

News Release, 25th September 2009

“Privy Council quashes death sentence”

The appeal of Mr Daniel Dick Trimmingham has been allowed by the Judicial Committee of the Privy Council in relation to the imposition of the death sentence upon conviction.

Trimmingham had been convicted of murder in 2004 and had been sentenced to suffer death by hanging. The Privy Council dismissed the appeal on conviction despite the fact that the Court had accepted that there were some shortcomings in the original trial. However the appeal on sentence was allowed and the Privy Council imposed a life sentence.

The Privy Council’s reason for imposing a life sentence related to the fact that in their view the case did not fall within the category of the worst of the worst or of the rarest of the rare cases, for which the death penalty should be imposed. Furthermore, it could not be said that there was “no reasonable prospect of reform of the offender and that the object of punishment could not be achieved by any other means other than the ultimate sentence of death”.

Such criteria had to be properly satisfied before a court imposes a sentence of death. The Privy Council stated that the object of keeping the Appellant out of society entirely could be achieved without executing him.

Notes to Editors

1. The Death Penalty Project is an international human rights organisation providing free legal representation to many individuals still facing the death penalty in the Caribbean and Africa. The organisation is supported by grants from amongst others, the Oak Foundation, the Sigrid Rausing Trust, the Open Society Institute, the UK Foreign & Commonwealth Office, the United Nations Voluntary Fund for Victims of Torture and Simons Muirhead & Burton, solicitors. For further information, please go to www.deathpenaltyproject.org.

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