

**SUPREME COURT OF SEYCHELLES**

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**Reportable**  
[2022] SCSC ...  
CO114/2021

In the matter between:

**THE ANTI-CORRUPTION COMMISSION**  
*(rep. by Mr Anthony Juliette)*

and

**MRS MUKESH VALABHJI** **1<sup>st</sup> Accused**  
*(rep. by Mr France Bonte)*

**MRS LAURA VALABHJI** **2<sup>nd</sup> Accused**  
*(in person)*

**MR ANDRE LESLIE BENOITON** **3<sup>rd</sup> Accused**  
*(rep by Mr Basil Hoareau)*

**MRS SARAH RENE** **4<sup>th</sup> Accused**  
*(rep by Mr Cesar and Mr Joel Camille)*

**MAURICE LOUSTEAU LALANNE** **5<sup>th</sup> Accused**  
*(rep by Mr Basil Hoareau)*

**MRS LEKHA NAIR** **6<sup>th</sup> Accused**  
*(rep by Mr Basil Hoareau)*

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**Neutral Citation:** Anti-Corruption Commission v/s Valabhji & Ors CO114/2021) [2022] SCSC  
(25 March 2022).

**Before:** Govinden CJ,

**Summary:** Disclosure of Attorney Privilege communication

**Heard:** 25 March 2022

**Delivered:** 25 March 2022

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**ORDER**

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**GOVINDEN CJ**

- [1] This is my order given with regards to the Notice of Motion of the ACCS dated the 14<sup>th</sup> of March 2022, with respect to an order setting out the process and timetable of review of materials potentially subject to professional privilege or amounting to Attorney privilege communication held by the ACCS.
- [2] Following hearing of both parties the ACCS Counsel and the 2<sup>nd</sup> accused in this case I order as follows:-
- (a) I order that an independent Attorney at law licensed in Seychelles be chosen by joint agreement between the ACCS and the 2<sup>nd</sup> accused, by the 8<sup>th</sup> of April 2022.
  - (b) In absence of such an agreement the parties is at liberty to apply to this Court for directions.
  - (c) The Independent lawyer shall be instructed on joint instruction of the ACCS and the 2<sup>nd</sup> accused. Such instruction to be agreed by the 15<sup>th</sup> of April 2022 in the absence of agreement, any party shall be at liberty to apply to the Court for direction.
  - (d) All material including electronically held material shall be copied by the ACCS to the Independent Counsel.
  - (e) The fees to be paid to the independent Counsel shall be shared jointly between the ACCS and the 2<sup>nd</sup> accused.

Signed, dated and delivered at Ile du Port on 25 March 2022

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Govinden C J