
First Session Thirteenth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 15 of 2026

[L.S.]

AN ACT to provide for the treatment and rights of the
victims of offences

[Assented to 8th June, 2026]

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

PART I

PRELIMINARY

1. This Act may be cited as the Victims' Rights Act, Short title
2026.

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

Interpretation

3. In this Act—

“child” means an individual who is under the age of eighteen years;

“complaints system” means the complaints system referred to in Part VI;

“Director of Public Prosecutions” means the Director of Public Prosecutions established under the Constitution;

“family member”, in relation to a victim, means any of the following individuals who is related to the victim by marriage, consanguinity, affinity or adoption, at the time an offence is committed:

(a) spouse;

(b) cohabitant, as defined in the Cohabital Relationships Act;

(c) father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law;

(d) son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law;

(e) brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law;

(f) uncle, aunt, uncle-in-law or aunt-in-law;

(g) nephew or niece; and

(h) cousin;

“injury” includes —

(a) death;

(b) physical bodily harm;

(c) psychological harm;

(d) mental illness or disorder or an exacerbation of a mental illness or disorder;

(e) pregnancy;

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- (f) physical harm to or destruction of a foetus of a pregnant woman, whether or not the woman carrying the foetus suffers any other harm;
- (g) grief, distress or trauma or other significant adverse effect;
- (h) loss or damage to property; or
- (i) any combination of the matters referred to in paragraphs (a), (b), (c), (d), (e), (f) (g) and (h);

“investigatory agency” means—

- (a) the Trinidad and Tobago Police Service, established under the Police Service Act; and
- (b) a person authorised by a written law to investigate an offence;

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“Minister” means the Minister to whom responsibility for the administration of this Act is assigned;

“offence”, in relation to a victim, includes an offence, or a series of related offences, committed at any time, whether or not a person has been accused or convicted for the offence;

“offender” means an individual who is or was—

- (a) charged with an offence; or
- (b) convicted for an offence;

“prosecuting agency” means—

- (a) the Director of Public Prosecutions;
- (b) the Trinidad and Tobago Police Service established under the Police Service Act; and
- (c) a person authorised by a written law to bring proceedings for an offence;

“support services” includes welfare services, health services, counselling services, psychological services and legal assistance services;

“victim” means—

- (a) an individual who has suffered injury as a direct result of an offence, whether or not the injury was reasonably foreseeable;
- (b) a family member of an individual referred to in paragraph (a);
- (c) a witness to an offence, who has suffered injury as a direct result of the offence, whether or not the injury was reasonably foreseeable; and
- (d) an individual who has suffered injury as a direct result of domestic violence, as defined in the Domestic Violence Act, and whose response to the injury gives rise to an offence,

whether or not an offender is identified, apprehended, prosecuted or convicted for the offence; and

“victims’ services agency” means—

- (a) an entity established under a written law to provide support services to victims; and
- (b) an entity that is funded by the State to provide support services to victims.

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Objects of Act

4. The objects of this Act are to—

- (a) recognise the principles that govern the response to victims by investigatory agencies, prosecuting agencies and victims’ services agencies, and to establish requirements for the monitoring and review of those principles;
- (b) recognise the impact of the commission of offences on victims, including the impact on family members of the victims and witnesses to the commission of offences;

- (c) recognise that all victims, regardless of whether they report the offence, should be treated with respect by all investigatory agencies, prosecuting agencies and victims' services agencies and should be offered information to enable them to access support services to help with the recovery process;
- (d) to recognise that a victim of crime has an inherent interest in the response by the criminal justice system to that crime, giving rise to the rights and entitlements set out in this Act, and to acknowledge the victim's role as a participant, but not a party, in proceedings for offences; and
- (e) help reduce the likelihood of secondary victimisation by the criminal justice system.

5. This Act applies to a victim during the—

Application of Act

- (a) investigation of an offence;
- (b) investigation of the discharge of a firearm by a police officer in the performance of his duties, which results in an injury;
- (c) prosecution of an offence;
- (d) period of imprisonment of an offender; or
- (e) period in which an offender is under the jurisdiction of a court where he is found not criminally responsible on account of mental incapacity or unfit to stand trial.

6. This Act does not apply to a victim in relation to an offence, if the victim is charged with the same offence, convicted for the same offence or found not criminally responsible on account of a mental disorder or unfit to stand trial in respect of the same offence.

Disapplication of Act

7. (1) For the avoidance of doubt, this Act is not intended to—

Legal rights not affected

- (a) create in any person any legal right or give rise to any civil cause of action;

- (b) affect in any way the interpretation of any written law; and
- (c) affect the validity, or provide grounds for review, of any judicial or administrative act or omission.

(2) Subsection (1) shall not operate to prevent a contravention of this Act from being the subject of disciplinary proceedings.

PART II

GENERAL TREATMENT OF VICTIM

Treatment of victim

8. All investigatory agencies, prosecuting agencies and victims' services agencies who deal with a victim shall—

- (a) treat the victim with courtesy and compassion;
- (b) respect the victim's dignity and privacy;
- (c) consider the safety and security of the victim; and
- (d) take into account and be responsive to the victim's—
 - (i) race;
 - (ii) sex;
 - (iii) origin, including geographical origin;
 - (iv) ethnicity;
 - (v) disability;
 - (vi) religion;
 - (vii) age; and
 - (viii) marital status.

Provision of information to victim

9. All investigatory agencies, prosecuting agencies and victims' services agencies shall—

- (a) provide clear, timely and consistent information to the victim about available support services; and

- (b) where applicable, refer the victim to the relevant entity which can provide access to the support services.

10. When communicating with a victim, an ^{Communication with victim} investigatory agency, prosecuting agency or victims' services agency shall take into account and be responsive to—

- (a) whether the victim wishes to be contacted;
- (b) the victim's preferred method of communication; and
- (c) issues which affect the victim's ability to understand the information being communicated, including—
 - (i) the victim's understanding of the English language;
 - (ii) whether the victim has a disability; and
 - (iii) whether the victim is a child.

11. The personal information of a victim, including ^{Disclosure of victim's personal information} his address and contact information, shall not be disclosed by a person except pursuant to a written law.

12. (1) A victim may nominate a person to be his ^{Nomination of representative} representative for the purposes of this Act, and where a representative is nominated, the representative is to be provided with information that, in accordance with this Act, is required to be provided to the victim.

(2) Where a victim has died or is unable, for any other reason, to nominate a representative, and the victim has more than one family member, the family members may nominate one or more family member to be the representative of the victim for the purposes of this Act.

PART III

TREATMENT OF VICTIM DURING INVESTIGATION OF AN OFFENCE

Report of an offence

13. Where an offence is reported to an investigatory agency, the investigation of the offence is deemed to begin at the time of the reporting of the offence.

Information about
investigation

14. (1) An investigatory agency shall disclose to a victim, at reasonable intervals, information about the progress of an investigation into an offence, unless the disclosure to the victim may jeopardise the investigation.

(2) Where disclosure of information under subsection (1) may jeopardise an investigation, the investigatory agency shall inform the victim about the progress of the investigation to the extent possible without jeopardising the investigation.

(3) Where disclosure of information under subsection (1) would jeopardise an investigation, the investigatory agency shall inform the victim that the information cannot be provided at that stage due to the ongoing nature of the investigation.

PART IV

TREATMENT OF VICTIM DURING PROSECUTION OF AN OFFENCE

Information
regarding prosecution

15. A prosecuting agency shall provide to the victim, in a timely manner—

- (a) information on whether any person has been charged with an offence in relation to the victim;
- (b) where no person has been charged with an offence, the reason why no charges have been laid;

- (c) where a person has been charged with an offence, information about the offence charged against the offender;
- (d) information on any decision which is made which substantially modifies any charges that have been laid, including a decision to discontinue proceedings or to accept a plea of guilty to a lesser charge;
- (e) information on how the victim can access information on the date, time and place of a hearing of the charges;
- (f) information on the outcome of a criminal proceeding;
- (g) information on whether an appeal is instituted; and
- (h) where an appeal is instituted, the fact of the appeal, the grounds of the appeal and the result of the appeal.

16. The Director of Public Prosecutions shall take all reasonable steps to inform the victim of—

Director of Public
Prosecutions to
provide information
regarding prosecu-
tion

- (a) the date, time and location of any contested committal hearing, trial, plea hearing, sentencing hearing and appeal hearing; and
- (b) the progress of a prosecution, including the outcome of any committal hearing, initial directions hearing, trial, plea hearing, sentencing hearing or appeal hearing or guilty plea.

17. (1) Where the Director of Public Prosecutions intends to—

Director of Public
Prosecutions to
obtain views of
victim

- (a) substantially modify charges;
- (b) discontinue a prosecution;
- (c) accept a plea of guilty to a lesser charge;

- (d) appeal a sentence; or
- (e) appeal an acquittal,

he shall obtain the views of the victim before making his decision.

(2) Where the Director of Public Prosecutions decides to—

- (a) agree to or oppose an application to cross-examine a victim at a committal hearing; or
- (b) apply for, agree to or oppose an application for summary jurisdiction,

he shall inform the victim about the matters that he took into account in making his decision.

(3) The Director of Public Prosecutions is not required to obtain the views of a victim, pursuant to subsection (1), or inform a victim pursuant to subsection (2), if—

- (a) after all reasonable attempts, the victim cannot be contacted; or
- (b) it is not practical to contact the victim given the speed or nature of the proceeding.

(4) Where the Director of Public Prosecutions decides to—

- (a) substantially modify charges;
- (b) discontinue a prosecution; or
- (c) accept a plea of guilty to a lesser charge,

he shall, as soon as reasonably practicable, provide the victim with the reasons for his decision, either orally or in writing.

(5) Notwithstanding subsection (4), the Director of Public Prosecutions may refuse to provide reasons if the disclosure of the reasons may jeopardise an investigation or prejudice another proceeding.

18. A prosecuting agency shall inform the victim of— Applications for bail

- (a) the outcome of an application for bail by the offender; and
- (b) where bail is granted, any conditions imposed on the offender that are intended to protect the victim.

19. (1) A prosecuting agency shall ensure that a Information about Court process victim is informed about the Court process and the victim's right to attend any relevant Court proceedings, unless the Court otherwise orders.

(2) Where a victim is to appear as a witness for the prosecution, the prosecuting agency shall ensure that—

- (a) the victim is informed—
 - (i) about the process of the trial or hearing;
 - (ii) about the victim's role as a witness for the prosecution;
 - (iii) that after the victim has given evidence, the victim may remain in the courtroom, unless the Court otherwise orders; and
 - (iv) where relevant, about any special protection or alternative arrangement that could be provided for giving evidence; and
- (b) where applicable, the Court is informed about the victim's preferences for the use of any special protection or alternative arrangement for giving evidence.

20. A prosecuting agency and the Court shall, as far Contact between victim and offender at Court as is reasonably practicable, during the course of a Court proceeding and within a courtroom—

- (a) minimise a victim's exposure to unnecessary contact with the offender, witnesses for the defence and family members and supporters of the offender; and

- (b) protect a victim from intimidation by the offender, witnesses for the defence and family members and supporters of the offender.

No adverse inference **21.** No adverse inference is to be drawn against a person who is charged with an offence from the fact that an individual is identified as a victim in relation to the offence.

PART V

RIGHTS OF VICTIM AFTER PROSECUTION OF AN OFFENCE

Victim impact
statements

22. (1) Where a person is found guilty of an offence, a victim may make a victim impact statement to the Court that is sentencing the person before the Court sentences the person, and the Court may consider the victim impact statement in determining the sentence.

(2) Where a victim wishes to make a victim impact statement, a prosecuting agency shall—

- (a) refer the victim to the relevant victims' services agency for assistance in preparing the victim impact statement; and
- (b) provide the victim with general information about the types of material in a victim impact statement that the Court may rule inadmissible and the consequences that may occur from that ruling.

(3) A prosecuting agency is under no obligation to advise the victim of the admissibility of a particular victim impact statement.

Property of victim
held by the State

23. Where the property of a victim is in the possession of an investigatory agency or a prosecuting agency, for the purpose of an investigation or prosecution of an offence, the investigatory agency or prosecuting agency shall—

- (a) handle and store the property in a lawful, respectful and secure manner; and

- (b) after consultation with the victim, where possible, return the property to the victim as soon as reasonably practicable.

24. A victim may apply to the Court for an order that the person who is convicted of an offence, which caused the injury suffered by the victim, pay compensation to the victim. Compensation by offender

25. Where the Criminal Injuries Compensation Act does not apply to a victim, the victim may apply to the State for compensation or financial assistance. Compensation and financial assistance by the State
Chap. 5:31

PART VI

COMPLAINTS SYSTEM

26. (1) All investigatory agencies, prosecuting agencies and victims' services agencies shall establish and maintain a complaints system to receive and resolve complaints from victims. Complaints system

(2) The complaints system shall—

- (a) be accessible and transparent; and
- (b) offer fair and reasonable remedies, including apologies, acknowledgements of the occurrence of errors, explanations for errors and steps to be taken to prevent the reoccurrence of errors.

(3) All investigatory agencies, prosecuting agencies or victims' services agencies, when dealing with a victim, shall inform the victim about their complaints system as soon as is reasonably practicable.

(4) Where a victim has reason to believe that an investigatory agency, a prosecuting agency or a victims' services agency is not complying with this Act, he may make a complaint—

- (a) through the relevant complaints system; and

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- (b) to the Ombudsman in accordance with the Ombudsman Act.

PART VII

MISCELLANEOUS

Report on operation
of Act

27. (1) The Minister shall cause to be prepared and laid in Parliament, every two years from the date of commencement of this Act, a report on the operation of this Act.

(2) The report referred to in subsection (1) shall include statistical information on—

- (a) the number of victims who accessed support services;
- (b) the types of offences involved;
- (c) the number and type of complaints made pursuant to this Act; and
- (d) the rate of disposition of complaints.

Mandatory training
guidelines

28. (1) The Minister shall cause to be developed mandatory training guidelines for investigatory agencies, prosecuting agencies and victims' services agencies.

(2) The Minister shall publish, in the *Gazette*, all mandatory training guidelines that are developed pursuant to subsection (1).

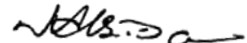
Regulations

29. The Minister may make Regulations, subject to negative resolution of Parliament, in respect of—

- (a) applications for compensation or financial assistance;
- (b) the criteria for determining whether compensation or financial assistance is payable;
- (c) the criteria for determining the amount of compensation or financial assistance payable;

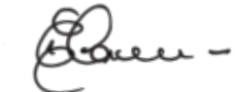
- (d) complaints systems under Part VI; and
- (e) any other matter necessary or expedient for carrying into effect the provisions of this Act.

Passed in the Senate this 15th day of May, 2026.



Clerk of the Senate

Passed in the House of Representatives this 22nd day of May, 2026.



Clerk of the House