU, but to the Police: No. We are dealing with a 14-year old child. This should have been referred to the Police straightaway. This person, without any qualification, is still teaching I don't know how many minor girls. Can I appeal to the hon. Prime Minister to first have the Police open a case on that? Better late than never! And, secondly, to have a senior Magistrate, not a committee of the same MITD, to enquire into this question of qualifications of persons recruited since February, 2010?

Dr. Bunwaree: I take the point raised by the hon. Leader of the Opposition. But what I want to say is that the parents have refused to go to the Police.

(Interruptions)

Mr Speaker: Silence!

Dr. Bunwaree: I will look into what the MITD did with the Police because I know there have been correspondences. In fact, I just mentioned that this is a correspondence coming from the Commission of Police.

(Interruptions)

Mr Speaker: I say silence, please!

Dr. Bunwaree: Mr Speaker, Sir, I maintain that whatever could be done at our level has been done, and the child was sent to the CDU. There could have been other procedures taking place. The enquiry was even taken up by ICAC. I asked the question: why ICAC? Because the case of Mr N. C. was taken up ...

(Interruptions)

Mr Speaker: I say silence!

(Interruptions)

Dr. Bunwaree: This is the information.

(Interruptions)

Mr Speaker: Order! I say order! Hon. Baloomoody, I say order!

Dr. Bunwaree: I am saying that this case was also taken up by the Ombudsperson for children, and we had no information allowing us to say that there is something wrong and he has to go. Well, I will look into the matter again if need be. But I don't think that the MITD has not dealt with the Police in that case.

Mr Speaker: Time is over!