



**Northern Ireland
Assembly**

Committee for Communities

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(DRAFT) RESPONSE TO THE COMMITTEE FOR JUSTICE ON ITS CALL FOR EVIDENCE IN RELATION TO THE CRIMINAL JUSTICE (SENTENCING ETC) BILL

Introduction

1. This paper sets out the formal response from the Committee for Communities to the Committee for Justice in respect of its Call for Evidence on the Criminal Justice (Sentencing etc) Bill (“the Bill”). This submission has been prepared following a request for views issued on 31 March 2026.
2. The Committee for Communities welcomes the opportunity to contribute to the scrutiny of this important legislation. While the Bill is led by the Department of Justice and addresses matters of criminal justice policy falling within that Department’s remit, a number of its provisions have relevance to the statutory responsibilities of the Department for Communities (DfC) and to workers and service users engaging with bodies within the Communities Department’s remit.
3. To inform its position, the Committee has considered the Bill as introduced, its accompanying Explanatory and Financial Memorandum (EFM), and the oral evidence provided to the Committee for Justice by officials of the Department of Justice on 5 March 2026.

4. This submission details the Committee's collective view on the Bill, with a focus on those provisions in which its provisions intersect with the responsibilities of DfC.

General Position

5. The Committee for Communities broadly supports the policy intent of the Bill. The Committee notes that the stated purpose of the Bill is to improve the effectiveness and transparency of sentencing, to enhance public confidence in the criminal justice system, and to strengthen the position of victims. Our Members lend their support to those objectives insofar as the Bill's provisions touch upon the work of the Department for Communities and bodies within its remit.
6. The Committee acknowledges that the core subject matter of the Bill – the statutory framework for sentencing, the use of suspended sentences, mandatory life sentence tariffs, the referral of unduly lenient sentences, provisions for failure to disclose information about victims' remains, and penalties for road traffic offences – sits fully within the policy competence of the Department of Justice, and the Committee for Communities has **not sought to comment on those matters of substantive criminal justice policy**. The observations that follow are confined to those provisions having tangible relevance to the DfC remit.

Key Scrutiny Points from a Communities Perspective

Clauses 37 to 39 – Assaults on, and Aggravation of Offences Against, Public Workers

7. The Committee's principal area of engagement with the Bill concerns the provisions at Part 6 relating to public workers. Clause 37 creates a new offence of assaulting a public worker, or a person assisting a public worker, where the offender knows or ought reasonably to know that the individual is such a worker.
8. Clauses 38 and 39 provide for a corresponding statutory aggravator in respect of a specified list of more serious offences against the person where the victim is a

public worker. The Committee notes that the definition of “public worker” at clause 37(3) is deliberately broad, covering any person “employed or engaged to (a) provide a service to the public, (b) perform a public duty, or (c) deliver a public service”, with clause 37(4) providing that it is immaterial whether the employment or engagement is paid or unpaid.

9. The Committee welcomes the scope and intent of these provisions. Oral evidence given by Department of Justice officials to the Committee for Justice on 5 March 2026 confirmed that the breadth of the definition is intentional, that a listing approach had been considered and rejected in favour of a future-proofed generic definition, and that the provisions are intended to apply without regard to sector.
10. This scope has direct and welcome implications for significant cohorts of workers and volunteers within the DfC remit. The Committee’s understanding is that the provisions will extend to: staff of the Northern Ireland Housing Executive performing statutory housing functions; staff of the Department for Communities delivering social security, child maintenance, employment support, and associated services through Jobs & Benefits Offices and related service points; staff of Libraries NI; staff of bodies within the DfC arm’s-length family, including Sport NI, the Arts Council of Northern Ireland and the Charity Commission for Northern Ireland; and, critically, staff and volunteers operating across the extensive DfC-funded voluntary and community sector, including the independent advice sector, the homelessness sector, and the Supporting People provider network.
11. The Committee records its support for the extension of statutory protection of this type to workers across these sectors, who in the course of their duties engage with members of the public in circumstances that can give rise to heightened risk. The Committee also welcomes the explicit inclusion of volunteers through the paid-or-unpaid provision at clause 37(4), reflecting the reality of service delivery in Northern Ireland, where a substantial volume of public-facing work is undertaken in the voluntary and community sector.

12. The Committee wishes, for the assistance of the Committee for Justice, to draw attention to two operational matters arising from the breadth of scope of these provisions:

a. **Awareness across the voluntary and community sector**

Given that a proportion of workers and volunteers brought newly within statutory protection by clause 37 will operate in third-sector settings, the Committee would welcome assurance from the Department of Justice that its implementation and communications planning will include specific engagement with the voluntary and community sector, including bodies commissioned or grant-funded by DfC, to ensure that the new offence and aggravator are understood by those whom they are intended to protect.

b. **Interaction with existing sectoral safety arrangements**

The Housing Executive and a number of DfC-funded providers, particularly in the homelessness and independent advice sectors, operate established staff-safety protocols reflecting the risk profile of their work. The Committee would suggest that the Committee for Justice may wish to satisfy itself, in the course of its Committee Stage scrutiny, that the Department of Justice has considered how the new statutory offence and aggravator will complement existing sectoral safeguarding and incident-reporting arrangements.

Clause 36 – Aggravation by Reason of Vulnerability

13. The Committee notes the creation at clause 36 of a statutory aggravator applying where the victim of an offence is a vulnerable person, defined at clause 36(7) by reference to impairments arising from disability, illness, old age, or any other reason, provided the offender knew or ought reasonably to have known of the vulnerability. The DfC-served population includes significant cohorts which may engage this aggravator, including older people in receipt of State Pension or Pension Credit, recipients of disability-related benefits, and users of Supporting People-funded services. The Committee supports the inclusion of this aggravator.

Part 2 and Schedule 1 – Community Requirements in Suspended Sentences and Unpaid Work

14. The Committee notes the introduction at Part 2 of the Bill of community requirements for suspended sentence orders, with Schedule 1 providing for an unpaid work requirement of up to 60 hours. While the delivery architecture for community-based disposals sits with the Department of Justice and the Probation Board for Northern Ireland, the Committee observes that unpaid work placements are in practice routinely hosted by community and voluntary sector organisations, a number of which receive DfC funding. To the extent that the greater use of community-based elements in suspended sentences may support visible reparative activity in the communities which the Department for Communities serves, the Committee welcomes the direction of this provision.

Conclusion

15. The Committee for Communities supports the Criminal Justice (Sentencing etc) Bill insofar as its provisions touch upon the remit of the Department for Communities and the workers and service users engaging with bodies within that remit. The Committee particularly welcomes the breadth of the public worker provisions at Part 6 and the explicit inclusion of unpaid workers and volunteers.