



THE PARLIAMENT OF
TRINIDAD AND TOBAGO

BILL ESSENTIALS

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Minister of Legal Affairs
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BILL ESSENTIALS

BILL ESSENTIALS NO. 36, 2019–2020

June 10, 2020





Domestic Violence (Amendment) Bill, 2020

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BACKGROUND

The Domestic Violence Act Chap 45:56



1. The **Domestic Violence Act Chap 45:56** (“the Act”) was assented to on October 12, 1999. The Act repealed the **Domestic Violence Act, 1991**, and sought to introduce comprehensive domestic violence legislation in Trinidad and Tobago on par with international standards on the sanctioning of domestic violence, as specified by the United Nations Commission on Human Rights.
2. The Act created a wider range of speedy and flexible remedies aimed at discouraging increasing incidents of domestic violence. The legislation sought to offer greater protection by:
 -  increasing the power and jurisdiction of the Court;
 -  enlarging the scope and ambit of the Protection Order;
 -  providing harsher penalties; and
 -  giving the police greater powers in respect of their ability to intervene in domestic violence situations.
3. However, domestic violence continues to be a major challenge in Trinidad and Tobago, and the Trinidad and Tobago Police Service recently established a Gender-Based Violence Unit aimed specifically at tackling domestic violence¹.

The Domestic Violence Amendment Bill 2020

4. The **Domestic Violence (Amendment) Bill, 2020** (“the Bill”) was introduced in the Senate by the Attorney General and Minister of Legal Affairs on June 3, 2020. The Bill seeks to amend the **Domestic Violence Act Chap. 45:56** and to provide for emergency protection orders.
5. The introduction of the Bill followed an announcement by the Attorney General of his intention of introducing legislation to amend the existing **Domestic Violence Act** to provide additional protection for the numerous victims of domestic violence in Trinidad and Tobago.²
6. The Bill primarily seeks to:
 -  amend several key definitions;
 -  expand the category of persons who can apply for Protection Orders;

¹ **Newsday**, “CoP vows better response to domestic violence with new unit”,
<https://newsday.co.tt/2020/01/22/cop-vows-better-response-to-domestic-violence-with-new-unit/>

² **Newsday**, “AG reveals Cabinet to review changes to domestic violence laws”,
<https://newsday.co.tt/2020/01/11/attorney-general-reveals-cabinet-to-review-changes-to-domestic-violence-laws/>

-  make provision for Emergency Protection Orders; and
-  establish the National Domestic Violence Register for Domestic Violence Complaints.

KEY FEATURES OF THE BILL

INTERPRETATION

7. **Clause 3** of the Bill proposes several amendments to the Interpretation section, **section 3**, of the Act. Firstly, the section is renumbered as **subsection (1)**.

8. The following new definitions are inserted in the appropriate alphabetical sequence:



“adult” means a person who is eighteen (18) years of age and over.



“dating relationship” means a relationship where the parties do not live together in the same household, but may be engaged in romantic, intimate or sexual relations.



“domestic relationship” means the relationship between a respondent and a person, where the person –

(a) is, in relation to the respondent –

(i) a spouse or former spouse;

(ii) a cohabitant or former cohabitant;

(iii) a child;

(iv) a dependant;

(v) a relative;

(vi) a person who has agreed to marry the respondent whether or not that agreement has been terminated;

(b) is or was, in relation to the respondent–

(i) a person in a visiting relationship; or

(ii) a person in a dating relationship;

(c) would be a relative of the respondent, related by marriage, if the respondent and the person (in a cohabitational relationship) were married to each other;

(d) is a member of the same household as the respondent or the applicant;

(e) has a child in common with the respondent; or

(f) is an adult in a residential institution and the respondent is –

(i) an owner or, a manager or employee of the institution; or

(ii) a volunteer or a person engaged in employment at the institution.



“relative”, in relation to a person, means any of the following who is related to the person by consanguinity, affinity or adoption:

- (a) father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law;
- (b) a son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law;
- (c) a brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law;
- (d) an uncle, aunt, uncle-in-law or aunt-in-law;
- (e) a nephew or niece; or
- (f) cousin.



“residential institution” means premises, other than a hospital or other medical institution, used for the purpose of caring for and housing of adults, including persons with mental or physical disabilities and elderly persons.

9. Further, **Clause 3** proposes to delete the current definition of **“applicant”** and substitute a new definition, which provides that an **“applicant”** means a person (a) who applies on his own behalf; (b) on whose behalf an application is made; or (c) who applies through another person, for a Protection Order under section 4. This new definition expands the current definition to include instances where persons apply through other persons for a Protection Order.
10. Additionally, the Bill proposes a new definition of the word **“child”** which expands the present definition. **“Child”** is redefined to mean a person under the age of eighteen (18) years who is not or has not been married and –
 - (a) who is in a relationship of consanguinity or affinity with –
 - (i) the applicant;
 - (ii) the respondent;
 - (iii) a spouse or former spouse of the respondent;
 - (iv) a cohabitant or former cohabitant of the respondent; or
 - (v) a relative of the respondent;
 - (b) who is in relation to a person referred to in paragraph (a)(i) to (iv) –
 - (i) an adopted child;
 - (ii) the subject of an adoption order and who is in the care and control of the person seeking the adoption order;
 - (iii) a foster child or has been a foster child;

- (iv) the subject of a Fit Person Order; or
 - (v) treated as a child of the family;
 - (c) in relation to whom a person referred to in paragraph (a)(i) to (iv) is his guardian;
 - (d) for whom a person referred to in paragraph (a)(i) to (iv) has responsibility;
 - (e) who ordinarily or periodically resides or resided with a person referred to in paragraph (a)(i) to (iv);
 - (f) who would be in a relationship of affinity with the respondent if the respondent and a person referred to in paragraph (a)(iv) were able to be married;
 - (g) in respect of whom a Care Order or a Wardship Order has been made; or
 - (h) who resides in a Children's Home, where the respondent is a Manager or employee of, engaged in employment at, or a volunteer at, the Children's Home.
11. The definition of "**dependant**" is deleted and substituted with a new definition which provides for persons with physical or mental disability, age or infirmity and also prescribes that a person under the age of twenty-five (25) years who is receiving education at an educational institution or undergoing training for a trade and who is reliant for his welfare on either the respondent or applicant, shall be considered a "**dependant**".
12. The definition of "**domestic violence**" is also amended by broadening the present category of persons who may be considered domestic violence victims. Presently, domestic violence is limited to abuse against a spouse, child, a member of the household or dependant. The new definition will allow for abuse against anyone in a domestic relationship with the respondent, including a cohabitant or a person in a dating relationship, to be considered domestic violence.
13. The definition of "**emotional or psychological abuse**" is deleted and substituted with a new definition, thus expanding the current scope of what may be considered emotional or psychological abuse. Critically, the definition is updated to include under emotional abuse the making of unwelcome or intimidatory contact with the person by any means including electronic means and the dissemination of intimate images of the applicant or applicant's child electronically or by any other means. Moreover, preventing a person from making or keeping connection with his family or friends or any other controlling or coercive behaviour towards the person or his child will be considered "**emotional or psychological abuse**".
14. Additionally, the definition of "**member of household**" is deleted and substituted with the definition of "**member of the same household**". In relation to an applicant or a respondent, a member of the same household means a person who ordinarily or periodically resides in the same dwelling house as the applicant or respondent and is related to the applicant or respondent by consanguinity, affinity or adoption; is or has been the subject of the Order of

the Court under the **Family Law (Guardianship of Minors, Domicile and Maintenance) Act** or the **Children's Authority Act**; or is or has been treated like a child of the family.

15. The definition of "**Minister**" will be changed from the Minister to whom responsibility for Social Development and Family Services is assigned to mean the Minister to whom the responsibility of "gender affairs" is assigned.
16. **Clause 3** also proposes the insertion of new **subsections (2) and (3)**. **Subsection (2)** provides that a person emotionally or psychologically abuses a child if that person causes or allows the child to see or hear, or experience the effects of the physical, sexual, emotional or psychological abuse of a person with whom the child has a domestic relationship. **Subsection (3)** provides that the victim of such abuse shall not be regarded as having caused or allowed the child to see, hear or experience the effects of the said abuse.

PART II: PROTECTION ORDERS

17. **Clause 4** of the Bill repeals and substitutes **section 4** of the Act to expand the category of persons able to apply for a Protection Order. The new **section 4** now empowers children under the age of sixteen (16) years old, an adult in a residential institution and the Children's Authority to apply for a Protection Order. Presently, a child may only apply for a Protection Order through a parent or guardian or someone in *loco parentis*. However, with this amendment, a child under sixteen (16) years old is empowered to apply through a parent or guardian or someone in *loco parentis* and a child sixteen (16) years old or above is entitled to apply for a Protection Order on his own behalf, if he so wishes.
18. This amendment also provides that the Court may issue a Protection Order in respect of that child, where during proceedings it becomes aware that a child has suffered, is suffering or is likely to suffer from domestic violence.
19. **Clause 5** amends **section 5** to empower the Court to grant an Interim Order or a Protection Order on the basis of a single act or omission or where a single threat has been made by the respondent.

TERMS OF PROTECTION ORDER



20. **Clause 6** of the Bill proposes to amend **section 6** of the Act to allow for the expansion of the terms of a Protection Order. This amendment prohibits a respondent from approaching a named person who is in a domestic relationship with the applicant or the respondent. Additionally, it empowers the Court to grant any other prohibition that it thinks fit.

21. **Paragraph 6 (1) (b)** is repealed and the remaining paragraphs are renumbered accordingly. **Clause 6** inserts a new **paragraph 6 (1) (c)** which provides that a Protection Order may direct an applicant to immediately occupy any place or residence whether the property is jointly or solely owned by the respondent or the applicant.
22. Further, **Clause 6** grants the Court the power to refuse the respondent contact with any child, if it is shown that such contact is not in the best interest of the child or the Court may order structured contact between the respondent and a child.
23. Significantly, **Clause 6** removes the **fifteen thousand dollars (\$15,000.00)** cap on the quantum of compensation that a victim of domestic violence can receive for loss incurred as a direct result of conduct that amounted to domestic violence. Such compensation usually encompasses loss of earnings; medical and dental expenses; moving and accommodation expenses and reasonable legal costs. This amendment will entitle the Court to award **“such compensation as the Court thinks fit”**.
24. **Clause 7** proposes the insertion of a new **Section 6A** which provides that a Protection Order granted to an applicant shall apply to a child of the applicant or the respondent, unless the Court orders otherwise.

MATTERS TO BE CONSIDERED

25. **Clause 8** amends **section 7** of the Act and provides for the removal of the *“need to preserve the institution of marriage”* as a ground from the Court’s consideration in determining the terms of a Protection Order. A new **subsection (2)** empowers the Court to request a risk assessment to be completed by a police officer or social worker before determining the scope of a Protection Order.

INTERIM ORDERS

26. **Clause 9** amends **section 8** of the Act. The amendment expands the circumstances upon which an Interim Order may be granted to include instances where at the second hearing of the application, an adjournment is required:
-  by the Court; or
 -  on account of the failure to effect service on the respondent or any act or omission by the respondent.
27. Further, **Clause 9** provides for an Interim Order to remain in force until it is revoked; until the application for a Protection Order is withdrawn or dismissed; or until the Protection Order is made.

PART III: PROCEEDINGS IN RESPECT OF AN APPLICATION FOR A PROTECTION ORDER

28. **Clause 11** of the Bill amends **section 10** of the Act to provide for the **Summary Courts Act** to apply in respect of proceedings in a Court of Summary Jurisdiction under the Act. The provision also allows for a specified category of persons (parent, guardian, person with responsibility for wellbeing) to be a party to the proceedings where an application is made on behalf of a child or a dependant.
29. **Clause 12** seeks to amend **section 11** of the Act to provide that where the Court makes an Order for substituted service under the proposed **12 (1C)**, the hearing of the application shall be no more than twenty-one (21) days after its date of filing.
30. **Clause 13** will amend **section 12** of the Act. Subsection (1) is repealed and substituted with a new **subsection (1)** which requires the Court to cause a copy of an application for a Protection Order to be served personally on the respondent. Additionally, the new subsection stipulates that the Court shall not require an application for a Protection Order to be served by an applicant on the respondent.
31. Further, where the Court directs that an application be served by a police officer and the application is not filed within five (5) days, the police officer shall file a notice within two (2) days thereafter bringing this to the attention of the Court. In this instance, the Judge or Magistrate is entitled to make an Order for substituted service.
32. **Clause 14** amends **section 14** to ensure that an application for a Protection Order is not dismissed where the application is accompanied by evidence on affidavit in accordance with the Act.
33. **Clause 15** proposes to amend **section 16** of the Act which concerns service of Protection Orders. The persons upon which a copy of the Protection Order may be served is expanded to include the police officer in charge of the station nearest to where the applicant works and where any child is attending school. Additionally, a Protection Order, which concerns real property, may no longer be placed on the Land Registry as a *lis pendens*³.
34. The Clause also provides the timeline within which a Protection Order must be served and the procedure for a substituted service if the service is not completed within the prescribed timeline.

³ Lis pendens is a Latin phrase meaning pending suit – Black’s Law Dictionary 2nd Edition.

PART IVA: EMERGENCY PROTECTION ORDERS

35. **Clause 18** inserts a new **Part IVA** entitled, “Emergency Protection Orders” after the existing **section 19**.
36. **Clause 19**, introduces a new **section 19A** which details the process for making an Emergency Application to the Court for a Protection Order. In circumstances where a Court is not sitting or it is not practicable for the applicant to access the Court, the new section empowers a police officer or the Children’s Authority (where the applicant is a child), to make an emergency application to a Master or Judge of the Family or Children Court for a Protection Order where the applicant has suffered or is in danger of suffering serious physical injury at the hands of the respondent.
37. An emergency application may be made by telephone, video conference or other appropriate electronic means.

PART V: ENFORCEMENT OF ORDERS

38. **Clause 20** inserts a new **section 20A**, after the existing **section 20**, to empower the Court to make a Protection Order against a person convicted of a serious criminal offence where the convicted person is in a domestic relationship with the victim of the offence. Importantly, a Protection Order under this section may be made or extended for a period exceeding three (3) years, taking into consideration the need to protect the victim following any period of imprisonment.
39. **Clause 21** changes the title of **Part VI** of the Act to “*National Domestic Violence Register for Domestic Violence Complaints and Duty of Police Officers to Respond*”.
40. **Clause 22** amends **section 21** of the Act and prescribes that the Commissioner of Police shall establish electronically a **National Domestic Violence Register**. The amendment places a responsibility on the Commissioner to ensure all domestic violence reports are entered in the Register. The Register shall be accessible to police officers in each police station but shall not be accessible to the public.
41. **Clause 23** inserts a new **section 21A** which prescribes that a police officer shall respond to every complaint or report alleging domestic violence.
42. **Clause 24** amends **section 25** of the Act by removing the grounds upon which the Court must be satisfied for the grant of a bond of good behaviour. This has the effect of increasing the Court’s discretion in determining whether such a bond should be granted. Additionally,

subsection (3) (b) is amended to place the condition of reporting to a probation officer squarely on the respondent alone.

43. **Clause 25** repeals **section 26** dealing with refractory witnesses.
44. **Clause 26** inserts a new **section 26A** to allow for the mandatory reporting of domestic violence against a child or a person who is by reason of physical or mental disability, age or infirmity dependent on another person. This section applies to a person who has custody; an attendant, employer, teacher or caregiver who has temporary custody or care; a person who resides with the child or dependant; or a medical practitioner who has performed a medical exam.
45. Any person who, without reasonable excuse, fails to comply with this section, commits an offence and is liable on summary conviction to a fine of **fifteen thousand dollars (\$15,000.00)** and to imprisonment for **seven (7) years**.

PART VII: MISCELLANEOUS

46. **Clause 27** inserts a new **section (1A)** into **section 27** which provides that for the purposes of determining whether or not to grant bail, the Court may order a police officer to submit a risk assessment as may be prescribed by regulations. Additionally, the conditions of bail, as prescribed under **subsection (2)**, are expanded to exclude the respondent from making contact with a victim at school.
47. **Clause 28** provides for the insertion of new **sections 31, 32 and 33** after the existing **section 30** of the Act. **Section 31** empowers the Minister to make Regulations and requires that the Regulations shall be subject to negative resolution of Parliament.
48. **Section 32** grants the power to the Rules Committee to make Rules of Court to bring this Act into effect.
49. **Section 33** empowers the Chief Justice to amend Forms 1 to 6 and the Minister with responsibility for National Security may by Order, after consultation with the Minister responsible for gender affairs, amend Form 7 of the Act.
50. Further, **Clause 29** provides for the amendment to the **First Schedule** of the Act to harmonise the offences listed in the Schedule with offences under **Summary Courts Act, Chap. 4:20** and the **Children Act, Chap. 46:01**.

51. **Clause 30** inserts in the **Second Schedule** a new **Form 1A** for an Affidavit in support of an application and a new **Form 1B** for the Notice of failure to effect service or process, and to make reference to Districts instead of Counties.

52. **Clause 31** provides for the insertion of a new **Third Schedule** to specify the offences that will be considered serious criminal offences under the Act.

COMPARATIVE LEGISLATION

DOMESTIC VIOLENCE DEFINITION

<p>TRINIDAD & TOBAGO Domestic Violence (Amendment) Bill, 2020</p>	<p>BARBADOS Domestic Violence (Protection Orders) (Amendment) Act, 2016</p>	<p>AUSTRALIA Domestic and Family Violence Protection Act, 2012</p>	<p>UNITED KINGDOM Domestic Abuse Bill, 2020</p>
<p>“domestic violence” includes physical, sexual, emotional or psychological or financial abuse committed by a respondent against a person who is in a domestic relationship with the respondent.</p>	<p>“domestic violence” means the wilful infliction or threat of infliction of harm by one person in a domestic relationship upon another person in that relationship and includes child abuse, emotional abuse, financial abuse, physical abuse and sexual abuse.</p>	<p>8 Meaning of domestic violence (1) Domestic violence means behaviour by a person (the first person) towards another person (the second person) with whom the first person is in a relevant relationship that— (a) is physically or sexually abusive; or (b) is emotionally or psychologically abusive; or (c) is economically abusive; or (d) is threatening; or (e) is coercive; or (f) in any other way controls or dominates the second person and causes the second person to fear for the second person’s safety or wellbeing or that of someone else.</p>	<p>Presently, there is no statutory definition of domestic abuse in the United Kingdom. However, the government has introduced the Domestic Abuse Bill, 2020 to the Parliament which defines domestic abuse as:</p> <p>(1) This section defines “domestic abuse” for the purposes of this Act. (2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if— (a) A and B are each aged 16 or over and are personally connected to each other, and (b) the behaviour is abusive. (3) Behaviour is “abusive” if it consists of any of the following— (a) physical or sexual abuse; (b) violent or threatening behaviour;</p>

			<p>(c)controlling or coercive behaviour;</p> <p>(d)economic abuse (see subsection (4));</p> <p>(e)15psychological, emotional or other abuse;</p> <p>and it does not matter whether the behaviour consists of a single incident or a course of conduct.</p> <p>(4)“Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—</p> <p>(a)acquire, use or maintain money or other property, or</p> <p>(b)obtain goods or services.</p> <p>(5)For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).</p> <p>(6)References in this Act to being abusive towards another person are to be read in accordance with this section.</p> <p>(7)For the meaning of “personally connected”, see section 2.</p>
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APPLICATION FOR PROTECTION ORDER

<p>TRINIDAD & TOBAGO Domestic Violence (Amendment) Bill, 2020</p>	<p>BARBADOS Domestic Violence (Protection Orders) (Amendment) Act, 2016</p>	<p>AUSTRALIA Domestic and Family Violence Protection Act, 2012</p>	<p>UNITED KINGDOM Domestic Abuse Bill, 2020</p>
<p>4. (1) An application for a Protection Order may be made by a person in a domestic relationship with the respondent, on the ground that the respondent engaged in domestic violence against that person.</p> <p>(2) A child who is under the age of sixteen years shall apply for a Protection Order through – (a) a parent, a guardian, a person with responsibility for the child or a person who is in loco parentis to the child; (b) an adult member of his household; or (c) the Children’s Authority.</p> <p>(3) A child who is sixteen years of age or over may apply for a Protection Order on his own behalf or through a person referred to in subsection (2).</p> <p>(4) Notwithstanding subsection (3), the Court may, on the application of a child on his own behalf under subsection (3), make an order requiring the child to conduct proceedings through a person referred to in subsection (2)(a) or (b).</p>	<p>4 (1) An application for a protection order shall be made in accordance with Form 1 as set out in the Schedule to this Act by</p> <p>(a)the spouse of the person against whom the order is sought where an act of domestic violence was committed against that spouse or a child;</p> <p>(b)any other person in a domestic relationship with the person against whom the order is sought, where an act of domestic violence was committed against that person or a child;</p> <p>(c)the Commissioner of Police on behalf of a victim of domestic violence;</p> <p>(d)a person other than the persons mentioned in paragraphs (a) to (c), as an agent for a victim of domestic violence, including a Social Worker, Probation Officer or representative of a nongovernmental organisation which renders support services to victims of domestic violence, where that person has obtained,</p> <p>i. leave of the Court; and</p> <p>ii. in the case of a victim who is mentally capable of providing</p>	<p>32 Application for protection order</p> <p>(1) An application for a protection order may be made to a Magistrates Court by— (a) an aggrieved; or (b) an authorised person for an aggrieved; or (c) a police officer under section 100(2)(a); or (d) a person acting under another Act for an aggrieved.</p> <p>(2) The application must— (a) be in the approved form; and (b) state the grounds on which it is made; and (c) state the nature of the order sought; and (d) if the applicant is not a police officer—be verified by the applicant by a statutory declaration; and (e) be filed in the court.</p>	<p>N/A</p>

<p>(5) An adult in a residential institution, or a dependant may apply for a Protection Order on his own behalf.</p> <p>(6) Notwithstanding subsection (5) – (a) a spouse or former spouse; (b) a cohabitant or former cohabitant; (c) an adult member of his household; (d) a relative; or(e) a representative, may apply for a Protection Order on behalf of an adult in a residential institution or a dependant.</p> <p>(7) Notwithstanding subsections (2), (3) and (6) – (a) a police officer; (b) a probation officer; (c) a social worker; (d) the Children’s Authority; or (e) a person who, in the opinion of the Court, is acting in the interest of the child, may apply for a Protection Order on behalf of any person referred to in subsection (1).</p>	<p>consent and over the age of 18 years, the consent of the victim; or</p> <p>(e)a Child Care Officer or Welfare Officer on behalf of a child or a person who is mentally handicapped, against whom an act of domestic violence was committed.</p>		
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EMERGENCY PROTECTION ORDER

<p>TRINIDAD & TOBAGO Domestic Violence (Amendment) Bill, 2020</p>	<p>BARBADOS Domestic Violence (Protection Orders) (Amendment) Act, 2016</p>	<p>AUSTRALIA Domestic and Family Violence Protection Act, 2012</p>	<p>UNITED KINGDOM Crime and Security Act, 2010</p>
<p>19A. (1) Notwithstanding section 10(1), where a Court is not sitting or it is not practicable for the applicant to access the Court under section 8, (a) a police officer of or above the rank of Assistant Superintendent; or (b) where the application relates to a child, the Children’s Authority, may, on behalf of the applicant, make an emergency application to a Master or Judge of the Family Court or Children Court for a Protection Order where the applicant is in a domestic relationship with the respondent and has suffered, or is in imminent danger of, serious physical injury at the hands of the respondent.</p>	<p>11B.(1) Where a member of the Police Force exercises his power of arrest in accordance with section 12(4), a subordinate police officer may issue an emergency protection order in accordance with Form 8 as set out in the Schedule to this Act, where he has reasonable cause to believe that the issue of an order is necessary to ensure the safety of a person at risk.</p>	<p>101 Police officer may issue police protection notice (1) A police officer may issue a notice (a police protection notice) against a person (the respondent) if the police officer— (a) reasonably believes the respondent has committed domestic violence; and (b) if the respondent is not present at the same location as the police officer—has made a reasonable attempt to locate and talk to the respondent, including by telephone, to afford the respondent natural justice in relation to the issuing of a police protection notice; and (c) reasonably believes that no domestic violence order has been made or police protection notice issued that— (i) names the respondent as a respondent and another person involved in the domestic violence mentioned in paragraph (a) as the aggrieved; or (ii) names the respondent as the aggrieved and another person involved in the domestic violence</p>	<p>24 Power to issue a domestic violence protection notice (1) A member of a police force not below the rank of superintendent (“the authorising officer”) may issue a domestic violence protection notice (“a DVPN”) under this section. (2) A DVPN may be issued to a person (“P”) aged 18 years or over if the authorising officer has reasonable grounds for believing that— (a) P has been violent towards, or has threatened violence towards, an associated person, and (b) the issue of the DVPN is necessary to protect that person from violence or a threat of violence by P.</p>

		<p>mentioned in paragraph (a) as a respondent; and</p> <p>(d) reasonably believes a police protection notice is necessary or desirable to protect the aggrieved from domestic violence; and</p> <p>(e) reasonably believes the respondent should not be taken into custody under division 3.</p>	
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REFERENCES

KEY LEGISLATION



Domestic Violence (Amendment) Bill, 2020

<http://www.ttparliament.org/legislations/b2020s03.pdf>



Domestic Violence Act Chap. 45:56

https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/45.56.pdf

LEGISLATION FROM OTHER JURISDICTIONS



Barbados Domestic Violence (Protection Orders) Act, 1993

https://oig.cepal.org/sites/default/files/1993_brb_domesticviolence.pdf



Barbados Domestic Violence (Protection Orders) Act (Amendment) Act, 2016

https://www.barbadosparliament.com/uploads/bill_resolution/907d022cc76d0c58b3353e80836ba3e6.pdf



Queensland, Australia Domestic and Family Violence Protection Act, 2012

<https://www.legislation.qld.gov.au/view/pdf/2017-05-30/act-2012-005>



United Kingdom Crime and Security Act, 2010

<http://www.legislation.gov.uk/ukpga/2010/17/contents>



United Kingdom Domestic Abuse Bill, 2020

https://publications.parliament.uk/pa/bills/cbill/58-01/0096/cbill_2019-20210096_en_2.htm#pt1-l1g1

ARTICLES AND OTHER RESOURCES



Newsday, “AG reveals Cabinet to review changes to domestic violence laws”

<https://newsday.co.tt/2020/01/11/attorney-general-reveals-cabinet-to-review-changes-to-domestic-violence-laws/>



Newsday, “CoP vows better response to domestic violence with new unit”

<https://newsday.co.tt/2020/01/22/cop-vows-better-response-to-domestic-violence-with-new-unit/>



Law Association of Trinidad and Tobago, “Domestic Violence in the Time of Covid-19/Proposed Amendments to the Domestic Violence Act”,

<https://www.facebook.com/LawAssociationTT/videos/229794421584752>



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