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# JUSTICE PROTECTION (AMENDMENT) ACT, 2014

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No. 2 of 2014

## JUSTICE PROTECTION (AMENDMENT) ACT, 2014

AN ACT TO AMEND THE JUSTICE PROTECTION ACT TO CREATE THE OFFENCE OF OBSTRUCTION OF JUSTICE IN ORDER TO IMPLEMENT THE BAHAMAS' OBLIGATIONS UNDER THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME 2000 AND FOR CONNECTED PURPOSES

[Date of Assent-1<sup>st</sup> May, 2014]

Enacted by the Parliament of The Bahamas

**1. Short title and commencement.**

- (1) This Act which amends the Justice Protection Act, (*Ch. 64A*) may be cited as the Justice Protection (Amendment) Act, 2014.
- (2) This Act shall come into force on such date as the Minister may appoint by Notice published in the *Gazette*.

**2. Amendment of section 2 of the principal Act.**

Section 2 of the principal Act is amended by the insertion, in the appropriate alphabetical position, of the following —

“obstruction of justice” means an attempt to interfere with the administration of the courts, the judicial system, judges and law enforcement officials including threatening witnesses, improper conversations with jurors, hiding evidence or interfering with an arrest;

**3. Repeal and replacement of section 4 of the principal Act.**

Section 4 of the principal Act is repealed and replaced by the following —

**“4 Obstruction of Justice.**

Any person who —

- (a) threatens, intimidates or restrains;
- (b) uses physical force, violence to or inflicts injury on;
- (c) gives undue advantage to induce false testimony;
- (d) interferes in the giving of true testimony or production of evidence in any judicial proceeding;
- (e) causes or procures violence, damage, loss or disadvantage to; or
- (f) causes or procures the punishment of, or loss of employment of, a person for or on account of his —
  - (i) appearing or being about to appear as a witness in a judicial proceeding;
  - (ii) appearing or being about to appear before a disciplined force to give information;
  - (iii) appearing or being about to appear as a juror;
  - (iv) presiding or being about to preside over a matter as a Magistrate or Judge;
  - (v) hearing and determining an appeal as the President or Justice of Appeal;
  - (vi) being involved in a criminal matter as a law enforcement official;
  - (vii) being involved in a criminal matter as a prosecutor;
  - (viii) being involved in a matter as a witness care official; or
  - (ix) being involved in a matter as a public servant acting under a duty,

has obstructed justice and is guilty of an offence.”.

**4. Amendment of Second Schedule to the principal Act.**

The Second Schedule to the principal Act is amended by the insertion, in the appropriate position, of the following —

“Anti-gang offences  
Participation in an organized criminal group  
Obstruction of Justice  
Trafficking in persons.”