10.1 Maintenance of Computerised Systems

There were several computerised systems being used by the Judiciary. The systems were either not being used or used sparingly so that the objectives for setting up the systems were not being met.

**Digital Court Recording System (DCRS)**

The Digital Court Recording System was installed in all the District Courts, at the New Court House and at the Supreme Court. It allowed recording of all proceedings which could then be transcribed, with hard copies placed in the Case Files. Since the start of the project, the required personnel had not been recruited with the result that the DCRS was used in a few District Courts and for major and long cases only. At other District Courts, it was not used at all either due to technical problems or the need was not felt. It was only regularly used at the Supreme Court and at the Intermediate Court, where transcription was done by freelancers against a fee for each page transcribed.

The annual cost to the Judiciary to maintain the system was considerable, with more than Rs 2.4 million spent during the financial year 2006-07. Out of this sum, some Rs 546,000 related to the Supreme Court. The payment of the balance of some Rs 1.9 million might not be justified.

**Application Software for the Supreme Court**

A sum of Rs 120,750 was payable for the maintenance agreement for the Application Software for the Supreme Court. The modules in the Application Software in respect of which maintenance and technical services would be provided were the Management of Suitors’ Money System and Court File System.

The Suitors' Money System has not been used for several years now, while the Court File System was used only as an index to the manual system to facilitate the retrieval of files. Such an index could easily have been created using other readily available software. Yet a sum of Rs 120,750 was paid for the maintenance of the Software.

**Application Software for New Court House**

This Application Software for New Court House provided for lodging and follow up of cases, servicing of summons, recording of judgement and sentence, and the issue of receipts for all payments of fines, costs, bails and so on. In addition, the System could generate several documents required, such as Summons, Warrants of Arrest and Returns of Arrears of Revenue.
As of end of September 2007, both the Document Servicing Module and the Cashier Module had never been used. A sum of about Rs 179,000 was payable for the maintenance of the Application Software.

The Cashier Module which was to be operational in July 2007, had even to be modified recently at a cost of some Rs 58,000 to cater for new requirements. In both District Courts of Port Louis – Criminal Jurisdiction, recording of judgements and sentence were in arrears for several months so that the Cashier Module could not go live, as receipts could only be issued by the system if the database was up-to-date. As a result, none of the other reports could be produced. The report which was time consuming to be prepared was the bi-annual Return of Arrears of Revenue. Had the system been up-to-date with all data, this would have been generated easily. Presently, considerable resources had to be mobilised to generate the return.

**Video Conferencing System**

The Video Conferencing System allowed video links between the Bail and Remand Court at the New Court House (NCH) and the three Remand Prisons. It enables accused parties to be heard without the need to be physically brought to the NCH. The maintenance agreement provided for, among others, monthly check up of the complete system, inspection of all equipment and maintenance of electrical connection at the NCH and at the Prisons.

Evidence showed that maintenance was not carried out as per contract terms though the sum of some Rs 439,000 was disbursed for this service. The only visit at the NCH effected by the Contractor was in January 2007 when a fault was reported.

**Interactive Kiosk at New Court House**

The Interactive Kiosk, using touch screen technology, was installed in 1999 at a cost of some Rs 1 million.

The Kiosk was not meeting its objective which was to provide information relating to the current week cases in all the Courts located at the NCH. Because of lack of data, no viable output could be obtained when queried. As a result, the public had to go to the relevant Courts to obtain information, thus creating additional pressure on the already overloaded Courts.

**Judiciary’s Reply**

- Since the installation of the DCRS at all the Courts, this Department did ask the Ministry of Civil Service Affairs to recruit the required number of transcribers but it has up to now failed to do so. It is our view that the amount of Rs 2.4 million spent during the financial year 2006-07 is justified. It is a fact that full use is not made of the system in certain Courts, because at present it is not possible to transcribe daily recordings from all Courts since this would necessitate the posting of a transcriber at each Court and as already pointed out, an adequate number of transcribers have not been recruited for the Judiciary. We have had to have recourse to private contractors, quite a few of whom resign before the termination of their contracts.
At present the Judiciary is working towards the replacement of the Court File System by the Electronic Filing System and this is the reason why no additional expenses are being made in connection with the existing system. As regards the Suitors Money System, same has not been in use since 2004 due to a lack of staff at the Finance Section and later on, the Hub used to connect that section to the main server, became faulty.

Regarding the Court Management System at the New Court House, although the Cashier Module existed since the implementation of the system, subsequent Cashiers have not been able to use it because data was not regularly being fed into the system at the different Courts of the New Court House, again due to a lack of staff. The Cashier Module is presently being revised to make it more user friendly and fully operational.

Due to a shortage of staff, it took some three years to have the required data to test the Information Kiosk and by then the normal testing period had already lapsed. In the meantime given that the website of the Supreme Court Library was developed and that the weekly cause lists of the different Courts are made available on the internet, it is our view that it would not be useful to invest more money in the information Kiosk to make information available when same is accessible on the internet.

10.2 Supply and Installation of Wet Type Incinerator

In March 2002, the Judiciary proposed to acquire an incinerator for the destruction of old records, plastic, paper and exhibits, especially drugs. The incinerator was to be used on and off as circumstances warrant and it was proposed to install it at the New Court House. After completion of procurement procedures, the contract was awarded to a private company for the sum of Rs 2,437,321 in March 2004. As per contract terms, a 50 per cent down payment (Rs 1,218,660) was effected in March 2004. Subsequently, another 20 per cent of the contract price (Rs 487,465) was paid, so that as of October 2007, the total amount disbursed was Rs 1,706,125.

It was only in April 2004, that is, after the award of the contract that the Ministry of Public Infrastructure was requested to advise on the suitability of the proposed location at New Court House to install the incinerator. This was found structurally unsuitable. Furthermore, following a site visit effected in April 2005, the site was found not appropriate for several reasons, namely a set back of two meters from surrounding buildings and boundary walls had to be observed; the flue of the incinerator had to be higher than the surrounding buildings; approval from the Ministry of Environment was required given the surrounding high rise buildings and site constraint; and the installation of the incinerator at the back of the New Court House might attract complaints from neighbours.

Subsequently, it was proposed to install the incinerator at the District Court – Lower Plaines Wilhems, then at the District Court – Rivière du Rempart. These options could not be pursued as objections were received from neighbours. The Police Department was then contacted, and in August 2007, it was finally agreed that the Department would take over the incinerator against payment of the balance of 30 per cent of the contract value. The Judiciary would be able to use the equipment as and when required.

As of October 2007, more than five years after the project was initiated, the equipment was not yet installed. It was still lying at the premises of the supplier.