

TUESDAY, 12 JUNE, 2018

MINISTERIAL STATEMENT

ON THE DEATH OF MR LEMMY MAPEKE

BY THE HON. MINISTER OF JUSTICE (MR LUBINDA)

Mr Speaker, let me be amongst the first to congratulate you, Sir, on you having graduated with a BA Degree in Theology.

Your achievement just after a few weeks after you successfully published the Civil Procedure and Practice Book is a demonstration of your scholarly prowess.

Sir, let me also join Her Honour the Vice-President in congratulating Hon. Maria Langa, MP for Chilanga Parliamentary Constituency for imaging victorious.

Mr Speaker, I now like to thank you most sincerely for allowing me to present this ministerial statement.

Sir, it is with a sense of deep grief, sorrow and remorse that I would like to render this ministerial statement.

Mr Speaker, the House may remember that on the 22nd March, 2018, during the last sitting of Parliament when I was acting Hon. Minister of Home Affairs, Mr F. M. Belemu, hon. Member of Parliament for Mbabala Parliamentary Constituency raised an urgent Question for Oral Answer. Through his question, the hon. Member wished to know the following:

- (a) whether the Government was aware that a Mr Lemmy Mapeke died in police custody at Macha Police Custody on Friday, 16th March, 2018;
- (b) if so, what circumstances led to his death; and

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(c) what measures were being taken to avert the recurrence of such deaths.

Mr Speaker, my response to the above questions was that the Government was aware of the death of Mr Mapeke, who died on 16th March, 2018. I informed the House that the deceased died whilst in police custody at Macha Hospital. I further informed the House that the deceased was and ex-convict, who was released on 16th November, 2017 after having served a five-year sentence. I went on to say that after his release, the deceased allegedly committed ten crimes of burglary, house breaking and theft, which led to his arrest by a mob that handed him over to Mach Police Post on 10th March, 2018. I further indicated that during his detention, the deceased led the police to various places where he had sold the stolen items. The House was also informed that on the 16th March, 2018, Mr Mapeke fell ill and was taken to Macha Mission Hospital where he died.

Sir, a postmortem, which was conducted reviewed that he died of internal bleeding as a result of ruptured spleen caused by physical injury. I further informed the House that the police shall continue to sensitise society not to apply instant mob justice on suspected criminals.

Mr Speaker, in reaction to my response, Mr Belemu provided more information on the death of Mr Mapeke upon which I promised that in keeping of the mandate of my office hon. Minister of Justice, I would call for an investigation into the matter. I now wish to report the findings of my investigations to this august House, which were conducted through the Police Public Complaints Commission (PPC).

Sir, the findings are as follows:

- (a) Mr Lemmy Mapeke was not a victim of an instant justice mob;
- (b) on the contrary, he was arrested by the police with a help of his father, who had led the police to the village the house where Lemmy had been hiding;

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- (c) he was apprehended and detained along his girlfriend on 10th March, 2018 by the police; and
- (d) he died in police custody at Macha Police Post on 16th March, 2018.

Mr Speaker, further findings from the witnesses indicate that in fact, Mr Mapeke was in fact, bitten and tortured while in police custody by known police officers in conjunction with a known member of the neighbourhood watch association. The postmortem reports bruised and abrasions on the back side of the torso of the victim and a ruptured spleen which was identified as the direct cause of the death.

Sir, the above findings were brought the attention of the Inspector-General of Police through the Permanent Secretary (PS) of the Ministry of Home Affairs. At this point, I wish to tender my sincere to you, Mr Speaker, and the House at large for the misrepresentation of facts in the statement I delivered to the House on the 22nd of March, 2018 and to also inform the House that this was by no means that intentional or deliberate on my part.

Mr Speaker, I wish to further inform this august House that the perpetrators of this serious crime have been indentified, arrested and charged with murder and will be accordingly prosecuted. I have since received information that the trio will appear in court tomorrow.

Sir, the Patriotic Front (PF) Government under His Excellency the President Mr Edgar Chagwa Lungu is against the violation of human rights.

It rather respects the rule of law in the criminal justice process. The Government does not condone torture and abuse of power by Government officers. I wish to take this opportunity as hon. Minister of Justice to sound a serious warning that the Government will not protect police officers or any other law enforcement agents, who abuse their authority with impunity while performing their duties. I also wish to state that the Government will hasten the presentation of the Anti-Torture Bill in Parliament in order to facilitate stiffer penalties for the gross violation of

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human rights through torture. It is my trust that all hon. Members of Parliament will take keen interest in debating this Bill when it is presented before the House.

Mr Speaker, in order to demonstrate the seriousness that the Government attaches to providing true and correct information to the House, I wish to inform the House that the officers responsible for presenting misleading information on this matter through me to Parliament are facing disciplinary action and have since been suspended.

Sir this is a matter of extra judicial killing or death occasioned by indentified police officers, the family of the deceased will be duly compensated although, Mr Speaker, no amount of money can atone for their loss of their beloved one.

I thank you, Sir.