

THE DEATH PENALTY PROJECT



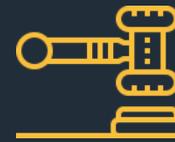
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OUR VISION

We believe the death penalty is a cruel and inhuman punishment that discriminates against the poorest and most disadvantaged members of society.

We use the law to protect prisoners facing execution and to promote fairer and more humane criminal justice systems, where the rights of all people are upheld and respected.

WHAT WE DO



Represent and assist individuals facing the death penalty and other vulnerable prisoners, free of charge.



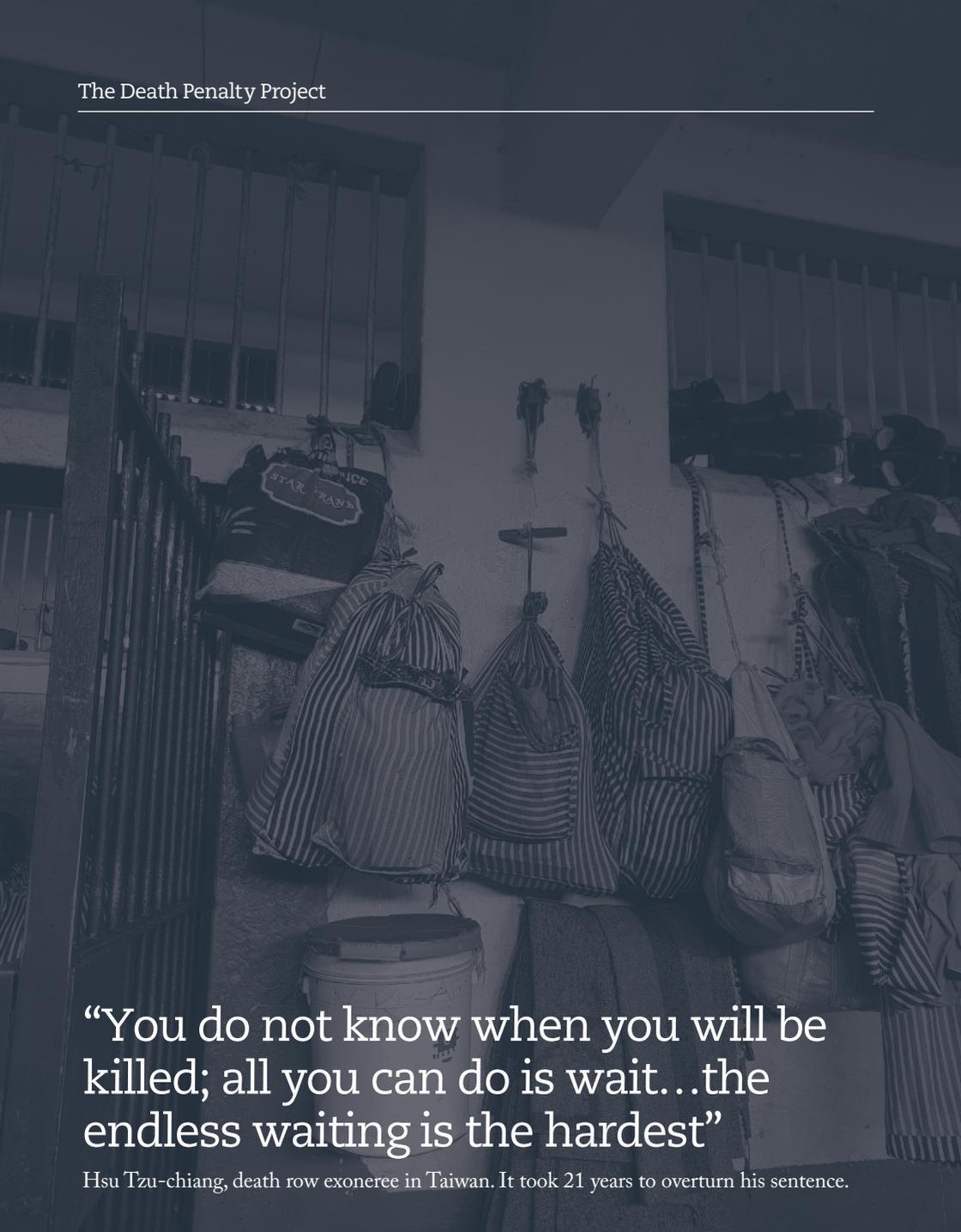
Deliver targeted and practical capacity building to members of the judiciary, lawyers, mental health professionals and others working within the criminal justice system.



Commission original research and publish training resources to address knowledge gaps and deepen understanding about the death penalty.



Engage with governments and other stakeholders in dialogue on the death penalty, to support a more informed and constructive debate.



“You do not know when you will be killed; all you can do is wait...the endless waiting is the hardest”

Hsu Tzu-chiang, death row exonerate in Taiwan. It took 21 years to overturn his sentence.

Our work in 2019 spanned **more than 25 countries...**

250+

prisoners provided with free legal assistance

50+

partnerships and collaboration with local lawyers, NGOs and academic institutions

300+

judges, lawyers and mental health professionals benefited from exchange and targeted capacity building events

Strategic interventions challenging the mandatory death penalty in Ghana, Sierra Leone, and Tanzania

OUR WORK SAVES LIVES



Here are some of our stories:

Betty*

In 2017, Betty was sentenced to death by hanging for the murder of her nine-month-old child. She was the first woman in five years to receive a mandatory death sentence in Sierra Leone, and became one of the two females in Sierra Leone on death row.

“Let me go and look after children... because I don't have anyone to fend for them.”

In Betty's case, we assisted AdvocAid, a charity in Sierra Leone supporting women in conflict with the law.

Betty, who is illiterate, did not receive any legal assistance until the first day of her

*Pseudonym used to protect the individual's identity

trial – her police statement was recorded in English, a language that she barely spoke – and no interpreter was available. The statement was later used as a confession at her trial. Betty maintained her innocence throughout. She said she was walking on a slippery road with her daughter tied to her back when she encountered some men who began to chase her. As she was running away, she slipped and fell backwards onto rocks. Her daughter was found on the rocky path with head injuries and did not survive.

Working with AdvocAid, we filed an appeal on behalf of Betty. After spending three and a half years in custody (two of which were on death row), it was announced in January 2020 that Betty had received a full pardon from the President and is due to be released.



Freetown Female Correctional Centre, where women on death row, or those serving life imprisonment, are detained

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Legal aid is limited in Sierra Leone and is simply not available in the appellate process. As a result, the vast majority of those on death row have not been able to pursue appeals against their convictions and/or sentences

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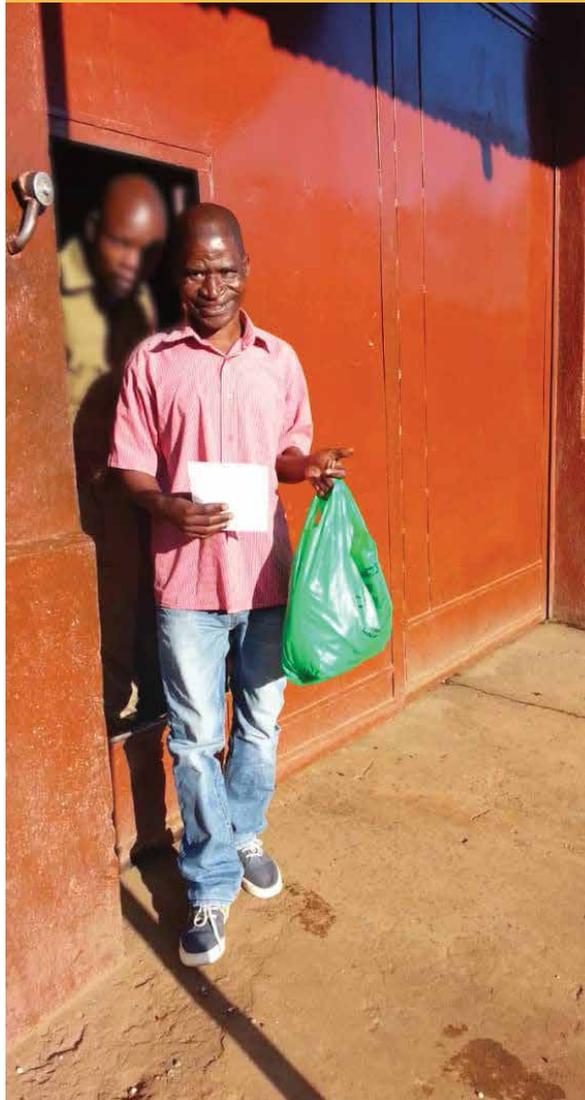
Being separated from their children is traumatic for women in prison. Prison rules do not allow young children to visit, and some women are detained far from their families

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Aron

Aron spent 16 years in prison in Malawi, 10 of which were on death row, following a murder conviction. He was one of the first prisoners to be re-sentenced following the abolition of the mandatory death penalty in Malawi in 2007. On 6 July 2019 – Malawi Independence Day – Aron was released early, based on good behaviour, and reunited with his family.

“This year’s Independence Day will always be different from the rest, because it is a day that I regained my freedom. Finally, I am going home again. For years, I have not seen the outside world. Today is like a resurrection day. I am starting life again.”



“The death penalty is not necessary. It is a very bad punishment. You should know that some people are convicted for failure to defend themselves. There is a possibility of error in judgment. Besides, people commit offences under different circumstances. The proper sentence should be in terms of years. I believe that every person is capable of reforming into a better person.”

CASE TIMELINE

2003 – Aron is arrested and charged with murder

2005 – Aron is convicted and sentenced to death. Alongside the Malawi Human Rights Commission, we begin to work on a constitutional challenge to Malawi’s mandatory death penalty; Aron is one of the six plaintiffs in the case

2007 – in a landmark judgment, the High Court of Malawi declares the mandatory death penalty unconstitutional

2009 – the Court of Appeal approves the High Court decision and declares the mandatory death penalty unconstitutional in Malawi

2015 – Aron is re-sentenced; his death sentence substituted with a term of 24 years imprisonment

2019 – Aron is released. He has now returned to his village and intends to get married and start a small business.

2019 - 2020 SNAPSHOTS



1 Caribbean region

Advocacy before the Inter-American Commission on Human Rights.

Identifying the main obstacles towards abolition among 'opinion leaders'.*

2 Trinidad & Tobago

Representing 11 death row prisoners in their appeals before the Judicial Committee of the Privy Council.

Challenging the mandatory death penalty in the only remaining country in the Commonwealth Caribbean that retains it.

3 Guyana

Pursuing strategic interventions to challenge the death penalty in the last retentionist country in South America.

4 Sierra Leone

Supporting women on death row in their legal challenges, including strategic litigation on the automatic nature of the death penalty.

5 UK

Intervened in Supreme Court case which successfully challenged the government's decision to provide assistance to the US without seeking assurances that the death penalty would not be imposed.

6 Ghana

Providing free legal assistance to all 160 prisoners on death row.

7 Zimbabwe

Provided legal assistance to local lawyers challenging the imposition of corporal punishment on juvenile offenders.

Creating tools and a platform for dialogue with political leadership and other key stakeholders on abolition of the death penalty*.

8 Kenya

Assisting in transition to a new discretionary sentencing system: expert technical advice and outreach support to the Sentencing Taskforce; capacity-building programmes for judges and lawyers; and research on attitudes towards the death penalty.*

Our work will have a direct impact on 5,000+ prisoners.

9 Bangladesh and India

Supporting research on the socio-economic status of death row prisoners and their interaction with the criminal justice system.*

Delivering targeted programmes on mental health and the death penalty to judges, lawyers and medical.

10 Malaysia

Providing technical assistance to key stakeholders to further the Government's commitment to abolition and advising on alternatives to the death penalty.

11 Indonesia

Commissioning research to investigate attitudes towards the death penalty and the deterrent effect of the death penalty on drug offences.*

12 Taiwan

New resources developed on public opinion and wrongful convictions to support ongoing advocacy and policy discussions.

Developing and supporting a mental health programme to assist all 39 prisoners on death row.

*Publications forthcoming 2020

“I had to witness a hanging ... they put a black bag over the felon’s head and he had to walk the steps blindfolded. When I saw this man, his knees buckled, he could hardly walk up the steps; and then they put the rope around his neck. When they pulled the trap, he went into convulsion and they had to leave him there for over an hour before they could certify that he was dead. When I experienced that, I could no longer support the death penalty.”

Kay Bacchus-Browne, attorney in St Vincent and the Grenadines

WHERE WE WORK

Antigua and Barbuda
The Bahamas
Bangladesh
Barbados
Belarus
Belize
Bermuda
Democratic Republic
of the Congo
Dominica
Ghana
Grenada
Guyana
India
Indonesia
Jamaica
Japan
Kenya
Malawi
Malaysia
Nigeria
Sierra Leone
Singapore
Sri Lanka
St Lucia
St Kitts and Nevis
St Vincent and the
Grenadines
Taiwan
Tanzania
Trinidad and Tobago
Uganda
Zimbabwe



A MESSAGE FROM OUR EXECUTIVE DIRECTORS

2019 has been another challenging and ground-breaking year for The Death Penalty Project. Our work has taken us to more than 25 countries where we have continued to provide free legal representation to prisoners facing execution and developed strategic legal interventions on the use of the death penalty. We have delivered capacity building programmes to many judges, lawyers and doctors; engaged with, and advised, governments on reforming the death penalty; and we have commissioned original research to confront perceived barriers to abolition.

None of this would have been possible without the vital collaboration and support of our partners. To each of you, a special thank you. To our funders and all the barristers, doctors, academics and other professionals who give their time and services free of charge; we are incredibly grateful and continue to be inspired and motivated by our common goal to ensure access to justice for all and to ending the death penalty worldwide.

Parvais Jabbar
Saul Lehrfreund

January 2020



THANK YOU TO EVERYONE WHO FUNDED OUR WORK IN 2019

- Allen & Overy Foundation
- Akin Gump Strauss Hauer & Feld LLP
- European Union
- Garden Court Chambers
- The Kalisher Trust
- Network for Social Change
- Oak Foundation
- Open Society Foundations
- Sigrid Rausing Trust
- Simons Muirhead and Burton LLP
- Swiss Federal Department of Foreign Affairs
- UK Foreign & Commonwealth Office

... and all our individual donors

The Death Penalty Project is a registered charity (no.1115035) and non-profit limited company (no.05579286) based at London law firm Simons Muirhead & Burton LLP. The Death Penalty Project has special consultative status before the United Nations Economic and Social Council.

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