

EXTERNAL (for general distribution)

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UA 389/93 Death threats / Fear for safety /  
fear of torture or ill-treatment

4 November 1993

JAMAICA Randolph Barette, Noel Phipps, Kevin Williams, Anthony Frazer, Wayne Spence, Rojer Josephs, Irvine Reynolds, Victor Francis, Nevilly Whyte, Paul Kelly, Clive Johnson, Anthony Leelhong, Nicholas Henry, Carl Sterling, Cevas Murray, Anthony Fraser, Lawson Richards, Trevor Palmer, Fitzroy Smith, Easton Codner, Wayne Spence, Kevin Williams, Andrew Peart, Garfield Peart, Junior Leslie, Michael Adams.

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The above named prisoners, held at St Catherine's District Prison, Spanish Town, Jamaica, have been receiving death threats from prison personnel. Recent events in the prison indicate that these threats have to be taken very seriously, and Amnesty International fears that the prisoners' lives may be at risk.

The prisoners listed are known to have complained about ill-treatment and the conduct of specific warders, and now fear retaliation for having spoken out. For example, Andrew Peart, reportedly complained several times about ill-treatment inflicted by warders. His complaints were published in a local newspaper which led to him receiving death threats from prison warders. Similarly, Victor Francis had property destroyed by warders; after complaining about this he allegedly received death threats from the warders. He has also been ill-treated in the past.

Amnesty International believes that authorities should guarantee the prisoners' security and ensure that they are not subjected to torture or other cruel, inhuman or degrading treatment; this would be in accordance with Jamaica's obligations under international human rights treaties, including the International Covenant on Civil and Political Rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners and the Universal Declaration of Human Rights.

#### BACKGROUND INFORMATION

During disturbances in St Catherine's District Prison on 31 October 1993, four death row prisoners were killed and at least three injured. Some warders were also injured. The prisoners allegedly had attempted to take two warders hostage; fellow warders who came to the scene believed that their colleagues were in danger and opened fire killing and injuring the prisoners. Those killed were: Neville Neath, Arthur Morrison, Rohan Joseph and Ricky Burrell. Tragically, at least the first two would have benefitted from the decision issued by the Judicial Committee of the Privy Council in London (Jamaica's final court of appeal) on 2 November that death sentences imposed over five years ago should be commuted to life

imprisonment. They were among those who had received death threats.

Conditions in the prison have deteriorated over the years and relations between prisoners and warders have become increasingly strained. There are allegations of ill-treatment, destruction of prisoners' property, lack of medical care when prisoners are injured. Prisoners have been killed or injured in prison disturbances. Prison personnel are faced with a very overcrowded maximum security prison, without the adequate resources. Amnesty International has written to Jamaican authorities in the past regarding the killing of prisoners - at least 12 in the past six years.

A meeting was held on 6 October between prison authorities, church and human rights representatives and a delegation of prisoners. The meeting heard that there was severe pressure put on the prisoners by a group of warders who had refused to give them breakfast or to allow them out of their block and who had made threats against their lives. The prisoners had started a hunger-strike to protest what they argued were false allegations by the warders of having found guns in their block.

**RECOMMENDED ACTION: Please send telegrams/faxes and airmail letters either in English or in your own language:**

- urging authorities to immediately take all necessary and appropriate measures to protect the above named prisoners' safety (mention some of the names as examples);
- calling on the authorities to ensure that prisoners are not subjected to torture or other cruel, inhuman or degrading treatment;
- urging authorities to initiate a full, independent and impartial inquiry into the deaths of Neville Heath, Arthur Morrison, Rohan Joseph and Ricky Burrell. The results should be made public and those found responsible should be brought to justice.

**APPEALS TO**

1) Prime Minister

The Right Honourable P J Patterson, PC QC, MP  
Office of the Prime Minister  
1 Devon Road  
Kingston, JAMAICA

**Telegrams: Prime Minister Patterson, Kingston, Jamaica**

**Faxes: + 809 929 0005**

**Salutation: Dear Prime Minister**

2) Minister of National Security

The Honourable K D Knight  
Minister of National Security  
P O Box 472  
Kingston, JAMAICA

**Telegrams: Minister of National Security Knight, Kingston, Jamaica**

**Faxes: + 809 922 6028**

**Salutation: Dear Minister**

**COPIES OF YOUR APPEALS TO:**

The Gleaner (newspaper)  
7 North Street  
Kingston, JAMAICA  
**Faxes: + 809 922 6223**

Jamaica Council for Human Rights  
131 Tower Street  
Kingston, JAMAICA

and to diplomatic representatives of Jamaica accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 10 December 1993.