

# **Procedural Trauma, the Illusion of Closure and Myth of Consensus: Understanding Victim Experiences in Capital Punishment Cases**

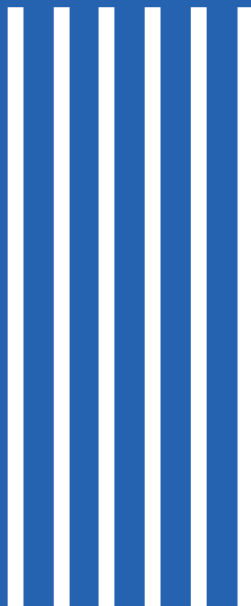
***Dr Amelia Inglis***



**THE  
DEATH  
PENALTY  
PROJECT**

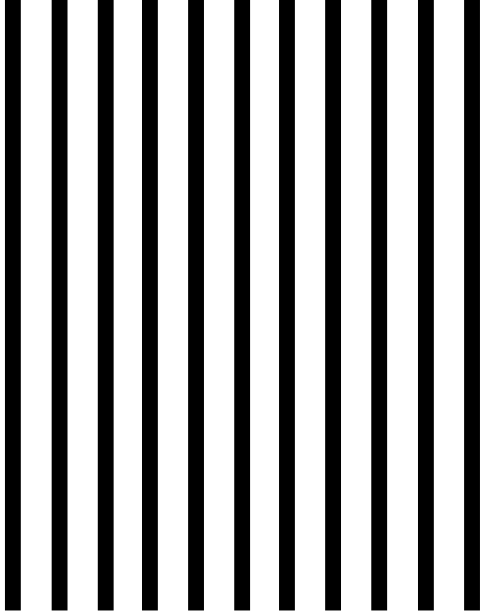


**This report is  
dedicated to the  
people who shared  
their experiences  
with Dr Amelia Inglis.**



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# Foreword

One of the most deeply entrenched arguments in favour of capital punishment is the perceived demand for retribution by and for victims of crime and their families – ‘justice’ in the form of death sentences and executions. Much is at stake in this assertion of the value of retributive punishment, from the complex needs of victims in the aftermath of a traumatic event to an offender’s right to life and dignity.

That the death penalty does more harm than good is a fundamental claim of abolitionists, consistent with the experiences of people under sentence of death and echoed by professionals working in the criminal justice system. However, articulating this position from the perspective of victims of capital crime has been a considerable challenge because of the lack of empirical research on the experiences of the death penalty among victims of crime and their families.

Existing research has explored the manifold violations and cruelties imposed on people facing a death sentence and countered widely held assumptions such as perceived public support for the death penalty and its deterrent effect – but very few studies have investigated whether the death penalty does in fact benefit victims of crime and their families.

We have commissioned this publication, based on Dr Amelia Inglis’ recent empirical study at the University of Oxford, to redress this important knowledge gap. Drawing on interviews with the families of homicide victims – referred to in this report as ‘co-victims’ – and others with professional experience of the capital appeals process in the United States, the report brings significant findings to light.

It presents new data and offers insights that challenge the assumptions underlying retention of the death penalty in the name of victims on two fronts. First, it suggests that, rather than serving the needs of victims, the death penalty can have the opposite effect by inflicting compounded harm and re-victimisation on co-victims, especially because of long delays in capital proceedings and the appellate process. Agonising delays, which are unavoidable given the irreversibility of capital punishment and the need for comprehensive appellate review, prevent closure for co-victims, who are re-traumatised by a justice system they may not trust, and which is not mindful of their varied needs.

Second, this report develops a nuanced understanding of co-victims as a diverse set of people whose perspectives are not universally shared or fixed. It is unhelpful to speak of co-victims’ needs as if they are a homogenous population. That said, it is critical to listen to victims of capital crime and their families, and to acknowledge the harms experienced by them. In doing so, this study reveals perspectives not typically reflected in justifications for retention of the death penalty.

The author's original empirical contribution to death penalty research, which demonstrates that the death penalty can adversely shape experiences of criminal justice for those directly affected by crime, should inform discourse in retentionist jurisdictions. While based only on data collected in the United States, it is likely that similar effects would be found in all countries that have a rigorous appellate process in line with international law. Further empirical research across retentionist countries in Africa, for example, might find that co-victims experience similar frustrations and trauma within countries that sentence people to death but do not execute (countries known as 'abolitionist de facto'). As in the United States, the promise of 'closure' for such victims is highly unlikely to be realised.

Safe alternatives to capital punishment are the logical implication of the findings in this report. A proportionately long prison sentence that incapacitates an offender from whom society needs protecting, and that serves communities' needs for retribution, would allow victims to start the healing process without being forced to remain in ongoing – and ultimately debilitating – contact with the criminal justice process. Therapeutic or restorative measures could then be available to assist in that healing process.

We applaud the exemplary research conducted by Dr Inglis at the University of Oxford and thank the families of victims of homicide in the United States who generously shared their painful experiences with her, so that we might learn how to develop a criminal justice response to heinous offences without causing further trauma to those most affected.

**Saul Lehrfreund and Carolyn Hoyle**

Co-Executive Director of The Death Penalty Project and  
Director of the Death Penalty Research Unit, University of Oxford

September 2025

# 1.0 Introduction

In retentionist countries around the world, there are a few key justifications for sentencing to death and executing those who commit serious crimes: deterrence, public opinion, and retribution. Even the most sophisticated studies have failed to provide clear evidence that the death penalty has a deterrent effect.<sup>1</sup> Rigorous empirical research has also established that public opinion does not present a significant barrier to the abolition of capital punishment; public opinion is often shaped by misconceptions regarding the implementation and administration of the death penalty.<sup>2</sup> It is more difficult to challenge the assertion that the death penalty serves a unique retributive purpose that cannot be fulfilled by another severe penalty, such as a long term of imprisonment, though customary international law supports that position. A central component of the retributive rationale, and a frequently cited argument in defence of capital punishment, is the assertion that death sentences and executions are necessary to facilitate healing for the victims of capital crimes – particularly the families of those who have lost loved ones to homicide (hereafter, ‘co-victims’). Like deterrence theory, this is an intuitive argument; it is easy to see why it could be assumed that the state’s execution of a person who has unlawfully killed a citizen would bring healing by satisfying the retributive impulse. However, much like deterrence theory, intuition is not borne out by the limited empirical evidence. This report reviews the available evidence and argues that the retention of the death penalty in the name of victims rests on shaky ground.

Drawing on the author’s recent empirical research on co-victims in the United States (hereafter ‘US’), conducted at the University of Oxford (hereafter, ‘the Oxford study’),<sup>3</sup> this report explores how the complex and protracted capital appeals process influences co-victims’ trajectories of grief and recovery, offering valuable insight into how co-victims navigate the landscape of capital punishment in the US. It incorporates findings from 34 in-depth, semi-structured interviews with both homicide co-victims and non-victims with professional experience of the US capital punishment system.<sup>4</sup>

While the study’s sample is relatively small, and focuses only on the US, this exploration of the qualitative, self-reflective narratives of co-victims’ journeys through

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1. See The Death Penalty Project, *Deterrence and the Death Penalty* (2022); Nagin D and Pepper J, *Deterrence and the Death Penalty* (The National Academies Press, 2012).
  2. See The Death Penalty Project, *Public Opinion and the Death Penalty* (2022).
  3. Inglis A, *Reclaiming Control After Homicide: Co-Victims’ Trajectories Through the American Capital Appeals Process* (Unpublished PhD thesis, University of Oxford, 2024).
  4. This report focuses on 13 of these co-victims, categorised as ‘Group 1’: one or more of the individuals convicted and sentenced for the homicide of their loved one had received a death sentence.

the appellate process suggests that capital punishment does not fulfil therapeutic objectives. Indeed, the study concludes that, within the context of the US – with its capital appeals process that can extend for decades – capital punishment does not heal those most affected by the homicide. Rather, it has the potential to re-traumatise and re-victimise co-victims.

In this report, the study's findings are presented within a global context, broadening our understanding of how co-victims might experience capital punishment in both retentionist and abolitionist *de facto* countries, in order to contribute valuable insights into the impact of capital punishment on co-victims worldwide.

## 1.1 The context: co-victims and capital punishment

Co-victims are frequently cited as justification for retaining capital punishment across various death penalty jurisdictions worldwide. In the US, since the early 1990s, a central argument for the application of the death penalty has been that family members of homicide victims require the execution of the offender as a means of achieving healing and other therapeutic outcomes, captured by the concept of 'closure'.<sup>5</sup> Similarly, in Japan, the retention of the death penalty is often justified on the grounds that it serves the interests of murder victims' families by alleviating their grief and offering a form of 'redress'.<sup>6</sup> In China, the obligation to service victims has emerged in recent years as a 'standing requirement' in the capital process.<sup>7</sup> Meanwhile, in Taiwan, The Association for Crime Victims Support, established by the Ministry of Justice and led by the chief prosecutor of the Taiwan High Prosecutors Office, cited the needs of victims' families as justification for the retention of capital punishment in a recent survey, claiming that it is 'only right and just' that 'murderers make amends with their lives'.<sup>8</sup> In 2010, Iraqi authorities, during the United Nations Universal Periodic Review, stated that 'because of the exceptional circumstances in Iraq and the prevalence of terrorist crimes targeting the right to life, the death penalty had been maintained as a means of deterrence and to provide justice to the families of victims'.<sup>9</sup>

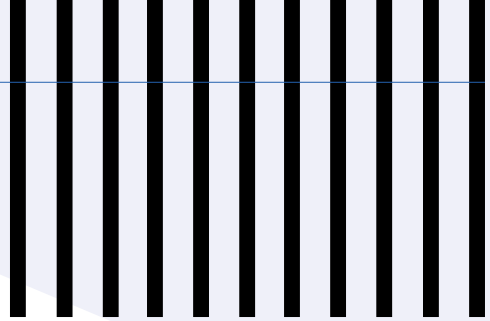
5. See King R, The Impact of Capital Punishment on Families of Defendants and Murder Victims' Family Members, *Judicature* 89(5) 2006, pp292-296; Zimring F, *The Contradictions of American Capital Punishment* (Oxford University Press, 2003); Bandes S, Victims, "Closure" and the Sociology of Emotion, *Law and Contemporary Problems* 72(2) 2009, pp1-26.

6. Tagusari M, Does the Death Penalty Serve Victims? In Simonovic I (Ed.), *Death Penalty and the Victims* (FDFA 2016) pp41-49 (p41); Pei-ju T, Attorney transforms personal tragedy into advocacy against death penalty, *Focus Taiwan CNN English News*, 19 September 2024.

7. See Johnson D, Does Capital Punishment Bring Closure to the Victims? In Simonovic I (Ed.), *Death Penalty and the Victims* (FDFA 2016) pp75-82 (p79).

8. Quoted in Pei-ju, Attorney transforms personal tragedy into advocacy against death penalty.

9. Report of the Working Group on the Universal Periodic Review, Iraq (2010), UN Doc. A/ HRC/14/14.



Research commissioned by The Death Penalty Project in Taiwan and Indonesia reveals that the few legislators and other ‘opinion formers’ who support the death penalty overwhelmingly cite justice and satisfaction for victims as rationales for its retention.<sup>10</sup> In Taiwan, opinion formers argued that ‘relatives of victims need to be satisfied’, and emphasised that the death penalty is necessary for facilitating the recovery of victims’ families.<sup>11</sup> In Indonesia, proponents of capital punishment invoked the satisfaction of victims’ relatives as a justification for its use, though this rationale was cited less frequently than those related to deterrence and public opinion. Both retentionist and abolitionist perspectives acknowledged retributive goals as a significant purpose of sentencing offenders to death, with fairly frequent references to concepts such as ‘justice’ and ‘revenge’, terms often linked to the perceived needs of victims’ families.<sup>12</sup>

Nevertheless, there is a notable lack of empirical evidence to support claims that the death penalty serves co-victims. Very little is known about co-victims’ experiences with capital punishment, particularly concerning the period between sentencing and execution or alternative case outcomes. This gap in knowledge and understanding is significant, as co-victims often endure prolonged waiting periods for case resolutions, sometimes spanning years, if not decades.

This report provides a tool for both policymakers and legal professionals by critically examining core assumptions underlying the argument that capital punishment serves the interests of co-victims. Drawing from rich empirical data,<sup>13</sup> it presents two key findings:

1. Rather than healing, the death penalty can cause some co-victims to experience additional harm, trauma, and re-victimisation, in large part because of prolonged exposure to capital appeals and delays in post-conviction legal proceedings; and
2. Co-victims are not a homogenous group, nor are their perspectives on capital punishment fixed.

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10. See, for example, Hoyle C, *Investigating Attitudes to the Death Penalty in Indonesia. Part I: Opinion Formers: An Appetite for Change*, The Death Penalty Project 2021; Hoyle C and Hawang S, *Legislators Opinions on the Death Penalty in Taiwan*, The Death Penalty Project 2021.

11. Hoyle and Hawang, *Legislators Opinions on the Death Penalty in Taiwan*, p19.

12. Hoyle, *Investigating Attitudes to the Death Penalty in Indonesia. Part I: Opinion Formers*, pp27-28.

13. Inglis, *Reclaiming Control after Homicide*.





# 2.0

## Delayed healing and the lack of certainty

Co-victims of homicide are among the most vulnerable victims in society.<sup>14</sup> They typically experience a traumatic bereavement reaction, expressing feelings of powerlessness, abandonment and loss of control with greater frequency, duration and intensity than any other form of bereavement reaction.<sup>15</sup> In jurisdictions that retain capital punishment on the grounds that executions provide such victims with closure, justice or retribution, it could be reasonably assumed that, to effectively address their needs and mitigate against further distress, executions should be carried out in a timely manner, minimising the delay between sentencing and execution. As the saying goes, 'justice delayed is justice denied'.

However, the reality in many jurisdictions is in stark contrast to this ideal. As the only irreversible punishment, a death sentence – to comply with international law – requires extensive post-conviction review, often involving a series of distinct, complex and protracted legal proceedings between sentencing and execution. Many jurisdictions, including the US, have adopted procedural safeguards under the 'death is different' doctrine, requiring comprehensive appellate review before an execution can be carried out.<sup>16</sup> In the US, executions are delayed until the convicted individual has exhausted multiple levels of appeal in both state and federal courts.<sup>17</sup> On average, this process takes 19 years to complete,<sup>18</sup> with delays of more than 30 years from crime to execution not uncommon.<sup>19</sup> Given that most individuals sentenced to death exercise their right to appeal, this process is experienced, in some form, by nearly all co-victims.

It is important to emphasise that the convicted individual is not the sole party trapped in the appellate process. Research conducted for the Oxford study reveals that the capital appeals process in the US locks co-victims into a protracted stasis, in a state of 'unhealing', whereby the system repeatedly disrupts the healing process, reopening emotional wounds and prolonging traumatisation.<sup>20</sup> Having remained tied to the justice system for up to 35 years because of the capital appeals process, co-victims

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14. Ibid.

15. Redmond L, Sudden Violent Death, in Doka K (Ed.), *Living with Grief after Sudden Loss* (Routledge, 1996) pp53-72.

16. Baumgartner F, Davidson M, Johnson K, Krishnamurthy A and Wilson C, *Deadly Justice: A Statistical Portrait of the Death Penalty* (Oxford University Press, 2018).

17. Zimring, *The Contradictions of American Capital Punishment*.

18. See Baumgartner et al., *Deadly Justice*. Estimated by projecting the trend line shown in Figure 8.3 (p165), to 2024. Note that the slope of the trend line corresponds to an average increase in delay of 116 days per year, as discussed by Baumgartner et al. (p164).

19. Ibid., p157.

20. As terms such as 'recovery' and 'healing' suggest a finite state or end goal that many co-victims view as unattainable, I use these terms – as outlined in the original research (pp82-83) – to refer instead to an ongoing process, akin to a 'journey to being able to function', as described by a bereavement specialist.



felt that this extended involvement had led to re-victimisation. One co-victim, Natalie,<sup>21</sup> described the repetitive, cyclical nature of the appeals process:<sup>22</sup>

**'[I]t seemed that we were on a two-year cycle, which I realised later, it's kind of how [...] the system works [...] So it was like we had the trial, he got the death penalty, and I was starting to feel a little bit better, heal a little more, and then slapped in the face two years later, well, here we are again [...] I'd go back down to the depression point.'**

Co-victims expressed how years of appeals and re-trials had repeatedly resurfaced the most traumatic elements of the homicide, forcing them to focus on their loss and the distressing circumstances surrounding it, thereby impeding their ability to detach from the pain caused by the murder. For Sarah, the decade following sentencing had consisted of multiple re-trials.<sup>23</sup> As both a victim-survivor and a witness to her father's murder, she was required to attend each trial, describing the experience as 'ten and a half years of trials of hell':<sup>24</sup>

**'I didn't know if I could get through another [trial]. I sometimes could not eat for days. [They] threw off my sleeping [...] I mean you think I cried a lot before? Oh my gosh, you know, another time to go through this? I didn't know if I had the strength. [...] I'm going, "Is the Florida justice system putting me through this again? [...] Please don't make me and my family go through this again. I'm gonna have to testify again. Oh, my God. I have to go look at the pictures. I have to go through every detail of watching the knife go into my father, the scenes of my father trying to breathe and save, you know, draw him away from me and try to save me", and it was horrible because, you know, I think, I'm pretty sure that the justice system because they elongated it, you know, so long that it, it made my health, medical worse in the long run.'**

21. Participant names have been anonymised using pseudonyms.

22. Quoted in Inglis, *Reclaiming Control after Homicide*, p182.

23. The exact number of re-trials is not clear from the data or from information available online.

24. Quoted in Inglis, *Reclaiming Control after Homicide*, p180. Homicide co-victims are not obligated to stay informed about legal proceedings or attend re-trials. However, in cases where they are involved as victims and/or witnesses, they are generally expected to appear in court when requested. While legal requirements vary by jurisdiction, the prosecution may issue a subpoena to compel testimony if necessary. At least six of the co-victims within the sample had been called to court as a victim/witness.



**“Please don’t make  
me and my family go  
through this again.”**



Co-victims generally perceived the initial trial as an 'inevitable part of the justice system', whereas appeals and re-trials were seen as an 'unnecessary product of the death sentence'.<sup>25</sup> Many co-victims, having reached a stage a few years into the appellate process at which they sought healing and progression in their recovery, reported that their ability to do so was limited by the many procedural interruptions associated with the appeals process.

Unsurprisingly, the majority of co-victims indicated that 'seeking closure from capital punishment was not feasible when set against the procedural realities [and complexities] of capital punishment'.<sup>26</sup> Exposure to the protracted and traumatising appellate process led co-victims to the realisation that the criminal justice system could not provide closure. This realisation was particularly evident among those with ongoing appeals, who faced the prospect of several more years of legal proceedings. Noah, whose case was two years into the appellate process, asserted that the death penalty is 'not giving family members of murder victims closure' because of the 'agonising' appellate process, which had 'trapped [him] in the legal system'.<sup>27</sup>

While limited research exists on the experiences of co-victims during the capital appeals process in death penalty jurisdictions outside the US, it is well established that these post-conviction legal proceedings are often complex and prolonged, sometimes spanning several decades. In Bangladesh, for instance, procedural delays from the filing of a case to its resolution by the High Court Division of the Supreme Court can extend for several years. A report compiled by the University of Dhaka found that 46% of cases (11 out of 24) took more than a decade to conclude, with one case exceeding 16 years.<sup>28</sup> Furthermore, in 2008, 47% of individuals on death row in Nigeria had appeals pending before the courts.<sup>29</sup> According to an Amnesty International report, 6% of these appeals had been pending for more than 20 years, with at least 130 individuals having spent more than a decade on death row.<sup>30</sup> In India, the appeals process in death penalty cases comprises multiple judicial and executive stages, including a mandatory sentencing review by the High Court, the option to file a Special Leave Petition to the Supreme Court under Article 136 of the Indian Constitution, the possibility of submitting a Curative Petition, and the right to seek a pardon from the Governor.<sup>31</sup> Notably, there is no restriction on the number of clemency requests that may be filed on behalf of the convicted individual. This evidence suggests that co-victims experience similarly intricate and protracted legal proceedings to those in the US following the imposition of a death sentence. Hence,

25. Inglis, *Reclaiming Control after Homicide*, p180.

26. *Ibid.*, p172.

27. Quoted in *ibid.*, p173.

28. Rahman M, *Living Under Sentence of Death: A Study on the Profiles, Experiences and Perspectives of Death Row Prisoners in Bangladesh* (Department of Law University of Dhaka, 2020) p43.

29. Amnesty International, 'Waiting for the Hangman': The Death Penalty in Nigeria, <https://www.amnesty.org/es/wp-content/uploads/2021/06/afr440212008en.pdf> – accessed 5 January 2025, p3.

30. Amnesty International, *Nigeria: 'Waiting for the Hangman'* (Amnesty International Publications, 2008) pp4-6.

31. Project 39A, *Stages in Death Penalty Cases*, <https://www.project39a.com/resources-stages-in-death-penalty-cases> – accessed 27 February 2025.

we cannot assume that the secondary victimisation and trauma experienced by co-victims as a result of the capital appeals process in the US is unique to this jurisdiction.

This finding is significant as the Oxford study suggests that victims' perceptions of lacking control over their own recovery journey probably contributed to an experience resembling 'induced prolonged grief disorder', or 'induced complicated grief'.<sup>32</sup> Complicated grief refers to 'painful emotions [that] are so long lasting and severe that you have trouble recovering from the loss and resuming your own life'.<sup>33</sup> For example, Sarah described how, for more than 10 years of appeals, 'the last thing [she] thought of when [she] went to bed and the first thing [she] thought of when [she] woke up was exactly what happened'.<sup>34</sup> Such persistent grief, extending over prolonged periods, is known to significantly disrupt health and functioning.<sup>35</sup> These adverse health effects were reflected in co-victims' reported struggles with depression, disrupted eating and sleeping patterns, and a range of mental and physical health problems.<sup>36</sup> This finding is particularly concerning given the heightened vulnerability of homicide co-victims, who are at increased risk of adverse health outcomes, including trauma-related distress, post-traumatic stress disorder, complicated grief, and depression.<sup>37</sup>

In addition, the Oxford study identified that the uncertainty surrounding the duration and outcome of the case left co-victims feeling 'frozen' or 'stuck', forcing them to delay their healing and grieving processes. Regardless of their stance on capital punishment or their preferred sentencing outcome, co-victims experienced a state of limbo, unable to move forward with their lives until the legal proceedings had concluded. One such example is Alan, a co-victim whose mother had been murdered and whose father, along with another individual, was sentenced to death for his involvement in the homicide. Alan had been exposed to the appellate process for 16 years before both sentences were overturned on appeal. He articulated his experience from two distinct perspectives: first, as a 'victim', and second, as an 'offender family member' because of his father's death sentence.<sup>38</sup>

**'[H]ere's the deal, your life is frozen either way, whether you're on the offender's family member side, or whether you're on the victim's family member side, your life is stuck until that stuff is resolved.'**

32. Inglis, *Reclaiming Control after Homicide*, p200.

33. Mayo Clinic, *Complicated Grief*, <https://www.mayoclinic.org/diseases-conditions/complicated-grief/symptoms-causes/syc-20360374#:~:text=This%20is%20known%20as%20complicated,paths%20through%20the%20grieving%20experience> – accessed 21 April 2025.

34. Quoted in Inglis, *Reclaiming Control after Homicide*, p200.

35. Prigerson H, Bierhals A, Kasl S, Reynolds C, Shear M, Day N and Jacobs S, Traumatic Grief as a Risk Factor for Mental and Physical Morbidity, *American Journal of Psychiatry* 154(5) 1997, pp616–623; The Center for Complicated Grief, *Complicated Grief: Overview*, <https://psychiatryonline.org/doi/epdf/10.1176/ajp.154.5.616> – accessed 02 July 2025.

36. Inglis, *Reclaiming Control after Homicide*.

37. See, for example, American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (5th ed.), (American Psychiatric Association, 2013); Amick-McMullan A, Kilpatrick D and Resnick H, Homicide as a Risk Factor for PTSD Among Surviving Family Members, *Behavior Modification* 15(4) 1991, pp545–559; Zinzow H, Rheingold A, Byczkiewicz M, Saunders B and Kilpatrick D, Examining Post-Traumatic Stress Symptoms in a National Sample of Homicide Survivors: Prevalence and Comparison to Other Violence Victims, *Journal of Traumatic Stress* 24(6) 2011, pp743–746.

38. Quoted in Inglis, *Reclaiming Control after Homicide*, p185.



These frustrations were evident among nearly all participants, regardless of whether they had been exposed to the appellate process for three years or three decades, yet they inevitably intensified over time. Molly, a co-victim who had experienced 35 years of capital appeals prior to the execution of her father – who had been convicted and sentenced to death for the homicide of her mother<sup>39</sup> – described the appellate process as ‘torture’ and expressed her frustration with the State for subjecting her to such prolonged uncertainty:<sup>40</sup>

**‘There was anger [after the execution]. I was, I actually contacted his attorney and was like, “How do I sue the State for doing this? Not the execution. How do I sue the State for 30 years of appeal, no appeal, appeal, no appeal, execution, no execution?” Why did it have to take this long of torture for me? And I’m sure [for the convicted person] too, to get to this. I mean, if you’re going to do it, do it. I don’t think you should do it anyway, but if you’re gonna do it, do it. Don’t keep putting the victim’s family and the suspect’s family through such hell. And that’s, that’s my anger now is all that I had to go through just to get to that one moment to get that phone call saying he’s, he’s gone. It shouldn’t have taken all of that.’**

Relevant media coverage and case information from other death penalty jurisdictions suggest that such experiences of prolonged uncertainty and the unpredictable progression of cases are unlikely to be unique to the US. A notable example is the case of Hakamada Iwao, who was sentenced to death in 1968 in Japan, where the capital appeals process often results in prolonged delays, with intervals of decades between sentencing and execution or alternative outcome not uncommon.<sup>41</sup> In March 2014, Hakamada was granted a retrial, 27 years after his initial appeal had been filed. However, in 2018, the Tokyo High Court overturned this decision, denying the retrial following an appeal by prosecutors. This decision was subsequently challenged by Hakamada’s lawyers, resulting in Japan’s Supreme Court overturning the High Court decision in 2020 and instructing the lower court to re-examine the appeal. Ultimately, in 2023, the Tokyo High Court ruled in favour of the Supreme Court decision for retrial, which commenced later that year, and Hakamada was acquitted.<sup>42</sup> Accounts of cases such as Hakamada’s, while probably representing an extreme example, suggest that co-victims in retentionist jurisdictions may experience a comparable sense of prolonged uncertainty as identified in the Oxford study. As emphasised by Tagusari, a Japanese lawyer and death penalty activist, in jurisdictions where ‘super due process’ is required, or where the capital appeals process leads to protracted legal

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39. It is not uncommon for co-victims to be related to both the homicide victim and the convicted person.

40. Quoted in Inglis, *Reclaiming Control after Homicide*, p184.

41. Lehrfreund S, Hakamada case: World’s longest-serving death row inmate acquitted in Japan, *Death Penalty Research Unit*, 27 September 2024; McCurry J, After freeing a man who spent half a century on death row, will Japan keep using the death penalty?, *The Guardian*, 4 October 2024.

42. Amnesty International, *Japan: Acquittal of man who spent 45 years on death row pivotal moment for justice*, <https://www.amnesty.org/en/latest/news/2024/09/japan-acquittal-of-man-who-spent-45-years-on-death-row-pivotal-moment-for-justice/> – accessed 18 January 2025.



proceedings and delays – as seen in Japan – a sense of certainty and finality is likely to be postponed for years or decades until the case reaches a resolution.<sup>43</sup>

Rather than seeking closure from an execution, co-victims in the Oxford study expressed a strong desire for the capital appellate process to conclude. One co-victim, Alan, emphasised how co-victims ‘just want it to be over with’. The appeals process, he clarified, ‘means it’s not over’.<sup>44</sup> For many, the finality of legal proceedings and the chance to regain a sense of perceived control had become more significant than any singular case outcome. This sentiment was often referred to as ‘judicial closure’.<sup>45</sup> Co-victims believed that attaining judicial closure would provide them with the necessary time and space, separate from legal proceedings, to focus on their healing and recovery journeys.

Noah, for example, stated that, had the case initially resulted in a sentence of life without parole, ‘it would have been over that day’, allowing his family to find closure, begin healing, and rebuild their lives with the assurance that ‘justice had actually been served’ and the convicted person ‘isn’t going anywhere’.<sup>46</sup> Sarah expressed her belief that, if the death penalty were abolished in the US, this form of closure would become a possibility.<sup>47</sup>

**‘[A]bolish the death penalty and we’ll have that big, humongous burden gone, first and foremost, and then we’ll [find it] a lot easier to heal and be in the system and hopefully get through it in less time, to be able to heal and [...] rehabilitate and restore ourselves.’**

Approximately half of the co-victims had, to varying degrees, taken intentional steps to disengage or distance themselves from the post-conviction legal proceedings, effectively crafting their own conditions of ‘judicial closure’. Methods of disengagement included not attending re-trials and executions, and ceasing to follow ongoing appeals and legal proceedings. By detaching their own healing and recovery outcomes from the paths of the convicted individuals, co-victims were able to begin prioritising their own recovery and healing journeys. While this step was regarded by co-victims as beneficial, it was, for most, a gradual process that occurred only after several years of experiencing secondary victimisation within the criminal justice system. Co-victims who *had* attained a resolution to their case, regardless of the outcome, ‘appeared to collectively recognise that the truly cathartic and therapeutic component of the capital appeals process was its conclusion’.<sup>48</sup> Only one co-victim believed that their path to healing and recovery had been, to some extent, dependent on or determined by the occurrence of an execution.

43. See Tagusari, *Does the Death Penalty Serve Victims?*, p41.

44. Quoted in Inglis, *Reclaiming Control after Homicide*, pp185-186.

45. *Ibid.*, p186.

46. Quoted in *Ibid.*, p219.

47. Quoted in *Ibid.*, p271.

48. *Ibid.*, p269.



Not all countries that retain the death penalty have such protracted post-conviction legal proceedings as in the US. However, we should consider jurisdictions where delays occur for reasons unrelated to post-conviction processes or arise following the completion of such proceedings. Certain death penalty jurisdictions, classified by the United Nations as 'abolitionist *de facto*', retain capital punishment, yet have not carried out executions in more than a decade. Kenya falls into this category. However, despite not having carried out an execution since 1987, convicted individuals in Kenya continue to be sentenced to death, with at least 175 people currently on death row.<sup>49</sup> Moreover, it has not been uncommon for individuals to spend more than a decade on Kenya's death row before having their sentence commuted to life, because of frequent mass commutations.<sup>50</sup> While co-victims in these jurisdictions may have different perceptions of the death penalty than those of co-victims in the US, especially if they know that an execution is unlikely, the prolonged uncertainty identified in the Oxford study no doubt is a feature of their experiences. Co-victims continue to face the possibility of sudden commutation in their case or, given that the death penalty has not been abolished in law, the execution of the convicted person.

Where appeals result in a sentence reversal or commutation, co-victims are ultimately deprived of the anticipated 'benefits' of a death sentence.<sup>51</sup> Given that theories of closure and retribution rely on co-victims' experiences following an execution, achieving these outcomes becomes improbable. This is significant, as the majority of capital cases in the US do not lead to execution, but instead result in a sentence reversal.<sup>52</sup> A similar pattern is observed in India, where, out of 143 judgments delivered by the Supreme Court between 2007 and 2021, 106 resulted in commutation.<sup>53</sup> For these co-victims, 'their sentence has, for all intents and purposes, become a life sentence with the added, yet entirely preventable, trauma, victimisation and uncertainty associated with a death sentence.'<sup>54</sup>

These findings suggest that, in the US, a death sentence followed by a protracted appellate process or other procedural delays can leave co-victims as 'collateral damage' of the justice process. The evidence challenges the assumption that co-victims' needs are adequately met through timely legal proceedings and an execution. Instead, co-victims find themselves postponing their most urgent needs and desires – such as allowing themselves time to grieve and focusing on their healing journey – until the completion of legal proceedings.<sup>55</sup> Hence, the protracted nature of death penalty proceedings poses a risk of indirectly exacerbating co-victims' mental anguish, prolonging their suffering and impeding their emotional recovery.

49. Wambui M, Calls for abolishment of death penalty in Kenya gain momentum, *The Eastleigh Voice*, <https://eastleighvoice.co.ke/national/119595/calls-for-abolishment-of-death-penalty-in-kenya-gain-momentum> - accessed 06 May 2025.

50. Hoyle C, *The Death Penalty in Kenya: A Punishment that has Died Out in Practice: Part One: A Public Ready to Accept Abolition*, (The Death Penalty Project, 2022).

51. A sentence reversal occurs when a higher court overturns a death sentence, typically because of legal or procedural errors, often resulting in a new sentencing hearing or retrial that leads to a lesser sentence, such as life imprisonment. Commutation refers to the formal reduction of a death sentence, typically to life without parole, without the need for a retrial.

52. Baumgartner F and Dietrich A, Most death penalty sentences are overturned. Here's why that matters (*The Washington Post*, 2015).

53. Project 39A, *Death Penalty and the Indian Supreme Court* (Project 39A, National Law University, 2022) p12.

54. Inglis, *Reclaiming Control after Homicide*, p251.

55. *Ibid*.

# 3.0 Diversity and fluidity in co-victims' perspectives on the death penalty

A second assumption underlying the rationale that the death penalty serves co-victims is that family members of murder victims are a homogenous group, sharing the same views on capital punishment. This rationale assumes that co-victims' perspectives on capital punishment are fixed and unchanging.

In the absence of longitudinal studies to examine co-victims' experiences throughout the entirety of the appellate process, the Oxford study provides us with an understanding of how co-victims' beliefs evolve over extended time periods. It reveals that many co-victims had undergone a notable transformation in their beliefs and values throughout their time exposed to the legal process, reflecting, for some, a shift towards restorative principles. At the outset of their involvement with the criminal justice system, six co-victims expressed having strongly supported capital punishment, four expressed ambivalence, and only three held strong views against the punishment. However, over time, approximately nine co-victims had come to oppose capital punishment, with only two maintaining their support – though only in extreme cases – and two remaining ambivalent or unsure.<sup>56</sup> This finding emphasises the importance of recognising that co-victims are not a homogenous group with uniform feelings or perspectives. The emotions experienced by co-victims are dynamic and evolve over time.<sup>57</sup>

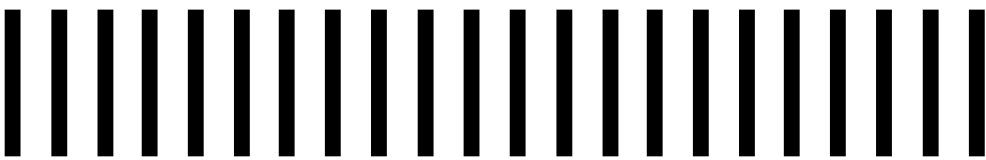
One co-victim, Noah, described his own shift away from his initially overwhelming feelings of anger and vengeance:<sup>58</sup>

**‘There was a point in my life [...] after my dad died, that I did not know what I was going to do. And to be clear, what I mean is I was filled with rage. I wanted to kill [the convicted person] for what he did to my dad. I was prepared to do that. A lot of people say that. I mean, I thought through 3D printing a weapon, 3D printing ammunition, thinking about the distance from the witness stand to the defence table, thinking about the level of grouping that I could probably hit, and that I could probably kill him if I needed to do it, if that's what I was prepared to do. And there was a point in my mind where I felt like I was, but I quickly stepped away from that.’**

56. It is important to acknowledge the complexity of categorising these views. While co-victims generally aligned with these broad categories, some expressed more nuanced positions – for example, opposing capital punishment except in extreme cases, such as terrorism.

57. Bandes S, Victims, “Closure” and the Sociology of Emotion.

58. Quoted in Inglis, *Reclaiming Control after Homicide*, p231.



Although the timelines of participants varied, all co-victims appeared to have undergone a similar transition with time, moving beyond the initial emotions of anger and blame that had once fuelled their desire for a death sentence. Three key features shared by many participants were identified as contributing factors to this shift. First, dialogue with the convicted person or engagement with wider groups of people serving time in prisons fostered empathy and led co-victims to humanise those on death row. Second, nearly all co-victims had, over time, chosen to forgive the individual convicted in their case. This act of forgiveness provided release from negative emotions and attachments that had previously kept them preoccupied with the convicted person and the case outcome. Lastly, several co-victims expressed growing concerns relating to the fairness and overall justification of the death penalty, prompting them to question the initial trust they had placed in the criminal justice system and its administration of capital punishment. This report focuses on the significance of the final factor.

More than half of the participants raised concerns pertaining to wider issues associated with capital punishment, informed by personal experience and observation, through independent research, or in response to interactions with individuals involved with the legal system. The issues identified included systemic racism, ineffective legal representation for the accused, prosecutorial misconduct, and the risk of wrongful convictions – all factors perceived as contributing to unjust outcomes for those subjected to the death penalty. Daniel, whose son had been sentenced to death for his involvement in the homicide of Daniel's family members, articulated his own stance on capital punishment:<sup>59</sup>

**'I was one of those people that just didn't want to think about it a whole lot, and then it got thrust on me and I saw how broken the system was in every way, and my stance on the death penalty now is that it doesn't work.'**

This shift in perspective was common among co-victims, many of whom had initially entered the criminal justice system with limited or no prior knowledge of, or involvement with, its procedures.

59. Quoted in *ibid.*, p233.

As Noah himself observed, the more he learned about the capital punishment process, the more he uncovered of the systemic flaws and inequities within the system. He specifically drew attention to the issue of innocence on death row.<sup>60</sup>

**'I was a proponent of the death penalty before my dad died. [...] I thought it was an inexpensive succinct way of justice. But that was all passive second-hand information, you know, just as a lazy American that I was conditioned to believe. And I had no interest in finding out because it didn't directly affect me. And once it did, as I started to find out that that was not the case, it was hard for me, intellectually, to accept it as a viable way of punishment and, you know, beyond that, I started to learn about the innocent people, [...] throughout the country that have been exonerated and the amount of times that [they got it] wrong that, it concerned me [...].'**

Alan, whose father had been sentenced to death along with one other individual for his role in the murder of Alan's loved one, raised concerns about the initial trial.<sup>61</sup>

**'The two men that my dad hired were Black men. And I don't share that very often because automatically there it's a race issue. But during the trials in the 70s, it became a race issue because it was, you know, they showed two Black men in prison jumpsuits that had raped an attractive White lady with three little boys. And it doesn't matter what evidence there was going to be, he was going to be found guilty, right?'**

Because of mistrust in the overall criminal justice system – particularly in its administration of capital punishment – these co-victims found themselves unable to maintain the trust they had initially placed in it. Ultimately, some became opposed to capital punishment.

Anecdotal accounts from co-victims in retentionist jurisdictions, such as from Taiwanese attorney and co-victim Essen Lee, suggest that shifts in co-victims' perspectives on capital punishment in response to increased knowledge of legal proceedings are not unique to the US. Lee, whose grandmother was murdered in Taiwan, initially sought the execution of the perpetrator, recalling the 'fury' that fuelled this desire for more than a decade. However, the perpetrator in Lee's grandmother's case was never apprehended. Although Lee did not experience direct exposure to the capital punishment process, he spent this time gaining knowledge and a deeper understanding of the legal system, gradually developing his own observations and perspectives on Taiwan's criminal policies. As a result, Lee has since challenged the constitutionality of capital punishment as a statutory penalty in Taiwan, advocating for its abolition.<sup>62</sup>

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60. Quoted in *ibid.*, p233.

61. Quoted in *ibid.*, p234.

62. Pei-ju, Attorney transforms personal tragedy into advocacy.



**“My stance on the  
death penalty now is  
that it doesn’t work.”**



In line with these findings, there is compelling evidence to suggest that while individuals often express support for the death penalty 'in abstract', this support weakens when they are provided with information regarding its administration.<sup>63</sup> In Kenya, a public opinion survey revealed a notable shift in attitudes towards capital punishment when retentionist respondents were asked whether they would 'still support the death penalty if it was proven to their satisfaction that innocent people have sometimes been executed'. Following this prompt, overall support for capital punishment decreased from 51% to 28% among the total sample.<sup>64</sup> Similar trends were observed in other countries.<sup>65</sup> In China, public support for the death penalty dropped by 33% after respondents were asked the same question. In Trinidad and Tobago, initial support, which stood at nine out of 10 participants, fell to just one-third. Likewise, in Singapore, support declined from nine out of 10 to four out of 10.<sup>66</sup> Moreover, findings from The Death Penalty Project consistently indicate that when the public is presented with realistic sentencing scenarios, including mitigating factors, their punitive stance is considerably reduced.<sup>67</sup> As was the case for co-victims in the Oxford study. This research demonstrates a general lack of awareness and concern among respondents regarding the death penalty, with initial 'support for capital punishment among the public rest[ing] on a lack of knowledge and understanding about the administration of the death penalty'.<sup>68</sup>

Research clearly indicates a correlation between knowledge and attitudes toward the death penalty, while also highlighting the significant connection between perceptions of fairness and individuals' views on capital punishment. Findings from recent public opinion studies by The Death Penalty Project highlight the critical role of perceived fairness in the criminal justice process and its influence on attitudes towards harsh penalties. Notably, public opinion data from Indonesia revealed that nearly half of those who support the death penalty would reconsider their stance if it were demonstrated that the punishment was being administered unfairly.<sup>69</sup> These findings are significant, as evidence suggests that a lack of fairness is pervasive throughout capital punishment systems worldwide. As highlighted by The Death Penalty Project:<sup>70</sup>

**'The world over, rigorous research and litigation have demonstrated that the death penalty cannot be applied without error, discrimination and other forms of arbitrariness, regardless of the jurisdiction in which it operates.'**

63. See, for example, Lambert E, Camp S, Clarke A and Jiang S, The Impact of Information on Death Penalty Support, Revised, *Crime and Delinquency* 57(4) 2011, pp572-599; Hood R, Is Public Opinion a Justifiable Reason Not to Abolish the Death Penalty? A Comparative Analysis of Surveys in Eight Countries, *Berkeley Journal of Criminal Law* 23(2) 2018, pp219-242.

64. Hoyle, *The Death Penalty in Kenya*, p10.

65. See The Death Penalty Project, *Public Opinion and the Death Penalty*, p3.

66. *Ibid.*

67. See, for example, Hoyle, *Investigating Attitudes to the Death Penalty in Indonesia. Part II: Public Opinion: No Barrier to Abolition*, (The Death Penalty Project, 2021); Hoyle, *The Death Penalty in Kenya*.

68. Hoyle, *Investigating Attitudes to the Death Penalty in Indonesia. Part I: Opinion Formers*, p37.

69. Hoyle, *Investigating Attitudes to the Death Penalty in Indonesia. Part II: Public Opinion*.

70. *Ibid.*, p51.



In its most recent report, Amnesty International documented that '[d]eath sentences were known to have been imposed after proceedings that did not meet international fair trial standards in several countries'. These countries included Bangladesh, China, Malaysia and Singapore.<sup>71</sup> The same report documented nine exonerations<sup>72</sup> of death row prisoners across three countries: Kenya (5), the USA (3) and Zimbabwe (1), demonstrating that innocent individuals continue to be sentenced to death.<sup>73</sup> Furthermore, individuals with mental or intellectual disabilities – whose sentencing to death is prohibited under international law – were found to be serving death sentences in Japan, Maldives and the US.<sup>74</sup> Empirical research suggests that other retentionist countries continue to apply the death penalty in ways that violate fair trial standards. For example, a study investigating judges' perspectives on capital punishment in India revealed systemic flaws in the system, including abuses of due process, corruption, and arbitrary treatment of defendants throughout the entirety of legal proceedings.<sup>75</sup> These findings collectively highlight the widespread and ongoing injustices inherent in the administration of capital punishment worldwide.

Empirical evidence regarding the experiences and attitudes of co-victims in other death penalty jurisdictions remains limited. Nonetheless, existing evidence suggests that, in contexts where co-victims enter legal proceedings with a lack of knowledge and awareness, exposure to the legal system – and consequently to accurate information about the functioning of capital punishment within that jurisdiction – may ultimately result in a comparable shift in perspective away from support for the death penalty. This finding is significant, as co-victims who undergo shifts towards more restorative perspectives on sentencing remain a somewhat 'hidden' sample of the wider co-victim population within death penalty rhetoric.<sup>76</sup> This assumption is based on the observation that the collective voice of co-victims, often invoked to justify the retention of capital punishment, primarily draws on data and anecdotal accounts from family members at two specific points throughout their journey.

First, reports have focused on victims in the immediate aftermath of a homicide, when many co-victims experience raw and overwhelming emotions, often centred on inherent feelings of anger and fear. As Tagusari highlights, '[w]hen people talk about the death penalty and victims, victims are often portrayed in a stereotypical way: the bereaved have deep hatred toward offenders and want death for them'.<sup>77</sup> This collective voice is then used both to secure death sentences in individual cases and to reinforce the broader justification for capital punishment. Second, media coverage

71. Amnesty International, *Amnesty International Global Report: Death Sentences and Executions 2023*. (Amnesty International Ltd 2024) p13.

72. Exoneration is the process whereby, after sentencing and the conclusion of the appeals process, the convicted person is later cleared of blame or acquitted of the criminal charge and therefore regarded as innocent in the eyes of the law.

73. Amnesty International, *Amnesty International Global Report*, p12.

74. Ibid., p13.

75. National Law University of Delhi, *Matters of Judgment: A Judges' Opinion Study on the Death Penalty and the Criminal Justice System* (National Law University, Delhi Press, 2017).

76. Inglis, *Reclaiming Control after Homicide*, pp249-253.

77. Tagusari, *Does the Death Penalty Serve Victims?*, p41.



and empirical studies investigating co-victims' attitudes toward capital punishment and the convicted individual have predominantly focused on those who chose to witness an execution and provided statements post-execution. Not only is this also a period characterised by heightened emotions for co-victims, but, as acknowledged by researchers themselves, this sample is self-selected, excluding those who neither attended the execution nor made a statement.<sup>78</sup> Hence, it is plausible that certain co-victims, such as those categorised as 'forgivers', who are more likely to opt out of witnessing an execution, may be overlooked in such investigations.<sup>79</sup> Furthermore, the lack of longitudinal research focusing on co-victims' experiences hinders our understanding of how co-victims' beliefs evolve over extended periods. Existing studies and media coverage therefore fail to capture shifts in beliefs over time, such as the potential transition from initial feelings of anger and vengeance to a more restorative perspective, which, as observed in the Oxford study, appear to manifest over the course of several years, if not decades for some co-victims.

Moreover, it is possible that co-victims' feelings towards the convicted individual and capital punishment more broadly may evolve over time. However, such shifts may occur after an execution has taken place. By way of example, in 2014, Samereh Alinejad, an Iranian mother, forgave her son's killer.<sup>80</sup> Samereh, 'furious in her grief', 'was determined that Balal would hang', and stood firmly in her belief that he should be punished through execution. However, at the final moment she intervened, requesting that the noose be removed from his neck, sparing his life.

These findings highlight that some co-victims – who are among those most directly affected by the crime and often cited as key proponents of capital punishment – reveal evolving perspectives. This evidence challenges the assumption that their support for capital punishment is fixed, unequivocal, or universally shared, while also emphasising their potential disconnect from the rigid narratives imposed by the criminal justice system.

78. See, for example, Eaton J and Christensen T, Closure and its Myths: Victims' Families, the Death Penalty, and the Closure Argument, *International Review of Victimology* 20(3) 2014, pp327-343.

79. Inglis, *Reclaiming Control after Homicide*, pp250-251.

80. Dehghan S, Iranian mother who spared her son's killer: 'Vengeance has left my heart', *The Guardian*, 25 April 2014, [www.theguardian.com/world/2014/apr/25/interview-samereh-alinejad-iranian-mother-spared-sons-killer](http://www.theguardian.com/world/2014/apr/25/interview-samereh-alinejad-iranian-mother-spared-sons-killer) – accessed 2 February 2025.

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# 4.0

## Conclusion

For as long as appellate safeguards continue to serve a vital role in protecting the constitutional rights of individuals sentenced to death, the continued existence of the death penalty will perpetuate a tension: balancing the procedural safeguards afforded to those on death row with the needs of co-victims. Yet, while significant issues remain in the application of the death penalty, such 'elaborate' and 'time-consuming' post-conviction systems will remain crucial and unlikely to undergo a streamlining process.<sup>81</sup> As Constanzo and White argue in the context of the US, a perspective that has global applicability:<sup>82</sup>

**'The enhanced procedural protections afforded [to] the capital defendant are designed to eliminate error [...] if errors have been eliminated, then perhaps the entire system can be streamlined without increasing the risk of error. Unfortunately, the available data suggests that even our current elaborate system permits significant errors.'**

While delays continue to serve an important role in safeguarding those sentenced to death, it is essential to critically assess whether the needs of co-victims are being adequately addressed within existing capital punishment systems, without presuming that these systems will be streamlined to reduce the duration of co-victims' exposure in the future.

This report has considered two core assumptions based on the argument that capital punishment serves a therapeutic benefit for the families of victims. First, that jurisdictions that retain capital punishment address the needs of co-victims through carrying out executions in a timely manner, minimising the delay between sentencing and execution. Second, that co-victims' views are homogenous and fixed.

It has demonstrated that the capital appeals process, which can extend over several years or even decades because of its complex legal proceedings, has the potential to strip co-victims of a feeling of perceived control because of its unpredictability and uncertainty. As a result, co-victims can remain in a prolonged state of 'unhealing', characterised by a profound sense of powerlessness over their present circumstances and their capacity to heal, recover and move forward with their lives. Furthermore, a prolonged state of uncertainty can lead co-victims to feel 'frozen' or 'stuck', forced to

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81. Constanzo M and White L, An Overview of the Death Penalty and Capital Trials: History, Current Status, Legal Procedures, and Cost, *Journal of Social Issues* 50(2) 1994, pp1-18 (p12).

82. *Ibid.*, p13.



postpone essential healing and grieving processes until they reach a case resolution or attain a sense of 'judicial closure'.

This issue is concerning. Empirical research has yet to provide a definitive answer as to whether an execution itself can meet the therapeutic needs of co-victims, whose experiences of witnessing executions vary considerably.<sup>83</sup> However, nearly all co-victims are subjected to the appeals process – which makes up an integral component of a death sentence – in some form. When using co-victims' needs as a justification for retaining capital punishment, it is essential to acknowledge that the appellate process itself may contribute to their re-victimisation.

Furthermore, this report has demonstrated co-victims' evolving perspectives regarding the use and application of capital punishment. Specifically, it highlights that access to information and exposure to legal proceedings in capital cases can significantly influence individuals' viewpoints. Notably, when the application of the death penalty is perceived as unjust or unfair, perspectives tend to shift towards being more restorative. This finding is significant; such shifts typically occur over several years.<sup>84</sup> However, at this stage, these co-victims are rarely provided with a platform or further opportunities to express their revised views and opinions,<sup>85</sup> becoming a somewhat 'hidden' sample of the co-victim population. Furthermore, this evidence suggests that not all co-victims inherently support the death penalty.

Arguments that invoke the needs of co-victims to justify the retention of capital punishment overlook the diverse perspectives of co-victims and fail to acknowledge the potential evolution of their views over time. Such arguments disregard the harmful effects the capital appeals process can have on co-victims who, in effect, become 'collateral damage' of a death sentence. Rather than providing co-victims with closure or redress, capital punishment can create new harms, cause re-victimisation, and perpetuate co-victims' anguish over years and even decades.

83. See, for example, Armour M and Umbreit M, Assessing the Impact of the Ultimate Penal Sanction on Homicide Survivors: A Two State Comparison, *Marquette Law Review*, 96(1) 2012, pp1-131; Eaton and Christensen, Closure and its Myths; Gross S and Matheson D, What They Say at the End: Capital Victims' Families and the Press, *Cornell Law Review* 88(2) 2003, pp486-489.

84. Inglis, *Reclaiming Control after Homicide*.

85. Bandes S, Victims, "Closure" and the Sociology of Emotion.



**“Don’t keep putting  
the victim’s family and  
the suspect’s family  
through such hell.”**



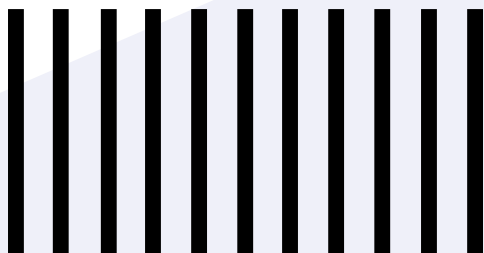
## About the author – Dr Amelia Inglis


Dr Inglis holds an MSc and DPhil in criminology from the University of Oxford. Her empirical research focuses on the experiences of murder victim family members in the United States. Challenging common assumptions held by proponents of the death penalty, her work reveals how the capital punishment system – particularly the protracted appeals process, which accompanies nearly all death sentences and is therefore experienced by most victims – can contribute to the re-victimisation of those it claims to support. Her findings suggest that the capital appeals process has the potential to exacerbate the suffering of bereaved families and to delay their grieving and recovery processes, casting significant doubt on the potential for capital punishment to provide therapeutic benefits to victims' loved ones.



During her MSc, Dr Inglis completed an internship with The Death Penalty Project, where she conducted research on death penalty appeals and decision-making at the Judicial Committee of the Privy Council. As a DPhil candidate and research student within the Death Penalty Research Unit, she authored a blog post examining the impact of the COVID-19 pandemic on the death row population in the United States. In 2023, with the support of the Death Penalty Research Unit and The Death Penalty Project, she co-curated an art exhibition, titled *Voices from Death Row: Art as a Form of Expression*, which featured artworks created by people on death row around the world. During this time, she also delivered criminology taster sessions to high school students through the University Education programme.

In her current role at StandOut – an award-winning charity empowering men in prison to make positive change, realise their potential and rebuild their lives – Dr Inglis works as a coach at HMP Wormwood Scrubs, where she delivers intensive three-week courses for men approaching release.





**“Abolish the death  
penalty and we’ll have  
that big, humongous  
burden gone.”**



# The Death Penalty Project

The Death Penalty Project (DPP) is a legal action NGO with special consultative status before the United Nations Economic and Social Council.



Driven by a belief that the death penalty is cruel and often discriminates against the poorest and most disadvantaged members of society, the organisation works to safeguard the rights of those facing the death penalty and other vulnerable people. For over three decades, DPP has been working in more than 30 countries to end and restrict the use of capital punishment, protecting thousands of people from execution.

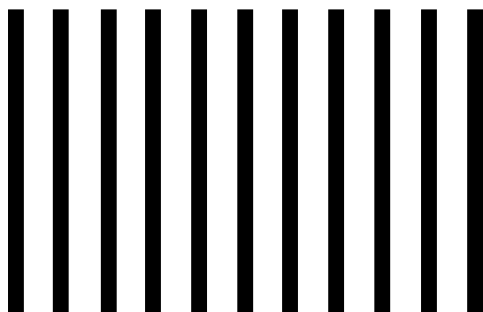
DPP commissions, supports and publishes independent academic research examining attitudes towards the death penalty, using original data from public opinion surveys and other empirical research to engage in dialogue with policymakers and politicians, and to challenge popular misconceptions around the death penalty.

## The Death Penalty Research Unit

Part of the University of Oxford's Centre for Criminology, the Death Penalty Research Unit (DPRU) focuses on the retention, administration and politics of the death penalty worldwide. DPRU aims to understand the rationales for the death penalty, how it is used in practice and its diverse application and impact on communities.



DPRU is committed to working with partners in various regions on collaborative production and dissemination of empirical and theoretical knowledge. This work is not only aimed at elucidating the law and practice of capital punishment worldwide, but at challenging it, with the explicit aim of abolition or, failing that, progressive restriction.



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