

CHAPTER 94.

PRISONS.

AN ORDINANCE RELATING TO PRISONS.

[16th October, 1900.]

Ordinances

No. 27,
 " 6 of 1908,
 " 17 of 1914,
 " 46 of 1917.

- Short title. 1. This Ordinance may be cited as the Prisons Ordinance.
- Interpretation. 2. In this Ordinance—
 " Constable " includes any member of the Constabulary Force;
 " Prison " includes any place mentioned in section 3 of this Ordinance, or proclaimed or appointed under this Ordinance;
 " Prisoner " includes every inmate of any prison detained therein under sentence or conviction for any offence, or under committal or remand pending trial or investigation on a charge of any offence;
 " Prohibited Article " means any article declared to be a prohibited article by the Prison Rules for the time being in force. (*Added by 6 of 1908, s. 2.*)
- Prisons of the Colony. 3. The Prisons of the Colony shall consist of :—
 (1) The Royal Gaol in Port-of-Spain;
 (2) The Female Prison at St. James' Barracks, Carrera's Island, and any other Convict Dépôt proclaimed to be such by the Governor in Executive Council under section 4 of this Ordinance;
 (3) District Prisons proclaimed to be such by the Governor in Executive Council under section 5 of this Ordinance;
 (4) Labour yards and other places appointed under section 6 of this Ordinance.

4. It shall be lawful for the Governor in Executive Council by proclamation to appoint any place as a Convict Depôt.

Convict
Depôts.

5. (1) It shall be lawful for the Governor in Executive Council, by proclamation, to declare any Constabulary Station or part thereof or other suitable place to be a District Prison.

District
Prisons.

(2) Any person sentenced on summary conviction to imprisonment, with or without hard labour, for any term not exceeding one month may be imprisoned at the nearest District Prison: Provided that any person sentenced on summary conviction in Tobago to imprisonment, with or without hard labour, may be imprisoned in a District Prison in Tobago for the full term to which he is sentenced. (*As amended by 46 of 1917, s. 2.*)

6. (1) It shall be lawful for the Governor in Executive Council, by proclamation, to appoint such places without the precincts of any prison as he may see fit as Labour Yards for the employment at hard labour during working hours of prisoners sentenced to imprisonment with hard labour.

Labour
yards.

(2) Any person who may have been sentenced to imprisonment with hard labour may lawfully be kept and worked at hard labour on any highway, road, street, or public place, or in any other place beyond the precincts of any prison which the Governor may from time to time by writing under his hand authorize and appoint. (*Substituted by 6 of 1908, s. 3.*)

Other places
where
prisoners
may be
required to
work.

7. It shall be lawful for the Superintendent of Prisons to transfer prisoners from any prison to any other prison as in his discretion may be necessary.

Transfer
of prisoners.

8. Any person who shall bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought into or carried out, of any prison any prohibited article shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding twenty pounds.

Prohibited
articles.

9. Any person landing, or attempting to land, on the Island of Carrera, without the authority of the Governor, Superintendent of Prisons, or officer in charge, may be arrested by any officer in charge or warder and be by him handed over to the Constabulary, and any such person shall

Landing at
Carrera
without
authority.

be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding three months.

Aiding
escape.

10. Any person aiding the escape of any prisoner from any prison, or from the custody of any person in charge of any such prisoner, shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding ten pounds :

Provided always, that nothing herein contained shall be deemed to affect the powers of the Supreme Court on indictment for such offence under the provisions of the Criminal Offences Ordinance.

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Assaulting,
etc., officers
of prison.

11. Any person who—

(1) assaults, obstructs, or resists; or

(2) aids or incites any other person so to assault, obstruct, or resist,

the Superintendent of Prisons, or any prison officer or warder, in the execution of his duty, or any person aiding or assisting such Superintendent, officer, or warder in the execution of his duty, shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding twenty-five pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months. (*Added by 17 of 1914, s. 2.*)

Interfering
with
prisoner.

12. Any unauthorized person holding intercourse or interfering with a prisoner while in any prison or public place shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding five pounds.

Use of fire-
arms by
officers.

13. For the purpose of preventing escape or violent assault, and for the purpose of preventing or suppressing mutiny, any officer having charge of any prisoners may use firearms or any other mode of force, and shall not be responsible for the consequences of such use, if necessary for any of the purposes aforesaid.

Right of
arrest.

14. It shall be lawful for the Superintendent of Prisons or any warder or constable to apprehend without warrant any person committing an offence against this Ordinance.

Publication
of appoint-
ments.

15. All appointments under this Ordinance shall be published in the *Royal Gazette*. (*Added by 6 of 1908, s. 4.*)