

2021

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 resources that challenge misconceptions and deepen understanding around the death penalty.



Engage governments, policymakers and other key stakeholders in a constructive dialogue on how abolition of the death penalty can be achieved.

Our work in 2021 spanned more than 30 countries...

We provided free legal assistance to more than 50 people

A constitutional challenge to abolish the death penalty in Guyana, which if successful, would see

14 individuals removed from death row

A constitutional challenge to the mandatory death penalty in Trinidad & Tobago, which if successful, would see 45 individuals removed from death row

28 death penalty

Cases, including seven cases of British nationals facing a death sentence

19 cases challenging wrongful or unsafe convictions and excessive sentencing

A challenge against the use of flogging

A challenge to mandatory minimum sentences for juveniles

We have partnered with 23
NGOs
and academic institutions around the world

More than 100 judges,

lawyers and mental health professionals benefited from our capacity-building events, supporting our local partners as they work to enhance access to justice

OUR WORK BRINGS LASTING CHANGE

Sierra Leone

On 23 July, Sierra Leone's parliament unanimously passed The Abolition of the Death Penalty Act 2021, eradicating capital punishment.

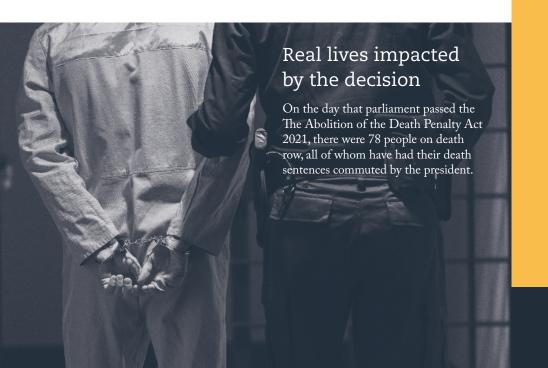
The Death Penalty Project has worked in Sierra Leone with our partner AdvocAid since 2007. In addition to providing direct legal support to women and other vulnerable prisoners on death row, we are very proud that our collaborative efforts and engagement with key stakeholders, including the Sierra Leone Bar Association, have been recognised as playing an instrumental role in supporting Sierra Leone to achieve abolition.

The Death Penalty Project, AdvocAid and

the Death Penalty Research Unit at the University of Oxford, formally set out the case for abolition to President Bio.

To assist the process, we presented an evidence-based perspective on the fundamental problems with the death penalty; not least, its arbitrariness, unavoidable room for error and its violation of international human rights standards.

We also detailed how and why the death penalty should be replaced with a flexible humane system of imprisonment, instead of life without parole. Our work in Sierra Leone has been supported and endorsed by the wider international diplomatic community.



Aminata's story

One of those who attended parliament to witness the historic decision was Aminata, a death row exoneree who, since her release, has worked with AdvocAid to promote the abolition of the death penalty.

In 2009, Aminata, was found guilty of killing her abusive ex-partner and automatically sentenced to death. She was just 17 years old.

Like many people in Sierra Leone, Aminata had no birth certificate to prove her age. She was subject to adult proceedings and sentenced to death, despite being a victim of domestic violence and sustained harassment from her ex-partner.

On the day in question, her ex-partner had forced his way into her home and beaten her with a rubber pipe. During the struggle, Aminata fell to the ground. Reaching out for something to defend herself with, she picked up a knife. It was not until her arrest that she learned her ex-partner had died.

Aminata's story is not just an isolated incident of a woman sentenced to death for a murder committed in the context of gender-based violence. It is a troubling example of why a mandatory sentencing system that fails to take account of domestic violence as a mitigating factor produces arbitrary and disproportionate outcomes.



In 2011, Aminata's death sentence was commuted to life imprisonment by a Presidential Pardon. AdvocAid filed an appeal on her behalf and, in 2019, after a four-year long wait, Aminata's conviction for murder was quashed and she was released.

However, after nearly a decade in prison, the experience has had a devastating impact on Aminata's life.

"I didn't know that a woman could report a man to the police because of abuse. If I had known, I would never have ended in prison."

Represent

The Death Penalty Project provides free legal representation to individuals around the world. Our work helps people who are vulnerable, including those with mental illness, those unable to afford adequate legal support, victims of domestic violence and juveniles. In addition to the individual cases, usually death penalty or wrongful conviction appeals, we work to challenge and ultimately end the application of capital punishment through bold strategic legal challenges.

Constitutional challenge to the mandatory death penalty in Trinidad and Tobago

We led a legal challenge to the continued use of the mandatory death penalty in Trinidad and Tobago, in *Chandler vs The State*, at the Judicial Committee of the Privy Council, London. If successful, Trinidad and Tobago will become the final country in the English-speaking Caribbean to abolish the mandatory death penalty. The decision

would impact 45 individuals currently on death row.

Constitutional challenge to the death penalty per se in Guyana

We led a constitutional challenge to the death penalty per se in Guyana, that, if successful, could have a significant impact for other retentionist countries throughout the Caribbean and the wider Commonwealth. The landmark appeal by three former coastguards, who were sentenced to death in 2013, is being heard before Guyana's Court of Appeal. It had previously been assumed that the constitution protected the death penalty itself from judicial challenge, but the appellants now contend that the death sentence violates core principles of the constitution and cannot be imposed on anyone for any crime. As well as having significant regional impact, 14 people currently on death row could have their death sentences commuted.

Deliver

Legal training in Kenya following the abolition of the mandatory death penalty

In 2017, The Death Penalty Project worked on a constitutional challenge that saw the Supreme Court of Kenya strike down the mandatory death penalty - stopping it from automatically being applied to anyone convicted of certain crimes. Thousands of prisoners automatically sentenced to death became eligible for resentencing. Throughout 2021, we worked with our partners, the Katiba Institute and the Judicial Training Institute, to deliver training to judges and magistrates, as well as coordinating with the Kenya Law Society to provide training to lawyers on the new discretionary sentencing guidelines in capital cases.

Forensic psychiatry training in Bangladesh

In October, we launched a new online curriculum for psychiatrists in Bangladesh. The course, aimed at medical professionals acting as expert witnesses in criminal legal proceedings, is designed to support the identification of serious mental health issues in criminal cases, particularly capital cases and strengthen protections for people with mental health conditions who face execution.





Commission

The death penalty in the Caribbean

In 2020, we launched research investigating why the countries of the Eastern Caribbean and Barbados retain the death penalty, despite no longer carrying out executions. In addition to our ongoing engagement work, in September, we were invited to the Bahamas to present the findings at the 2021 Commonwealth Law Conference. This also provided an opportunity to explore why all countries in the Caribbean region, and many in the wider Commonwealth, hold on to capital punishment when the majority of countries have abolished it.

Attitudes towards the death penalty in Indonesia

In June 2021, we launched new research in Indonesia exploring attitudes towards the death penalty among the public and opinion formers. Indonesia, like its regional neighbours, retains the death penalty with a particular focus on drug-related crimes. Our research explored beyond the binary yes/ no question, to reveal nuances in opinion and rationales. The study found that not only are the majority of the public open to abolition, but that legislators favour a change in penal policy.

Engage

The Death Penalty Project team has been working throughout the year to share our work with new audiences. We have held, and been part of, a series of high-level engagement events to share the findings of our latest research with policy-makers and key stakeholders, as well as working to boost our public profile through a series of social media campaigns, opinion pieces, media interviews and public speaking events. Some key highlights include:

CogX 2021

In June 2021, The Death Penalty Project was invited to speak at the CogX festival. Our Co-Executive Directors appeared in conversation with acclaimed broadcaster, author and The Death Penalty Project board member Afua Hirsch. The session, 'The Future: No Place for The Death Penalty' included a video message from Kwame Ajamu, death row exoneree and chair of Witness to Innocence. Kwame's powerful words helped to highlight the inhumanity of the death penalty system – and the real-life impact of wrongful convictions.

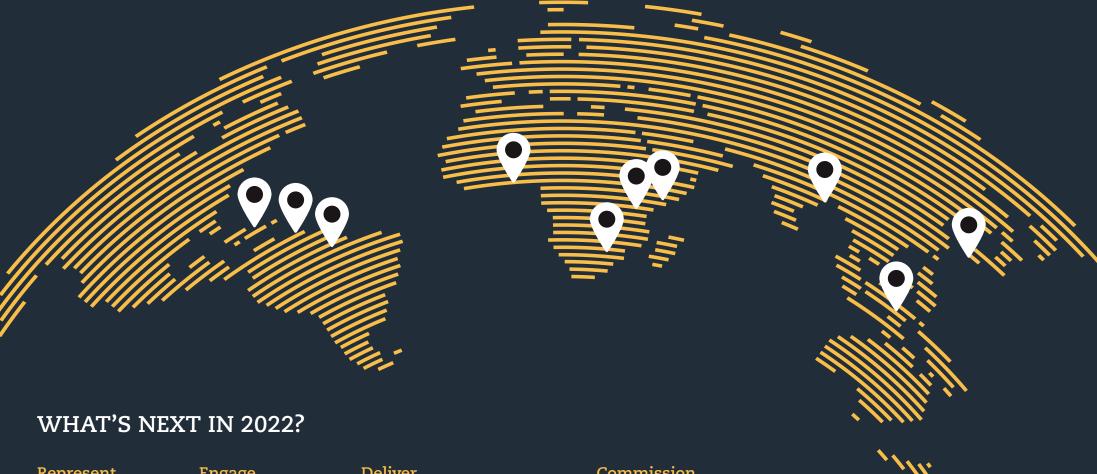
World Day Against the Death Penalty 2021

This year's World Day Against the Death Penalty on 10 October, was dedicated to women who have been impacted by capital punishment. To bring attention to this important and often overlooked issue, we interviewed some of the women we work with at The Death Penalty Project; lawyers, human rights activists and academics to share their experiences and knowledge on the subject.

Human Rights Day 2021

To mark Human Rights Day on 10 December, we created a short video featuring staff from The Death Penalty Project. Through a social media campaign, we sought to raise awareness of how the death penalty breaches the most fundamental human right of all – the right to life – and how abolition is an essential part of the fight to uphold human rights.

The Death Penalty Project The Death Penalty Project



Represent

Strategic litigation to challenge the use of the death penalty

Guyana - Trinidad & Tobago - Tanzania

Engage

Building a collaborative platform to support eventual abolition

Indonesia - Ghana -Caribbean - Zimbabwe - Taiwan

Deliver

Strengthening local capacity through legal training and events

Kenya - Bangladesh

Commission

Conducting new empirical research on attitudes towards the death penalty, socio-economic profiles of death row inmates, and the deterrent effect of the death penalty

Kenya - Bangladesh -Indonesia - Taiwan



A MESSAGE FROM OUR EXECUTIVE DIRECTORS



Throughout the pandemic, the global prison population has been largely ignored. Prison visits have been suspended and trials and appeals postponed, adding an additional layer of anguish for individuals facing execution and their families. The pandemic has also highlighted the inequalities that persist in penal systems around the world, where the poor and marginalised are often denied access to justice. Providing free legal representation to those who otherwise would fall through the cracks, remains at the heart of everything we do at The Death Penalty Project, and the circumstances of the past two years have made our mission feel more urgent than ever. In 2021, we assisted more than 50 people in cases heard before the Judicial Committee of the Privy Council, in London and domestic courts around the world. With the support of our pro bono network, we have also continued to provide access to mental health assessments and forensic expertise.

In addition to assisting people facing capital sentences, our team ramped up our project and advocacy work. We adapted to remote working, but one trip we were able to make was to the Commonwealth Law Conference in The Bahamas. There we presented on the findings of our latest research in the Eastern Caribbean, and the enigma of why so many Commonwealth countries retain the death penalty despite no longer carrying out executions. This year we also launched research in Indonesia

investigating public and opinion formers' attitudes and revealed a surprising openness to abolition. New studies from Bangladesh, Kenya and Taiwan, too, have been commissioned and carried out, ready to launch in 2022.

For more than 15 years, our growing body of empirical research challenging assumptions and misconceptions around the death penalty, has boosted our global engagement with policy-makers and key stakeholders. Perhaps the most successful example of this to date has been in Sierra Leone, where in July of this year, parliament unanimously voted to abolish the death penalty for all crimes. Our collaborative approach to advocacy, working with our local partner AdvocAid, the diplomatic community and others, helped strengthen the arguments for abolition. We are extremely proud that our work was able to support Sierra Leone, as it made history, becoming the 109th country to eradicate capital punishment.

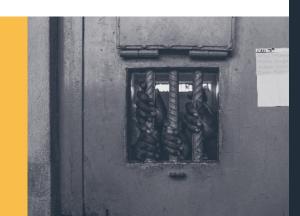
We are delighted that we have been able to welcome several new members of staff at The Death Penalty Project in 2021, growing our capacity and the scope and impact of our work. Working in synergy with colleagues and partners who share our vision makes the challenge of global abolition more surmountable and, over the years, many of those we have been lucky to work with have transitioned from colleagues to friends. In October,

we paid tribute to one such friend, Professor Roger Hood, who sadly died in December 2020. We were grateful that, despite pandemic restrictions, we could travel to Oxford for his memorial and mark his incredible life and career. Roger leaves behind an impressive legacy of research that has been instrumental to the abolitionist campaign, and will continue to inspire our own work now, and long into the future.

We would like to thank our partners, all members of staff at The Death Penalty Project, and our pro bono network of barristers, medical experts, and academics, for their tireless dedication. We would also like to thank our funders for sharing our goal and for their generous support of our endeavours to end the death penalty worldwide.

Parvais Jabbar and Saul Lehrfreund

December 2021



THANK YOU TO EVERYONE WHO FUNDED OUR WORK

- Simons Muirhead Burton LLP
- UK Foreign, Commonwealth & Development Office
- European Union
- Swiss Federal Department of Foreign Affairs
- Allen & Overy Foundation
- Oak Foundation
- Open Society Foundations
- The Joffe Charitable Trust
- The David and Elaine Potter Foundation
- Capital Cases Charitable Trust
- The Roddick Foundation
- Zitrin Foundation
- The Kalisher Trust
- Taiwan Foundation For Democracy
- Lady Edwina Grosvenor
- Bohemia Media

Thank you also to all of our individual donors.

The Death Penalty Project is a registered charity (no.1115035) and non-profit limited company (no. 05579286) with special consultative status before the United Nations Economic and Social Council.

The Death Penalty Project 87-91 Newman Street London W1T 3EY www.deathpenaltyproject.org

- @deathpenaltyp
 - f deathpenaltyproject
- in The Death Penalty Project

JustGiving[®]

Front cover photograph: Jake Lyell / Alamy Stock Photo Design and production: CPL www.cpl.co.uk

