

PUBLIC

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UA 280/06 **Flogging**

BAHAMAS **Alutus Newbold (m), aged 34**

On 6 October, Alutus Newbold was reportedly sentenced to four strokes of the rod, and 24 years' imprisonment. Amnesty International believes that the use of corporal punishment constitutes cruel, inhuman and degrading punishment.

Alutus Newbold was found guilty of burglary, attempted rape and causing harm, after an attack on an 83-year-old woman in her home in 2004. The court ordered that he receive four lashes at the start of his sentence. The punishment is suspended for three weeks pending a possible appeal.

Amnesty International opposes torture or other cruel, inhuman or degrading treatment or punishment of all prisoners without exception. Corporal punishment is in direct contravention of Article 5 of the Universal Declaration of Human Rights, which states "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." It also contravenes Article 17(1) of the Constitution of the Bahamas, which declares "No person shall be subjected to torture or to inhuman or degrading treatment or punishment", as well as international human rights standards.

BACKGROUND INFORMATION

Corporal punishment was abolished in 1984 in the Bahamas, but was reinstated in 1991 for specific offences. According to Bahamian law, sentences of flogging cannot exceed 24 strokes, while sentences of whipping are for a maximum of 12 strokes.

The Bahamas made a unilateral declaration against torture and other cruel, inhuman or degrading treatment or punishment at the United Nations in September 1981. The 1991 amendment to the law allowing corporal punishment seems contrary to this voluntary act.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that Alutus Newbold has reportedly been sentenced to four strokes of the rod, which would constitute torture and cruel, inhuman and degrading punishment, and calling for this punishment to be dropped;
- stating that your opposition to the infliction of corporal punishment upon Alutus Newbold in no way implies a lack of sympathy for the victim of his crime or a detraction from the seriousness of the crime;
- stating that you consider the use of flogging as punishment to be contrary to Article 5 of the Universal Declaration of Human Rights, and Article 17(1) of the Constitution of Bahamas.

APPEALS TO:

The Rt. Hon. Perry Gladstone Christie
Prime Minister
Minister of Finance
Cecil Wallace Whitfield Centre,
PO Box CB 10980,
Nassau,
Bahamas
Fax: +1 242 327 5806

Email: pmchristie@bahamas.gov.bs

Salutation: Dear Prime Minister

The Hon. Allyson Maynard-Gibson
Attorney General and Minister of Legal Affairs
Attorney General's Office,
PO Box N 3007,
Nassau,
Bahamas

Fax: +1 242 356 4179

Email: amgibson@bahamas.gov.bs

Salutation: Dear Attorney General

COPIES TO:

Newspaper

The Nassau Guardian
#4 Cater Street, Oakes Field
P.O.Box N-3011
Nassau, N.P
Bahamas,

Fax: +1 242 328 8943

and to diplomatic representatives of the Bahamas accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.