

THE PREVENTION AND PROHIBITION OF TORTURE ACT, 2023

ARRANGEMENT OF SECTIONS

Section

PART I - PRELIMINARY

1. Short title
2. Interpretation

PART II - PROHIBITION AND CRIMINALISATION OF TORTURE

3. Definition of torture.
4. Prohibition of torture.
5. Criminalisation of torture
6. Circumstances aggravating torture.
7. Reparation to be ordered by court in certain cases
8. Cruel, inhuman or degrading treatment or punishment.

PART III - OTHER PARTIES TO THE OFFENCE OF TORTURE

9. Other parties to the offence of torture
10. Accessory after the fact to the offence of torture
11. Responsibility of a superior over actions of a subordinate
12. Right to complain
13. Institution of criminal proceedings
14. Control over private prosecutions

PART IV - USE OF INFORMATION OBTAINED BY TORTURE

15. Inadmissibility of evidence obtained by torture
16. Prohibition of use of information obtained by torture

PART V - TRANSFER OF DETAINEES

17. No transfer of persons where likelihood of torture exists

PART VI - JURISDICTION OVER THE OFFENCE OF TORTURE

18. Jurisdiction of The Gambian courts in relation to the offence of torture.
19. Torture bailable by the Magistrates Court

PART VII - MISCELLANEOUS