

THE CRIMINAL JUSTICE (ADMINISTRATION)  
ACT

ARRANGEMENT OF SECTIONS

1. Short title.

PART I. *Criminal Procedure*

2. As to indictments to be preferred at the Circuit Courts.  
Directions to be observed in preferring indictments.
3. Director of Public Prosecutions may direct persons bound over for trial at any Circuit Court to be tried before other courts.
4. Director of Public Prosecutions may enter or direct *nolle prosequi* to be entered.
5. Persons committed for trial to be brought for trial not later than the second Circuit after their commitment.
6. No person entitled to postponement of trial.
7. Plea of *autrefois convict*, etc.
8. Trial of offences committed near parish boundaries or on journeys.
9. Venue of indictment.
10. Person upon being arraigned pleading "not guilty".
11. Plea of "not guilty" to be entered when person arraigned stands mute of malice, or will not answer directly.
12. Provision against defeat of justice in consequence of technical niceties.
13. No judgment after verdict to be stayed or reversed for the want of a similiter, etc.
14. Consecutive sentences.
15. On trial of indictment for felony or misdemeanour.
16. Certain offences punishable with or without hard labour.
17. Persons convicted of certain misdemeanours may, in addition to imprisonment, be sentenced to hard labour.
18. Punishment for common law misdemeanours.
19. Power to impose imprisonment with hard labour in place of penal servitude.

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- 20. Power to amend errors and defects in criminal cases.
- 21. No indictment shall be quashed for error or defect in form or substance unless point raised at trial.
- 22. Joint trial in summary cases.
- 23. Certain proceedings to be in camera.
- 24. Jurisdiction in respect of indictable offences committed overseas by persons acting in the service of the Government.

### *Fitness to Stand Trial*

- 25. Determination of fitness.
- 25A. Trial of issue of fitness.
- 25B. Proceedings after verdict of fitness
- 25C. Proceedings where defendant is unfit.
- 25D. Periodic reports regarding unfit defendant.
- 25E. Special verdict in case of mental disorder.
- 26. [*Deleted by Act 1 of 2006.*]
- 27. [*Deleted by Act 1 of 2006.*]
- 28. [*Deleted by Act 1 of 2006.*]

### *Continuous Bail*

- 29. Continuous Bail.

### *Abolition of Presumption of Coercion*

- 30. Abolition of presumption of coercion of married woman by husband.

### *Crown Witnesses Leaving Island*

- 31. Crown witnesses may be required not to quit the Island before giving evidence.

### *Proof of Previous Conviction*

- 32. Manner of proving previous conviction as well as identity of the person charged, etc.

### *Prohibition of Photographing of Prisoners*

- 33. Offences.

### *As to Accessories Before the Fact*

- 34. Accessories before the fact may be tried and punished as principals.

35. Accessories before the fact may be indicted as such or as substantive felons.

*As to Accessories After the Fact*

36. Accessories after the fact may be indicted as such, or as substantive felons.
37. Punishment of accessories after the fact.

*As to Accessories Generally*

38. Prosecutions of accessory after principal has been convicted, but not attained.
39. Several accessories may be included in the same indictment although principal felon not included.

*Venue*

40. Trial of accessories.

*As to Abettors in Misdemeanours*

41. Abettors in misdemeanours.

*Vice-Admiralty Jurisdiction, Offences Within*

42. Vice-Admiralty jurisdiction.

**PART II. *Habitual Criminals***

43. Register of criminals.
44. Returns for purposes of register.
45. Official returns as to persons convicted of crimes.
46. Offences under Part II after a second conviction of crime.  
Powers of taking such offender into custody.
47. Power of Court to place offenders under supervision of the Police.
48. Proceedings on indictment for committing a crime after previous conviction.
49. As to the description of the offence, and as to evidence, in proceedings under this Part.

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- 50. Power of remand.
- 51. Penalty for harbouring thieves.

***Assaults on Police***

- 52. Assaults on police.
- 53. Definition of terms under Part II.

***Detention of Habitual Criminals***

- 54. Preventive detention.

Who is to be deemed a habitual criminal.  
Procedure.

**PART IIA. *Supervision of Restricted Persons***

- 54A. Definition of terms under Part IIA.
- 54B. Designation of restricted persons.
- 54C. Restrictions on restricted persons.
- 54D. Register.
- 54E. Duties of registration officer.
- 54F. Establishment of Restricted Persons Review Tribunal.
- 54G. Functions of the Tribunal.
- 54H. Application for review.
- 54I. Recommendation of Tribunal.
- 54J. Decision of Minister.
- 54K. Reapplication for review.
- 54L. Offences.
- 54M. Regulations.

**PART III. *As to Reserving Questions of Law for Consideration of the Court of Appeal***

- 55. Questions of law may be reserved for consideration of the Court of Appeal.
- 56. Judge or Resident Magistrate to state case with the questions of law reserved, for Court of Appeal.

- 57. Registrar of the Court of Appeal to certify judgment and order of Court of Appeal.**
- 58. Judgment of the Court of Appeal to be delivered in open Court.**
- 59. Court of Appeal may send back case for amendment.**
- 60. Court of Appeal may order a new trial, etc.**
- 61. Court of Appeal may amend defects and errors in any judgment, etc.**

***Effect of Endurance of Punishment of Felonies***

- 62. Effect of punishment in felonies not capital to have effect of pardon.**

**PART IV. *Matters concerning writ of habeas corpus and order of certiorari***

- 63. Procedure on application for *habeas corpus*.**
- 64. Power of Supreme Court to vary sentence on *certiorari* application.**

**SCHEDULES**