



Each month we will be putting a legal problem to consultant Ali Al Jabal to answer.

## This month - ALTERNATIVE PUNISHMENT

**AJ Question:** I have been sentenced to 5 months of imprisonment. During this time I was informed about a new alternative penal code and would like to know more about the same. Can you clarify the following?

- What is alternative punishment?
- What will be the alternative punishments that should be served for imprisonment?
- Will I benefit in anyway if I opt for alternative punishment?



A full service law firm for Bahrain and the Sultanate of Oman, founded in 1995 by **Mr Ali Al Jabal**

**AJ Answer:** The alternative penalties code has been promulgated last month and enforceable from the 21st of July. Sentences for a criminal conviction can take many forms, and a conviction doesn't always mean a trip to jail or prison. Alternative punishment means the courts can punish someone, convicted of committing an offence, other than the custodial sentence (serving a prison term) or capital punishment (death). The benefit of the penalty is reserved for those offences which are punishable with an imprisonment up to one year.

The alternative penalties include;

1. Community service
2. Residence in a specific place
3. Prohibiting access to a specific place or places
4. Undertaking not to be exposed or to contact certain persons or entities
5. Person will be subject to electronic observation
6. Attend trainings and qualification programs
7. Repairing damage caused by crime

With reference to your third question, you will benefited from the law by submitting a request to an Execution Judge for getting permission to replace or change the penalty with one of the alternative penalties. However the implementation process is yet to be published except with reference to the community service. The community service was implemented from 2008 onwards. Accordingly, you can request to change your penalty with community service. 👁

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