Trinidad & Tobago

National Child Protection Legislation

National Legislation

- **Age of Child:** Under 18 years of age
  
  *The Children Act (2012)*

  Art. 3 - Interpretation

  “child” means a person under the age of eighteen years.

- **Age of Consent:** 18 years (for sexual penetration); 16 years (for sexual touching)
  
  *The Children Act (2012)*

  Art. 18 - Sexual penetration of a child

  Subject to section 20, a person who sexually penetrates a child commits an offence and is liable on conviction on indictment, to imprisonment for life.

  Art. 19 - Sexual touching of a child

  (1) Subject to section 20, where a person touches a child and—

      (a) the touching is sexual; and

      (b) the child is under sixteen years of age,

      the person commits an offence.

- **Age of Marriage:** 18 years old
  
  The Marriage Act (1923) Chapter 45:01 did not specific a minimum marriage age and only referred to English common law, but has been since revised in 2017

  *Miscellaneous Provisions (Marriage) Act of 2017*

  3. The Marriage Act is amended -

      (e) by repealing section 23 and substituting the following section:

      23. (1) The age at which a person is capable of contracting a marriage is eighteen years.

- **Age of Criminal Responsibility:** 7 years old (boys and girls)
  
  Not defined by legislation; Common law dictates that no child under age seven can be held criminally liable. [https://www.ncjrs.gov/pdffiles1/Digitization/203642NCJRS.pdf](https://www.ncjrs.gov/pdffiles1/Digitization/203642NCJRS.pdf)

  Specific to sexual offenses: 12 years

  *The Children Act of 2012*

  Art. 20 - Decriminalizing of sexual activity between children

  (1) A person sixteen years of age or over but under twenty-one years of age is not liable under section 18 if— (a) he is less than three years older than the child against whom
he is purported to have perpetrated the offence; (b) he is not in a familial relationship with the child nor in a position of trust in relation to the child; (c) he is not of the same sex as the child; and (d) the circumstances do not reveal any element of exploitation, coercion, threat, deception, grooming or manipulation in the relationship.

(2) **A person fourteen years of age or over but under sixteen years of age is not liable** under section 18 or 19 if— (a) he is less than two years older than the child against whom he is purported to have perpetrated the offence; (b) he is not in a familial relationship with the child nor in a position of trust in relation to the child; (c) he is not of the same sex as the child; and (d) the circumstances do not reveal any element of exploitation, coercion, threat, deception, grooming or manipulation in the relationship.

(3) A person **twelve years of age or over but under fourteen years of age is not liable** under section 18 or 19 if— (a) he is less than two years older than the child against whom he is purported to have perpetrated the offence; (b) he is not in a familial relationship with the child nor in a position of trust in relation to the child; (c) he is not of the same sex as the child; and (d) the circumstances do not reveal any element of exploitation, coercion, threat, deception, grooming or manipulation in the relationship.

- **Extraterritoriality**

  **Children Act of 2012**

**Art. 14 – Causing or inciting prostitution**

(1) Where a person causes or incites a child to become a prostitute in Trinidad and Tobago, he commits an offence and is liable—
   (a) on summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) on conviction on indictment, to imprisonment for twenty-five years.

(2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).

**Art. 15 – Controlling a child prostitute**

(1) Where a person controls any of the activities of a child relating to the prostitution of the child in Trinidad and Tobago, he commits an offence and is liable—
   (a) on summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) on conviction on indictment, to imprisonment for twenty-five years.

(2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).
Art. 16 – Arranging or facilitating child prostitution
(1) Where a person arranges or facilitates the prostitution of a child in Trinidad and Tobago, he commits an offence and is liable–
(a) on summary conviction, to a fine of fifty thousand dollars or to imprisonment for ten years; or
(b) on conviction on indictment, to imprisonment for twenty-five years.
(2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).

Art. 42 – Inciting or facilitating child pornography
(1) A person who intentionally causes, incites, controls, arranges or facilitates a child’s involvement in pornography in Trinidad and Tobago is liable on conviction on indictment, to imprisonment for twenty years.
(2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).

See also - Extradition (Commonwealth and Foreign Territories) Act

- Dual Criminality
  Extradition (Commonwealth and Foreign Territories) Act

Art. 6 – Extraditable Offenses
(1) For the purpose of this Act, an offence in respect of which a person is accused or has been convicted in a declared Commonwealth territory, or a declared foreign territory, is an extraditable offence if—
(a) it is an offence against the law of that territory which is punishable under the law with death or imprisonment for a term of not less than twelve months;
(b) the conduct of the person would constitute an offence against the law of Trinidad and Tobago if it took place in Trinidad and Tobago, or in the case of an extra-territorial offence, if it took place in corresponding circumstances outside Trinidad and Tobago, and would be punishable under the law of Trinidad and Tobago with death or imprisonment for a term of not less than twelve months; and
(c) in the case of a declared foreign territory, extradition for that offence is provided for by a treaty between Trinidad and Tobago and that territory.

- Mandatory reporting requirements
  Children Act of 2012

Art. 50 – Court order to require the appearance of parent or guardian

*The information contained herein should not be construed as offering legal advice or guidance.*
(1) Where it appears to a Court on complaint on oath of a person described in subsection (2), that a child has suffered, is suffering, or is likely to suffer such harm as to cause concern for the welfare of that child, the Court may require a parent, guardian or person with responsibility for the child to appear before it and shall notify the Authority immediately.

(2) The Court may require a parent, guardian or person with responsibility for the child to appear before it under subsection (1) where a complaint on oath is made by –
   (a) A public officer experienced or qualified in social work;
   (b) A person employed on contract by the Government, experienced or qualified in social work;
   (c) A person who, in the opinion of the Court is acting in the interest of the child; or a constable.

Sexual Offences Act of 2012

Art. 31 – Mandatory reporting of suspected abuse of minors

(1) Any person who –
   (a) Is the parent of guardian of a minor;
   (b) Has the actual custody, charge or control of a minor;
   (c) Has the temporary custody, care, charge, or control of a minor for a special purpose, as his attendant, employer or teacher, or in any other capacity; or
   (d) Is a medical practitioner, or a registered nurse or midwife, and has performed a medical examination in respect of a minor, and who has reasonable grounds for believing that a sexual offence has been committed in respect of that minor, under this Act or section 9, 10, 18 or 19 of the Children Act, shall report the grounds for his belief to a police officer as soon as reasonably practicable.

(2) Any person who without reasonable excuse fails to comply with the requirements of subsection (1), is guilty of an offence and is liable on summary conviction to a fine of fifteen thousand dollars or to imprisonment for a term of seven years or to both such fine and imprisonment.

(3) No report made to a police officer under the provisions of subsection (1) shall, if such report was made in good faith for the purpose of complying with those provisions, subject the person who made the report to any action, liability, claim or demand whatsoever.

In February 2019, the Special Select Committee (SSC) on the Sexual Offences (Amendment) Bill discussed the requested amendment to broaden mandatory reporting but it did not make it into the bill.¹

Children’s Authority Regulations 2015 (part of the Children’s Authority Act)

Art. 2 – Procedures

(1) Any person may, orally, in writing or by electronic or other means, make a report to the Authority that a child is in need of care and protection.

(2) The Authority shall establish and maintain a record of all the information contained in a report under subregulation (1).

(3) Where the Authority receives a report under subregulation (1), it shall investigate the matter to determine whether—
   (a) the child is in need of care and protection in accordance with section 22(1A); and
   (b) it is in the best interest of the child to intervene.

(4) Where an investigation is conducted under subregulation (3), the Authority may assess the child in accordance with the Act.

(5) Where the Authority is of the view that a child is in need of care and protection and that its intervention is necessary in the best interests of the child, it shall, where appropriate, receive the child into its care.

(6) Where, upon an investigation, the Authority forms the view that the child is not to be received into its care, the Authority may—
   (a) refer the child to an external agency;
   (b) apply to the Court for any appropriate order under the Act; or
   (c) take any other action that it considers necessary in the best interests of the child.

• Statute of Limitations

  Criminal Procedure Code

  Art. 5.2 – Starting a prosecution in the Summary Court (Complaint/Information)

  (1) Where an offence can be tried only in the Summary Court, then unless any other written law otherwise provides –
      (a) A complaint must lay or prefer an information before the Court officer or present it to the court; or
      (b) A complainant must file a complaint or information in the Court office, not more than 6 months after the offence alleged.

  (2) Where an offence can be tried in the High Court then –
      (a) A complaint must lay or prefer an information before the Court office or present it to the Court; or
      (b) A complainant must file a complaint within any time limit that applies to that offence.

• Obligations of Educational Institutions

  Education Act

  (2) Without prejudice to the generality of subregulation (1), a teacher who—
      (a) is absent from office or official duties without leave or valid excuse, or is habitually irregular in the time of arrival or departure from the place of employment;
      (b) wilfully disobeys or disregards any lawful order made or given by any person having authority to make or give such order;
      (c) is unfit for duty through drunkenness or the illicit use of drugs;
      (d) is inefficient or incompetent through causes which are within his control;
      (e) commits any immoral, obscene or disorderly conduct in office;
      (f) performs the required duties in a negligent manner;

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(g) exercises authority unreasonably, or abuses that authority in the course of performing required duties;
(h) uses, without the authority of the Principal or in his absence the Vice-Principal, any property or facilities provided for the purposes of the Service, for a purpose not connected with his official duties;
(i) has a criminal charge proved against him; or
(j) participates in the meetings of any political organisation while on duty or while on official business, commits an act of misconduct.

- **Prohibition to hold certain positions**  
  *No information found.*

- **Employment Law**  
  *No relevant information found.*

- **Criminal Law - Defamation**  
  *Libel and Defamation Act 2014*  
  **Art. 8 – False, Defamatory, Libel**  
  If any person maliciously publishes any defamatory libel, knowing the same to be false, he is liable on conviction to imprisonment for two years and to pay such fine as the Court directs.

- **Private Fostering**  
  *No information found.*

### Sexual Offenses Against Children

*Children Act of 2012*

**Art. 13 – Paying for sexual services of a child**

1. Where a person procures for himself or any other person the sexual services of a child and he makes or promises payment for those services to the child or a third person, or knows that another person has made or promised such payment, he commits an offence and is liable –
   (a) On summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) On conviction on indictment, to imprisonment for twenty-five years.

2. In this section, “payment” includes the discharge of an obligation to pay for the provisions of goods or services.

3. Notwithstanding subsection (1), where a person commits an offence under this section against a child and sexual penetration is involved, he is liable on conviction on indictment to imprisonment for life.
Art. 18 – Sexual penetration of a child
Subject to section 20, a person who sexually penetrates a child commits an offence and is liable on conviction on indictment, to imprisonment for life.

Art. 19 – Sexual touching of a child
(1) Subject to section 20, where a person touches a child and –
   (a) The touching is sexual; and
   (b) The child is under sixteen years of age, the person commits an offense.
(2) A person who commits an offence under subsection (1) is liable –
   (a) On summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) On conviction on indictment, to imprisonment for twenty years
(3) Where a person commits an offence under subsection (1), and the touching involves the placing of any body part or of an object onto the penis or bodily orifice of a child, that person is liable on conviction on indictment to imprisonment for life.

Art. 25 – Meeting a child following sexual grooming
(1) Where a person has on at least two earlier occasions, met or communicated with a child in Trinidad and Tobago, or elsewhere, by any means, including the internet, for the purpose of sexual grooming, and he meets, attempts to meet or travels for by the purpose of meeting the child in Trinidad and Tobago or elsewhere with the intention of doing anything to or in respect of the child, during or after the meeting, which if done in Trinidad and Tobago would constitute the commission of an offence under Part V and this Part, the person commits an offence.
(2) A person who commits an offence under subsection (1) is liable –
   (a) On summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) On conviction on indictment, to a fine of one hundred thousand dollars and to imprisonment for twenty years.
(3) For the purposes of this section, “sexual grooming” means gaining the trust of a child, for the purpose of sexual activity with the child.

Art. 29 – Abuse of positions of trust and familial relationships
Where a person commits an offence under this Part at the time when that person is either –
   (a) In a position of trust in relation to the child and knows or could reasonably be expected to know of the circumstances by virtue of which he is in a position of trust in relation to the child; or
   (b) In a familial relationship with the child and knows or could reasonably be expected to know that this relation to the child is of the description falling within section 32, that person is liable –
   (c) Where the offence does not involve penetration –
      (i) On summary conviction, to a fine of fifty thousand dollars and to imprisonment for fifteen years; or
      (ii) On conviction on indictment, to imprisonment for twenty-five years; or
(d) Where the offence involves penetration, on conviction on indictment, to imprisonment for life.

**Art. 30 – Persons in position of trust**

For the purposes of this Part a person is in a position of trust in relation to a child if he –

(a) is eighteen years of age and over and looks after a child who is placed in an institution by virtue of a Court order or under any written law and the child is so placed in that institution;

(b) looks after a child who is resident in a Community Residence or is at an Assessment and Support Centre or a Reception Centre or a Reception Centre maintained by the Authority of is cared for in a Nursery, or Foster Home under the Children’s Community Residences, Foster Care, and Nurseries Act;

(c) is an employee, independent contractor or volunteer at an institution whose main purpose is to provide services to children;

(d) looks after a child who is receiving an education at an educational institution but the person is not receiving education at that institution;

(e) is appointed to be the guardian of a child;

(f) is a person who has contact with a child, by any means, in the exercise of the functions of the Authority;

(g) is a person who is to report to the Court or the Authority under this Act, the Family Proceedings Act, the Children’s Authority Act or any other written law on matters relating to the welfare of the child, and has contact with the child by any means;

(h) is a personal adviser appointed for the child under any written law;

(i) is a constable, medical practitioner, nurse, social workers, teacher, scout master, troop leader, clergyman, spiritual leader, driver, sports coach or trainer or other person in authority in whose care the child is placed;

(j) is a person who is eighteen years and over who has control over or directs a child in respect of any work done by the child;

(k) is appointed to be the guardian *ad litem* of the child;

(l) has care of control of a child while that child is in a place of safety;

(m) looks after a child on an individual basis –

(i) where the child is subject to a Foster Care Order, Care Order, Child Assessment Order, Fit Person Order or any other order of the Court which deals with the supervision of the child or supervision of the education of the child; and

(ii) in the exercise of the functions conferred by virtue of the order of an authorized person or the authority designated by order;

(n) looks after the child on an individual basis in pursuance of the requirements imposed on the child by or under any written law on his release from placement for a criminal offence, or is subject to requirements imposed by a Court order made in criminal proceedings; or

(o) is such other persons as the Minister, after consultation with the Attorney General, may by Order prescribe.
Art. 40 – Child pornography
(1) Subject to subsection (5), a person who knowingly –
   (a) Makes or permits to be made any child pornography or copy thereof;
   (b) Publishes, distributes, transmits or shows any child pornography;
   (c) Publishes or causes to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows any child pornography;
   (d) Obtains access, through information and communication technologies, to child pornography;
   (e) Has in his possession or control any child pornography; or
   (f) Purchases exchanges or otherwise receives any child pornography, commits an offence and is liable on conviction on indictment, to a fine of thirty thousand dollars and to imprisonment for ten years.
(2) For the purposes of subsection (1), a person knowingly distributes child pornography, if he knowingly –
   (a) Offers; or
   (b) Transmits by means including post, courier, electronic means or facsimile, child pornography to another person.

Art. 41 – Exposing a child to pornography
A person who intentionally exposes a child or causes a child to be exposed to pornography commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for nine months or upon conviction on indictment, to a fine of thirty thousand dollars and to imprisonment for five years.

Art. 41 – Inciting or facilitating child pornography
A person who intentionally causes, incites, controls, arrange, or facilitates a child’s involvement in pornography in Trinidad and Tobago is liable on conviction on indictment, to imprisonment for twenty years.

Sexual Offences Act of 2012
Art. 9 - incest
1. A person commits the offences of incest, who knowing that another person is by blood relationship, his or her parent, child, brother, sister, grandparent, grandchild, uncle, niece, aunt or nephew, as the case may be, has sexual intercourse with that person.
2. A person who commits the offence of incest is liable on conviction to imprisonment for life.
3. A person is not guilty of an offence under this section if that person committed the offence under restraint, duress, or fear.
4. In this section, any expression important a relationship between two persons shall be taken to apply not withstanding that the relationship is not traced through lawful wedlock, and “brother” includes half-brother and “sister” includes half-sister.

Sexual Offences (Amendment) Act, 2019
Art. 45 – Application of Part IV (National Sex Offender Register).
This Part applies to a sex offender who—

*The information contained herein should not be construed as offering legal advice or guidance.*
(a) is a citizen of Trinidad and Tobago or a resident and who was convicted of a registrable
offence by a court within or outside Trinidad and Tobago on or after 25th September, 2000
and who—
   (i) completed his sentence before the commencement of this Part; or
   (ii) has not completed his sentence before the commencement of this Part; or
(b) is a citizen of Trinidad and Tobago or a resident and who is convicted of a registrable
offence by a court outside Trinidad and Tobago on or after the commencement of this Part; and
(c) is convicted of a registrable offence by a Court in Trinidad and Tobago on or after the
commencement of this Part.

Art. 47 – Establishment of National Sex Offender Register
(1) There shall be a Register to be known as “the National Sex Offender Register”.
(2) The Register shall, in relation to each registered sex offender, contain the information listed
in Schedule 3 and pursuant to section 54.
(3) Subject to section 49(4)(c), the Register shall not be accessible to the public.
(4) The information contained in the register referred to in section 34C(2) of the former Part III
of this Act shall form part of the Register but such information shall not be accessible to the
public.
(5) The Commissioner of Police shall have control and custody of the Register and shall be
responsible for—
   (a) maintaining the Register;
   (b) ensuring that information is entered into the Register in accordance with this Act and
      any other written law; and
   (c) ensuring that the information entered in the Register is accurate.
(6) The Commissioner of Police shall make reasonable security arrangements to protect the
information contained in the Register against unauthorised access, collection, misuse,
alteration, disclosure or disposal.

Art. 48 – Public access to information on registered sex offender
(1) The Commissioner of Police shall establish a website designated for the publication of the
information referred to in subsection (2)(a) in relation to a registered sex offender referred
to in subsection (3).
(2) The website referred to in subsection (1) shall—
   (a) contain the following information in relation to a registered sex offender:
      (i) name, former names and aliases;
      (ii) date of birth;
      (iii) photograph;
      (iv) main address or secondary address; and
      (v) convictions of registrable offences committed by the registered sex offender,
         including the date of each conviction; and
   (b) have a notice displayed in a conspicuous place warning of prosecution for the intentional
      and unlawful reproduction, sharing or use of information contained in the website.
(3) Where the Court determines that the information referred to in subsection 2(a) on the sex offender shall be published on the website in accordance with section 49(4)(c), the Registrar shall forward the name of the sex offender to the Commissioner of Police who shall publish the information.

(4) Any person who intentionally and without lawful excuse or justification reproduces, shares or uses any information contained on the website referred to in subsection (1) commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for three years.

(5) Information in relation to a sex offender referred to in section 45(a)(i) shall not be published on the website referred to in subsection (1).

**Art. 49 – Court to order sex offender to comply with Part IV**

(1) Where a person is convicted of a registrable offence, on or after the commencement of this Part, the Court—

(a) shall order that the person report to a police station at the time that he is required to report in accordance with section 54(1), for the purposes of registering as a registered sex offender, where the person is convicted of an offence under—

(i) section 4, 4A, 9 or 12 of the Act; and

(ii) section 18 of the Children Act; or

(b) may order that the person report to a police station at the time that he is required to report in accordance with section 54(1), for Court to order sex offender to comply with Part IV the purposes of registering as a registered sex offender, where the person is convicted of any registrable offence other than an offence referred to in paragraph (a), and to comply with the provisions of this Part.

(2) The Court, before making a determination under subsection (1), shall request a mental assessment report from a psychiatrist.

(3) The Court, in making a determination under subsection (1), shall take into account—

(a) the findings of the mental assessment report referred to in subsection (2);

(b) the nature and gravity of the offence;

(c) whether the sex offender has been charged or convicted of any other registrable offence during his reporting period;

(d) the risk of reoffending;

(e) the risk of harm to the victim or any other person;

(f) whether the victim was a child or a person with a mental disorder;

(g) whether the sex offender was in a position of care, authority or supervision of the victim; and

(h) any other compelling reasons in the circumstances of the case.

(4) Where a Court makes an order under subsection (1) requiring a person to register as a registered sex offender, the Court shall state—

(a) the duration of the reporting period;

(b) the frequency of the reporting; and

(c) whether or not the information on the sex offender shall be published on the website referred to in section 48.
(5) The Court may order that the sex offender serve a reporting period less than that specified in Schedule 5.

(6) Where a person referred to in subsection (1) is convicted of a registrable offence and the Court makes an order under subsection (1), the Registrar shall serve a copy of the order on the Commissioner of Police.

Schedule 1 – Registrable Offences
These include:
- rape, grievous sexual assault, incest, indecent assault, procuration, aiding in prostitution,
- a series of offences in the Trafficking in Persons Act, and
- a list of sexual offences in the Children Act including

The Trafficking in Persons Act of 2011

Art. 18 – Trafficking in children
(1) A person who –
   (a) Recruits, transports, transfers, harbours, receives a child into or within Trinidad and Tobago;
   (b) Harbours a child in Trinidad or Tobago; or
   (c) Recruits, transports or transfers a child from Trinidad and Tobago to another jurisdiction, for the purpose of exploitation, commits the offence of trafficking in children and is liable on conviction on indictment to a fine of not less than one million dollars and imprisonment for not less than twenty years.

(2) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is sufficient to establish the offence of trafficking in children.

Art. 19 – Indicting, organizing or direction another person to traffick in children
A person who, for the purposes of exploitation, incites, organizes or directs another person to –
   (a) Recruit, transport, transfer, harbor or receive a child into or within Trinidad and Tobago; or
   (b) Recruit, transport or transfer a child from Trinidad and Tobago to another jurisdiction, commits the offence of trafficking in children and is liable on conviction of indictment, to a fine of not less than one million dollars and imprisonment of not less than twenty years.

Related Legislation
- Female Genital Mutilation (FGM)/ Female Genital Circumcision
  Children Act of 2012
  Part IV – Office of Female Genital Mutilation
  Art. 9 – Offence of female genital mutilation

*The information contained herein should not be construed as offering legal advice or guidance.*
(1) Subject to subsection (2), a person who excises, infibulates or otherwise mutilates the whole or any part of the labia majora or labia minora or clitoris of a child commits and offence and is liable–
   (a) On summary conviction, to a fine of fifty thousand dollars and to imprisonment for ten years; or
   (b) On conviction on indictment, to imprisonment for twenty years.

(2) A person shall not be liable under subsection (1) if –
   (a) The performance of a surgical operation on a child is necessary for her physical or mental health and the operation is performed by a medical practitioner; or
   (b) The surgical operation is performed on a child who is at any stage of labour, or who has just given birth, for purposes connected with the labour of birth, and the operation is performed by a medical practitioner or a person undergoing a course of training with a view to becoming such a practitioner.

(3) For the purposes of determining whether an operation is necessary for the mental health of a child, it is immaterial whether she or any other person believes that the operation is required as a matter of custom or ritual.

Art. 10 – Offence of aiding and abetting, counseling or procuring a girl to engage in female genital mutilation
A person who aids, abets, counsels or procures a girl to excise, infibulate or otherwise mutilate the whole or any part of her labia majora, labia minora or clitoris is liable on conviction on indictment to imprisonment for fifteen years.

- Child/Early/Forced Marriage
The Marriage Act (1923) Chapter 45:01 did not specific a minimum marriage age and only referred to English common law, but has been since revised in 2017 Miscellaneous Provisions (Marriage) Act of 2017
3. The Marriage Act is amended –
   (e) by repealing section 23 and substituting the following section:
      23. (1) The age at which a person is capable of contracting a marriage is eighteen years.

Children Act of 2012
Sect. 26 - Marriage Exception with regards to section 18, 19, 24
(1) Subject to subsection (2), conduct by a person in relation to a child which would otherwise constitute an offence against a child under section 18, 19 or 24, is not an offence if, at the time of the conduct–
   (a) the person and the child were lawfully married; or No. 12 Children 2012 141
      Marriage exception with respect to section 18, 19 or 24 Meeting a child following sexual grooming
   (b) the person believed on reasonable grounds that he was lawfully married to the child.

(2) Subsection (1) does not apply in the case of sexual penetration per anum by a male person with a female person.
Sect. 27 – Marriage Exception with regards to section 23
Conduct by a person in relation to a child which would otherwise constitute an offence against a child under section 23 is not an offence if there are only two persons involved and they are or believed on reasonable grounds that they were lawfully married to each other.

Sect. 28 – Proceedings with respect to marriage exceptions
(1) In proceedings for an offence referred to in sections 26 and 27, it is for the defendant to prove that he and the child were lawfully married.

Sect. 29 – Abuse of positions of trust and familial relationships
(1) Where a person commits an offence under this Part at the time when that person is either–
(a) in a position of trust in relation to the child and knows or could reasonably be expected to know of the circumstances by virtue of which he is in a position of trust in relation to the child; or
(b) in a familial relationship with the child and knows or could reasonably be expected to know that his relation to the child is of the description falling within section 32, that person is liable–
(c) where the offence does not involve penetration–
(i) on summary conviction, to a fine of fifty thousand dollars and to imprisonment for fifteen years; or
(ii) on conviction on indictment, to imprisonment for twenty-five years; or
(d) where the offence involves penetration, on conviction on indictment, to imprisonment for life

Useful Resources
- Educators Guide to New Child Protection Legislation
- Breaking the Silence: A Multi-Sectoral Approach to Preventing and Addressing Child Sexual Abuse in Trinidad and Tobago

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