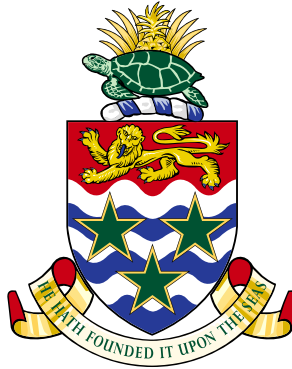


CAYMAN ISLANDS



PRISONS LAW

(2020 Revision)

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CAYMAN ISLANDS



PRISONS LAW

(2020 Revision)

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CAYMAN ISLANDS**PRISONS LAW****(2020 Revision)****Part I - Introductory****Short title**

1. This Law may be cited as the *Prisons Law (2020 Revision)*.

Definitions

2. In this Law, unless the context otherwise requires —

“**C.M.O.**” means the Chief Medical Officer and includes any medical officer acting under the Chief Medical Officer’s authority;

“**competent court**” means any court in the Islands acting within its lawful jurisdiction;

“**chief officer**” means the chief officer having oversight of the prison, referred to in section 3 of the *Public Management and Finance Law (2020 Revision)*.

“**convicted prisoner**” means a prisoner who is undergoing a sentence of imprisonment imposed by a competent court or other lawful authority in respect of a criminal or disciplinary offence;

“**detainee**” means a person, not being a convicted prisoner, who is detained in prison by lawful authority;

“**Director**” means the Prison Director or any officer acting under the Prison Director’s authority;

“**escapee**” means a prisoner who has at any time escaped or attempted to escape from lawful custody;

“**first offender**” means a convicted prisoner who has not on any previous occasion been sentenced to undergo a term of imprisonment;

“**Governor-General**” means the Governor-General of Jamaica;

“**lock-up**” means any house, building, enclosure or place prescribed for the confinement of prisoners;

“**officer**” means a prison officer appointed under section 5;

“**prescribed**” means prescribed by this Law or any rule, standing order or regulation;

“**prison**” means any place prescribed under this Law for the confinement of prisoners and includes a lock-up;

“**prison discipline**” means the code of conduct prescribed for prison officers and prisoners;

“**prison offence**” means any offence, not otherwise punishable, committed by a prisoner or prison officer contrary to prison discipline;

“**prison officer**” includes any person employed in a prison for purposes connected with its administration;

“**prison service**” means the service established by section 3;

“**prisoner**” means a person detained in prison by lawful authority and includes a convicted prisoner and a detainee;

“**prohibited article**” means any article the introduction of which into, or out of, any prison or part thereof, is prohibited by this or any law, rule, order or regulation;

“**recidivist**” means a convicted prisoner who is not a first offender;

“**rules**” means rules prescribed under this Law;

“**sentence**” includes a sentence in default of payment of a fine;

“**standing orders**” means standing orders prescribed under this Law; and

“**young persons**” has the meaning ascribed to it in the *Youth Justice Law (2019 Revision)*.

Establishment of prison service

3. There is hereby established a prison service under the control and management of the Director.

Repealed

4. **Repealed** by s.6 of the *Imprisonment (Amendment) Law, 1981 [Law 10 of 1981]*.



Chief officer may appoint prison officers

5. (1) Subject to subsection (2), the relevant chief officer, acting in accordance with the *Public Service Management Law (2020 Revision)*, may appoint prison officers under such designations as that chief officer thinks fit.
- (2) Before appointing a Director of Prisons the chief officer shall consult with the Official Member responsible for the portfolio of which the Department of Prisons may be part.

Service to be self-supporting so far as possible

6. The service shall, as far as possible, be self-supporting and in so far as its expenditure exceeds its income, it shall be maintained by funds voted from time to time by the Legislative Assembly.

Powers of Director

7. The Director shall be in charge of the service and shall be responsible for all prison buildings, fittings, accoutrements and stores whether consumable or non-consumable and the accounting therefor and in addition —
 - (a) shall be responsible for the discipline and good order of officers and prisoners; and
 - (b) may make standing orders, with the approval of the Governor, rules and enforce the same for the routine duties and curriculum of officers and prisoners within the ambit of this Law and generally for the carrying out of the same.

Power of Director to delegate

- 7A. The Director may delegate the exercise or performance of any of the several powers and duties conferred or imposed by this Law, except the power —
 - (a) to hear an appeal by an officer against a disciplinary award; or
 - (b) to make a disciplinary award involving dismissal or reduction in rank.

Powers of officers

8. (1) Officers have and may exercise all powers necessary for the enforcement of this Law and all regulations, rules and standing orders and shall, under the supervision where exercised of the Director, do all things necessary and expedient in that behalf.
- (2) An officer when on duty and in uniform has, in relation to that duty, the same powers and privileges as are conferred on a constable by the *Police Law (2017 Revision)*.
- (3) In addition to and not in derogation from any other power conferred by this or any other law, an officer may without a warrant arrest any person —

- (a) not being an officer; or
- (b) being an officer of equivalent or of a rank lower than that of the arresting officer,

contravening or suspected on reasonable grounds of having contravened this Law or any regulations, rules or standing orders made hereunder:

Provided that the officers shall as soon as practicable deliver over the person so arrested to a constable or, in the absence of a constable, take that person to a police station.

Duty of prisoners

9. Prisoners shall promptly comply with all lawful commands given by any officer and all regulations, rules and standing orders made under this Law to which their notice has been brought orally or otherwise.

Duty of officers

10. Officers shall comply with this Law and with all regulations, rules and standing orders made thereunder.

C.M.O. to be prison medical officer

11. The C.M.O. shall be prison medical officer with responsibility for the physical and mental health of all prisoners and no prisoner shall perform any activity or undergo any punishment if the C.M.O. finds that prisoner physically or mentally unfit for the same.

Lawful confinement and custody

- 11A.(1) A person, whether sentenced to imprisonment or committed to prison for any other reason, may only be lawfully confined in any prison on production of an appropriate warrant or other legal instrument addressed to the Director.
- (2) A prisoner shall be deemed to be in the lawful custody of the Director and shall be deemed to be in lawful custody while that prisoner is confined in, or is being taken to or from, any prison and while that prisoner is working, or is for any other reason, outside the prison in the custody or under the control of an officer.

Minimum age

- 11B.(1) Subject to subsection (2) no person under the age of seventeen years may be detained in a prison or other place of safety within the meaning of the *Youth Justice Law (2019 Revision)*.
- (2) A person under the age of seventeen years may be detained in a prison or other such place of safety under any power exercised in accordance with the —
- (a) *Immigration (Transition) Law, 2018 [Law 33 of 2018]*;
 - (b) *Customs and Border Control Law, 2018 [Law 34 of 2018]*;



(c) *Youth Justice Law (2019 Revision)*.

PART II - Execution of sentences and care of detainees

Confinement of prisoners

12. Prisoners may be confined in any prison but, so far as circumstances permit —

- (a) detainees shall be kept segregated from convicted prisoners;
- (b) juveniles shall be kept segregated from all other convicted prisoners; and
- (c) civil prisoners shall be kept segregated from all other prisoners:

Provided that nothing in this section shall require a prisoner to be unduly deprived of the society of other prisoners or class of prisoners except as directed by the law or by an order of the court.

Sexes to be segregated

13. Female prisoners shall be confined separately from male prisoners and no prisoner shall be searched or, without the prior approval of the Director, placed under the direct physical supervision of a person of the opposite sex unless undergoing hospital treatment, medical treatment or medical examination.

Medical examination of prisoners

- 14.** (1) All prisoners shall be medically examined by the C.M.O. on reception into the prison and at least once every six months thereafter whilst in custody.
- (2) A request by a prisoner to see the C.M.O. shall be recorded by the officer to whom it is made and shall be passed to the C.M.O. as soon as practicable.

Sick prisoners

- 15.** (1) Physically or mentally sick prisoners certified by the C.M.O. to be in immediate need of medical care shall be transferred to such hospital or medical centre inside or outside the Islands as the C.M.O. shall recommend and there to be held in custody and the C.M.O. shall issue a certificate to any court before which such prisoner is due to be brought, stating the disability from which the prisoner is suffering together with a prognosis of the case.
- (2) The Director shall, as soon as practicable, inform the next-of-kin of a prisoner who becomes seriously ill.

Death of prisoner

15A. The Director shall as soon as practicable after the death of a prisoner inform the next-of-kin and a coroner.



Power to send certain convicted prisoners to serve sentence in Jamaica

16. Where any person has been convicted in the Islands of any crime or offence and has been sentenced to any term of imprisonment which, after taking account of any remission to which such person might become entitled, must exceed six months of actual imprisonment (including any leave of absence), it shall be lawful for the Governor at any time not less than three months before the expiration of the actual term of imprisonment aforesaid, to send such person if a male to any of the District Prisons and if a female to the General Penitentiary in Jamaica by warrant under that Governor's hand, to serve sentence or the remainder thereof in all respects as if a sentence of hard labour had been imposed by a court of competent jurisdiction in Jamaica, and to provide for the return of such person to the Islands after that person has served that person's sentence.

Repealed

17. **Repealed** by s.4 of the *Prisons (Amendment) (No. 2) Law, 1981 [Law 18 of 1981]*.

Warrant of commitment and transfer

18. (1) The warrant referred to in section 16 shall be addressed to the officer in charge of prisons in Jamaica. It shall recite the conviction of the prisoner, the date of the conviction and the sentence imposed upon him, and shall direct a prison officer to take that person in custody by a designated vessel or aircraft going direct to Kingston, and on arrival there to lodge that person together with the warrant in a District Prison if a male, or in the General Penitentiary if a female. And the warrant shall direct the officer in charge of prisons in Jamaica to receive the prisoner and keep that person in custody, to be dealt with in all respects as if the sentence imposed upon that person had been imposed by a court of competent jurisdiction in Jamaica.
- (2) The prison officer referred to in subsection (1) shall take such prisoner in that prison officer's custody and shall forthwith comply with the terms of the warrant.
- (3) The Governor, on being satisfied that —
- adequate provision has been made in the Islands for the detention of all convicted prisoners; and
 - there is no further need for any convicted prisoner to be transferred to Jamaica under subsection (1), may repeal this section by order.

Repealed

19. **Repealed** by s.6 of the *Prisons (Amendment) (No. 2) Law, 1981 [Law 18 of 1981]*.

Constables to aid execution of warrant

20. All constables in Jamaica shall, as occasion may require, give their assistance in conveying any such prisoner on arrival in Jamaica to the appropriate prison.



Duties thereon of Superintendent of the General Penitentiary

21. The Superintendent or other principal officer of such prison shall, on receipt of any such warrant as aforesaid, receive the prisoner into such prison, and, unless or until that person is otherwise directed by the Governor-General treat that prisoner in all respects as if that prisoner had received that prisoner's sentence in Jamaica. That person shall, forthwith after receipt of any such prisoner, send to the Governor-General's Secretary a copy of the warrant under which that person has received that prisoner, and shall inform the Governor-General's Secretary of the date of such receipt.

Spent

22. Pursuant to the *Caribbean Territories (Abolition of Death Penalty for Murder) Order 1991 (UKSI 988/1991)* and part 2 of Schedule 2 of the *Cayman Islands Constitution Order 2009 (UKSI 1379/2009)*, this section, previously entitled 'Execution of death sentence', is spent.

Power to order return of prisoner

23. It shall be lawful for the Governor or the Governor-General at any time to order any such prisoner before the expiration of that prisoner's sentence to be returned in custody to the Islands, there to serve the remainder of that prisoner's sentence.

Prisoner to be deemed to be in legal custody till expiry of that prisoner's sentence

24. Any such prisoner as aforesaid shall, under the circumstances aforesaid, from the time of that prisoner's departure from the Islands to the time of the expiration or other sooner determination of that prisoner's sentence be deemed to be in legal custody, both while travelling and on arrival in Jamaica and in the Penitentiary or District Prison, and (until the expiration of that prisoner's sentence) while travelling on that prisoner's return to the Islands.

As to return passage of prisoner

25. The Governor-General shall provide any such prisoner (other than a prisoner who is a citizen of Jamaica) with a free return passage to the Islands by the last aircraft before the expiration of that prisoner's sentence.

Removal etc. of prisoners

26. Nothing in this Law shall affect a warrant issued in respect of any convicted prisoner pursuant to the *Colonial Removal Act, 1884 (Cap 31)* or the *Repatriation of Prisoners Act 1984 (Cap 47)* of the United Kingdom (as extended to the Islands) or of any Acts amending or replacing the same.

Reception of prisoner

27. Every prisoner shall, on reception into prison, take a bath, and (if male) have his hair cut and be clean shaven, and shall thereafter be issued with prison clothing adequate for all activities and for warmth and health and with the prescribed personal toilet requisites and utensils:

Provided that a male prisoner who has not been convicted shall not be required to have his hair cut or be clean shaven unless the C.M.O. has directed this to be done for the sake of health or cleanliness.

Documentation of prisoner

- 27A.(1) A convicted prisoner on reception into prison at the commencement of that prisoner's sentence and at such subsequent time as the Director may require shall be photographed, measured and have that prisoner's fingerprints taken.
- (2) The photographs and fingerprints and all negatives thereof of a convicted prisoner whose sentence is subsequently quashed or who is pardoned shall be destroyed by the Director as soon as practicable thereafter.

Discharge at end of sentence

28. A prisoner due to be discharged on a Saturday, Sunday or public holiday shall be discharged on the last day, not being a Saturday, Sunday or public holiday, preceding that day.

Remission

29. (1) A convicted prisoner sentenced to imprisonment for a fixed term exceeding one month shall, unless such remission shall be forfeited as a result of a disciplinary award made under this Law or any rules thereunder, be granted a remission of sentence not exceeding one-third of the sentence:
- Provided that no term of imprisonment so remitted shall be reduced to a term of less than thirty-one days.
- (2) Subsection (1) does not apply to a convicted prisoner who is serving a sentence of life imprisonment or who is sentenced during the Governor's pleasure.
- (3) For the purpose of this section consecutive terms of imprisonment shall be deemed to be a single term of the aggregate length.
- (4) A sentence shall be deemed to have expired on the day a convicted prisoner is discharged from prison after having been granted any remission under this section.



Authority to leave prison and pre-discharge leave

- 30.** (1) In addition to any other power that that Director may have, the Director may, at that Director's discretion and on such terms and conditions as that Director thinks fit as to custody or otherwise, authorise a prisoner not recommended for deportation to leave the prison —
- (a) under escort, for the purpose of visiting a dying relative or of attending a funeral service; or
 - (b) for part of a day, for attendance at any place if that Director considers that through such an absence from prison the skill, knowledge or development of the prisoner would be thereby advanced.
- (2) A convicted prisoner shall, at the discretion of the Director, be eligible during the thirty days prior to the date of that prisoner's anticipated discharge for up to five days pre-discharge leave to be taken on such conditions as the Director may think necessary .
- (3) A prisoner who fails to observe any term or condition imposed by the Director under subsection (1) or (2) shall be deemed to be unlawfully at large and to have escaped from lawful custody.

Transfer of prisoners for interview, inquiries, etc.

- 30A.**(1) The Director may in writing authorise the temporary transfer of a prisoner from a prison to a police station, the premises of any other law enforcement agency, or other location —
- (a) to enable the prisoner —
 - (i) to answer a charge;
 - (ii) to be dealt with for an offence for which that prisoner is placed on probation or conditionally discharged, or for which a suspended sentence was passed;
 - (iii) to appear as a prosecution witness;
 - (iv) to help recover stolen property, hidden firearms or explosives;
 - (v) to identify premises in connection with criminal investigations;
 - (vi) to be interviewed in connection with the investigation of a Category A or Category B offence as defined in section 5 of the *Criminal Procedure Code (2019 Revision)*; or
 - (vii) to take part in an identification parade; or
 - (b) where it is otherwise necessary in the interest of justice or for the purpose of a public inquiry.
- (2) Where a prisoner is transferred under subsection (1) to any place referred to in that subsection —

- (a) the period during which that prisoner is absent from the prison shall count towards that prisoner's sentence as if that prisoner were continuously being held in prison; and
 - (b) that prisoner shall not be transferred to any other place without the prior written consent of the Director.
- (3) The Cabinet may make regulations relating to the transfer of prisoners under this section for the purpose of law enforcement.
- (4) Before the regulations referred to in subsection (3) are made, the Director may, after consultation with the Director of Public Prosecutions and the Commissioner of Police, determine the terms and conditions governing the transfer of prisoners under this section.

Work and payment

- 31.** (1) Subject to section 11, a convicted prisoner shall undertake such work in a prison as may be allocated by the Director, and such other work as the Director in that Director's discretion considers to be of a public nature.
- (2) The Director may, by rules made under section 7, from time to time establish the rate of token earnings to be paid to any prisoner for work undertaken under this section.

Release on licence

- 31A.**(1) In lieu of any remission that may be granted under section 29, the Governor, acting in that Governor's discretion and on such conditions as that Governor may think necessary, order the release on licence —
- (a) of a convicted prisoner serving a sentence for any offence specified in the Schedule at any time after that prisoner shall have served at least five-ninths of that prisoner's sentence;
 - (b) of a convicted prisoner serving a sentence for an offence specified in the Schedule at any time after that prisoner shall have served at least one-third of that prisoner's sentence, whichever shall be the greater; or
 - (c) of a convicted prisoner serving a sentence of life imprisonment or being detained during the Governor's pleasure, at any time.
- (2) A convicted prisoner released on licence under this section shall, until the expiration of the licence, be under the supervision of a probation officer appointed under the *Alternative Sentencing Law (2008 Revision)*.
- (3) The Governor, acting in that Governor's discretion, may recall to prison a convicted prisoner who has failed to observe any condition imposed on that prisoner's licence, and thereupon that prisoner shall be liable (subject to any reconsideration for release on licence subsequently) to be detained until the



expiration of that prisoner's sentence and until such detention shall be deemed to have escaped from lawful custody.

Release on Director's licence

- 31B.**(1) In addition to any remission that may be granted under section 29, the Director, acting in that Director's discretion and on such conditions as that Director may think necessary, may order the release on licence —
- (a) of a convicted prisoner who is serving a sentence for a term of less than three years and who has served at least half of that prisoner's sentence, at any time not more than three months prior to the earliest date on which that person could be discharged pursuant to section 29; or
 - (b) of any other convicted prisoner who is serving a sentence for a fixed term, at any time not more than three weeks prior to the earliest date on which that prisoner could be discharged pursuant to section 29.
- (2) The Director, acting in that Director's discretion, may recall to prison a convicted prisoner who has failed to observe any condition imposed on that prisoner's licence, and thereupon that prisoner shall be liable (subject to any reconsideration for release on licence subsequently) to be detained until the earliest date on which that prisoner could be discharged pursuant to section 29 and, until such detention, shall be deemed to have escaped from lawful custody.

Prisoners on remand and detainees

- 32.** (1) A prisoner who is on remand may opt to work and, if having so opted and been permitted to work —
- (a) that prisoner is subsequently acquitted or is not sentenced to a term of imprisonment, that prisoner shall be paid all of that prisoner's token earnings in respect of such work as that prisoner had undertaken whilst in prison; or
 - (b) he is subsequently convicted and sentenced to a term of imprisonment, the period during which that prisoner has been on remand shall, unless the court otherwise directs, be counted as part of that prisoner's sentence and that prisoner shall in any case be entitled to receive that prisoner's token earnings for such work.
- (2) A prisoner who has not been convicted may, if that prisoner wishes and on such terms and conditions as the Director may from time to time consider necessary, be supplied with meals whilst in prison, either at that prisoner's own expense or otherwise, and such personal comforts as may be permitted by standing orders made under this Law.

Convicted prisoners who have appealed

- 33.** (1) A convicted prisoner who has appealed against that prisoner's conviction or sentence may elect in writing to —
- (a) commence that prisoner's sentence pending that prisoner's appeal, in which case that prisoner shall wear prison clothing and shall, for the purposes of this Law, be treated in all respects as if that prisoner was not appealing, in which case that prisoner's time spent in prison counts towards that prisoner's sentence; or
 - (b) retain that person's status as a prisoner awaiting trial, in which case that prisoner shall for the purposes of this Law be treated in all respects as a prisoner on remand, but if that prisoner's appeal is unsuccessful that prisoner's time spent in prison since lodging that prisoner's appeal shall not, unless the court shall otherwise direct, count towards that prisoner's sentence.
- (2) If, on appeal, that prisoner's sentence is quashed that prisoner shall be treated as a prisoner who has been remanded in custody and has opted for work under section 32 and has been acquitted.
- (3) An election in writing made under subsection (1) cannot be revoked.

Repealed

- 34.** **Repealed** by section 27 of the *Imprisonment (Amendment) Law, 1981 [Law 10 of 1981]*.

Escape from custody

- 35.** (1) A prisoner who escapes from lawful custody or who is deemed by this or any other law to have escaped from lawful custody may be arrested by an officer or a constable without warrant and shall be taken as soon as practicable to the prison at which that prisoner was required to be detained.
- (2) Any period during which a prisoner is at large does not count towards the period of that prisoner's imprisonment.

Prisoners convicted of certain offences while undergoing sentence

- 36.** A convicted prisoner who, during the period of that prisoner's sentence, whether inside or outside prison, commits and is convicted of an offence involving violence or the threat of violence to any person or wilful damage to property shall be ordered to forfeit any privileges earned or granted at the date of that prisoner's commission of such offence.



Privileges

37. The receipt of pay is a privilege which may at any time be withdrawn at the discretion of the Director from any convicted prisoner who is convicted of a breach of prison discipline.

Repealed

38. **Repealed** by s.30 of the *Imprisonment (Amendment) Law, 1981 [Law 10 of 1981]*.

Repealed

39. **Repealed** by s.31 of the *Imprisonment (Amendment) Law, 1981 [Law 10 of 1981]*.

Powers of summary court

40. A prisoner convicted by a summary court of a breach of prison discipline is liable on the order of such court to —
- (a) forfeiture in whole or in part of any remission of the entirety of sentence;
 - (b) imprisonment for a term not exceeding six months to run consecutively to the sentence being served; or
 - (c) any punishment which the Director could have imposed under rules made under this Law.

PART III – Miscellaneous**Application of sentence to Jamaican Law**

41. Where a court imposes a sentence which by this Law is capable of being served in whole or in part in Jamaica, the sentence shall, for the purpose of Jamaican law, be deemed to be one of imprisonment with hard labour.

Inspection of prisons and prisoners

42. All prisons shall be inspected monthly by two or more persons selected by the Member of the Cabinet responsible for prison matters from a panel appointed by the Governor consisting of —
- (a) Justices of the Peace volunteering for such service;
 - (b) magistrates; and
 - (c) other suitable persons,

and shall be spot inspected once in every quarter by a Judge of the Grand Court and once in every year by the Governor in person.

Visits

- 42A.** (1) The Director may allow any person or group of persons to visit a prison on such conditions as that Director may impose if that Director considers that such a visit would be in the best interests of the prisoners.
- (2) Every prison shall maintain an inspection book recording all inspections under subsection (1) together with the comments of the person or persons carrying out the inspection.

Regulations

- 43.** Without prejudice to the power of the Director, with the approval of the Governor, to make rules and standing orders under section 7, the Governor may make regulations, not inconsistent with this Law, prescribing any matter required or permitted to be prescribed or which is necessary or convenient to be prescribed for carrying out or giving effect to this Law.

Offences

- 43A.** Any person (not being a prison officer) who acts in contravention of any regulation, rule or standing order made under this Law commits an offence and is liable on conviction to a fine not exceeding five thousand dollars or to imprisonment not exceeding twelve months or to both such fine and imprisonment.

Smuggling

- 43B.** Any person who —

- (a) brings, throws or in any manner introduces or conveys into any prison;
- (b) conveys to any prisoner while in custody outside of a prison;
- (c) with the intent that it shall come into the possession of a prisoner, deposits in any place outside of a prison; or
- (d) carries out of any prison,

an article or thing, unless that person is authorised to do so by or under this Law or by the Director, commits an offence and is liable on summary conviction to a fine of fifteen thousand dollars and to imprisonment not exceeding three years, or to both such fine and imprisonment

Repeal of Prison Law (Cap 122)

- 44.** Without prejudice to anything done or in the course of being done, the *Prison Law (Cap 122)* is **repealed**.

Savings and transitional

- 45.** (1) All prison rules, standing orders and regulations in force at the time of the enactment of this Law which are not inconsistent with or replaced by this Law or any regulation, rule or standing order shall remain in full force and effect.



- (2) The provisions of the *Prisons (Amendment) Law, 2005 [Law 25 of 2005]* shall not affect any person serving a sentence of imprisonment at the date of the commencement of the *Prisons (Amendment) Law, 2005 [Law 25 of 2005]*.

General aim of the service

46. It shall be the aim of every officer to procure that each prisoner at the time of that prisoner's discharge, shall have been trained to be mentally and physically alert and imbued with a sense of personal dignity and duty to others.

Religious duties

47. All prisoners and detainees shall be afforded within the prison or place of their detention opportunity for the exercise of their religious duties and devotions at appropriate times in accordance with their various religious persuasions and appropriate ministers of religion shall be permitted by arrangement with the Director to interview them.

Schedule

Specified Offences

Drug trafficking offences under the *Misuse of Drugs Law (2017 Revision)*

Importing or exporting a controlled drug, etc. contrary to section 3 of the *Misuse of Drugs Law (2017 Revision)*

Offences under the *Terrorism Law (2018 Revision)* for which the penalty is not life imprisonment

Treason by the Law of England

Instigating treason

Concealment of treason

Treasonable offences under section 49 of the *Penal Code (2019 Revision)*

Seditious offences under section 58 (1) of the *Penal Code (2019 Revision)*

Unlawful oath to commit capital offence

Other unlawful oath to commit crime etc. under section 61 of the *Penal Code (2019 Revision)*

Rioting after proclamation

Obstructing making of proclamation

Rioters demolishing buildings

Conspiracy to defeat justice and interference with witnesses

Illegal rescue of a person (section 110 of the *Penal Code (2019 Revision)*)

Aiding a prisoner to escape

Rape

Attempted rape

Abduction for the purpose of marriage or carnal knowledge

Indecent assault on female

Defilement of a girl under 12

Defilement of a girl under 16

Indecent assault on a man



Child stealing
Manslaughter
Attempt to murder
Accessory after the fact to murder
Written threats to murder
Infanticide
Killing unborn child
Conspiracy to murder
Disabling etc., to facilitate an offence or to assist an offender
Preventing escape from wreck
Wounding or inflicting grievous bodily harm
Attempting to injure by explosive substances
Bomb hoax
Maliciously administering poison
Unlawful use and possession of firearms
Exhibition of false light, mark or buoy
Assault causing actual bodily harm
Assault on person protecting wreck
Kidnapping and abduction
Keeping in confinement a kidnapped person
Wrongful confinement
Theft
Robbery
Burglary
Aggravated burglary
Arson
Attempt to commit arson
Setting fire to crops, etc.
Attempt to set fire to crops, etc.

Casting away ships, etc.

Attempts to cast away ships, etc.

Killing or injuring animals

Destroying or damaging property if value or destruction exceeds \$1,000

Attempts to destroy property by explosives

Threats to burn, etc.

Aggravated trespass.

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of January, 2020.**

Kim Bullings
Clerk of the Cabinet



ENDNOTES

* *Note (not forming part of this Law): The Prisons (Amendment) (No. 2) Law, 1981 was part in force as at 31st December, 2019. Only sections 4, 5, 6, 9 and 10 were included in this Law.*

Table of Legislation History:

SL#	Law #	Legislation	Commencement	Gazette
	32/2018	The Prisons (Amendment) Law, 2018	19-Dec-2018	GE97/2018/s7
	6/2011	The Prisons (Amendment) Law, 2011	1-Feb-2011	GE11/2011/s1
	3/2009	The Prisons (Amendment) Law, 2009	11-May-2009	G10/2009/s1
	34/2005	The Prisons (Amendment) (No. 2) Law, 2005	1-Jul-2007	G24/2005/s10
	25/2005	The Prisons (Amendment) Law, 2005	15-Nov-2005	G23/2005/s10
	13/1998	The Prisons (Amendment) Law, 1998	7-Dec-1998	G25/1998/s7
10/1996		The Youth Justice Law, 1995 (Commencement) Order, 1996	5-Mar-1996	GE6/1996/s1
	8/1995	The Youth Justice Law, 1995 (part)	12-Mar-1996	GE20/1995/s1
	1/1992	The Prisons (Amendment) Law, 1992	4-May-1992	G9/1992/s4
28/1987		The Prisons (Amendment) (No. 2) Law, 1981, Commencement Notice, 1987	1-May-1987 (Ss.4, 5, 6, 9 & 10)	GN9/1987/p1
	14/1987	The Prisons (Amendment) Law, 1987	6-Jul-1987	G13/1987/s12
	5/1986	The Prisons (Amendment) Law, 1986	12-Jun-1986	GE12 /1986/s2
	18/1981	The Prisons (Amendment) (No. 2) Law, 1981 (part)*	1-May-1987 (PIF) (Ss.4, 5, 6, 9 & 10)	G23/1981/s1
	10/1981	The Imprisonment (Amendment) Law, 1981	13-May-1981	G14/1981/s1
40/1976		The Imprisonment Law, 1975, (Commencement) Notice, 1976	27-Sep-1976	G20/1976/p1
	14/1975	The Imprisonment Law, 1975	1-Oct-1976	G26/1975/s1

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