

THE IRREFUTABLE CASE AGAINST **DEATH PENALTY**

M. Ravi



THE
SINGAPORE
STORY

In Memory



Ridzuan Ali
1985 - 2017

Executed by the State on
Friday 19 May 2017 for
trafficking 72.5g of
heroin because the
Attorney General refused
to grant him a Certificate
of Cooperation despite
the fact that he had
provided details and
was cooperative during
the investigation.

**3rd Killing in
the Year**

Death Penalty In Singapore

Offences Against the State

Waging or attempting to wage war
or abetting the waging of war
against the Government

Offences against the President's
person (treason)

Mutiny

Endangering Life

Piracy that endangers life

Terrorism

Drug trafficking

Unlawful discharge of firearms, even if
no one is injured

Attempting to Kill a Person

Attempted murder by a prisoner
serving a life sentence

Kidnapping or abducting in order to
murder

Killing a Person

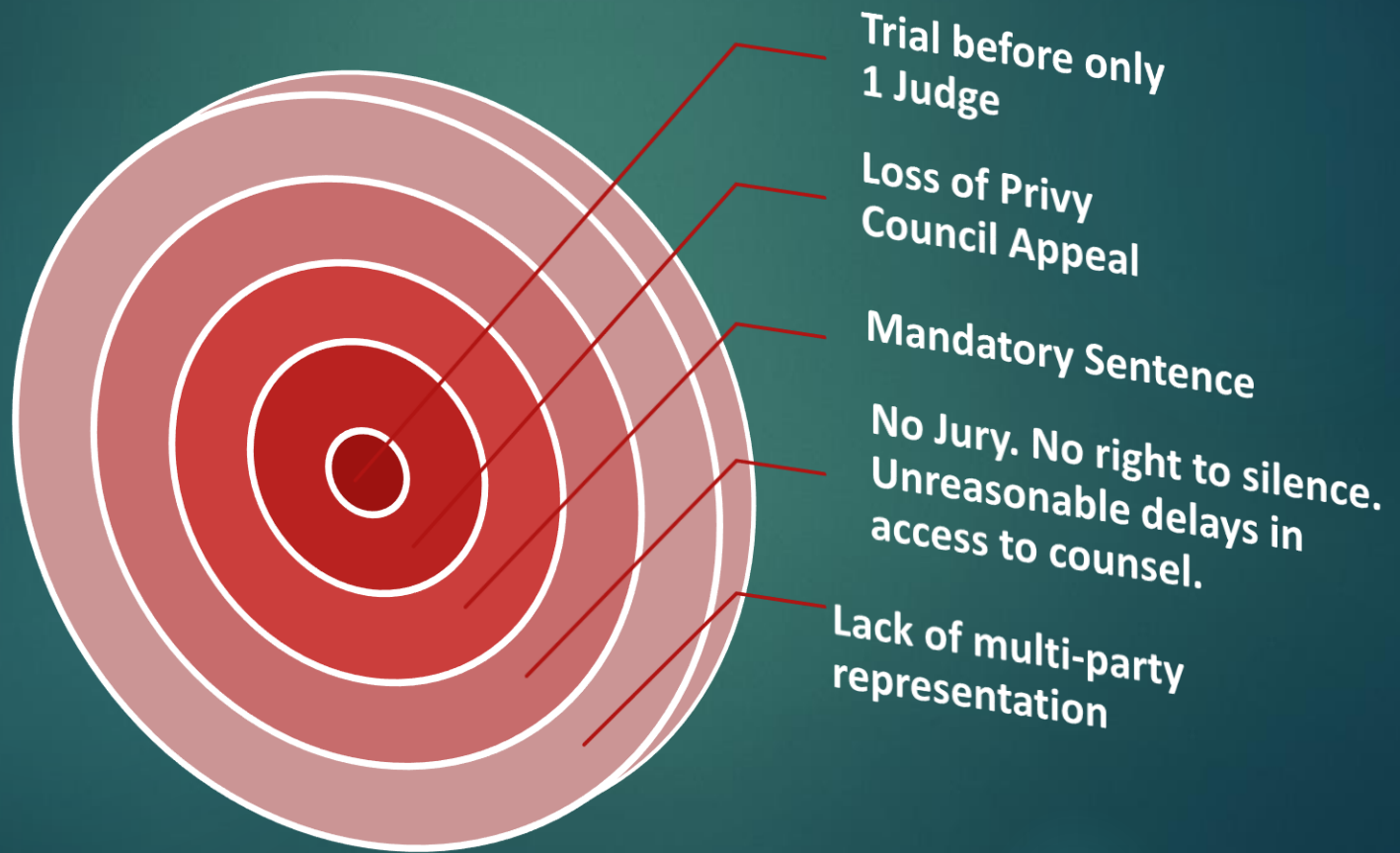
Perjury that results in the execution of
an innocent person

Murder

Abetting the suicide of a person under
the age of 18 or an "insane" person

Robbery committed by 5 or more people
that results in the death of a person


Political shifts & legislation that have directly affected the right to a fair trial & access to justice for the accused





**“ WE NEED TO BE
TOUGH ON CRIME TO
BE SAFE IN
SINGAPORE ”**





“ Many who argued against death penalty put a lot of their focus on people who face the death penalty. Not enough attention is put on their victims. Drug traffickers impose immense penalties, including the death penalty, on their victims. Thousands of people die from drugs and related crimes. **We have stopped that in Singapore while countries around the world are losing the war on drugs.** We want to protect our people from becoming victims, and to protect our society. ”

“Threat of death
penalty for drug
trafficking is **good**
deterrent and keeps
Singapore safe.”

Law Minister, K. Shanmugam



“ there is no
conclusive
evidence of the
deterrent value
of the death
penalty ”




-- GENERAL
ASSEMBLY OF
THE UNITED
NATIONS



DR JEFFREY FAGAN, CRIMINOLOGIST

“ Hong Kong renounced capital punishment in 1993, and had no executions since [1966]. Yet **there were no measurable differences** in their homicide rates [compared to Singapore], regardless of whether the execution rate in Singapore was measured for drug offenses or for murder. ”



The EU holds a principled position against the death penalty and is opposed to the use of capital punishment under any circumstances. The death penalty has not been shown in any way to act as a deterrent to crime. Furthermore, any errors - inevitable in any legal system - are irreversible. The EU will continue in its pursuit of the abolition of the death penalty worldwide.

APRIL 2017

Execution of Jeffrey Marquez Abineno

Hong Kong & Singapore Population Statistics

August 2009

ZIMRING, FAGAN AND JOHNSON

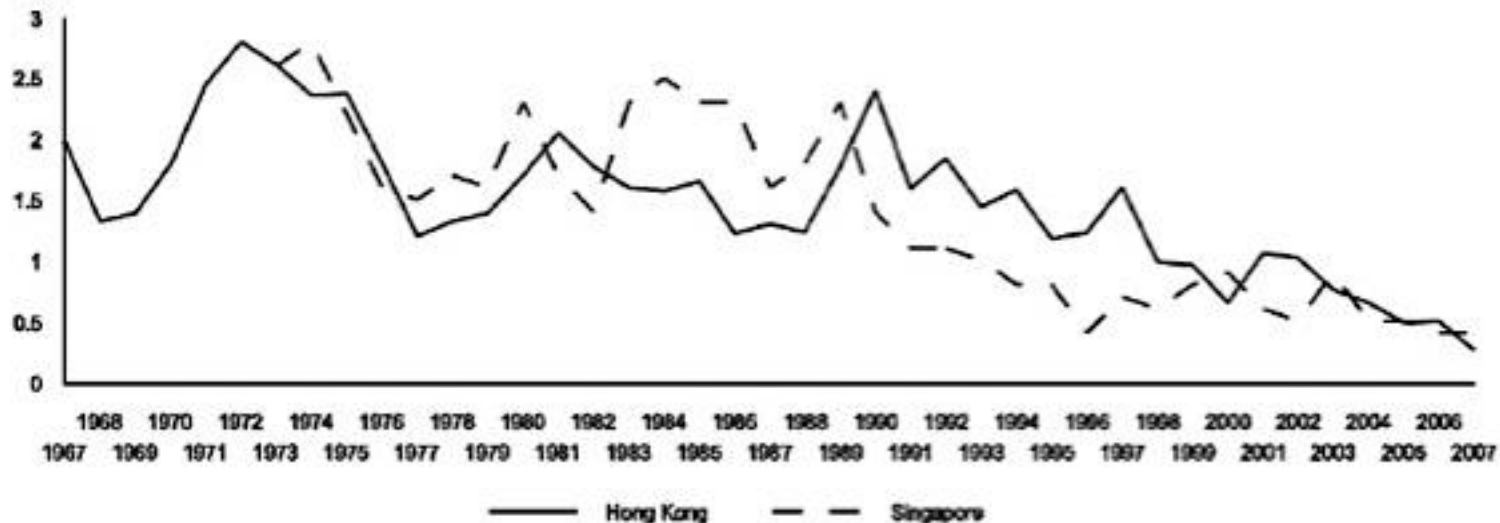
Table 1. Comparative Data on Hong Kong and Singapore.¹

	Population	Percent Chinese	Population Density	Annual Population Growth	Per Capita GNI	Economic Growth in 2007	Adult Literacy	Birth Rate	Migrants per 1,000	Life Expectancy
Hong Kong	7.0 M	95	6.4 per KM	1.4%	28,460 (21 st)	5.8%	92%	11.4 per thousand	8.1	79.5
Singapore	4.6 M	75	6.5 per KM	1.4%	29,320 (20 th)	7.4%	93%	9.4 per thousand	9.1	81.7
Source	U.S. Census Bureau	HK Census & Singapore DOS	United Nations	HK Census & Singapore DOS	World Bank (2006)	U.S. Central Intelligence Association	HK Census & Singapore DOS	HK Census & Singapore DOS	HK Census & Singapore DOS	HK Census & Singapore DOS

Sources: U.S. Census Bureau; HK Census and Singapore DOS; United Nations, *World Bank 2006*; U.S. Central Intelligence Association.

Homicide Rates in Hong Kong & Singapore

Figure 5. Homicide Rates, Hong Kong and Singapore, 1967-2007.



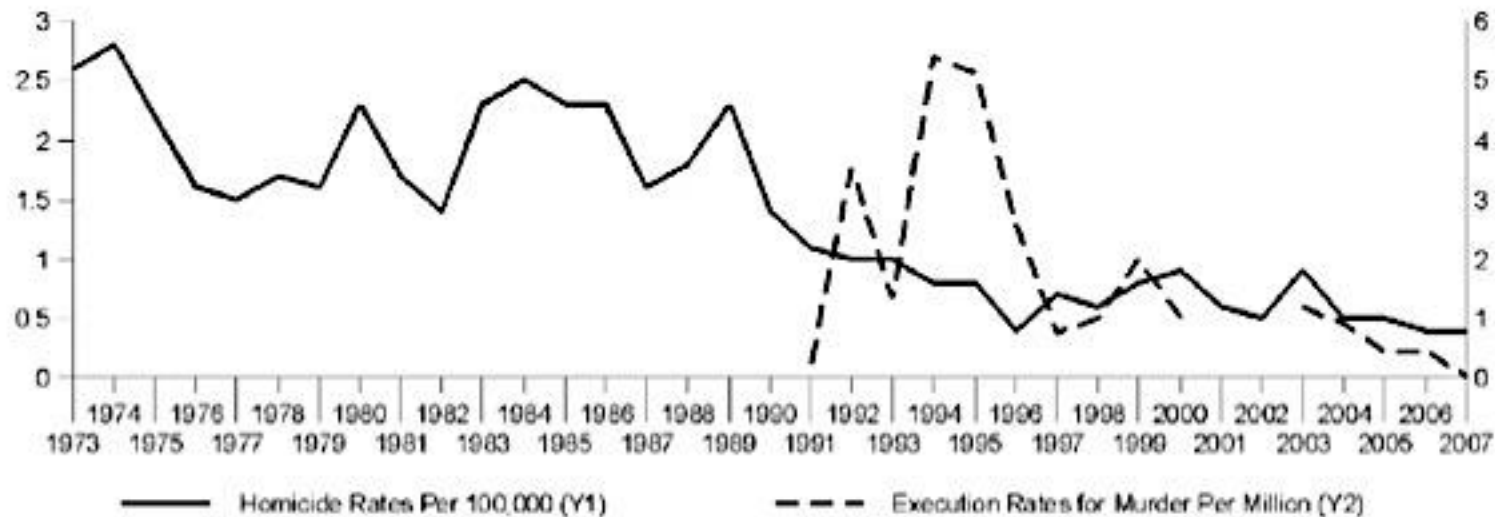
Executions in Singapore (For All Crimes) Compared with the Homicide Rate

August 2009

ZIMRING, FAGAN AND JOHNSON

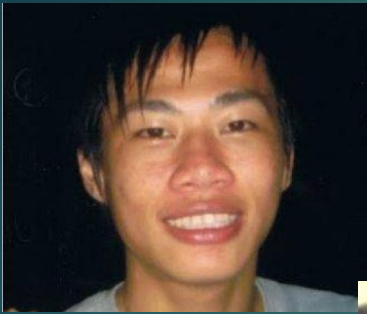
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Figure 4. Execution Rates for Murder and Homicide Rates, Singapore, 1973-2007



Sources: World Development Indicators database via Nationmaster.com (Singapore population); police data for 1973-82 from 27 Mal.L.R. 113 (1985) at Table I; W.H.O. homicide data from Singapore E55 for 1984-2004, Statistics Singapore, www.singstat.gov.sg; police data for 2005-07 from police homicide reports.

Death Penalty is Disproportionately Applied Against the Poor and Disadvantaged



Has any Kingpin
Ever Been
Sentenced to
Death in
Singapore ?



NO

Poverty + Lack of Education + Lack of Language Literacy + Foreign Country (for some)

- Cannot afford the best representation
- Most rely on State Counsel assigned to them
- Sometimes they are assisted by pro bono lawyers – but sometimes too late
- Already in a vulnerable state, tricked into confession
- Death Penalty unsafe in an environment of lack of safeguards

Poor Man


I am an angry man.
They have managed to turn me into an animal!
Death Row is a place
That only the poor will have to face
It's only a poor man that will lie on that table
And feel his heart become so unstable
As he's watching the liquid flow
And know he's about to go
No, a rich man won't experience this
It's only the poor that are on this list.

by Ronald Clerk
Florida State Prison



Safeguards **SHOULD NOT** be Undermined

- Abolition of Trial by Jury (1969)
- Removal of the Right of Silence (1976)
- Reduction in the number of judges hearing capital punishment cases, from 3 to 2 to 1
- Saving costs of judicial procedure at the risk of executing the innocent

- 
- Conviction based on confessions alone
 - Conviction based on uncorroborated evidence or evidence of an accomplice
 - presumptions stacked in favour of prosecutorial decisions due to lack of transparency
 - Unanimous decisions vs Majority decisions

Mandatory Sentencing, Prosecutorial Discretion and the Clamp on Clemency



(SIMPLIFIED) Trial & Sentencing Process



Trial & Sentencing With Mandatory Sentences



Changes to the Mandatory Death Penalty

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► Rollover to expand

10 July 2012 Last updated at 04:06 GMT

Singapore plans changes to mandatory death penalty


Singapore is proposing changes to its mandatory death penalty for drug trafficking and murder in some cases.

Under the proposed changes, the courts will have discretion in the sentencing of low-level drug couriers who co-operate with police.

In murder cases, the mandatory death penalty will only apply when there is an



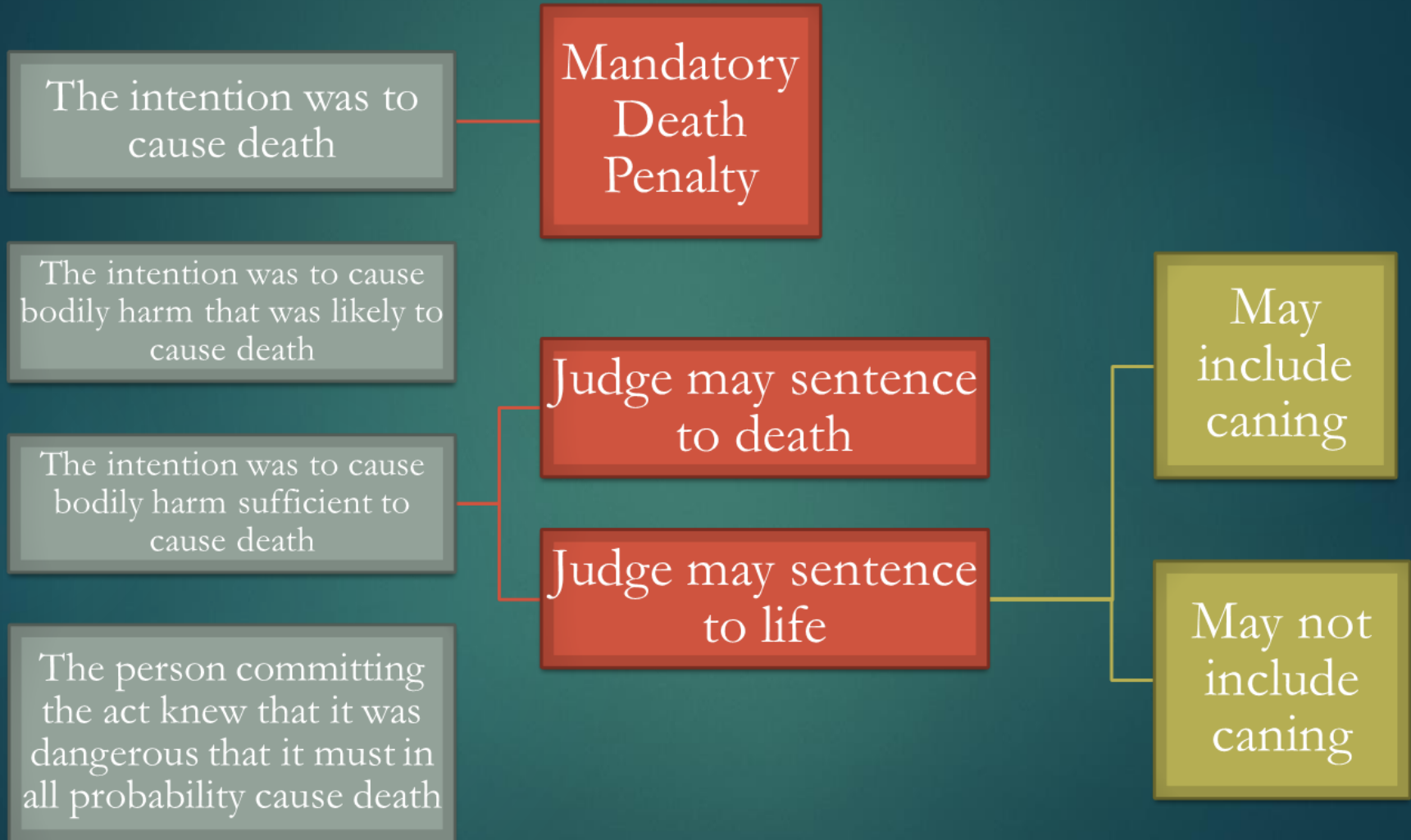
Singapore says its capital punishment system has kept crime rates low



“With due respect, Mr Speaker, if the definition of “substantively assisted” is to be based on outcome, it seems that only offenders who are “useful” may fall under the court’s discretion not to impose the death sentence. **Surely there are moral and ethical issues** that as a society, we should be concerned with here when we have such a utilitarian paradigm of human beings in our judicial system. ”

**MS FAIZAH
JAMAL,
NOMINATED
MEMBER OF
PARLIAMENT**

Sentencing For Murder





Hanged because he had not “substantively assisted” the CNB – publichouse.sg

Mohd Jeefrey bin Ismail was hanged in the early hours of Friday morning, 21 April, at least according to the scheduled execution date given to his family by the Singapore...

PUBLICHOUSE.SG



Govt should stop ignoring huge flaw in Public Prosecutor's role – publichouse.sg

Mohd Jeefrey bin Jamil's last attempt to escape the death sentence was met with a rejection by the President on 17 April.

PUBLICHOUSE.SG

Under the amendment to the MDP for murder, the penalty of death is still mandatory when the crime is determined to have been committed intentionally.

Prosecutorial Power

Evidence and Police Role / Bias

Lack of Access to Lawyers

Miscarriage of Justice – wrong man

No Statistics on Cost to
the State DP v
Imprisonment/
Rehabilitation

Secrecy of Executions



**PROBLEMS
THAT
REMAIN**

RETENTIONIST COUNTRIES

Countries which retain the death penalty for ordinary crimes

AFGHANISTAN	GUYANA	PALESTINIAN AUTHORITY
ANTIGUA AND BARBUDA	INDIA	QATAR
BAHAMAS	INDONESIA	SAINT KITTS & NEVIS
BAHRAIN	IRAN	SAINT LUCIA
BANGLADESH	IRAQ	SAINT VINCENT & GRENADINES
BARBADOS	JAMAICA	SAUDI ARABIA
BELARUS	JAPAN	SINGAPORE 
BELIZE	JORDAN	SOMALIA
BOTSWANA	KOREA (North)	SOUTH SUDAN
CHAD	KUWAIT	SUDAN
CHINA	LEBANON	SYRIA
COMOROS	LESOTHO	TAIWAN
CONGO (Democratic Republic)	LIBYA	THAILAND
CUBA	MALAYSIA	TRINIDAD AND TOBAGO
DOMINICA	NIGERIA	UGANDA
EGYPT	OMAN	UNITED ARAB EMIRATES
EQUATORIAL GUINEA	PAKISTAN	UNITED STATES OF AMERICA
ETHIOPIA		VIET NAM
GAMBIA		YEMEN
GUATEMALA		ZIMBABWE

ALTERNATIVE ??

Life imprisonment with the prospect of parole.

Death Penalty sends the accused to damnation without recognising that an accused can change.

Several case examples in other countries.

**HUMANITY & SANCTITY
OF LIFE MUST PREVAIL**



YONG VUI KONG SPARED THE GALLOWS, MAKES HISTORY

By [Coconuts Singapore](#) November 14, 2013 / 14:26 SGT

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25-year-old Yong Vui Kong will live, making him the first death-row inmate convicted for drug-related crimes to be spared the gallows.



Thank You