

## Response ID ANON-Z9CY-WDAF-H

Submitted to Criminal Justice (Sentencing etc) Bill  
Submitted on 2026-03-31 16:55:01

### Introduction

What is your name?

Name:

[REDACTED]

What is your email address?

Email:

[REDACTED]

If you are providing a submission on behalf of an organisation or business, please state its name.

Organisation:

The Committee for Justice has agreed to publish all responses as part of the survey results. If you would like to have your survey results anonymised and for us not to publish your name or organisation, please indicate so here.

I would like my views to be anonymous and understand that my name and organisation details will be withheld, along with any identifiers in the response, but my views will still be published.

### Exercise of court's discretion when sentencing

Clause 1 outlines the purposes and principles of sentencing. It sets out the factors that the court must have regard to for the purposes of sentencing, which are: the punishment of offenders; for the protection of the public; the reduction of crime by deterrence; the rehabilitation of offenders; and, the making of reparations by offenders to persons affected by their offences. Do you agree with the purposes of sentencing as outlined above?

Yes

Please provide information to support your answer here::

Clause 1 also defines the principles of sentencing as proportionate, fair and transparent. Do you agree with these being set as the principles of sentencing?

Yes

Please provide information to support your answer here::

Do you have anything further to add on Clause 1 of the Bill?

Not Answered

Please provide any further information relating to Clause 1 here::

The ability of the court to determine if hate is an element or motivational factor in the commission of a crime is and will remain arbitrary. Policy makers, police, prosecutors and the judiciary should not be subject to undue influence by NGOs which are often single issue organisations given undue influence. Recent examples are the influence of Trans Rights activists input into the guidance used in courts or by police or the overreach of radical Islamist groups on the development of a definition of islamaphobia.

Clause 2 imposes a duty to follow guidance relevant to the case when sentencing an offender, unless it would be contrary to the interests of justice to do so and to give reasons in relation to sentencing. Do you support the objectives of this clause?

Yes

Please provide information to support your answer here::

See comment above

Do you have anything further to add on Clause 2 of the Bill?

No

Please provide information to support your answer here::

Part 1 - Exercise of court's discretion when sentencing - Do you have anything further to add on Part 1 of the Bill?

No

Please provide information to support your answer here::

Activation of sentence and amendment of order etc.

Do you have any comments on Clause 14 of the Bill?

Yes

Please provide information to support your answer here::

The safeguards concerning people subject to Treatment conditions regarding electrical shock therapy are not sufficient and should require the input of professional psychologists as well as psychiatrists.

Particular persons or groups: Aggravation by hostility

Clause 33 introduces an aggravator to an offence if the offence is aggravated by the person's race, religion, sexual orientation or as a result of disability. Do you agree with this being an appropriate list of groups for the aggravators included in this Clause?

Yes

Please provide information to support your answer here::

The singling out of one religious group over another is manifestly unfair and should be reflected on the face of the legislation. Current debates in GB around the definition of islamaphobia will inevitably seep into the groundwater of this legislation and will promote unfairness and a hierarchy of offence based on flimsy evidence and very partial policy.

Clause 34 sets out the consequences of aggravation by hostility. Do you agree with the consequences outlined in the Clause?

No

Please provide information to support your answer here::

See above

Clause 35 provides the Department of Justice with the power to add, amend or revoke the kinds of hostility by which an offence may be aggravated if the hostility relates to a group or characteristic. Do you agree that the Department should be able to amend the groups for whom an aggravator applies?

No

Please provide information to support your answer here::

This will amplify the manifest unfairness as it is open to amendment at the whim of politicians and policy makers who are constantly bombarded by single interest NGOs promoting greater and greater influence of views and practices unsupported by the majority of the population of NI. At present these are almost all of a so called progressive left wing basis. Leaving the legislation open as proposed could equally lead to extreme right wing or fascist views were such political views to attain ascendancy. Both will undermine the respect for the rule of law.

Do you have any other comments on Clauses 33 to 35 of the Bill?

No

Please provide information to support your answer here::

Aggravation by reason of vulnerability

Clause 36 introduces a new aggravator by reason of the victim being vulnerable, following a consultation which originally included older age and vulnerability as potential aggravators. Do you agree with including vulnerability as an aggravator in this Clause?

No

Please provide information to support your answer here::

Such aggravators will not add to any older / vulnerable persons safety. The safeguarding processes currently in existence are not sufficiently resourced and the PSNI teams who deal with such situations are woefully inadequate. More evidence based policy is being overtaken by unnecessary legislation which is purely performative and will not impact anything other than politicians egos.

Do you have any other comments on Clause 36 of the Bill?

No

Please provide information to support your answer here::

Public Workers etc

Clause 37 introduces a new offence of assault on a public worker and defines a public worker as being a person employed or engaged to provide a service to the public, performing a public duty or delivering a public service. Do you agree with the new offence of assault on a public worker?

No

Please provide information to support your answer here::

Why is existing legislation not used and individuals prosecuted this? This is virtue-signalling and will not keep anyone safer.

Do you agree with the definition of a public worker as defined in Clause 37?

Yes

Please provide information to support your answer here::

Clause 37 proposes that a person found guilty of assaulting a public worker could receive a fine and/or be sentenced to up to 2 years imprisonment. Do you believe the penalties for this offence are appropriate?

No

Please provide information to support your answer here::

See above

Clause 38 proposes introducing a new aggravator if an offence is committed against a public worker who is acting in the exercise of functions as a public worker. Do you agree with the inclusion of an offence of aggravation by assault on a public worker?

No

Please provide information to support your answer here::

See above

Do you have any other comments on Clauses 37 to 39 of the Bill?

No

Please provide information to support your answer here::

Part 6 - Particular persons or groups. Do you have any further comments on Part 6 of the Bill?

No

Please provide information to support your answer here::