

## Amanda Clift-Matthews



Call: 1995

Email: [a.clift-matthews@doughtystreet.co.uk](mailto:a.clift-matthews@doughtystreet.co.uk)

### Profile

Her criminal cases before the Judicial Committee of the Privy Council have ranged from the questioning of juveniles in police detention, the use of particle or 'GSR' evidence, diminished responsibility, and to life or long-term sentences. Her human rights cases, including before the UK Supreme Court and the Caribbean Court of Justice, have ranged from the sharing of information between governments when there is a risk that the death penalty will be imposed, parole and the possibilities for release, to the treatment of prisoners with HIV.

*"Amanda Clift-Matthews has an excellent analytic mind and a profound understanding of criminal justice issues ...original and creative and excellent at marshalling and presenting complex arguments under pressure. She is thoughtful and open-minded and has an impressive grasp of the wider political and sociological dimensions of her appellate work as a lawyer."*

Amanda was formally the inhouse counsel at The Death Penalty Project, where she obtained a wealth of experience representing prisoners under sentence of death in the courts throughout the Caribbean, Asia and Africa, as well as gaining first-hand experience of strategic litigation within the charity and NGO sector.

*“She is a dynamic and thoughtful lawyer - emotionally intelligent – able to understand concerns and find an appropriate way to action whatever needs to be done. She has that rare ability to use her vast legal knowledge and instinct for justice, to put together compelling and cutting-edge arguments which might succeed or help lay the ground for future success.”*

Significant cases include *Gobi A/I Avedian v PP* (2020), which made history in Singapore as the first death sentence to be overturned after the usual avenues of appeal had been exhausted; *Hewey v R* (2022), which was the first occasion in living memory that an appellant’s conviction was fully quashed by the Privy Council; *Longsworth v R*, which saw the introduction of diminished responsibility to Belize (2014) and *Baptiste v R* (2015), which saw the release of the last man on death row in that jurisdiction.

Amanda has a special interest in Southeast Asia, where she partners with local advocates in the region in murder and drug-trafficking appeals. She is pursuing a doctorate at the **Centre for Criminology at Oxford University** focusing on drug trafficking cases attracting the death penalty in Singapore.

*“Her written advocacy and legal knowledge are first rate, her commitment to fundamental rights and criminal justice unquestionable, and her professionalism exemplary. I have always been impressed with her diligent work ethic, intellectual integrity, strategic thinking and innovation.”*

As well as case work, Amanda has produced advisory documents for regional and international treaty bodies, overseas government organisations, professional bodies and NGOs. She has published articles in the mainstream press and in peer-reviewed journals as well as delivering seminars on the death penalty, life sentences and international standards for a fair trial. Examples of publications and other media can be found [here](#).

## **Related practice areas**

Criminal Law

Criminal Appeals

Extradition

## **Criminal Cases**

### **Judicial Committee of the Privy Council**

- *Hewey v R (Bermuda)* [2022] UKPC 12 – Murder appeal on the use of particle evidence associated with gunshot residue.
- *Maharaj & Ors (Trinidad & Tobago)* [2021] UKPC 27 – Historic murder appeal following fresh evidence.
- *R v Evans (The Bahamas)* [2020] UKPC 27 – Murder appeal by the Crown on hearsay and identification evidence.
- *Bain v R (The Bahamas)* [2020] 4 WLR 104 – Breach of the right to be heard and sentencing principles.
- *Stubbs & Ors v R (The Bahamas)* [2019] AC 868 – Judicial bias through pre-judgment.
- *Philip v DPP (St Kitt and Nevis)* [2017] UKPC 14 - Murder appeal on bad character evidence.
- *McPhee v R (The Bahamas)* [2016] 4 WLR 166 – Murder appeal on the treatment of juveniles in police custody.
- *Robinson v State of Trinidad and Tobago* [2015] WLR (D) 340 – Murder appeal on diminished responsibility.
- *Milton & Ors v R (BVI)* [2015] 1 WLR 5356 – Murder appeal on joint enterprise.

### **Caribbean Court of Justice**

- *Bennett v R (Belize)* (2019) 94 WIR 126 – Juvenile’s murder appeal on identification evidence and the constitutionality of the sentencing regime for juveniles convicted of murder.
- *August v R (Belize)* [2018] CCJ 7 – Constitutionality of mandatory life sentence for murder and lawfulness of the parole system.

### **Singapore Court of Appeal**

- *Gobi A/I Avedian v PP* [2021] 1 SLR 180 - Wilful blindness and legal presumptions in capital drugs cases (re-opened criminal appeal against conviction).
- *Syed Suhail bin Syed Zin v PP* [2020] SLR 154 – Diminished responsibly in drug trafficking (re-opened criminal appeal against conviction).

- *Yuen Ye Ming v PP* [2020] 2 SLR 970 – Caning and proportionate sentencing.
- *Kho Jabing v PP* [2016] 3 SLR 134 – Principles for the imposition of discretionary death sentences for murder.

### **Malaysia Federal Court**

- *Bosman v PP* [2020] 5 MLJ 277 – Unconstitutionality of mandatory death sentence in light of new discretionary death penalty legislation

### **Hong Kong Court of Appeal and Court of Final Appeal**

- *Kissel v HKSAR* [2014] 1 HKLRD 460 – Murder appeal on diminished responsibility.
- *Kissel v HKSAR* [2010] 2 HKLRD 435 – Murder appeal on hearsay and reliance on statements of counsel in bail applications.

### **Sierra Leone Court of Appeal**

- *Koroma v Republic* (2021) – Murder appeal.
- *Bakaar v Republic* (2019)– Murder appeal and unconstitutionality of the mandatory death penalty in Sierra Leone (granted full pardon in 2020)

### **Belize Court of Appeal**

- *Longsworth v R* [2014] 86 WIR 39– murder appeal on diminished responsibility and provocation.

## **Constitutional Cases**

### **Judicial Committee of the Privy Council**

- *Chandler v State (Trinidad and Tobago)* – Constitutionality of the mandatory death penalty.
- *Lendore & Ors (Trinidad & Tobago)* [2017] WLR 3369 – Re-sentencing through clemency and the constitutionality of life sentences.

- *Pitman & Anor v State (Trinidad & Tobago)* [2017] 3 WLR 790 – Lawfulness of the imposition of death sentences on the intellectually disabled.
- *Hunte & Anor v State (Trinidad & Tobago)* [2015] WLR (D) 340 – JCPC's jurisdiction to commute death sentences in criminal proceedings.

### **UK Supreme Court**

- *El Gizouli v Secretary of State* [2021] AC 937 – Mutual legal assistance where a serious risk the death penalty will be imposed.

### **Hong Kong Court of Appeal and Court of Final Appeal**

- *Kissel v Long-Term Sentences Review Board* [2020] 3 HKLRD 335 – Life sentences, natural justice and minimum terms.

### **Tanzania Court of Appeal**

- *Kambole v Attorney General of Tanzania* - Unconstitutionality of mandatory death sentence.

### **Belize Court of Appeal and Supreme Court**

- *Baptiste v R* (2016) – constitutional motion following unlawful imposition of mandatory death sentence and delay in execution.

### **St Kitts, Antigua and Trinidad and Tobago**

- *Mitcham v R* [2018] ECSCJ No. 281 – delay in execution and re-sentencing.
- *Cornwall v R* [2016] ECSCJ No. 284 constitutional motion following unlawful imposition of mandatory death sentence and delay in execution.
- *James v State* - constitutional motion following imposition of unlawful mandatory death sentence and delay in execution.

## **Publications and Reports**

- ‘*Aggregated Sentences of Caning and the Risk of Double or Disproportionate Punishments*’ – Singapore Academy of Law Journal, Vol. 33, No. 3, Nov 2021, 1205-1223.
- ‘*Pathways to Justice: Implementing a Fair and Effective Remedy Following Abolition of the Mandatory Death Penalty in Kenya*’ (2019), co-author.
- Expert witness statement in the case of *Giron & Ors v Guatemala* October 15, 2019. Series C No. 390 before the Inter-American Commission on Human Rights.
- Legal opinion for the UN Special Rapporteur on Summary and Arbitrary Executions on the status of the death penalty as a cruel and unusual punishment under international law (September 2019).
- Advice to the Law Commission of Sierra Leone on a defence to murder for persons subjected to domestic violence (August 2019).
- ‘*Sentencing in Capital Cases*’ co-authored with Edward Fitzgerald QC and Joe Middleton (August 2018).
- ‘*Abolition in Malaysia – A Way Forward*’ advice to the Bar Council of Malaysia on the impact of abolition of the death penalty on existing prisoners on death row (October 2018).
- *Arresting a Foreign National – A Practical Guide to the Special Rights of Foreign Nationals Arrested or Detained in Malaysia*’ produced in conjunction with the Centre for Criminology at Oxford University and the Malaysian Bar Council.

## Media

- ‘*Singapore to resume executions amid heightened international scrutiny*’ Death Penalty Research Unit, Oxford University, 16 February 2022.
- ‘*Singapore must urgently halt planned executions of two low IQ drug mules*’, The Independent, 16 February 2022.
- ‘*The End of the Death Penalty Under Common Law?*’ Death Penalty Research Unit, Oxford University, 24 February 2021.
- ‘*Singapore Should be Ashamed of Lashings*’ The Times, 3 September 2020.

## Presentations and Seminars

- Presentation to the Bar Association of Sierra Leone on international minimum standards for a fair trial (June 2019).
- Presentation to the Sentencing Guidelines Committee of Uganda on capital sentencing and life sentences (May 2019).
- Presentation to the Global Strategy Forum on Life Imprisonment on alternatives to the death penalty and life imprisonment in Kenya (December 2018).
- Presentation to the Japan Federation of Bar Associations on life sentences (August 2018).