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HOUSE OF REPRESENTATIVES

BILL

AN ACT to provide for a system of parole and related
matters

THE PAROLE BILL, 2026

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport.)

The Parole Bill, 2026 (“the Bill”) proposes to provide for a system of parole to facilitate the early release of prisoners during the period of their incarceration. The Bill details conditions and processes by which parole would be granted to offenders and other matters related thereto.

Clause 1 of the Bill would provide for the title of the Bill being “The Parole Bill, 2026”.

Clause 2 of the Bill would provide for the Act to come into operation by Proclamation.

Clause 3 of the Bill would provide for the various definitions of words and expressions used throughout the Bill.

Clause 4 of the Bill would provide for the Act to bind the State.

Clause 5 of the Bill would provide for the establishment of the Parole Board of Trinidad and Tobago (“the Board”).

Clause 6 of the Bill would provide for the six (6) functions of the Board.

Clause 7 of the Bill would provide for the Board to appoint committees, groups or councils as it thinks fit to assist in the performance of its functions or to further the objects of Act.

Clause 8 of the Bill would provide for the independence of the Board.

Clause 9 of the Bill would provide for the composition of the Board of not less than nor more than nine members appointed by the President.

Clause 10 of the Bill would provide for the tenure of members of the Board. The Chairman and Deputy Chairman would be appointed on a full-time basis for such term not exceeding five years, whereas other members would be appointed on a part-time basis for a term not exceeding three years.

Clause 11 of the Bill would provide for the circumstances under which a member of the Board may be removed from office. If any of the specified circumstances occur, the President may proceed to remove that particular member from office.

Clause 12 of the Bill would provide for the procedure by which members of the Board may resign from office.

Clause 13 of the Bill would provide for the circumstances under which the office of a member of the Board shall become vacant before the actual expiration of the term of appointment of the member.

Clause 14 of the Bill would provide for the filling of vacancies of offices of the Board in circumstances where the particular office-holder resigns or his office becomes vacant for reasons other than resignation.

Clause 15 of the Bill would provide for the remuneration of members of the Board other than the Chairman and Deputy Chairman, to be determined by the President. The salary and other conditions of service of the Chairman and Deputy Chairman would be reviewed by the Salaries Review Commission.

Clause 16 of the Bill would provide for the protection from suit and other legal proceedings against members of the Board and the employees of the Board in relation to the performance of their functions. Proceedings against members of the Board or of its employees would lie against the State, where the actions of the Board or its employees were in furtherance of their lawful functions.

Clause 17 of the Bill would provide for the frequency of meetings of the Board and the quorum for these meetings. Meetings of the Board would only commence where there is a minimum of five members and the Chairman or in his absence, the Deputy Chairman would be required to preside over all meetings.

Clause 18 of the Bill would require all members of the Board to disclose any interest that they may have in relation to any decision of the Board, where at the time of the making of the decision, the member knows or ought reasonably to have known that there may be a possibility of conflict of interest. A member of the Board who contravenes this provision would be liable on summary conviction to a fine of ten thousand dollars and imprisonment for one year.

Clause 19 of the Bill would provide for the powers of the Board which includes, among other things, the issuance of notices requiring the appearance of persons before the Board, the power to require persons to produce or furnish written reports and the power do such other things as are necessary or expedient for the performance of its functions.

Clause 20 of the Bill would provide for the eligibility of offenders for parole.

Clause 21 of the Bill would require the Court to receive and consider recommendations of the Board for the grant of parole to an offender in accordance with the provisions of this Act.

Clause 22 of the Bill would allow the Commissioner of Prisons to assign suitably qualified prison officers to perform the duties of parole officers.

Clause 23 of the Bill would require a parole officer to conduct an assessment of the rehabilitation needs of all prisoners after their reception into prison. Once these rehabilitation needs are assessed, the offender would have to successfully participate in these assessed rehabilitation programmes before becoming eligible for early release under the parole system.

Clause 24 of the Bill would provide for a parole officer to calculate the eligibility date for early release under the parole system for offenders. Partial parole is the date immediately after the expiration of one-quarter of the sentence and full parole is, subject to certification by the Board of the successful completion of partial parole by the offender, is the date immediately after the expiration of one-half of the sentence. This clause also provides for offenders serving concurrent and consecutive sentences.

Clause 25 of the Bill would provide the process by which applications for early release under the parole system are to be conducted. An offender would be required to tender his application for parole to the Superintendent in charge of the particular prison institution and once the application has been validly tendered, the Superintendent would be required thereafter, to cause a case history of the particular offender to be prepared and make arrangement for the applicant to undergo psychological or psychiatric evaluations.

Clause 26 of the Bill would provide for the Board to fix a date for the hearing of an application for parole after receipt of the application. Additionally, the Board would be required to fix the date for the hearing of the application at least thirty days before the date of the hearing and thereafter inform the offender, the Commissioner of Prisons, the Commissioner of Police and other interested persons.

Clause 27 of the Bill would provide for the procedure and factors that the Board would be required to consider when conducting a partial parole application hearing.

Clause 28 of the Bill would provide for the matters that the Board must satisfy itself with prior to the grant of partial parole. The Board must, among other things, satisfy itself that the offender is fit to be released on parole and that partial parole would contribute to the rehabilitation of the offender.

Clause 29 of the Bill would provide for the matters that the Board must satisfy itself with prior to the grant of temporary absence of an offender from prison under the partial parole system. The Board must satisfy itself that the offender is, among other things, unlikely to commit an offence or otherwise pose an undue risk to any person while on temporary release. An offender granted temporary absence would be required to participate in a personal development programme, community service or community-based activity while out on temporary release.

Clause 30 of the Bill would provide for matters that the Board must satisfy itself with prior to the grant of work release to an offender from prison under the partial parole system. The Board must satisfy itself that the offender is, among other things, unlikely to commit an offence or otherwise pose an undue risk to any person while on work release. An offender granted work release would be required to be engaged in employment outside of prison and reside at such community-based residence as specified by the Board.

Clause 31 of the Bill would require the Board to inform an offender in writing who has been granted partial parole, the outcome of his application within seven days of making the decision.

Clause 32 of the Bill would specify the contents of a partial parole order.

Clause 33 of the Bill would provide for the conditions of release that an offender is required to comply with when there is a partial parole order.

Clause 34 of the Bill would specify the process for determining whether full parole would be granted to an offender who has successfully completed partial parole. Subclause (2), however, would allow in exceptional circumstance, an offender the ability to tender an application for full parole after completing at least half of his partial parole and would also provide the conditions upon which such an application would be facilitated.

Clause 35 of the Bill would specify the factors the Board should consider when conducting a full parole hearing of an offender.

Clause 36 of the Bill would provide for the Board to recommend that full parole may be granted, once it is satisfied that the offender has fulfilled all the necessary conditions.

Clause 37 of the Bill would require the Board to notify an offender who has been granted full parole, the outcome of his application within seven days of making the decision.

Clause 38 of the Bill would specify the contents of a full parole order.

Clause 39 of the Bill would specify detailed conditions of a full parole order that the offender must comply with while out from prison on full parole. The offender while out on full parole would, among other conditions, be required to report in person to a parole officer on specified dates, remain at all times in such place as specified in the order and produce the order on request for identification, to a police officer or parole officer.

Clause 40 of the Bill would provide the procedure by which the Board would be required to conduct its business. A record of the minutes of all meetings of the Board would be required to be recorded and proceedings are to be conducted *in camera*, unless otherwise directed by the Board. Subclause (3) would allow for a person who is desirous of attending any proceeding of the Board to make an application to the Board in that regard. Subclause (4) further provides the circumstances under which the Board may deny an application to attend the particular proceeding.

Clause 41 of the Bill would require a police officer after arresting or charging a parolee, to inform the Board, the parole officer and the Registrar of the Supreme Court of that occurrence.

Clause 42 of the Bill would provide that a parole order ceases to have effect where a parolee is arrested or charged.

Clause 43 of the Bill would provide that the Board may recommend to a Court the suspension of a parole order in respect of any parolee, where the Board has reason to believe there has been, or is likely to be, a breach by the parolee of any of the conditions of parole.

Clause 44 of the Bill would provide for the circumstances where the Board shall recommend to a Court the revocation of a parole order.

Clause 45 of the Bill would provide for the effect of revocation or suspension of parole, where the parole order would cease to have effect and the Court would issue a warrant for the arrest and return of the parolee to prison.

Clause 46 of the Bill would provide for an offender whose application for parole has been refused to reapply for parole after the expiration of twelve months from the date of the refusal.

Clause 47 of the Bill would provide for the computation of an offender's sentence where parole is granted to the particular offender. The period during which an offender is out from prison on parole would be considered as time served for the purpose of determining the expiration of the offender's sentence.

Clause 48 of the Bill would provide that an appeal from a decision of the Board shall be made to the High Court on two grounds.

Clause 49 of the Bill would provide for establishment of an Administrative Committee of the Board and the composition of the Committee. The Administrative Committee would be responsible for all administrative matters of the operation of the Board.

Clause 50 of the Bill would provide for the creation of the position of Secretary to the Board and would allow the President to appoint a person to this position on the recommendation of the Board.

Clause 51 of the Bill would provide for the creation of an Administrative Secretariat to the Board. The Administrative Secretariat would comprise of suitably qualified persons appointed on contract by the Board.

Clause 52 of the Bill would provide for the functions of the Secretary and Administrative Secretariat.

Clause 53 of the Bill would provide that the funds of the Board be appropriated by Parliament for the purposes of the Board.

Clause 54 of the Bill would require the Board to keep proper account and other records of its functions and would declare the accounts of the Board to be public accounts for the purposes of section 116 of the Constitution.

Clause 55 of the Bill would require the Board to prepare and submit within three months after the end of each financial year, a report of its operations to the Minister with responsibility for parole. Subclause (2) further specifies the matters to be included in the annual report prepared by the Board.

Clause 56 of the Bill details various offences where a person is liable on summary conviction to a fine of ten thousand dollars and imprisonment for one year.

Clause 57 of the Bill provides that an offender who is eligible for parole under this Act, shall also be eligible for remission under the Prison Rules or any other written law.

Clause 58 of the Bill provides that the Minister may make regulations for the administration of this Act.

Clause 59 of the Bill provides that the Rules Committee established under section 77 of the Supreme Court of Judicature Act, may make Rules of Court for carrying this Act into effect.

THE PAROLE BILL, 2026

Arrangement of Clauses

PART I

PRELIMINARY

Clause

1. Short title
2. Commencement
3. Interpretation
4. Act binds the State

PART II

THE PAROLE BOARD

5. Establishment of the Board
6. Functions of the Board
7. Appointment of Committees by the Board
8. Independence of the Board
9. Composition and appointment of the Board
10. Tenure of members of the Board
11. Removal from Office
12. Resignation
13. Vacation of Office
14. Filling of vacancies and acting appointments
15. Remuneration
16. Protection from suit and other legal proceedings
17. Meetings of the Board
18. Disclosure of interest
19. Powers of the Board

PART III

PAROLE FOR OFFENDERS

20. Eligibility for parole
21. Court to receive and consider the recommendations of the Board

22. Assignment of parole officers
23. Rehabilitation needs assessment
24. Parole eligibility dates for offenders
25. Application for partial parole
26. Board to fix date, time and place for partial parole hearing
27. Conduct of partial parole hearing
28. Recommendation of partial parole
29. Grant of temporary absence
30. Grant of work release
31. Notice of recommendation to grant partial release
32. Partial parole order
33. Conditions of release on partial parole
34. Submission of documents for full parole
35. Conduct of full parole hearing
36. Recommendation for the grant of full parole
37. Notice of recommendation for the grant of full parole
38. Full parole order
39. Conditions of release on full parole

PART IV

GENERAL PROVISIONS

40. Procedure for the conduct of hearings of the Board
41. Duty of police officer to inform of arrest or changing of parolee
42. Parole order ceases to have effect where parolee is arrested or charged
43. Suspension of parole order
44. Recommendation for the revocation of parole
45. Effect of revocation or suspension of parole
46. Reapplication for parole
47. Computation of sentence
48. Appeal from decisions of the Board

PART V

ADMINISTRATIVE PROVISIONS

- 49. Administrative Committee
- 50. Secretary to Board
- 51. Administrative Secretariat
- 52. Functions of Secretary and Administrative Secretariat

PART VI

FINANCIAL PROVISIONS

- 53. Funds of the Board
- 54. Accounts and other records of the Board
- 55. Annual reports and estimates

PART VII

MISCELLANEOUS

- 56. Offences
- 57. Eligibility for parole and remission
- 58. Regulations
- 59. Rules Committee to make Rules

SCHEDULE

BILL

AN ACT to provide for a system of parole and related matters

[, 2026]

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:

PART I PRELIMINARY

1. This Act may be cited as the Parole Act, 2026. Short title

Commencement 2. This Act comes into force on such date as is fixed by the President by Proclamation.

Interpretation 3. (1) In this Act, unless the context otherwise requires—

“Board” means the Parole Board of Trinidad and Tobago established under section 5;

“Chairman” means the person appointed as Chairman of the Board under section 9(1);

“Commissioner” means a person holding or acting in the office of the Commissioner of Prisons established under the Prison Service Act;

Chap. 13:02

“community-based residence” means a minimum security place or facility which is approved by the Minister under subsection (2), by Order for the provision of accommodation to offenders on parole;

“Court” means a Judge of the Supreme Court;

“Deputy Chairman” means a person appointed as Deputy Chairman of the Board under section 10(1);

“full parole” means parole granted under section 38;

“full parole eligibility date” means the date on which an offender becomes eligible for full parole under section 24;

“life sentence” means a sentence of imprisonment for life, but does not include a sentence of death which has been commuted to life imprisonment or a long term sentence;

“long term sentence” means a determinate sentence of more than ten years imprisonment;

“medical practitioner” means a person who is registered under the Medical Board Act;

Chap. 29:50

“Minister” means the Minister to whom responsibility for parole is assigned;

“offender” means a person who is sentenced to serve a term of imprisonment of ten years or more, including a life sentence;

“parole” means conditional release of an offender from prison;

“parole officer” means a prison officer assigned responsibility for the administration of parole under section 22;

“parolee” means a person to whom parole is granted;

“partial parole” means temporary absence granted under sections 28 and 29 or work release granted under sections 28 and 30;

“partial parole eligibility date” means the date on which an offender becomes eligible to apply for partial parole under section 24;

“prison” has the meaning assigned to it by section 2 of the Prisons Act;

Chap. 13:01

“prison officer” means a person holding or acting in an office established in the First Schedule and the First and Second Divisions specified in the Second Schedule of the Prison Service Act;

“relative” means—

(a) in relation to the victim—

- (i) his parent, step-parent or guardian;
- (ii) his spouse, cohabitant or fiancé;
- (iii) his child, step-child or other dependent;
- (iv) his brother, sister, step-brother or step-sister;
- (v) his grandparent; or
- (vi) any appropriate person who the Court determines to be of sufficient proximate relationship whether by blood or otherwise; or

(b) any other person responsible for the victim’s care and support;

“Superintendent” means a person holding or acting in the office of Superintendent of Prisons established under the Prison Service Act;

“temporary absence” means an absence of an offender from prison granted under section 29 for a limited time for the purpose of attending a distinct personal development programme or performing community service;

“victim” means a person to whom harm was done or who has suffered physical, emotional, psychological or economic loss or damage as a result of the commission of an offence by an

offender and if the person is dead, or otherwise incapacitated as a result of the offence—

- (a) the person’s spouse or an individual who is or was at the time of the person’s death or incapacitation, cohabitating with the person in a cohabitational relationship, having so cohabitated for a period of at least five years;
- (b) a relative or dependant of the person;
- (c) anyone who has responsibility for the care or support of the person; or
- (d) anyone who has responsibility for the care or support of a dependant of the person;

“work release” means a structured programme of conditional release of an offender granted under section 30, for a specified duration to work or perform community service outside of prison under the direct supervision of a prison officer or other person or organisation approved by the Minister.

(2) For the purposes of this Act, the Minister may, after consultation with the Commissioner, by Order, subject to negative resolution of Parliament, approve a minimum-security place or facility as a community-based residence for the provision of accommodation of offenders on parole.

4. This Act binds the State.

PART II

THE PAROLE BOARD

Establishment of the
Board

5. There is hereby established a body corporate to be known as “the Parole Board of Trinidad and Tobago” (hereinafter referred to as “the Board”).

Functions of the
Board

6. The functions of the Board are to—

- (a) identify offenders who are likely to be successful in being reintegrated into society as law abiding citizens;
- (b) receive and consider applications for parole from an offender, and to make recommendations to a Court for the grant of parole;
- (c) make recommendations to a Court in relation to the conditions on which parole is granted to an offender;
- (d) recommend to a Court, the revocation or suspension of parole granted or recommend the variation of any of the conditions of any parole granted to an offender who is found to be in violation of a condition of parole;
- (e) review the cases of offenders who are serving—
 - (i) an eligible prison term; or
 - (ii) a life sentence,
 for the purpose of determining whether or not to recommend the grant of parole to an offender; and
- (f) make such other recommendations to a court where applicable in relation to the granting of parole to offenders as the Board sees fit.

7. The Board may appoint such committees, working groups or advisory councils as it thinks fit to assist in the performance of its functions or to further the objects of this Act. Appointment of Committees by the Board

8. The Board is not subject to the direction or control of any person in the performance of its functions and in the exercise of its powers under this Act. Independence of the Board

9. (1) Subject to subsection (2), the Board shall comprise not less than nor more than nine members appointed by the President— Composition and appointment of the Board

- (a) an Attorney-at-law with not less than fifteen years' standing, as Chairman;
- (b) a psychiatrist;
- (c) a criminologist;
- (d) a representative from a Non-Governmental Organisation; and
- (e) a maximum of two representatives from civil society.

(2) The following shall be *ex officio* members of the Board:

- (a) the Commissioner;
- (b) the Commissioner of Police; and
- (c) the Chief Probation Officer.

(3) Subject to sections 10 and 11, members of the Board shall be appointed on such terms and conditions as are determined by the President.

(4) The President shall cause the appointment of members of the Board to be published in the *Gazette*.

10. (1) The Chairman and Deputy Chairman shall be appointed on a full-time basis for such term not exceeding five years as the President may determine. Tenure of members of the Board

(2) A member of the Board, other than the Chairman and Deputy Chairman, shall be appointed on a part-time basis for such term not exceeding three years as the President may determine.

(3) Members of the Board shall be eligible for reappointment.

Removal from office **11.** The President acting in his own discretion may remove a member of the Board from office, where that member—

- (a) behaves in such a manner that is likely to bring his office into disrepute;
- (b) fails, without reasonable excuse, to carry out any of his duties in a responsible or timely manner;
- (c) is unable, by reason of physical or mental incapacity, to perform his duties for a continuous period of three months or more; or
- (d) is otherwise unable or unfit to perform his duties.

Resignation **12.** (1) The Chairman or Deputy Chairman may resign his office by instrument in writing addressed to the President and the resignation shall take effect from the date on which the President receives the instrument.

(2) A member of the Board, other than the Chairman and the Deputy Chairman, may resign his office by instrument in writing addressed to the President, who shall immediately transmit the instrument to the Minister, and the resignation shall take effect from the date on which the Chairman receives the instrument.

Vacation of Office **13.** (1) The office of a member of the Board shall become vacant before its expiration where that member is removed from office, resigns or dies.

(2) A member of the Board shall be deemed to have vacated his office if he—

- (a) fails, without leave of absence from the Board, to attend three consecutive meetings of the Board; or
- (b) is absent for more than one third of the total meetings of the Board in any calendar year.

14. (1) Where a vacancy in the office of a member of the Board occurs under section 11, 12 or 13, the President may appoint a person who is eligible for appointment to that office, to fill the vacancy. Filling of vacancies and acting appointments

(2) The appointment of a person under subsection (1), shall be for the unexpired portion of the term of office of the member whose office that person has been appointed to and such a person is eligible for reappointment.

(3) Where a member of the Board is temporarily prevented by illness or other cause from performing the functions of his office, the President may appoint a person who is eligible for appointment to that office, to act in the stead of that member for the period of illness or incapacity.

15. (1) There shall be paid to each member of the Board such remuneration as the President may determine. Remuneration

(2) The salaries and other conditions of service of the Chairman and Deputy Chairman shall be subject to review by the Salaries Review Commission in accordance with section 141 of the Constitution. Chap. 1:01

16. (1) No action, suit, prosecution or other proceedings shall be brought or instituted personally against a member of the Board or any employee of the Board in respect of any act or omission by that member, or employee of the Board, as the case may be, in good faith Protection from suit and other legal proceedings

and in the execution or purported execution of his or its functions, powers or duties under this Act.

(2) Proceedings shall lie against the State in respect of any act or omission by a member of the Board, or by an employee of the Board, in the execution or purported execution of his or its functions, powers or duties under this Act.

Meetings of the
Board

17. (1) The Board shall meet as often as may be necessary or expedient for the performance of its functions and in any event, not less than once every month.

(2) The quorum for meetings of the Board shall be no less than five of the members of the Board and the Board shall not commence or continue a meeting, or hear or determine a matter unless a quorum is present.

(3) Subject to subsection (4), the Chairman shall preside at all meetings of the Board.

(4) Where the Chairman is absent at a meeting of the Board, the Deputy Chairman shall preside at the meeting.

(5) The decisions of the Board shall be by a majority of the votes of the members present and, in any case in which the voting is equal, the Chairman or Deputy Chairman presiding shall have a casting vote.

(6) Subject to the provisions of this Act, the Board may establish its own rules to govern the conduct of its affairs.

Disclosure of interest

18. (1) A member of the Board, in exercising his duties or participating in the making of a decision on a matter being considered or about to be considered by the Board and who at the same time knows or ought reasonably to have known, that in making of the decision, there is an opportunity either directly or

indirectly to further his private interest or that of a member of his family or of any other person, shall disclose such interest.

(2) Where there is a possible or perceived conflict of interest under subsection (1), a person to whom this Part applies shall, after disclosing such interest, be disqualified from any decision-making process in that matter.

(3) A disclosure by a member of the Board under subsection (1), shall be recorded in the minutes of the meeting of the Board and after such disclosure, the member shall not—

- (a) be present during any deliberation of the Board with respect to that matter; or
- (b) take part in any decision of the Board with respect to that matter.

(4) A person who contravenes subsection (1), commits an offence and is liable on summary conviction to a fine of ten thousand dollars and imprisonment for one year.

19. (1) The Board may, in performing its functions— Powers of the Board

- (a) issue notices requiring the appearance before the Board of such persons, as the Board may consider necessary;
- (b) require the Commissioner to cause an offender to be brought to a specified place at a specified time for the purpose of appearing before the Board;
- (c) require a person to produce, or furnish the Board with a written report or other document relating to a matter before the Board;

- (d) require a person appearing before the Board to answer on oath or affirmation any questions put to him by the Board that are relevant to a matter before the Board;
- (e) require a written report or other document submitted to the Board to be verified by a statutory declaration;
- (f) require the carrying out of risk assessment and risk management activities in relation to an offender; and
- (g) do such other things as are necessary or expedient for the performance of its functions.

(2) An answer to any question on oath or affirmation under subsection (1), shall be made in accordance with the requirements of the Oaths Act.

Chap. 7:01

(3) The Board in performing its functions under this section, may, where the circumstances necessitate, utilise electronic means which includes teleconference, video-link, internet link or any other manner of instant communication between the Board and the necessary persons or parties facilitated by the use of technology.

PART III

PAROLE FOR OFFENDERS

Eligibility for parole

20. An offender, other than an offender sentenced to death, is eligible for parole in accordance with the provisions of this Act as follows:

- (a) an offender undergoing a life sentence, shall be eligible for—
 - (i) partial parole upon the expiration of fifteen years; and
 - (ii) full parole upon the expiration of twenty years,
 after his reception into a prison after sentencing; or

- (b) an offender undergoing a sentence other than a life sentence, shall be eligible for—
- (i) partial parole upon the expiration of one-quarter of his sentence; and
 - (ii) full parole upon the expiration of one-half of his sentence, subject to certification by the Board of his successful completion of partial parole.

21. (1) A Court shall have the authority to receive and consider the recommendations of the Board for the grant of parole to an offender in accordance with the provisions of this Act. Court to receive and consider the recommendations of the Board

(2) Where a Court receives a recommendation under subsection (1), the Court may, before ordering the grant of parole, require—

- (a) the Board to provide any report or documents that it considers relevant as part of its consideration; and
- (b) any person or witness who may have an interest in the outcome of the grant of parole to appear before the Court to be examined.

22. The Commissioner shall assign such number of suitably qualified and trained prison officers to be parole officers as he sees fit for the purposes of this Act. Assignment of parole officers

23. (1) A parole officer shall, as soon as is reasonably practicable after the reception of an offender, conduct a rehabilitative needs assessment of the offender with the view of determining appropriate rehabilitation programmes that would best assist in the rehabilitation process of the offender. Rehabilitation needs assessment

(2) An offender shall not be recommended for the grant of parole, unless the offender successfully participates in all rehabilitation programmes prescribed under subsection (1).

Parole eligibility
dates for offenders

24. (1) A parole officer shall, upon the reception of an offender, calculate the date on which the offender shall become eligible for—

- (a) partial parole, which shall be the date immediately after the expiration of one-quarter of the sentence; and
- (b) full parole, which shall, subject to certification by the Board of the successful completion of partial parole by the offender, be the date immediately after the expiration of one-half of the sentence.

(2) When the eligibility date for partial parole and full parole have been calculated under subsection (1), the parole officer shall in writing inform the offender of the eligibility dates.

(3) Where an offender does not, on or before his full parole eligibility date, obtain certification by the Board of his successful completion of partial parole, he shall become eligible for full parole on the date that he obtains that certification.

(4) For the purposes of this section, where an offender is serving—

- (a) concurrent sentences, the longest sentence shall be used for the purpose of calculating the partial parole eligibility date and full parole eligibility date of the offender; or
- (b) consecutive sentences, the aggregate term of imprisonment shall be used for the purpose of calculating the partial parole eligibility date and full parole eligibility date of the offender.

Application for
partial parole

25. (1) An offender may, not earlier than six months before his partial parole eligibility date, submit his application for partial parole to the Superintendent.

(2) A Superintendent shall not more than seven months and not less than six months before the partial parole eligibility date of an offender, give the offender notice in the form set out in Part A of the Schedule of that date and inform him of his entitlement to apply for partial parole in accordance with subsection (1).

Schedule
Part A

(3) An application for partial parole shall be in the form set out in Part B of the Schedule.

Schedule
Part B

(4) An application for partial parole may be accompanied by a written representation from the applicant in support of the application and the written representation may be submitted to the Superintendent with the application or at any time before the application is forwarded to the Board under subsection (7).

(5) Upon receipt of an application for partial parole, the Superintendent shall, as soon as practicable—

- (a) cause a case history of the applicant and a report as set out in Part C of the Schedule on the conduct of the applicant while in prison, to be prepared; and
- (b) make arrangements for the applicant to undergo a psychological or psychiatric evaluation.

Schedule
Part C

(6) Where an applicant for partial parole refuses to undergo an evaluation under subsection (5)(b), the Superintendent before whom the application was made, shall forward the application to the Board with a note indicating that the offender refused to undergo the evaluation.

(7) Subject to section 24(2), a Superintendent shall, as soon as practicable after receiving the case history, report and the results of the psychological or psychiatric evaluation referred to in subsection (5),

forward to the Board the application, case history, report and the results of the psychological or psychiatric evaluation and any written representations submitted by the applicant.

(8) The Minister may, by Order, amend the Schedule.

Board to fix date,
time and place for
partial parole
hearing

26. (1) Subject to subsection (2), the Board shall upon receipt of an application of an offender for partial parole, fix the date, time and place for the partial parole hearing of an applicant and shall give at least thirty days written notice of such date, time and place to—

- (a) the offender;
- (b) the Commissioner;
- (c) the Commissioner of Police;
- (d) the victims of the offence committed by the offender or such relatives of the victims as the Board thinks fit; and
- (e) such other persons as the Board thinks fit.

(2) A partial parole hearing shall commence at least sixty days before the partial parole eligibility date of the applicant, but the applicant shall not be released on partial parole before his partial parole eligibility date.

Conduct of partial
parole hearing

27. (1) The Board shall at a partial parole hearing of an offender, consider—

- (a) the application, case history, report, results and where applicable, the written representations from the applicant referred to in section 25(7);
- (b) any other documents which are required by the Board to be furnished;

- (c) any oral submissions made by the offender or any other person appearing before it;
- (d) the nature and circumstances of the offence for which the offender was convicted and sentenced;
- (e) any remarks made by the Court at the time of sentencing;
- (f) any information provided by a parole officer or any other person with an interest in the outcome of the application for parole;
- (g) the need to protect society from exposure to any undue risk of danger; and
- (h) any other factor as the Board may consider appropriate.

(2) After conducting the partial parole hearing of an offender, the Board shall, subject to sections 29 and 30, recommend to the Court where the offender was sentenced, whether to grant or refuse partial parole and shall provide the Court with a record of the proceedings of the hearing and a copy of any relevant reports.

28. The Board may recommend to the Court where the offender was sentenced, the grant of partial parole to the offender in the form of a temporary absence order under section 29, or a work release order under section 30, where it is satisfied that—

- (a) the behaviour of the applicant while under sentence does not preclude the grant of partial parole;
- (b) the applicant is fit to be released on partial parole; and
- (c) the reform and rehabilitation of the offender will be aided by partial parole,

and in the case of a temporary absence order, it is also satisfied with respect to the criteria stated in section 29 (1), or in the case of a work release order, it is also satisfied with respect to the criteria stated in section 30 (1).

Grant of temporary
absence

29. (1) A Court may grant a temporary absence order to an offender for partial parole, where the Court is satisfied with respect to the criteria specified in section 28 and that—

- (a) the offender is unlikely to commit an offence or otherwise pose an undue risk to any person or to society during the period that the offender is released on partial parole;
- (b) it is desirable for the offender to be temporarily absent from the prison for the purpose of attending a distinct personal development programme, performing community service, or participating in a community-based activity or programme in order to prepare the applicant for work release;
- (c) the behaviour of the offender while under sentence does not preclude authorising the absence;
- (d) a structured plan for the temporary absence of the offender has been prepared by a parole officer;
- (e) there will be support for the offender including the involvement of—
 - (i) family members;
 - (ii) community support groups; or
 - (iii) religious groups;
- (f) the offender is fit to be released on temporary absence; and

(g) the offender has met any other requirement that it considers necessary prior to being granted temporary absence.

(2) An offender who is granted temporary absence by a Court shall engage in such personal development programme, community service or community-based activity or programme outside the prison for such number of hours per outing and such number of outings per week as is approved by the Court.

(3) For the purposes of subsections (1)(b) and (2), a personal development programme may include family contact or parental responsibility.

(4) A parole officer shall, as soon as practicable after the expiration of a temporary absence order, submit to the Board a report on the compliance of the offender with the order together with his recommendations as to whether the offender should be certified as having successfully completed his temporary absence.

(5) Where the Board, after considering a report submitted under subsection (4), and interviewing the parole officer, the offender and such other persons as the Board thinks fit, is satisfied that the offender has successfully completed his temporary absence, the Board shall certify, in writing, that the offender has successfully completed his temporary absence.

30. (1) The Court, where an offender is sentenced, may ^{Grant of work} grant a work release order to an offender for partial ^{release} parole where the offender is certified under section 29(5), and the Court is satisfied with respect to the criteria specified in section 28 and that—

(a) the offender is unlikely to commit an offence or otherwise pose an undue risk to any person or to society during the period that the offender is on work release;

- (b) it is desirable for the offender to participate in a structured programme of work in order to prepare the offender for full parole;
- (c) the behaviour of the offender while under sentence does not preclude authorising the work release;
- (d) a structured plan for the work release has been prepared by a parole officer;
- (e) there will be support for the offender including the involvement of—
 - (i) family members;
 - (ii) community support groups; or
 - (iii) religious groups;
- (f) the offender is fit to be released on work release; and
- (g) the offender has met any other requirement that the Court considers necessary prior to being granted work release.

(2) An offender who is granted work release by a Court shall—

- (a) engage in such employment outside the prison as is specified in his work release order;
- (b) reside at, and return nightly to such community-based residence as is specified in his work release order;
- (c) deposit into a bank account such portion of his earnings as is specified in his work release order;
- (d) subject to any Court ordered payments, pay such portion of his earnings as the Court specifies towards family assistance, including maintenance and towards his upkeep at the community-based residence; and

- (e) be given such allowance out of his earnings as is approved by the Court to meet his personal or incidental expenses.

31. (1) Where the Board recommends the grant of partial parole to an offender, it shall within seven days of making its decision, cause the offender to be informed in writing of its decision. Notice of recommendation to grant partial parole

(2) Where the Board refuses to recommend the grant of partial parole to an offender, the Board shall within seven days of making its decision, cause the offender to be informed, in writing, of its decision and its reasons.

32. A partial parole order shall—

Partial parole order

- (a) have effect for the period specified in the order;
- (b) require the parolee to submit to the supervision of a parole officer during the partial parole period;
- (c) specify, subject to section 33, the conditions on which the parolee is released on partial parole;
- (d) specify such other requirements as the Court considers necessary for securing the supervision of the parolee; and
- (e) specify such additional requirements as to residence and other matters as may be necessary for the reform and rehabilitation of the parolee.

33. (1) A partial parole order made in respect of an offender shall require the offender to comply with the following conditions of release: Conditions of release on partial parole

- (a) on release, immediately report in person to designated parole officer;

- (b) report to his parole officer as instructed by that officer;
- (c) remain at all times in such area as is specified in the order;
- (d) obey the law and keep the peace at all times;
- (e) as far as possible, refrain from associating with any person whom he ought to reasonably know to be involved in crime;
- (f) as soon as possible after his arrest for any subsequent offence or after being questioned by the police, inform his parole officer of that occurrence;
- (g) at all times, have on his person a copy of the order and produce it on request for identification, to a police officer or parole officer;
- (h) report to a police station if and as instructed by his parole officer;
- (i) not own, possess or have the control of any firearm, pepper spray or other prohibited weapon;
- (j) not possess or have the control of any tools or other implements except if and as authorised by his parole officer;
- (k) remain free of dangerous drugs and alcohol and shall subject himself to random testing for any dangerous drug and alcohol as directed by his parole officer;
- (l) if released on work release, shall—
 - (i) observe the curfew of the community-based residence to which he is assigned; and

- (ii) upon returning to the community-based residence to which he is assigned, subject himself to such searches as may be necessary to promote the security, good order and discipline at the community-based residence.

(2) A partial parole order made in respect of an offender may require the offender—

- (a) to subject himself to electronic monitoring in accordance with the Administration of Justice (Electronic Monitoring) Act, 2012; Act No. 11 of 2012
- (b) to refrain from associating with—
 - (i) children;
 - (ii) a victim of the offence for which the offender is sentenced; or
 - (iii) any other person or class of persons as the Court considers necessary;
- (c) to comply with conditions relating to the finances or earnings of the offender;
- (d) to participate in a rehabilitative or other type of programme;
- (e) to take prescription medication that is prescribed by a medical practitioner;
- (f) not to enter or remain in specified places or areas at specified times, or at all times; or
- (g) to comply with such other conditions of release as the Court considers necessary.

(3) Notwithstanding subsection (2)(e), an offender shall not be subject to a condition that requires him to take prescription medication unless the offender—

- (a) has been fully advised by a medical practitioner about the nature and likely or intended effect of the medication and any known risks; and
- (b) consents to taking the prescription medication.

(4) An offender does not breach a condition of release for the purposes of this Act, if he withdraws consent to taking prescription medication, however, the failure to take the medication may be a ground for revocation or suspension of parole under this Act.

Submission of
documents for full
parole

34. (1) Not earlier than five months or later than four months before the expiration of a partial parole order for work release of an offender—

- (a) the parole officer assigned to the offender, shall submit to the Board a report on the compliance of the offender with the order together with his recommendations as to whether the offender should be certified as being eligible for full parole and whether the offender should be granted full parole upon the expiration of his work release order;
- (b) a Superintendent shall furnish the Board with—
 - (i) an updated case history of the offender;
 - (ii) an updated report on the conduct of the offender; and
 - (iii) a Superintendent's report as provided in Part C of the Schedule;
- (c) the Board shall make arrangements for the offender to undergo a psychological or psychiatric evaluation for the purpose of

Schedule
Part C

obtaining an opinion as to whether the offender is fit to be released on full parole; and

- (d) the offender shall submit to the Board an application for full parole in the form set out in Part B of the Schedule and any written representations in support of his release on full parole.

(2) Notwithstanding subsection (1), an offender may at any time after completing at least half of his work release under a partial parole order, apply to the Board—

- (a) for the certification of his eligibility for full parole on the basis that he has exhibited such excellence in general behaviour and has made such endeavours in relation to rehabilitation that it is desirable for him to be eligible for full parole; and
- (b) to be recommended for the grant of full parole before the expiration of his partial parole order for work release, and the offender may submit in writing to the Board any written representations in support of his application.

(3) Where an offender makes an application under subsection (2), the Board shall—

- (a) require his parole officer to submit a report on the compliance of the offender with his partial parole order for work release and to state in the report whether in his opinion the offender—
- (i) has exhibited such excellence in general behaviour and has made such endeavours in relation to

rehabilitation that it is desirable for the offender to be eligible for full parole; and

(ii) should be recommended for the grant of full parole before the expiration of his partial parole order for work release;

(b) require a Superintendent to furnish it with a report as provided in Part C of the Schedule;<sup>Schedule
Part C</sup>
and

(c) make arrangements for the offender to undergo a psychological or psychiatric evaluation.

(4) Where an offender who applies for full parole refuses to undergo an evaluation under subsection (1)(c) or (3)(c), the Superintendent before whom the application was made, shall forward the application to the Board with a note indicating that the offender refused to undergo the evaluation.

(5) The Board shall fix the date, time and place for the full parole hearing of an offender and shall give at least thirty days' written notice of such date, time and place to—

(a) the offender;

(b) the Commissioner;

(c) the Commissioner of Police;

(d) the victims of the offence committed by the offender or such relatives of the victims as the Board thinks fit; and

(e) such other persons as the Board thinks fit.

(6) The full parole hearing of an offender shall, as far as practicable, commence—

- (a) in the case of an offender referred to in subsection (1), at least sixty days before the expiration of the partial parole order for work release; or
- (b) in the case of an offender referred to in subsection (2), within twenty-one days of the receipt by the Board of documents referred to in subsection (3).

35. The Board shall, at a full parole hearing of an offender, consider— Conduct of full parole hearing

- (a) the documents referred to in section 34(1) and (3);
- (b) any other documents which are required to be furnished to it;
- (c) any oral submissions made by the offender or any other person appearing before it;
- (d) the nature and circumstances of the offence for which the offender was convicted and sentenced;
- (e) any remarks made by the Court at the time of sentencing;
- (f) any information provided by a parole officer or any other person with an interest in the outcome of the application for parole;
- (g) the need to protect society from exposure to any undue risk of danger; and
- (h) any other factor that the Board may consider appropriate.

36. (1) After conducting the full parole hearing of an offender, the Board may, where it is satisfied that the offender fulfills all the necessary conditions for the grant of full parole, recommend to a Court the grant of full parole to the offender. Recommendation for the grant of full parole

(2) Where the Board is of the opinion that the offender does not satisfy all the necessary conditions for the grant of full parole, the Board shall not recommend to a Court the grant of full parole to the offender and may instead recommend to the Court the extension of the offender's partial parole order for work release to such date as the Board thinks fit.

(3) Subject to subsection (4), where the Board recommends the grant of full parole to an offender under subsection (1), the Board shall—

- (a) in the case of an offender referred to in section 34(1), recommend to a Court the grant of full parole on the expiration of the offender's partial parole order for work release; or
- (b) in the case of an offender referred to in section 34(2), recommend to a Court the grant of full parole before the expiration of the offender's partial parole order for work release.

(4) The Board may recommend, and a Court may grant full parole to an offender, where the Board or Court, as the case may be, is satisfied that—

- (a) the offender is unlikely to commit an offence or otherwise present an undue risk of danger to any person or to society during full parole;
- (b) the behaviour of the offender while under sentence does not preclude authorising full parole;

- (c) a structured plan for full parole of the offender has been prepared by the parole officer or such other person as the Board recommends;
- (d) the offender has derived maximum benefit from his imprisonment;
- (e) the offender is fit to be released on full parole;
- (f) the reform and rehabilitation of the offender will be aided by full parole; and
- (g) the offender has met any other requirement that it considers necessary prior to being granted full parole.

37. (1) Where the Board recommends the grant of full parole to an offender, the Board shall—

Notice of recommendation for the grant of full parole

- (a) within seven days of making its decision, cause the offender to be informed in writing, of its decision; and
- (b) submit its recommendation to the Court at least thirty days before the expiration of the offender's partial parole order for work release.

(2) Where the Board refuses to recommend the grant of full parole to an offender, the Board shall, within seven days of making its decision, cause the offender to be informed in writing, of its decision and its reasons.

38. A full parole order shall subject to any earlier date of release of the offender by remission granted under the Prison Rules—

Full parole order

- (a) have effect until the date that the offender is due to be released from prison, unless previously revoked or suspended;

- (b) require the parolee to submit during the full parole period to the supervision of a parole officer;
- (c) specify, subject to section 39, the conditions on which the parolee is released on full parole;
- (d) specify such other requirements as may be necessary for securing the supervision of the parolee; and
- (e) specify such additional requirements as to residence and other matters as the Court considers necessary for the reform and rehabilitation of the parolee.

Conditions of release
on full parole

39. (1) A full parole order made in respect of an offender shall require the offender to comply with the following conditions of release:

- (a) on release, immediately report in person to designated parole officer;
- (b) report to his parole officer as instructed by the parole officer;
- (c) reside at such place, and be subject to such residential restrictions as specified in the order;
- (d) remain, at all times, in such area as is specified in the order;
- (e) obey the law and keep the peace at all times;
- (f) as far as possible, refrain from associating with any person whom he ought to reasonably know to be involved in crime;
- (g) as soon as possible after his arrest for any subsequent offence or after being questioned by the police, inform his parole officer of that occurrence;

- (h) at all times, have on his person a copy of the order and produce it on request for identification, to a police officer or parole officer;
- (i) not own, possess or have the control of any firearm, pepper spray, or other prohibited weapon;
- (j) report to a police station if and as instructed by his parole officer;
- (k) not possess or have the control of any tools or other implements except if and as authorised by his parole officer;
- (l) remain free of dangerous drugs and alcohol and shall subject himself to random drug and alcohol testing as directed by his parole officer; and
- (m) co-operate with his parole officer and other persons to secure employment and enrolment in after-care programmes.

(2) A full parole order made in respect of an offender may require the offender—

- (a) to subject himself to electronic monitoring in accordance with the Administration of Justice (Electronic Monitoring) Act, 2012; and
- (b) to refrain from associating with—
 - (i) children as specified in the order;
 - (ii) a victim of the offence for which he is sentenced; or
 - (iii) any other person or class of persons;
- (c) to comply with conditions relating to the finances or earnings of the offender;

- (d) to participate in a rehabilitative or other type of programme;
- (e) to take such prescription medication as is prescribed by a medical practitioner;
- (f) not to enter or remain in specified places or areas at specified times, or at all times; or
- (g) to comply with such other conditions of release as the Court considers necessary.

(3) Notwithstanding subsection (2)(e), no offender shall be subject to a condition that requires him to take prescription medication unless the offender—

- (a) has been fully advised by a medical practitioner, about the nature and likely or intended effect of the medication and any known risks; and
- (b) consents to taking the prescription medication.

(4) An offender does not breach a condition of release for the purposes of this Act if he withdraws consent to taking prescription medication, however, the failure to take the medication may be a ground for revocation or suspension of parole under this Act.

PART IV

GENERAL PROVISIONS

Procedure for the
conduct of hearings
of the Board

40. (1) There shall be a record of the minutes of each meeting of the Board and of all sessions conducted for the purpose of making recommendations under section 6 and such records shall be kept in a registry to record the decisions of the Board.

(2) Proceedings of the Board shall be conducted *in camera* unless otherwise directed by the Board.

(3) Notwithstanding subsection (2), where a person wishes to attend a hearing of the Board, he shall first apply to the Board in writing, to attend such hearing, and subject himself to a security or background check before being granted leave to do so.

(4) A person who applies to attend a hearing of the Board shall not be granted permission to do so, where in the opinion of the Board—

- (a) the attendance of the person at the hearing is likely to disrupt the Board or its ability to consider the matter before it;
- (b) any decision will be adversely affected by the presence of the person;
- (c) the presence of the person is likely to adversely affect those who have provided information to the Board, including victims, relatives of the victims or members of the offender's family;
- (d) the presence of the person is likely to adversely affect an appropriate balance between the public's interest in knowing the outcome of the matter and the public's interest in the effective reintegration of the offender into society; and
- (e) the security and good order of the premises in which the hearing will be conducted is likely to be adversely affected by the presence of the person.

(5) Where a person is denied permission to attend a hearing of the Board under subsection (4), the Board shall give to that person written reasons for its decision.

(6) Subject to subsection (13), the Board shall, upon request, provide an offender, his Attorney-at-law or

any other person authorised by the offender in writing, with a copy of any document which relates to the hearing of the offender.

(7) Victims or the relatives of the victims shall be entitled—

- (a) to appear at hearings of the Board and to make oral or written submissions on the parole of an offender and this may be done in the presence of the offender, or in his absence; or
- (b) to make written submissions by way of affidavit where they choose not to attend a hearing for parole and subject to subsection (12), the Board shall provide the offender, with a copy of the affidavit.

(8) The Board shall consider at all its proceedings, the concerns of victims or the relatives of the victims, but the concerns of a victim or the relatives of the victims shall not be the sole determinant or overriding factor in determining whether or not to recommend the grant of parole to an offender.

(9) An offender who is being considered to be recommended for the grant of parole shall be entitled at all proceedings of the Board to respond by way of oral submission or by affidavit to the submissions of any person appearing before the Board or to any affidavit submitted under subsection (7)(b).

(10) An offender who is being considered to be recommended for the grant of parole—

- (a) shall be entitled to have legal representation; or
- (b) may be assisted by a person of the offender's choice if the person obtains leave from the Board under subsection (3).

(11) The Board shall provide the assistance of an interpreter where an offender does not have an adequate understanding of the English language.

(12) The Board may refuse to disclose information under subsection (6) or (7), where it has reason to believe that the disclosure of the information would not be in the public interest or would jeopardise the safety or security of a person.

(13) The Board may redact any information referred to in subsection (12) from any copy of a document, which it provides under subsection (6) or (7).

(14) The Board shall, in writing, notify—

- (a) the Commissioner;
- (b) the Commissioner of Police;
- (c) the victim of the offence committed by the offender or such relative of the victim as the Board sees fit;
- (d) an offender; and
- (e) such other persons as the Board thinks fit,

within seven days of its decision with respect to the recommendation for the grant or refusal of parole to an offender.

(15) The appearance of an offender, victim, relatives of the victim or any other person participating in the proceedings, may appear in such hearings or proceedings virtually, through the use of video conferencing or other electronic communication technology that allows for real-time audio and visual participation.

41. A police officer shall, as soon as possible after arresting or charging a parolee, inform the Board, the parole officer and the Registrar of the Supreme Court of that occurrence.

Duty of police officer to inform of arrest or charging of parolee

Parole order ceases
to have effect where
parolee is arrested or
charged

42. (1) Where a parolee during the course of his parole, is arrested or charged with any criminal offence—

- (a) his parole order granted under this Act shall immediately cease to have effect and the offender shall be returned to prison; and
- (b) the offender shall cease to be eligible for parole.

(2) Where a parolee under subsection (1), is on electronic monitoring—

- (a) the Electronic Monitoring Unit shall be notified of the occurrence; and
- (b) all electronic monitoring equipment on the person of the offender shall be removed before the offender is returned to prison.

(3) Where a parolee is returned to the prison in accordance with subsection (1), the period spent by the parolee while on parole, shall be counted as a part of his sentence.

(4) A parolee who is returned to prison under subsection (1), shall not be eligible to reapply for parole.

Suspension of parole
order

43. (1) Subject to section 42, the Board may recommend to a Court the suspension of a parole order in respect of any parolee where the Board has reason to believe there has been, or is likely to be, a breach by the parolee of any of the conditions of parole.

(2) A Court may, after considering the recommendation of the Board under subsection (1) and any submissions by or on behalf of the parolee, suspend the parole order.

Recommendation for
the revocation of
parole

44. (1) The Board shall recommend to a Court the revocation of a parole order where—

- (a) the parolee poses an undue risk to the safety of the community or any person or class of persons;

- (b) the parolee has breached his conditions of release;
- (c) it appears that the immediate recall of a parolee is necessary in the public interest; or
- (d) the parolee no longer wishes to be subject to his conditions of release including residential restrictions.

(2) Where the Board intends to recommend to a Court the revocation of a parole order, the Board shall give at least seven days written notice of such intention to—

- (a) the parolee;
- (b) the Commissioner;
- (c) the Commissioner of Police;
- (d) the parole officer; and
- (e) such other persons as the Board thinks fit.

(3) A Court may, after considering—

- (a) the recommendation of the Board under subsection (1); and
- (b) any submissions by or on behalf of the parolee, the parole officer and such other persons as the Court thinks fit,

revoke the parole order, where the Court is satisfied with respect to any of the grounds specified in subsection (1).

45. (1) Where a parole order has been suspended or Effect of revocation or suspension of parole revoked, the parole order in respect of such parolee shall cease to have effect and the Court shall forthwith issue a warrant, addressed to any police officer for the arrest and the return of the parolee to prison.

(2) Where a parolee is returned to prison in accordance with subsection (1), the period spent by the parolee while on parole, shall be counted as a part of his sentence.

Reapplicatiion for parole

46. (1) An offender whose application for parole has been refused, may reapply for parole after the expiration of twelve months from the date of the refusal.

(2) Subject to section 42(3), a parolee in respect of whom parole has been suspended or revoked, may reapply to the Board for parole after the expiration of twelve months from the date of such suspension or revocation.

Computation of sentence

47. The parole period shall be counted as part of the sentence in respect of which parole was granted and shall be taken into account for the purpose of determining the date of expiration of such sentence.

Appeal from decisions of the Board

48. An appeal from a decision of the Board shall be made to the High Court on the ground that the Board, in making its decision—

- (a) breached or failed to apply any of its own internal policies; or
- (b) based its decision on erroneous or incomplete information.

PART V

ADMINISTRATIVE PROVISIONS

Administrative Committee

49. (1) There shall be a Committee of the Board to be known as “the Administrative Committee”.

(2) The Administrative Committee shall comprise —

- (a) the Chairman or Deputy Chairman designated by the Chairman, who shall be the Chairman of the Committee; and
- (b) two members of the Board designated by the Chairman.

(3) The Administrative Committee shall be responsible for all administrative matters relating to the operations of the Board.

50. (1) There shall be a Secretary to the Board, who Secretary to Board shall be the head of the Administrative Secretariat.

(2) The Secretary shall be appointed by the President on the recommendation of the Board.

(3) The appointment of the Secretary shall be on such terms and conditions of service as the President may determine.

51. (1) There shall be an Administrative Secretariat Administrative Secretariat to the Board, which shall comprise the Secretary and such other suitably qualified individuals as may be necessary for the proper functioning of the Administrative Secretariat.

(2) The staff of the Administrative Secretariat shall be engaged on contract by the Board on the recommendation of the Administrative Committee and in accordance with guidelines for contract employment established by the Chief Personnel Officer.

52. The Secretary and the Administrative Secretariat Functions of Secretary and Administrative Secretariat of the Board shall be responsible for—

- (a) taking, and keeping in a registry, a proper record of proceedings and decisions of the Board;
- (b) keeping a list of offenders who are ordered by the Court to be eligible for parole;
- (c) notifying the Chairman of the parole eligibility date of an offender ordered by the Court to be eligible for parole;
- (d) delivering to the Chairman all documents relating to an offender which have been forwarded or submitted to the Board;
- (e) providing general secretarial services to the Board; and
- (f) such other duties as the Chairman may assign from time to time.

PART VI

FINANCIAL PROVISIONS

Funds of the Board **53.** The funds of the Board shall consist of such sums as may be appropriated by the Parliament for the purposes of the Board.

Accounts and other records of the Board **54.** (1) The Board shall keep proper accounts and other records in relation to its functions.

(2) The accounts of the Board shall be public accounts for the purposes of section 116 of the Constitution.

Annual reports and estimates **55.** (1) The Board shall submit to the Minister within three months from the end of each financial year, a report of its operations for that year.

(2) A report under subsection (1) shall include—

(a) the number of offenders released on parole during the financial year;

(b) the number of offenders whose parole was revoked during the financial year and the reasons for each such revocation; and

(c) such other matters as the Board thinks fit.

(3) A copy of the report referred to in subsection (1) shall be laid in Parliament within three months from the date of its receipt by the Minister.

(4) On or before 31st March of each year, the Board shall submit its estimates of expenditure in respect of the next financial year to the Minister.

PART VII

MISCELLANEOUS

Offences **56.** A person who—

(a) interferes with, or attempts to interfere with, or hinders or incites or aids any person to do anything which will in any

way interfere with, or hinder the Board in the exercise of its functions under this Act;

- (b) makes any false representation to the Board or knowingly or wilfully gives false evidence to the Board in respect of any matter being dealt with by the Board;
- (c) fails to attend before the Board in accordance with a notice issued by the Board under section 19;
- (d) refuses, without lawful excuse, to answer any questions put to him by the Board under section 19;
- (e) fails, without reasonable excuse, to produce or furnish the Board with a document required by the Board under section 19;
- (f) misbehaves before the Board;
- (g) refuses to be sworn or to make an affirmation for the purposes of section 19(1)(d); and
- (h) without the permission of the Board, publishes or discloses information in relation to a report on the proceedings of the Board or any other document or matter before or being dealt with by the Board,

commits an offence and is liable on summary conviction to a fine of ten thousand dollars and imprisonment for one year.

57. An offender who is eligible for parole under this Act shall also be eligible for remission under the Prison Rules or any other written law. Eligibility for parole and remission

58. The Minister may make regulations for the administration of this Act, including regulations prescribing— Regulations

- (a) the duties of parole officers;

- (b) the form of reports to be made under this Act;
- (c) the form of certificates to be issued to a parolee upon the termination of the parole period; and
- (d) any matter that is required or permitted by this Act to be prescribed or is necessary or convenient to be prescribed for carrying out or giving effect to the purposes of this Act.

Rules Committee to
make Rules
Chap. 4:01

59. The Rules Committee established under section 77 of the Supreme Court of Judicature Act may make Rules of Court for carrying this Act into effect.

SCHEDULE

(Section 25)

PART A

REPUBLIC OF TRINIDAD AND TOBAGO

NOTICE OF ELIGIBILITY DATE FOR PAROLE

To: From:

Through Superintendent: Date:
(Name of Institution)

This is to advise that you will become eligible for parole on
.....
.....

Application Forms may be obtained from the Superintendent of the Institution.

.....
Commissioner of Prisons

Date received by offender:

Signature of inmate:

SCHEDULE—CONTINUED

PART B

(Sections 25 and 34)

REPUBLIC OF TRINIDAD AND TOBAGO

Application for Full Parole

Application for Partial Parole

1. NAME:
Last Name First Name Middle Name(s)

Age:

Date of Birth..... Reg. No.....

Religion.....

Sex: Male Female

Married Single Widowed Divorced

Address prior to imprisonment:

.....
.....
.....

.....
Next of kin Relationship

Address if different to the one stated above —

.....
.....

Telephone:

Dependents:

(1)Relationship.....Age.....

(2)Relationship.....Age.....

(3)Relationship.....Age.....

(4)Relationship.....Age.....

(5)Relationship.....Age.....

SCHEDULE—CONTINUED
Part B

.....

Institution

Offence(s):.....
.....
.....
.....

Sentence(s) being served:.....

Sentencing Court:.....

2. STATE BRIEFLY YOUR REASON(S) FOR MAKING THIS APPLICATION:

.....
.....
.....

3. YOUR PLANS FOR THE FUTURE IF GRANTED PAROLE:

(a) State where and with whom you will live —

.....
.....

(b) How will you care for yourself and your dependents? (if any)

.....
.....
.....

4. EDUCATION HISTORY:

.....
.....
.....
.....

5. EMPLOYMENT RECORD:

(a) What is your trade or occupation?

.....
.....

SCHEDULE—CONTINUED
Part B

- (b) State briefly your work experience prior to imprisonment —
.....
.....
.....
- (c) State briefly your work experience while serving your sentence —
.....
.....
.....
.....
- (d) State details of any current training or occupation programmes enrolled in while imprisoned —
.....
.....
.....
- (e) State details of steps taken to correct your behaviour which led to your offending and imprisonment, including any goals you have set for yourself while imprisoned and any successes achieved —
.....
.....
.....
.....
- (f) State whether you have held any positions of responsibility while imprisoned, (e.g., organisation, leadership roles, mentoring, work outside the perimeter, etc.) —
.....
.....
.....
- (g) Name(s) and address(es) of previous employer(s) —
.....
.....
.....
- (h) Name and address of anyone willing and able to employ you —
.....
.....
- (i) Give names and addresses of any relatives, friend, or organisation willing and able to assist you should you be released on parole —

SCHEDULE—CONTINUED
Part B

.....
.....
.....
.....

(j) Any other information —

.....
.....
.....

6. CRIMINAL RECORD

(a) State whether you have been sentenced to imprisonment at any time before the date of the sentence you are now serving.

Yes No

If yes, please provide details —

.....
.....
.....
.....

(b) Do you have any pending matters before the Court?

Yes No

If yes, please provide details —

.....
.....
.....

(c) Were you granted a community-based order on a previous occasion? (e.g. Community service, probation or parole).

(i) If yes, please provide details including any breaches of the order and reasons why the order was breached —

.....
.....
.....
.....

(ii) If granted parole, how do you intend to use this opportunity differently?

.....
.....

SCHEDULE—CONTINUED

Part B

.....
.....

7. MEDICAL

(a) Are you receiving treatment for any medical, psychiatric or psychological illness? If yes, please provide details.

.....
.....
.....

(b) Do you have any past pattern of gambling, alcohol and/or drug use? If yes, please provide details.

.....
.....
.....

(c) Have you developed a relapse prevention plan to address your particular addiction? If yes, please provide details.

.....
.....
.....

8. FINANCIAL AFFAIRS

(a) Please provide details of any financial obligations you may have towards family maintenance and/or child maintenance—

.....
.....
.....

(b) Please provide details of any Court ordered payments.

.....
.....
.....

9. FUTURE PLANS

(a) Briefly state what are your immediate and long-term goals —

SCHEDULE—CONTINUED

Part B

.....
.....
.....

(b) What are your future education plans if any?

.....
.....
.....

(c) Do you intend to continue with treatment programs as needed?

.....
.....
.....

(d) Do you have an interest in participating in any programme or form of employment if granted parole? If yes, please specify details —

.....
.....
.....

.....
Date

.....
Signature of inmate

PART C

(Sections 25 and 34)

REPUBLIC OF TRINIDAD AND TOBAGO

Superintendent's Report and Offender's Case History for the Parole Board Meeting

NAME OF INSTITUTION:

NAME OF INMATE:
(Last) (First) (Middle)

Reg. No.:

SCHEDULE—CONTINUED
Part C

-
.....
4. Relationship with and attitude towards family (Including any significant change in domestic circumstances, if any, during imprisonment) —
.....
.....
.....
5. Ties (if any) with persons and organizations outside the family circle —
.....
.....
.....
6. If imprisoned state the following:
- (a) Name of Institution:
 - (b) Length of sentence:
 - (c) Sentencing Court:
 - (d) Is the offender still in prison?
 - (e) Did the offender apply for parole?
 - (f) Was the offender released on parole?
 - (g) Are there any pending matters before the Courts (provide details of matters)?
.....
.....
.....
.....
 - (h) Was there any breach of Prison Rules (specify the nature of breach and the date of occurrence)?
.....
.....
.....

SCHEDULE—CONTINUED
Part C

(i) Were there any special commendations given for good behavior?
.....
.....
.....

(j) Any other relevant information:.....
.....
.....
.....

7. Please provide a brief statement of the facts and circumstances upon which the conviction and sentence was based —

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.....
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.....

8. How long has the Applicant been imprisoned?
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.....
.....

9. Date of sentence

10. PLACES WHERE CURRENT TERM HAS BEEN SERVED:

Institution	Time Spent		Reason for Transfer
	From	To	
.....
.....
.....
.....
.....

SCHEDULE—CONTINUED
Part C

Work Attitude, and other Observations

- 11. GIVE BRIEF DESCRIPTION OF TYPE(S) OF WORK SINCE IMPRISONMENT —
.....
.....
.....

- 12. SKILL TRAINING PROVIDED: GIVE AN EVALUATION OF INMATE'S SKILL AT THIS TYPE OF WORK —
.....
.....
.....

- 13. GIVE AN EVALUATION OF THE DILIGENCE AND THE ATTITUDE SHOWN BY THE INMATE AT WORK:
.....
.....
.....

- 14. INMATE'S SUITABILITY FOR EMPLOYMENT ON THE LABOUR MARKET:
.....
.....

- 15. EDUCATION:
 - (a) Classes attended during the period of imprisonment —
.....
.....
.....

 - (b) Does the applicant use his class time to advantage?
.....
.....
.....

SCHEDULE—CONTINUED
Part C

16. LEISURE:
- (a) Main leisure pursuits —
.....
.....
.....
.....
 - (b) What advantage the applicant gained from his leisure time activities?
.....
.....
.....
17. BEHAVIOUR: (Include the applicant's attitude towards supervision by members of staff)
.....
.....
.....
.....
18. Inmate's attitude toward offence(s) —
.....
.....
.....
19. Inmate's attitude toward society — [include activities (if any) with which he has been involved outside the institution]
.....
.....
.....
20. Briefly describe inmate's personality and character —
.....
.....
.....
21. To what extent does the inmate understand his faults or weaknesses and what efforts has he made to overcome them?
.....

SCHEDULE—CONTINUED
Part C

-
.....
.....
.....
22. Visits received (Relationship to visitors) —
.....
.....
.....
.....
23. What benefit has inmate derived from his imprisonment?
.....
.....
.....
24. Possible effects (positive or negative) of further stay in prison —
.....
.....
.....
25. Indicate the prospects for rehabilitation based on the conduct of the inmate while in prison —
.....
.....
.....
26. Health: (attach Medical or Psychological or Psychiatric reports where appropriate)
.....
.....
.....
27. Current or potential welfare problems —
.....
.....
.....
28. Any other relevant information:
.....
.....
.....

No. 7 of 2026

FIRST SESSION
THIRTEENTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to provide for a system of parole
and related matters

Received and read the

First time

Second time

Third time
