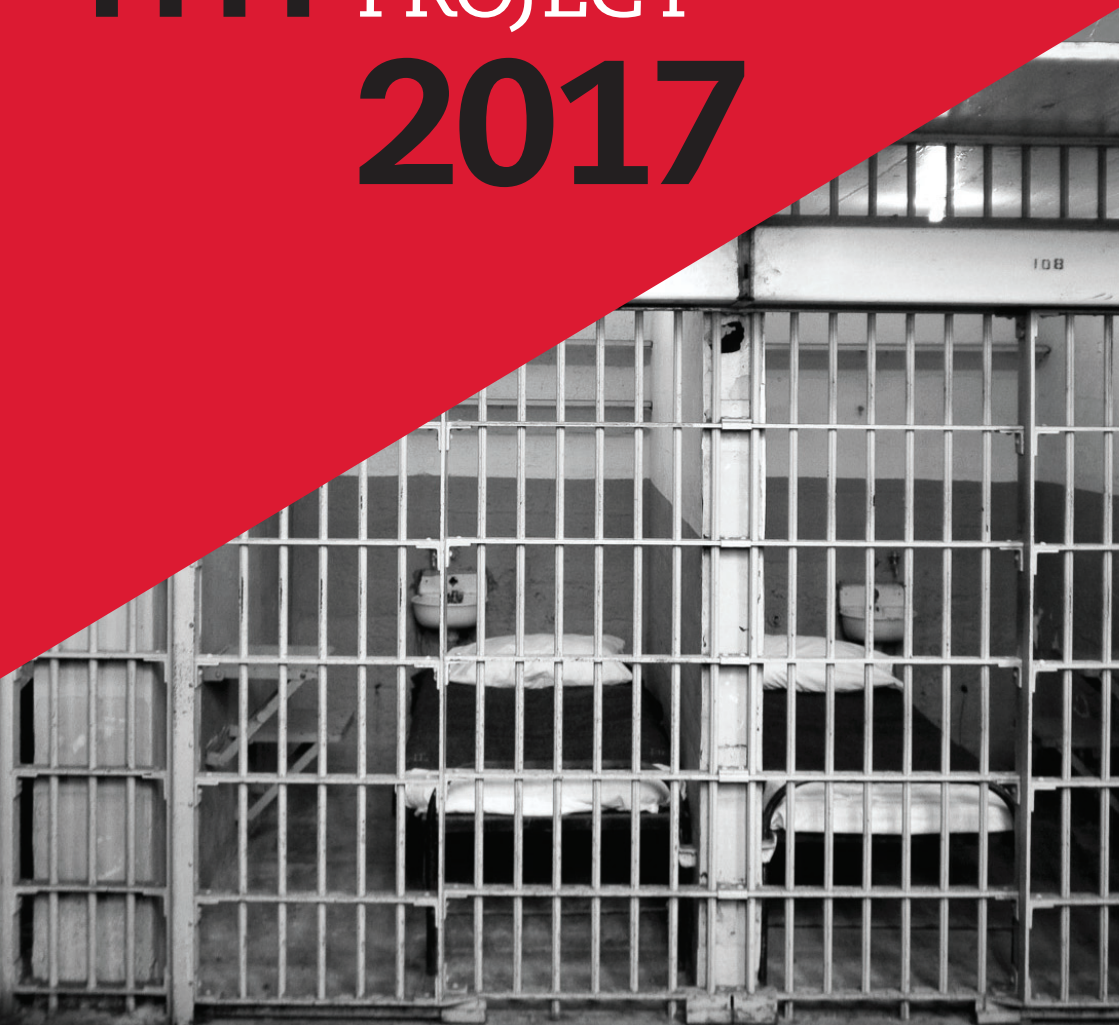
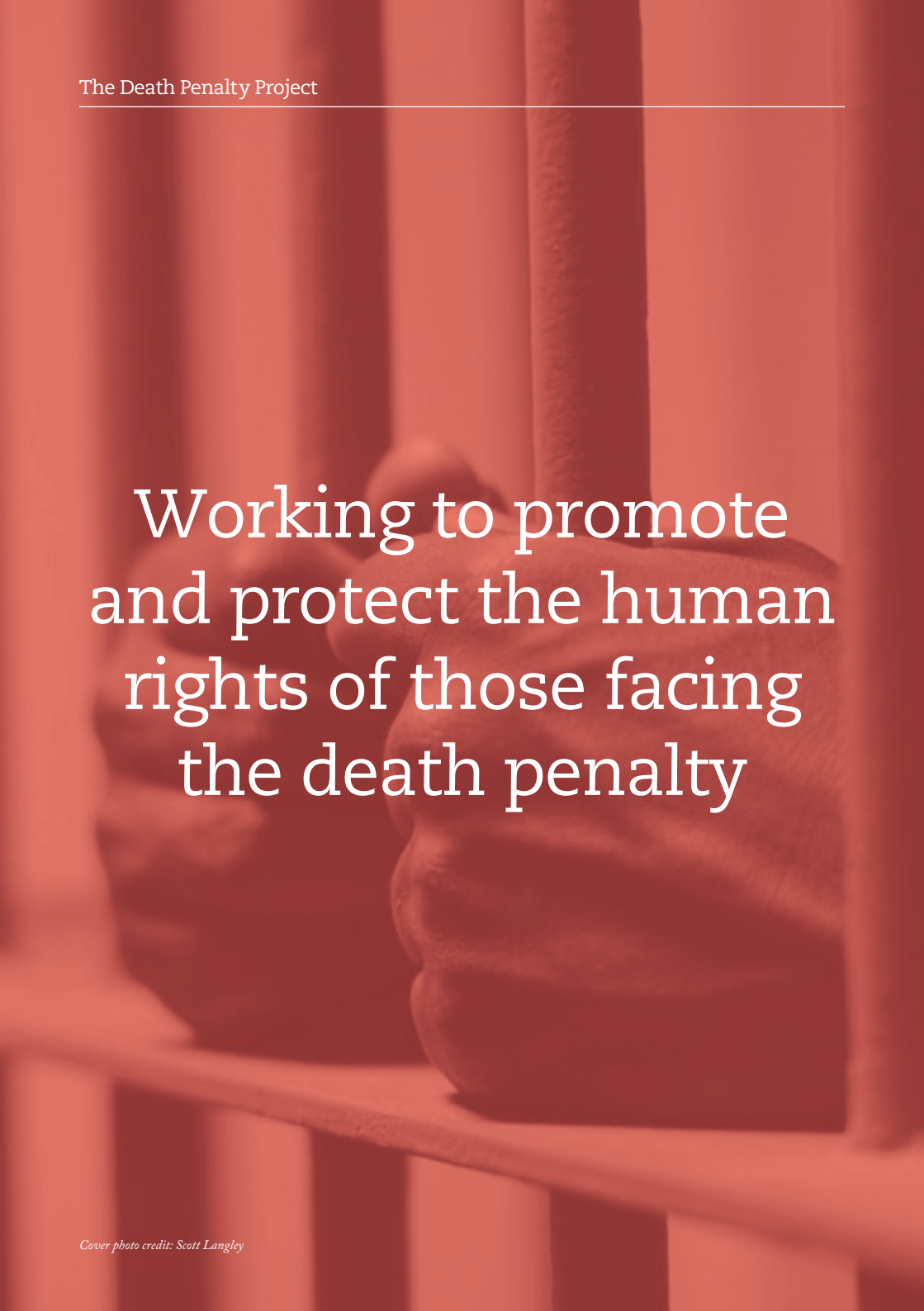




THE
DEATH
PENALTY
PROJECT

2017





Working to promote
and protect the human
rights of those facing
the death penalty

2017 HIGHLIGHTS

5

prisoners saved
from execution

**Mandatory death penalty
abolished in Kenya**

more
than 200

prisoners provided
with free
legal assistance

450

judges, lawyers
and mental health
professionals
benefited from
training

**Legal precedents established in
Trinidad & Tobago, Kenya and St
Vincent & the Grenadines**

FIGHTING THE MANDATORY DEATH PENALTY

In December 2017, Kenya became the 12th country where we have successfully challenged the mandatory death penalty as a violation of fundamental human rights. Prior to the landmark judgment of Kenya's Supreme Court, anyone convicted of murder or certain types of robbery would be automatically sentenced to death in Kenya. The decision is likely to affect thousands of prisoners who had been sentenced to the mandatory death penalty.

CHALLENGING MASS COMMUTATIONS

In Trinidad and Tobago, a major test case was brought in the Judicial Committee of the Privy Council challenging the unfair process by which death row prisoners have their sentences commuted by the President. The case affects more than 60 prisoners whose death sentences have been commuted en masse by the President and replaced with either life sentences or 75 years imprisonment, with no consideration of individual circumstances of their case. The court's ruling means that the prisoners will now be eligible to have their sentences reviewed.

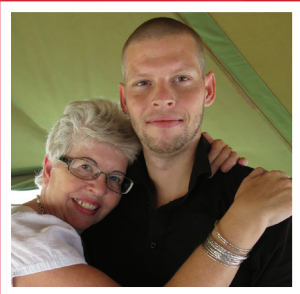


"After almost 33 years as a prisoner, I am humbly pleading with the powers that be, please send me back to my homeland"

Jainarine Persaud, serving a life sentence in Trinidad & Tobago

PROTECTING THOSE WITH MENTAL DISORDER

We have continued to challenge the imposition of the death penalty on people with mental disorder. One of those we assisted is Nigerian prisoner Michael Spears, who has now been removed from death row in Malaysia. A diagnosed schizophrenic who requires ongoing medical treatment, Michael had spent almost 17 years in solitary confinement on death row, where he was locked in his cell with no contact for 23 hours a day.



Joshua French and his mother. Photo courtesy of Kari Hilde

“Our family are very grateful to The Death Penalty Project for its excellent help and encouragement through very difficult years... Joshua is now enjoying his freedom and working hard to build himself up again mentally and physically after more than eight years in Congolese prisons”

Kari Hilde, Joshua French's mother

JOSHUA FRENCH

In May 2017, Joshua French, a British-Norwegian prisoner was released from prison in the Democratic Republic of the Congo after eight years under sentence to death. Following a long legal battle, Joshua was eventually released when a humanitarian deal was reached between the DRC and Norway, after significant concerns were raised about his health and wellbeing.

The Death Penalty Project



Playing host to a delegation of Taiwanese judges to the UK, continuing our engagement with the Judges Academy, Taiwan



Addressing the 36th Session of the United Nations Human Rights Council on the death penalty in the Commonwealth



Co-Executive Directors Parvais and Saul on a speaking tour of Australia with Reprise Australia



Speaking at a film screening of *Lindy Lou: Juror Number Two*, organised by the Zurich Human Rights Film Festival on World Day Against the Death Penalty



Academic roundtable on abolition of the death penalty, organised by The Death Penalty Project and the University of Colorado



Taiwan: Engaging policymakers, judges, and medical professionals on the death penalty



India: Mental health law training workshop at Delhi Judicial Academy, delivered in association with the National Law University, Delhi (NLU)



Bangladesh: Workshop on sentencing at the Judicial Administration Training Institute, delivered in association with the Bangladesh Institute of Law and International Affairs and the Bangladesh Legal Aid and Services Trust



Seminar on the death penalty hosted by the UK All-Party Parliamentary Group on the Abolition of the Death Penalty



World Coalition Against the Death Penalty Steering Committee meeting in Niger

WHERE WE WORKED IN 2017:

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

Handbook of Forensic Psychiatric Practice in Capital Cases

Nigel Eastman
Sanya Krljes
Richard Latham
Marc Lyall

Second Edition



Forensic Psychiatry Chambers

Casebook of Forensic Psychiatric Practice in Capital Cases

Nigel Eastman
Sanya Krljes
Richard Latham
Marc Lyall



Forensic Psychiatry Chambers



FORENSIC PSYCHIATRY HANDBOOK AND CASEBOOK

We published two new resources; a second edition *Handbook of Forensic Psychiatric Practice in Capital Cases* and new compendium *Casebook of Forensic Psychiatric Practice in Capital Cases* together providing an authoritative guide on the application of mental health law in capital cases.

The two publications have been drafted by forensic psychiatrists Professor Nigel Eastman, Dr Richard Latham and Dr Marc Lyall and clinical forensic psychologist, Dr Sanya Krljes.

They provide practical advice and assistance to mental health professionals and also instructing lawyers, prosecutors, presiding judges and others working within the criminal justice system.

The Handbook guides the reader through the role of the forensic psychiatrist in criminal proceedings and key principles of mental health law while the Casebook uses real-life examples to address ethical and professional questions and explore the application of legal principles.

MATTERS OF JUDGMENT

New research study, *Matters of Judgment*, published by the National Law University, Delhi in association with The Death Penalty Project, reveals deep-seated concerns among India's most senior judges around the administration of justice in India. Professor Carolyn Hoyle, University of Oxford Centre for Criminology and Dr Mai Sato, University of Reading, were consultants on the research.

Interviews were conducted with 60 former Supreme Court judges in an unprecedented research undertaking. The study reveals serious concerns around widespread use of torture, the fabrication of evidence in criminal investigations and inconsistency in sentencing, pointing to a crisis in India's criminal justice system. Nevertheless, these systemic issues did not appear to affect judicial support for the death penalty.

All our publications are available through our website:
www.deathpenaltyproject.org/legal-resources/research-publications

WHAT'S NEXT: 2018 HIGHLIGHTS



1 Caribbean:

We will work with local civil society organisations to help support and grow a movement for death penalty reform. We are also bringing a legal challenge to the mandatory death penalty in Barbados

2 Belarus:

We will continue engagement and advocacy on the issue of the death penalty in Europe's last executing country

3 Zimbabwe:

A public opinion survey will be published, documenting public attitudes towards the death penalty

4 Kenya:

Training and support will be provided to judges and lawyers to support the transition to a new discretionary sentencing system, following the abolition of the mandatory death penalty

5 Bangladesh:

New research will shed light on judicial attitudes towards the death penalty

6 Malaysia:

We will issue a practical guide for the police and other relevant authorities on the right to consular assistance and the correct procedure to follow when arresting a foreign national

Thank you to all those who funded our work in 2017, including:

- A B Charitable Trust
 - Akin Gump Strauss Hauer & Feld LLP
 - Lund Trust (a charitable fund of Lisbet Rausing and Peter Baldwin)
 - Matrix Chambers Causes Fund
 - Oak Foundation
 - Open Society Foundations
 - Proteus Action League
 - Sigrid Rausing Trust
 - Simons Muirhead & Burton LLP
 - Swiss Federal Department of Foreign Affairs
 - UK Foreign and Commonwealth Office
 - United Nations Voluntary Fund for Victims of Torture
- ...and all our individual donors

We would also like to thank all the barristers, medical and forensic experts, academics and other individuals who continue to support our work by generously providing us with their time, services and expertise without charge.

The Death Penalty Project is an international legal action charity based at, and supported by, Simons Muirhead and Burton LLP. For more than three decades, we have provided free legal representation to those facing the death penalty



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
8/9 Frith Street
Soho
London
W1D 3JB
www.deathpenaltyproject.org



@deathpenaltyp



deathpenaltyproject

JustGiving