

CAYMAN ISLANDS



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THE PRISONS (AMENDMENT) LAW, 2018

(LAW 32 OF 2018)

CAYMAN ISLANDS

Law 32 of 2018.

I Assent

Martyn Roper

Governor.

Date: 14th December, 2018

**A LAW TO AMEND THE PRISONS LAW (LAW 14 OF 1975) TO
ALLOW FOR THE TEMPORARY REMOVAL OF PRISONERS FROM
PRISON FOR THE PURPOSE OF INTERVIEW OR INQUIRIES; AND
FOR INCIDENTAL AND CONNECTED PURPOSES**

Enacted by the Legislature of the Cayman Islands.

1. This Law may be cited as the Prisons (Amendment) Law, 2018.
2. The Prisons Law, 1975 is amended by inserting after section 30 the following section -

Short title

Insertion of section 30A
in the Prisons Law (Law
14 of 1975) - transfer of
prisoners for interview,
inquiries, etc.

“Transfer of
prisoners for
interview,
inquiries, etc.

30A.(1) The Director may in writing authorize the temporary transfer of a prisoner from a prison to a police station, the premises of any other law enforcement agency, or other location -

- (a) to enable the prisoner -
 - (i) to answer a charge;
 - (ii) to be dealt with for an offence for which he is placed on probation or conditionally discharged, or for which a suspended sentence was passed;
 - (iii) to appear as a prosecution witness;
 - (iv) to help recover stolen property, hidden firearms or explosives;

(2017 Revision)

- (v) to identify premises in connection with criminal investigations;
 - (vi) to be interviewed in connection with the investigation of a Category A or Category B offence as defined in section 5 of the Criminal Procedure Code (2017 Revision); or
 - (vii) to take part in an identification parade; or
- (b) where it is otherwise necessary in the interest of justice or for the purpose of a public inquiry.
- (2) Where a prisoner is transferred under subsection (1) to any place referred to in that subsection -
- (a) the period during which he is absent from the prison shall count towards his sentence as if he were continuously being held in prison; and
 - (b) he shall not be transferred to any other place without the prior written consent of the Director.
- (3) The Cabinet may make regulations relating to the transfer of prisoners under this section for the purpose of law enforcement.
- (4) Before the regulations referred to in subsection (3) are made, the Director may, after consultation with the Director of Public Prosecutions and the Commissioner of Police, determine the terms and conditions governing the transfer of prisoners under this section.”.

Passed by the Legislative Assembly the 16th day of November, 2018.

Dr. Hon. W. McKeeva Bush

Speaker.

Zena Merren-Chin

Clerk of the Legislative Assembly.