

CHAPTER 91.

PREVENTION OF CRIMES.

*Ordinance
No. 24.*

AN ORDINANCE FOR THE MORE EFFECTUAL PREVENTION OF
CRIME.

[10th February, 1870.]

Short title.

1. This Ordinance may be cited as the Prevention of
Crimes Ordinance.

Interpreta-
tion.

2. In this Ordinance—

“Crime” means any offence specified in the Schedule
to this Ordinance;

“District” means a Constabulary district;

“Chief Officer” means the senior officer of Con-
stabulary stationed in any district;

“Constable” includes any member of the Con-
stabulary Force.

Register of
criminals.

3. For the better supervision of criminals, a register
of all persons convicted of crime in the Colony shall be kept
under the management of the Inspector-General or of such
other person as the Governor may from time to time
appoint, in such form, with such evidence of identity, and
containing such particulars, and subject to such regula-
tions, as may from time to time be prescribed by the
Governor.

Returns for
purposes
of register.

4. In order to make such register complete, and to make
the supervision over criminals effectual, the Chief Officer
in every district shall from time to time make returns to
the Inspector-General in such manner and at such times,
and containing such evidence of identity and other in-
formation with respect to persons convicted of crime, as
the Inspector-General may from time to time direct,

5. Where any person is convicted on indictment of any crime, and he be proved to have been previously convicted of any crime, then, in addition to any other punishment which may be awarded to him, it shall be deemed to be part of the sentence passed on him, unless otherwise declared by the Court, that he is to be subject to Police supervision as hereinafter mentioned for a period of three years, or such less period as the Court may direct, commencing from the time at which he is convicted and exclusive of the time during which he is undergoing his punishment.

Persons twice guilty of felony to be subject to Police supervision.

6. (1) Every person subject to Police supervision who shall, unless prevented by illness or other unavoidable cause, fail to report himself personally twice in each month, or oftener if required, at such time or place and in such manner and to such person as the Inspector-General shall appoint, or who shall change his residence from one district to another, without having previously notified such removal and the place to which he is about to remove to the Chief Officer of the district which he is leaving, shall, on summary conviction before a Magistrate, be liable to be imprisoned, with or without hard labour, for any term not exceeding three months.

Person subject to supervision to report twice a month, and to notify change of residence.

(2) Every person required under this section to notify his residence or any change thereof shall comply with such requirement by personally presenting himself and declaring his place of residence to the constable who at the time when such notification is made is in charge of the Constabulary Station or office of which notice has been given to such person as the place for receiving his notification, or, if no such notice has been given, to the constable in charge of the office of the Chief Officer.

(3) The Inspector-General may direct that reports and notifications under this section shall be made to the constable in charge of any particular Constabulary Station or office without naming the individual person.

(4) Any appointment, direction, or authority purporting to be signed by the Inspector-General or a Chief Officer, and to have been made or given for the purposes of this Ordinance, shall be evidence, until the contrary is proved, that the appointment, direction, or authority thereby made or given was duly made or given by the

Inspector-General or the Chief Officer; and evidence that it appears from the records kept by authority of the Inspector-General or the Chief Officer that a person required as above mentioned to notify his residence or change of residence, or to make a report, has failed to comply with such requirement, shall be *prima facie* evidence that the person has not complied with such requirement, but if the person charged alleges that he has made such notification or report to any particular person or at any particular time, the Court shall require the attendance of such persons as may be necessary to prove the truth or falsehood of such allegation.

Offences by
person
subject to
Police
supervision.

7. (1) Where any person is subject, in pursuance of this Ordinance, to Police supervision, he shall be guilty of an offence against this Ordinance, and, on summary conviction before a Magistrate, shall be liable to imprisonment, with or without hard labour, for any term not exceeding one year, under the following circumstances, or any of them :—

- (a) If, on his being charged by a constable with getting his livelihood by dishonest means, he fails to make it appear to the Magistrate before whom he is brought that he is not getting his livelihood by dishonest means;
- (b) If he is found by any constable in any place, whether public or private, under such circumstances as to satisfy the Magistrate before whom he is brought that he was about to commit, or to aid in the commission of, any crime punishable on summary conviction or indictment, or was waiting for an opportunity to commit, or aid in the commission of, any such crime;
- (c) If he is found by any person in or upon any dwelling-house, or any building, yard, or premises being parcel of or attached to such dwelling-house, or in or upon any shop, warehouse, counting-house, or other place of business, or in any garden, orchard, pleasure ground, or nursery ground, without being able to account to

the satisfaction of the Magistrate before whom he is brought for his being found on such premises.

(2) Any person charged with an offence under this section may be taken into custody by any constable without warrant, or may, if charged with being guilty of an offence committed under the circumstances mentioned in paragraph (c) of sub-section (1), or any of them, be apprehended by the owner or occupier of the property on which he is found, or by the servants of the owner or occupier, or by any other person authorized by the owner or occupier, and may be detained until he can be delivered into the custody of a constable for the purpose of being brought before a Magistrate: Provided that no person shall be so taken into custody on the ground that he is suspected of getting his livelihood by dishonest means except under a written authority from the Inspector-General or an Inspector of Constabulary.

Right of
arrest
without
warrant.

(3) When a person is convicted under this section of an offence which subjects him to Police supervision the record of his conviction shall contain a statement to the effect that he is subject to Police supervision for the period of three years, or such less period as the Court may direct, commencing from the date of his conviction, and exclusive of the time during which he is undergoing his punishment, or words to the like effect; but the omission of such statement shall not exempt any person from the operation of this section.

SCHEDULE.

Any felony not punishable with death, or the offence of uttering false or counterfeit coin, or of possessing counterfeit gold or silver coin, or the offence of obtaining goods or money by false pretences, or the offence of conspiracy to defraud.