

YOUNG OFFENDERS DETENTION ACT

CHAPTER 13:05

Act

19 of 1926

Amended by

29 of 1928

20 of 1936

9 of 1942

21 of 1945

13 of 1993

66 of 2000

11 of 2014

Current Authorised Pages

<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
1-33	..

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

2

Chap. 13:05

Young Offenders Detention

Index of Subsidiary Legislation

	<i>Page</i>
Young Offenders (Male) Detention Regulations (G. 2.7.36, 6.10.41) ...	10

Delegation of Powers

For Note on Delegation of Powers—*See* LN 169/1957.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

CHAPTER 13:05

YOUNG OFFENDERS DETENTION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Establishment of Industrial Institution.
3. Institution to be under control of Commissioner of Prisons.
4. Officers.
5. Regulations.
6. Application of Prisons Act.
7. Power of Courts to pass sentence of detention in Institution.
8. Application to Industrial School offences.
9. Order of detention.
10. Order to be authority for detention.
11. Police to take person committed to the Institution.
12. Power to release on licence.
Termination of licence.
Revocation of licence.
Forfeiture of licence.
Warrant.
Time of detention and licence how computed.
Form of licence.
- 12A. Power to grant leave to attend schools.
13. *(Repealed by Act No. 66 of 2000).*
14. Transfer from prison to Institution.
15. Escaping from Institution.
Period of escape not reckoned in the period of detention.
Assisting to escape and harbouring, etc.

CHAPTER 13:05

YOUNG OFFENDERS DETENTION ACT

1950 Ed.
Ch. 11. No. 9.
19 of 1926.

**An Act to provide for the Reformation of Young Offenders
and for their detention in an Industrial Institution.**

Commencement.

[6TH NOVEMBER 1962]

Short title.

1. This Act may be cited as the Young Offenders Detention Act.

Establishment
of Industrial
Institution.

2. (1) It shall be lawful for the Minister by Proclamation to establish an Industrial Institution* (hereinafter referred to as “the Institution”) in which young offenders whilst detained may be given such industrial training and other instruction, and be subject to such disciplinary and moral influences as will conduce to their reformation and the prevention of crime.

(2) The expense attendant upon the establishment, conduct and maintenance of the Institution shall be paid out of moneys voted by Parliament.

Institution to be
under control of
Commissioner
of Prisons.

3. The Institution shall be under the direction and control of the Commissioner of Prisons.

Officers.

4. The Minister may appoint such officers and instructors for the Institution as he thinks fit.

Regulations.
[13 of 1993].

5. The Minister may make Regulations for all or any of the following matters:

- (a) the trades or employments which the persons detained in the Institution are to be taught and employed at or the academic or vocational training they may receive;
- (b) the management of the Institution;
- (c) the discipline of the Institution and the punishment of offences committed by the officers thereof and the persons detained therein;
- (d) the classification of the persons detained in the Institution;

*Youth Training Centre, Golden Grove, proclaimed an Industrial Institution—GN 85–1949.

- (e) the clothing and diet of the person detained in the Institution;
- (f) the establishment of a system of marks and of rewards for good conduct;
- (g) the remission for good conduct of part of the time for which a person has been sent to the Institution;
- (h) the awarding of gratuities on discharge; and
- (i) generally for the better carrying out of the provisions of this Act.

6. Subject to Regulations made under this Act, sections 8, 11, 12, 13 and 14 of the Prisons Act, shall, with the necessary modifications, apply in the case of the Institution as if it were a prison within the meaning of the said Act.

Application of Prisons Act. Ch. 13:01.

7. (1) Where a person is convicted before the High Court on indictment of any offence other than murder, or before a Court of Summary Jurisdiction of any offence for which he is liable to be sentenced to imprisonment, and it appears to such Court—

Power of Courts to pass sentence of detention in Institution. [11 of 2014].

- (a) that the person is not less than sixteen nor more than eighteen years of age, and
- (b) that by reason of his antecedents or mode of life it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime,

the Court may, in lieu of sentencing him to the punishment provided by law for the offence for which he was convicted, pass a sentence of detention under penal discipline in the Institution for a term of not less than three years nor more than four years.

(2) Before passing such a sentence the Court shall be satisfied that the character, state of health, and mental condition of the offender, and the other circumstances of the case, are such that the offender is likely to profit by such instruction and discipline as aforesaid.

(3) (*Repealed by Act No. 11 of 2014*).

(4) Where a Court has convicted a person of any offence to which subsection (1) applies, the Court may before passing a sentence of detention as therein provided, in addition to any other powers conferred upon it by any other law, commit the person convicted to prison or to such other safe custody as it thinks fit for such period not exceeding one month as it may deem necessary for the purpose of ascertaining whether it is expedient to pass such a sentence of detention.

(5) Where a Court has committed a person in the manner herein provided, the Court may cause the person so committed to be brought before it at any time prior to the expiration of the period for which he was committed and thereupon to pass sentence according to law.

Application to
Industrial
School offences.
Ch. 46:01.

8. Where a youthful offender sentenced to detention in an Industrial School (as defined in the Children Act) is convicted under any Act before a Magistrate of the offence of committing a breach of the rules of that school, or of inciting to such a breach, or of escaping from such a school, and the Magistrate might under that Act sentence the offender to imprisonment, the Magistrate may, in lieu of sentencing him to imprisonment, sentence him to detention in the Institution for a term not less than three years nor more than four years, and in such case the sentence shall supersede the sentence of detention in the Industrial School.

Order of
detention.

9. The order of a Judge or Magistrate sending any person to the Institution (hereinafter referred to as the "order of detention") shall be in writing and shall specify the period for which such person is to be detained in the Institution, and may be in such form as the Minister may prescribe.

Order to be
authority for
detention.

10. The order of detention shall be forwarded to the Commissioner of Prisons with the person, and shall be sufficient warrant for the conveyance of the person thither and his detention in the Institution.

11. Every person sentenced to detention in the Institution shall be taken there by the Police and may be detained in any prison or Police Station until he can be so taken.

Police to take person committed to the Institution.

12. (1) Subject to Regulations by the Minister, the Commissioner of Prisons may at any time after the expiration of six months from the commencement of the term of detention, if satisfied that there is a reasonable probability that the offender will abstain from crime and lead a useful and industrious life, by licence permit him to be discharged from the Institution on condition that he be placed under the supervision or authority of any society or person named in the licence who may be willing to take charge of the case.

Power to release on licence.

(2) A licence under this section shall be in force until the term for which the offender was sentenced to detention has expired, unless sooner revoked or forfeited.

Termination of licence.

(3) Subject to Regulations by the Minister, a licence under this section may be revoked at any time by the Commissioner of Prisons, and where a licence has been revoked, the person to whom the licence related shall return to the Institution, and if he fails to do so may be apprehended without warrant and taken to the Institution.

Revocation of licence.

(4) If a person absent from the Institution under such a licence escapes from the supervision of the society or person in whose charge he is placed, or commits any breach of the conditions contained in the licence, he shall be considered thereby to have forfeited the licence.

Forfeiture of licence.

(5) The Magistrate of the district in which the Institution is situate or where such a person is found may, on information on oath that the licence has been forfeited under this section, issue a warrant for his apprehension, and he shall, on apprehension, be brought before such Magistrate who, if satisfied that the licence has been forfeited, may order him to be remitted to the Institution.

Warrant.

Time of
detention and
licence how
computed.

(6) The time during which a person is absent from the Institution under such a licence shall be treated as part of the time of his detention in the Institution; but where that person has failed to return to the Institution on the licence being forfeited or revoked, the time which elapses after his failure so to return shall be excluded in computing the time during which he is to be detained in the Institution.

Form of licence.

(7) A licence under this section shall be in such form and shall contain such conditions as may be prescribed by Regulations made by the Minister.

Power to grant
leave to attend
schools.
[13 of 1993].

12A. (1) Subject to Regulations, the Commissioner of Prisons may grant leave, by permit to an offender to be absent from the Institution for such periods and subject to such conditions as are specified in the permit for the purpose of attending any educational or vocational institute.

(2) A permit under this section shall be in force until the end of the course of training or the examinations connected with such course, as the case may be, at an educational or vocational institute or unless sooner revoked or forfeited.

(3) An offender who is granted a permit under subsection (1) shall, for the purposes of this Act, be deemed to be in the charge of the Commissioner of Prisons.

(4) The Commissioner of Prisons may at any time in writing revoke a permit issued under subsection (1).

(5) Subsections (3), (4), (5) and (6) of section 12 apply to permits as they apply to licences.

(6) A permit under this section shall be in such form and shall contain such conditions as may be prescribed.

13. (*Repealed by Act No. 66 of 2000*).

Transfer from
prison to
Institution.

14. The Minister may, if satisfied that a person undergoing imprisonment, being within the limits of age within which a person may be detained in the Institution, might with advantage be detained

in the Institution, authorise the Commissioner of Prisons to transfer him from prison to the Institution, there to serve the whole or any part of the unexpired residue of his sentence, and whilst detained in the Institution this Act shall apply to him as if he had been originally sentenced to detention in the Institution.

15. (1) If any person detained in the Institution escapes therefrom, he may, at any time before the expiration of his period of detention, be apprehended without warrant, and may be then brought before a Magistrate; and he shall be liable on summary conviction to be brought back to the Institution and to have the period of detention therein increased by such period, not exceeding six months, as the Magistrate directs.

Escaping from Institution.

Ord. 9.-1942.

(2) In computing the time during which a person who having escaped, is brought back to the Institution, is thereafter liable to be detained in the Institution, the time during which he is absent from the Institution shall not be reckoned as part of the period of detention.

Period of escape not reckoned in period of detention.

(3) Any person who—

- (a) knowingly assists, either directly or indirectly, any person detained in the Institution to escape therefrom, or
- (b) directly or indirectly induces any such person to escape from the Institution, or
- (c) knowingly harbours, conceals or prevents from returning to the Institution any person who has escaped therefrom, or knowingly assists in so doing,

Assisting to escape and harbouring, etc.

is liable, on summary conviction, to a fine of one thousand, five hundred dollars, or to imprisonment for three months.

SUBSIDIARY LEGISLATION

**YOUNG OFFENDERS (MALE) DETENTION
REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.

MANAGEMENT

2. Direction and control of the Institution.
3. Board meetings.
4. Board Minute Book.
5. Monthly visit to Institution.
6. Discharge Board.

OFFICER IN CHARGE

7. Officer in charge.
8. Responsibility of officer in charge.
9. Medical Officer.
10. Instructions from Medical Officer.
11. Presence of officer in charge.
12. Record of each inmate.
13. Inmate to be seen by Medical Officer.
14. Admission of inmate.
15. Clothing and equipment.

MEDICAL OFFICER

16. Responsibility of Medical Officer.
17. Medical Officer to keep record of each inmate.
18. Entry in Journal.
19. Examination of inmate.
20. Quarterly report on inmates' health.
21. Examination prior to discharge.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

REGULATION

22. Remaining in Infirmary after discharge.
23. Medical Officer to conform to Regulations.
24. Presence of Medical Officer.
25. Health of inmate.

THE EDUCATIONAL INSTRUCTORS

26. Educational Instructors.
27. Training of inmates.
28. Record to be kept.
29. Additional duties.
30. Annual leave.

RELIGIOUS INSTRUCTION

31. Visits by Ministers of religion.
32. Divine Service.
33. Sick inmates.
34. Ministers to conform to Regulations.
35. Keeping of Journal.
36. Visits to inmates under punishment.

GRADES

37. Grades.

CONDUCT GRADES

38. Conduct Grades.
39. Promotion to Conduct Grade.
40. Unfit for promotion.

PENAL GRADE

41. Placing in a Penal Grade.
42. Report showing cause of entry into Penal Grade.
43. Separation of inmates.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

12

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

ARRANGEMENT OF REGULATIONS—*Continued*

REGULATION

DISCHARGE GRADE

- 44. Appearance before Discharge Board.
- 45. After-care Officer.
- 46. Removal from Discharge Grade.
- 47. Savings.

WORK GRADES

- 48. Work Grades.

FIELD LABOURERS

- 49. Classes of Field Labourers.
- 50. Time spent in classes.

TRADESMEN

- 51. Request to become a tradesman.
- 52. Selection of a trade.
- 53. Classes of tradesmen.
- 54. Promotion.

PAYMENT

- 55. Weekly payment.
- 56. Deposit of earnings.
- 57. Revocation of licence.

DISCHARGE

- 58. Purchase of tools.
- 59. Tools remain property of Prison Department.

LETTERS

- 60. Letters.

VISITS

- 61. Visits.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

REGULATION

WEEKEND LEAVE

- 62. Weekend leave.
- 63. Privileges.

PUNISHMENTS

- 64. Punishments.

RELEASE ON LICENCE AND REVOCATION THEREOF

- 65. Licence Forms.
- 66. Forfeiture or revocation of licence.

MISCELLANEOUS RULES

- 67. Discharge.
- 68. Institution open to visitors.
- 69. Previous life of inmate.
- 70. Nicknames and slang terms.
- 71. Conduct of inmates.
- 72. Prohibited articles.
- 73. Officers subject to Prison Rules.
- 74. Approved games.
- 75. Application of incompatible Prison Rules.

VOCATIONAL OR ACADEMIC TRAINING

- 76. Permission to attend institute for training.
- 77. Continuation of course begun before detention.
- 78. Commissioner *in loco parentis*.
- 79. Inmate to return to Institution each day.
- 80. Form of Permit.

FIRST SCHEDULE.

SECOND SCHEDULE.

THIRD SCHEDULE.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

14

Chap. 13:05

Young Offenders Detention

[Subsidiary]

G. 2.7.36
[6.10.41
174/1951
123/1980
143/1993].

**YOUNG OFFENDERS (MALE) DETENTION
REGULATIONS**

made under section 5

Citation.

1. These Regulations may be cited as the Young Offenders (Male) Detention Regulations.

MANAGEMENT

Direction and control of the Institution.

2. The Young Offenders (Male) Detention Institution* hereinafter referred to as “the Institution” shall be under the direction and control of the Commissioner of Prisons, who shall be assisted by a Board of Management, consisting of the Inspector of Prisons (*ex officio*) and five other persons appointed by the Minister, who shall hold office for three years, unless sooner determined by the Minister.

Board meetings.

3. The Board shall meet at least once quarterly. At such meetings the Inspector of Prisons shall be Chairman; in his absence the members shall elect one of their number as Chairman. Three members shall constitute a Quorum. In addition to the members of the Board, the Superintendent of Prisons, the Assistant Superintendent in charge of the Institution, and the After-care Officer shall attend the meetings of the Board, whenever this course shall be practicable.

Board Minute Book.

4. A record of the proceedings at the meetings of the Board shall be kept in a book to be known as the Board Minute Book, and shall be signed by the Chairman after having been confirmed at the next subsequent meeting of the Board. Such Minute Book shall be available at all reasonable times to members of the Board, and to the Commissioner of Prisons.

Monthly visit to Institution.

5. One member of the Board of Management shall be deputed by the Chairman to visit the Institution each month, when he shall hear and record all complaints and requests made by inmates, recording any observations he may desire to make in the Official Visitors Book, together with any recommendations he may consider necessary.

*Youth Training Centre, Golden Grove, proclaimed an Industrial Institution—*See* GN 85-1949.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

6. A Discharge Board shall be formed consisting of the Inspector of Prisons, the Commissioner of Prisons, and the After-care Officer. This Board shall meet monthly and shall decide on the fitness for Discharge (or otherwise) of all inmates who have reached the 7th or Discharge Grade.

Discharge Board.

OFFICER IN CHARGE

7. The officer in charge duly appointed by the Minister shall, subject to the directions of the Commissioner of Prisons, be in immediate charge of the Institution, and of the Staff appointed to the Institution; he shall be responsible for the proper management of the Institution and for the maintenance of good order and discipline of the Staff and inmates.

Officer in charge.

8. The officer in charge shall be responsible for seeing that each inmate receives rations in accordance with the appropriate Dietary scale as set out in the Second Schedule hereto.

Responsibility of officer in charge.

9. He shall cause to be delivered to the Medical Officer lists of all inmates awaiting adjudication for Institutional Offences, all inmates under punishment, and all inmates complaining of sickness or those who have been removed to the Infirmary or to a sick-cell.

Medical Officer.

10. He shall carry out such instructions as the Medical Officer may give relative to the treatment of a sick inmate.

Instructions from Medical officer.

11. He shall be present at all corporal punishments inflicted in the Institution.

Presence of officer in charge.

12. He shall record a full description of each inmate as soon as possible after admission to the Institution, and prior to the inmate being put to labour, and shall endeavour to obtain some account of the inmate's previous history.

Record of each inmate.

13. He shall see that no inmate is put to labour until seen by the Medical Officer.

Inmate to be seen by Medical Officer.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

16

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

Admission of inmate.

14. He shall cause every inmate to bathe on admission and shall ensure that no new inmate shall be placed in a dormitory prior to being seen by the Medical Officer.

Clothing and equipment.

15. He shall ensure that every inmate is clad in sufficient clothing, and that he is issued with night clothing and such other equipment as may be necessary for his well-being and comfort.

MEDICAL OFFICER

Responsibility of Medical Officer.

16. The Medical Officer shall be held responsible for the hygiene of the Institution, and for the medical treatment of the inmates and Staff. The Officer in charge should frequently consult the Medical Officer as to the well-being of the Staff, and the sanitary state of the Institution.

Medical Officer to keep record for each inmate.

17. The Medical Officer shall keep a Medical record for each inmate of the Institution. Such record shall be kept under the care of the Dispenser in the Infirmary, and when an inmate is sick there shall be recorded thereon the disease, history of case, and treatment, including any extra diet ordered. There shall also be recorded thereon the inmate's weight on admission to the Institution, and his weight on the 5th of each month thereafter.

Entry in Journal.

18. The Medical Officer shall enter in his Journal an account of all medicines or Medical treatment ordered at each visit, with such observations or explanations as he may consider necessary.

Examination of inmate.

19. He shall examine each inmate as early as possible after admission and prior to his being put to labour and specify the class of labour of which he is capable, recording at the same time his state of health.

Quarterly report on inmates' health.

20. Once in every quarter he shall report in writing to the Commissioner of Prisons the general state of health of the inmates, the ailments which have been most prevalent, and whether any connection is possible between the prevalent diseases and the locality or state of the Institution, or the diets, employments, or any other avoidable circumstances. In addition the number of deaths, and of hospital cases occurring during the quarter shall be reported.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

21. He shall examine all inmates prior to their discharge, making the following entries in both the Medical Journal, and in the inmate's record:

Examination prior to discharge.

- (a) age;
- (b) state of health, together with any comment on the ultimate result of any prior disease;
- (c) weight.

22. In consultation with the Commissioner of Prisons the Medical Officer may permit any inmate due for discharge to remain in the Infirmary should his state of health render such a course desirable. Should the inmate refuse to follow such a course and require to be discharged, he shall record all the facts of the case, both in the Medical Journal, and in the inmate's medical record.

Remaining in Infirmary after discharge.

23. He shall conform to the Regulations, and shall not interfere with the working of the Institution as regards the safe custody, discipline or labour of the inmates, and shall by every means in his power support the Commissioner in the maintenance of good order and discipline.

Medical Officer to conform to Regulations.

24. He shall be present at all corporal punishments inflicted in the Institution.

Presence of Medical Officer.

25. Whenever he is of the opinion that the health of any inmate is suffering by reason of his detention in the Institution, or that his physical condition or mental state is such that he is permanently unfitted for Institutional training, he shall report these facts for the information of the Minister. Such reports shall be forwarded through the Commissioner of Prisons, and shall be accompanied by such recommendations as the Medical Officer may desire to make.

Health of inmate.

THE EDUCATIONAL INSTRUCTORS

26. The Educational Instructors shall be selected by the Commissioner of Prisons. They shall instruct the inmates, and perform such other duties as may be directed, at such hours as may be required, by the Commissioner of Prisons.

Educational Instructors.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

18

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

Training of inmates.

27. Special attention shall be paid to the moral, mental, physical and educational training of the inmates; they shall receive instruction in reading, writing, ciphering and hobbies, as well as in personal hygiene and physical drill. It will be the duty of the Instructors to organise approved games for the inmates.

Record to be kept.

28. The Instructors shall keep a record of all educational books and materials, including those required for handicrafts and hobbies. The Assistant Instructor shall be entirely responsible for the management of the Library for the use of the inmates.

Additional duties.

29. The Instructors shall also perform such educational or clerical work in the Prisons as may be required by the Commissioner of Prisons.

Annual leave.

30. They shall be entitled to ten weeks' leave annually, subject to the exigencies of the service, which leave may be taken at a period indicated by the Commissioner of Prisons.

RELIGIOUS INSTRUCTION

Visits by Ministers of religion.

31. Ministers of religion may with the sanction of the Minister visit inmates of their own denominations when they are not actually engaged at labour or in school on any day of the week between the hours of 9.00 a.m. and 8.00 p.m.

Divine Service

32. They may hold Divine Service on such days, and at such hours as may be arranged in consultation with the Officer in charge of the Institution.

Sick inmates.

33. They may visit all sick inmates belonging to their respective denominations and may attend at all reasonable hours any inmate who may require spiritual advice or assistance.

Ministers to conform to Regulations.

34. They shall at once communicate to the Commissioner of Prisons any abuse or impropriety in the Institution which may come to their notice. They shall conform to the Regulations and shall not interfere with the working of the Institution as regards the safe

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

custody, discipline, or labour of the inmates, and shall by every means in their power support the Commissioner in the maintenance of good order and discipline.

35. They shall keep a Journal, in which they shall enter any observations they may desire to make, and the Officer in charge of the Institution shall bring this Journal to the notice of the Commissioner of Prisons whenever observations are made therein.

Keeping of Journal.

36. They may visit such inmates of their own religious denomination as may be under punishment or under special discipline.

Visits to inmates under punishment.

GRADES

37. There shall be two types of Grade—“Conduct” and “Work” grades.

Grades.

CONDUCT GRADES

38. Persons sentenced to detention in the Institution shall be divided into the following conduct grades:

Conduct Grades.

Penal, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, and Discharge Grades.

Those grades above the 3rd Grade shall be collectively known as the “Special” Grade.

39. During the first three months of his detention every inmate shall be under observation, and shall not be placed in any grade. At the end of that period, if his conduct at work, at school, and at games has been satisfactory, he may be promoted to the 1st Conduct Grade. Three months after promotion to the 1st Conduct Grade, provided the same conditions are fulfilled, he may be promoted to the 2nd Conduct Grade, and similarly to the other grades up to the Discharge Grade. The Commissioner of Prisons may authorise accelerated promotion to any grade as a reward for exceptional good conduct or ability, and he may also order reduction to any grade in cases of misconduct or laziness.

Promotion to Conduct Grade.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

20

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

Unfit for promotion.

40. Should an inmate be considered unfit for promotion to any particular grade, promotion will be delayed one month, and the promotion of the inmate to that particular grade shall thereafter be considered month by month until promotion is obtained.

PENAL GRADE

Placing in a Penal Grade.

41. If an inmate is believed to be exercising a bad influence upon other inmates he may be placed in the Penal Grade by order of the Commissioner of Prisons, but no inmate may be kept therein longer than is necessary in the interest of other inmates or himself.

Report showing cause of entry into Penal Grade.

42. All inmates in the Penal Grade, and all who have served in the Penal Grade during the preceding quarter, shall be brought to the particular attention of the Board of Management at the next quarterly Board Meeting, when a report will be made showing the cause of entry into Penal Grade, and progress made therein.

Separation of inmates.

43. All inmates in the Penal Grade shall be separated from well-conducted inmates both at work, and by night, and shall perform useful work of a hard and laborious nature, for which no payment shall be made.

DISCHARGE GRADE

Appearance before Discharge Board.

44. Inmates placed in the Discharge Grade shall be brought before the Discharge Board at the next subsequent meeting of that body.

After-care Officer.

45. The Officer in charge of the Institution shall render to the After-care Officer a report on the progress of the inmates in the Institution, and the After-care Officer shall prepare for the Discharge Board a prognosis of the inmates prospects on discharge.

Removal from Discharge Grade.

46. An inmate shall only be removed from the Discharge Grade by the orders of the Discharge Board, except in the case of an inmate due for Discharge before the next meeting of the Board, when it shall be competent for the Commissioner of Prisons to defer the discharge of such inmate until such times as the Board hold their next meeting, when the inmate shall be brought before them.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

47. No inmate shall be placed in the Discharge Grade who has not at least \$2.40 in the Savings Bank. Savings.

WORK GRADES

48. Persons sentenced to detention in the Institution shall be divided into Field Labourers and Tradesmen. Work Grades.

FIELD LABOURERS

49. The Field Labourers shall be divided into five classes, Class 5 being the lowest. Classes of Field Labourers.

50. Subject to satisfactory work the time spent in the various classes shall be— Time spent in classes.

Class 5, Class 4 and Class 3, three months each. Class 2, six months, and Class 1, until discharge or until transfer to Tradesman.

Promotion to any class may be delayed on account of unsatisfactory work, the inmate being reconsidered for promotion month by month until promotion is obtained.

TRADESMEN

51. On reaching Class 4 and not before, an inmate may ask to become a Tradesman, and specify the particular trade for which he has a preference. If his work and conduct have been good, his name shall be entered in the Work Class book on the waiting list for that particular trade, or such other trade as the officer in charge of the Institution may consider suitable to that particular individual, and the inmate will then await his turn to fill a vacancy in the appropriate trade party, provided that no inmate shall become a Tradesman prior to promotion to Class 3. Request to become a tradesman.

52. One of the following trades may be selected: Cabinet-maker, Carpenter, Tailor, Shoemaker, Gardener, or Agricultural labourer, but the decision as to which trade an inmate shall learn shall be in the discretion of the Superintendent in charge of the Institution. Selection of a trade.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

22

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

Classes of tradesmen.

53. Tradesmen shall be divided into five classes as shown below and the minimum time spent in each class shall be—

Novice Class B	...	...	3 months
Novice Class A	...	...	3 months
Junior Apprentice	...	...	6 months
Senior Apprentice	...	...	6 months
Improver	...	...	Until discharge.

Promotion.

54. When the minimum period has been spent in any particular class, the inmate shall be considered for promotion to the next higher class, and if considered unfit for promotion he shall thereafter be considered month by month until promotion is obtained.

PAYMENT

Weekly payment. [123/1980].

55. (1) Subject to this regulation an inmate is eligible to be paid for work done at the rates set out below—

Field Labourers

On reception and while in Class 5	no remuneration;		
Class 4	...	...	30¢ per week
Class 3	...	...	60¢ per week
Class 2	...	...	90¢ per week
Class 1 until discharge or until transfer to Tradesman	...		\$1.20 per week.

Tradesmen

Novice Class B	...	...	60¢ per week
Novice Class A	...	...	80¢ per week
Junior Apprentice	...		\$1.00 per week
Senior Apprentice	...		\$1.20 per week
Improver until discharge	...		\$1.40 per week.

(2) Weekly payments are not as of right but are dependent upon good conduct and work.

(3) There shall be deducted from weekly payments subscriptions to the Sports Club, fines and such other

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

subscriptions and deductions as may be authorised by the Commissioner of Prisons.

56. Inmates may elect to deposit in the Savings Bank such portion of their earnings as they may desire, and on the date of their discharge the amount so deposited to their credit shall be added to by a similar amount from Government funds. This added amount shall be deposited with the After-care Officer, who shall retain it until after the inmate has been discharged one year, when, subject to satisfactory conduct, it may be handed to the ex-inmate.

Deposit of earnings.

57. In the event of an ex-inmate having his licence revoked that sum of money still due to him will be paid to him on his re-discharge from the Institution, unless it is ordered by the Board of Management that this money be forfeited and paid into public funds.

Revocation of licence.

DISCHARGE

58. The Commissioner of Prisons may in his discretion apply any part of the amount standing to the credit of an inmate to the purchase of tools for the use of such inmate on his discharge, and in such case the unexpended balance of the savings of the inmate shall be paid to him on discharge.

Purchase of tools.

59. Where tools (other than as provided in regulation 58) are provided for an inmate on discharge, these tools shall remain the property of the Prison Department until such time as the ex-inmate shall have completed the term for which he is licensed, and shall be returned to the Prison Department if the following circumstances arise:

Tools remain property of Prison Department.

- (a) The inmate's licence is revoked;
- (b) The After-care Officer reports that the ex-inmate is engaged in some trade or work other than that for which the tools were supplied.

LETTERS

60. All inmates from Reception to 2nd Grade will be permitted to write one letter per month, between 2nd and 4th Grade, one letter

Letters.

LAWS OF TRINIDAD AND TOBAGO

per fortnight, and from 4th Grade to Discharge a weekly letter shall be permitted. There shall be no restriction to the number of inward letters an inmate shall receive, provided that unreasonable advantage is not taken of this rule.

VISITS

Visits.

61. Visits shall be allowed as follows:

From Reception to 2nd Grade	2 visits.
From 2nd to 4th Grade	1 visit per month.
From 4th Grade to Discharge	1 visit per fortnight.

The number of persons who may visit an inmate at any one visit shall be limited to three, the duration of visits being as follows:

Special Grade...	...	...	40 minutes.
Other Grades ...	...	...	20 minutes.

WEEKEND LEAVE

Weekend leave.
[143/1993].

62. (1) All inmates from the 4th Grade to Discharge may, at the discretion of the Commissioner of Prisons, be allowed weekend leave between 6.00 p.m. on a Friday afternoon and 8.00 a.m. on the following Monday if the After-care Officer reports that the person or locality which the inmate elects to visit is satisfactory in every respect, but an inmate may be allowed to leave earlier on the Friday of any weekend leave having regard to the distance of his destination or the availability of transportation to that destination.

(2) No inmate shall be eligible for weekend leave on more than three occasions during any period of detention.

Privileges.
[143/1993].

63. Visits and Weekend Leave are privileges which can only be earned by good conduct and industry. If an inmate is punished for an offence, or is idle at work, he may not receive these privileges until his conduct has been good for one month after the date on which his punishment expires, or until it is reported that he has performed a thoroughly satisfactory month's work.

PUNISHMENTS

64. Punishments may be awarded by the Inspector, Commissioner or Assistant Commissioner of Prisons, as set out in the Third Schedule. Punishments. Third Schedule.

RELEASE ON LICENCE AND REVOCATION THEREOF

65. Licences shall be as in Form “A” in the First Schedule hereto, and the form of Revocation of Licence shall be as in Form “B” in the same First Schedule. Licence Forms. First Schedule.

66. An inmate whose Licence has been forfeited or revoked shall on re-admission to the Institution be placed in the Penal Grade, unless the Commissioner of Prisons orders that he be placed in the ordinary grade. In no case shall he be eligible for promotion to the Special Grade except by order of the Board of Management upon recommendation of the Inspector of Prisons. Forfeiture or revocation of licence.

MISCELLANEOUS RULES

67. On the discharge of any inmate from the Institution he shall be supplied with adequate clothing. If he is returned to relatives or friends the expense of such return shall be defrayed by the Institution. Discharge.

68. The Institution shall be open to visitors on the order of the Commissioner of Prisons. Institution open to visitors.

69. No inmate shall be questioned as to his previous life except by the Commissioner of Prisons, or such Officers as shall be deputed for this duty by him from time to time. Previous life of inmate.

70. The use of nicknames or slang terms is forbidden. Nicknames or slang terms.

71. Inmates must behave with the greatest respect towards the Officers of the Institution, to whom they must speak respectfully and quietly at all times. They must be obedient to those deputed to teach them, or placed in authority over them. Conduct of inmates.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

26

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

Prohibited articles.

72. No inmate shall bring into the Institution any prohibited article.

Officers subject to Prison Rules.

73. All Officers employed in the Institution shall be subject to the Prison Rules for the time being in force and made under Act 1 and 2 Victoria Chapter 67 of the United Kingdom.

Approved games.

74. Inmates shall take part in approved games as directed.

Application of incompatible Prison Rules.

75. Such Prison Rules as are not incompatible with the above Regulations shall apply with equal force to the Young Offenders (Male) Detention Institution.

VOCATIONAL OR ACADEMIC TRAINING

Permission to attend institute for training. [143/1993].

76. Notwithstanding regulation 51, where an inmate in Class 3 who has attained the 3rd Conduct Grade and possesses the necessary academic qualifications asks to pursue any trade or calling other than those specified in regulation 52, the Commissioner of Prisons may, with the advice of the Board, by permit, give permission for that inmate to attend any educational or vocational institute for the purpose of receiving training and instructions in any such trade or calling not available at the Institution.

Continuation of course begun before detention. [143/1993].

77. Notwithstanding regulations 51 and 76 the Commissioner may grant a permit under regulation 76 to an inmate for the purpose of completing a current course of study or taking examinations related to courses taken prior to his detention at the Institution and proof of the inmate's prior enrolment, progress and satisfactory attendance at an educational or vocational institute shall be required before a permit is issued for the purpose of completion of a current course of study.

Commissioner *in loco parentis*. [143/1993].

78. The Commissioner of Prisons is deemed to be *in loco parentis* for an inmate during the period of training of the inmate under regulations 76 and 77.

Inmate to return to Institution each day. [143/1993].

79. An inmate shall report back to the Institution as soon as possible after each day's session at the educational or vocational institute that he attends and shall not participate in curricular or

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

extra-curricular activities of any such institute that necessitate late return to, or overnight absence from, the Institution without prior approval of the Commissioner of Prisons.

80. The permit issued by the Commissioner of Prisons under section 12A(1) of the Act shall be in the form set out as Form “C” of the First Schedule.

Form of Permit.
[143/1993].
First Schedule.
Form “C”.

FIRST SCHEDULE

FORM “A”

In pursuance of the powers conferred upon me by the Young Offenders Detention Act, I do by this Licence permit who, at the held at the was convicted of and was sentenced to detention in the Young Offenders Detention Institution for the term of years, and is now detained in the Institution, to be released from the Institution on condition that he places himself under the care, supervision and authority of , during the remaining portion of the aforesaid term of detention, namely until the day of 20 , unless the Minister shall sooner revoke or alter this licence.

This Licence is granted subject to the conditions endorsed hereon, upon the breach of any of which it is liable to be revoked or forfeited.

.....
Commissioner of Prisons

CONDITIONS

(To be endorsed on reverse)

1. The Licensee shall proceed to and shall not without the consent of remove from that place, or such other place as shall be named by the said
..

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

www.legalaffairs.gov.tt

28

Chap. 13:05

Young Offenders Detention

[Subsidiary]

Young Offenders (Male) Detention Regulations

2. He shall obey such instructions as he may receive with regard to punctual and regular attendance at employment, or any other specified place, and he shall report himself periodically as may be directed either by letter or personally to and he shall not change his place of residence without the consent of the said

3. He shall abstain from any violation of the law, shall lead a sober and industrious life to the satisfaction of and shall not associate with persons of bad character, or idle and dissolute habits.

4. He shall take due care of the tools supplied to him by the Institution upon his release, and shall not sell, or dispose of them in any way. Upon the demand of the After-care Officer he shall return such tools as may be directed to the Officer in charge of the Young Offenders (Male) Detention Institution.

The particular attention of Licensees is directed to the following provisions of the Young Offenders Detention Act:

Section 12(3)—Subject to Regulations by the Minister, a Licence under this section may be revoked at any time by the Commissioner of Prisons and where a licence has been revoked the person to whom the licence related shall return to the Institution, and if he fails to do so may be apprehended without warrant and taken to the Institution.

(4) If a person absent from the Institution under such a licence, escapes from the supervision of the person under whose charge he is placed, or commits any breach of the conditions contained in such licence, he shall be considered to have forfeited that licence.

(6) The time during which a person is absent from the Institution under such a licence shall be treated as part of the time his detention in the Institution; provided that where that person has failed to return to the Institution on the licence being forfeited or revoked, the time which has elapsed after his failure to so return shall be excluded in computing the remaining time which he is to be detained in the Institution.

I, hereby acknowledge that the above conditions have been read over and explained to me, and that I understand that this licence is granted to me solely on the conditions set out above.

.....
Signature of Licensee

.....
Commissioner of Prisons

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2015

FORM "B"

**ORDER OF REVOCATION OF LICENCE FOR
RELEASE FROM THE YOUNG OFFENDERS
DETENTION INSTITUTION**

Whereas by licence bearing date the day of 20....., you, being a person under sentence of detention in the Institution were duly licensed to the care of for the period of years months days from the date thereof, I do hereby revoke the said licence from the date hereof, and require you, the said to return forthwith to the said Institution.

Given under my hand this day of 20.....

.....
Commissioner of Prisons

FORM "C"

[143/1993].

In pursuance of the powers conferred upon me by the Young Offenders Detention Act and the Regulations, I do by this permit grant leave to who at the held at the was convicted of and was sentenced to detention in the Young Offenders Detention Institution for the term of years, and is now detained in the Institution, to leave the Institution and to proceed to School at in the County of on the day of 20..... and thereafter from day to day on such other days as may be specified from time to time for the purpose of receiving instructions and being trained in the trade or calling of until the termination of the period of his instruction and training, unless this permit be sooner revoked.

This permit is granted subject to the conditions endorsed hereon, upon the breach of any of which it is liable to be revoked or forfeited.

.....
Commissioner of Prisons

CONDITIONS

(to be endorsed on reverse)

1. The Holder of this permit is authorised to leave this Institution solely for the purpose of proceeding to (School or other place) in order to receive instructions and training in the trade or calling of on the days and times endorsed on the reverse of this permit.
2. He shall abstain from any violation of the law and shall not associate with persons of bad character or idle and dissolute habits.
3. He shall not visit or proceed to any other place without the prior approval of the Commissioner of Prisons.

The Particular attention of the holder of this permit is directed to the following provisions of the Young Offenders Detention Act:

The term “Permit” shall have the same meaning as “Licence” mentioned therein.

Section 12(3)—Subject to Regulations by the Minister, a licence under this section may be revoked at any time by the Commissioner of Prisons, and where a licence has been revoked, the person to whom the licence related shall return to the Institution and if he fails to do so may be apprehended without warrant and taken to the Institution.

(4) If a person absent from the Institution under such a licence, escapes from the supervision of the society or person under whose charge he is placed, or commits any breach of the conditions contained in the licence, he shall be considered thereby to have forfeited that licence.

(6) The time during which a person is absent from the Institution, under such a licence shall be treated as part of the time of his detention in the Institution, but where that person has failed to return to the Institution on the licence being forfeited or revoked, the time which elapses after his failure so to return shall be excluded in computing the remaining time which he is to be detained in the Institution.

I, hereby acknowledge that the above conditions have been read over and explained to me, and that I understand that this permit is granted to me solely on the conditions set out above.

.....
Signature of Inmate

.....
Commissioner of Prisons

DAYS AUTHORISED FOR ABSENCE FROM INSTITUTION

Date of Departure from Institution	Time	Date of Return to Institution	Time	Signature of Head Master.
---------------------------------------	------	----------------------------------	------	------------------------------

SECOND SCHEDULE

DIETS

The diet prescribed in any of the Tables A, B, C, or D, shall be issued on such days as the Commissioner of Prisons thinks fit.

Inmates whose religious faith prohibits the eating of beef or pork may elect on admission to the Institution to have mutton substituted for the said articles of diet wherever the same is prescribed in the said Schedule.

Diet No. 1 is for inmates serving terms of less than one month, and Diet No. 2 for all other inmates, except such as may be ordered to receive punishment Diet No. 3.

DIETS

Hour	Articles	"A"			"B"			"C"			"D"		
		No. 1, OZS.	No. 2, OZS.	No. 3, OZS.	No. 1, OZS.	No. 2, OZS.	No. 3, OZS.	No. 1, OZS.	No. 2, OZS.	No. 3, OZS.	No. 1, OZS.	No. 2, OZS.	No. 3, OZS.
6.00 a.m.	Bread	4	6	4	4	6	4	4	6	4	4	6	4
	Fresh Milk	2	2	—	2	2	—	—	—	—	—	—	—
	Cocoa Powder	1	1	—	1	1	—	—	—	—	—	—	—
	Sugar	1	2	—	1	2	—	—	—	—	—	—	—
	Rice	2	3	—	—	—	—	—	—	—	—	—	—
	Peas, dried	2	3	—	2	2	—	—	—	—	—	—	—
	Frozen Beef	1 1/2	2	—	1 1/2	2	—	—	—	—	—	—	—
	Salt Pork	1/2	1/2	—	1/2	1/2	—	—	—	—	—	—	—
	Butter	1	1	—	1	1	—	—	—	—	—	—	—
	Fresh Fish	—	—	—	—	—	—	—	—	—	—	—	—
	Bread	4	4	8	4	4	8	4	4	4	4	4	8
	Ground Vegetables.....	—	—	—	—	—	—	—	—	—	—	—	—
	4.30 p.m.	Green Vegetables	—	—	—	2	2	—	—	—	—	—	—
Cornmeal		2	2	—	—	—	—	2	2	—	—	—	—
Flour		2	2	—	—	—	—	2	2	—	—	—	—
Sugar		1	2	—	1	2	—	—	—	—	—	—	—
Bread		4	6	4	4	6	4	4	6	4	4	6	4
Butter		—	1/2	—	—	1	—	—	1/2	—	—	1/2	—
Cocoa Powder		—	—	—	1	1	—	—	—	—	—	—	—
Fresh Milk		—	—	—	—	—	—	—	—	—	—	—	—
Bread		4	4	—	4	4	—	—	—	—	—	—	—
Butter		—	1/2	—	—	—	—	—	—	—	—	—	—
Cheese		—	—	—	—	—	—	—	—	—	—	—	—
Salt Fish		—	—	—	—	—	—	—	—	—	—	—	—
6.30 p.m.		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—
		—	—	—	—	—	—	—	—	—	—	—	—

THIRD SCHEDULE

PUNISHMENTS

**SHOWING THE MAXIMUM PUNISHMENT AWARDABLE
 FOR ANY OFFENCE AND THE OFFICIALS
 ENTITLED TO MAKE SUCH AWARD**

Punishment	MAXIMUM AWARD BY		
	Assistant Commissioner Y.O.D.I.	Commissioner of Prisons	Inspector of Prisons
Corporal punishment (Rod) strokes	9	14	18
Solitary confinement on No. 3 Diet, days	3	6	14
Separation from well-conducted inmates, months	1	2	4
Reduced to Penal Grade, months	2	6	Until further orders
Fine, not exceeding pay for, months	1	2	3
Reduced in Grade, months	2	4	6
Promotion delayed, months	2	4	6
Extra fatigue duty, months	2	4	6
Reduction to No. 1 Diet, days or months	14 days	1 month	3 months