

# Response ID ANON-Y62U-T5E6-T

Submitted to Criminal Justice (Sentencing etc) Bill  
Submitted on 2026-05-01 14:02:18

## Introduction

What is your name?

Name:  
NMD PCSP

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:  
Newry, Mourne and Down Policing and Community Safety Partnership

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 am content for my information, including details of my name and organisation, to be published in the survey results.

## 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::

Yes. These purposes reflect a balanced approach to sentencing. Together they support fairness while aiming to reduce reoffending and address the harm caused to victims. Rehabilitation and reducing reoffending could be given more focus to reflect the wider social factors that contribute to offending.

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?

Yes

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

Clause 1 could be strengthened by explicitly recognising additional principles such as consistency in sentencing, the importance of rehabilitation in reducing reoffending, and the need to consider the wider social context of offending. Including these would help ensure that sentencing is not only fair and transparent but also effective in promoting long-term public safety.

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::

Yes. Requiring courts to follow sentencing guidance promotes consistency and fairness, and the duty to give reasons improves transparency. The safeguard allowing departure where necessary in the interests of justice ensures that judges still retain appropriate discretion

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?

Yes

Please provide information to support your answer here::

Part 1 provides a useful framework for promoting consistency, fairness and transparency in sentencing. However, it would be helpful if the Bill more clearly recognised the importance of rehabilitation and reducing reoffending as part of judicial discretion. Ensuring that guidance supports, rather than restricts, the court's ability to respond to the individual circumstances of each case will be essential for achieving effective and proportionate sentencing

### Availability and effect of suspended sentence orders

Clause 3 sets out when suspended sentence orders may be made and Clause 4 sets out what a suspended sentence order is and how it will be activated. Do you support the provisions around when suspended sentences can be used and what a suspended sentence order is in Clauses 3 and 4 of the Bill?

Not Answered

Please provide information to support your answer here::

Clause 5 sets out the operational period and supervision period which apply to a suspended sentence. Do you agree with the periods and requirements outlined in the clause?

Not Answered

Please provide information to support your answer here::

Clause 6 sets out that a court must explain to an offender, in language the offender can understand, the reason why it is imposing requirements and the effect of them. Do you agree with the provision of copies of orders and explanation of effect as laid out in Clause 6?

Not Answered

Please provide information to support your answer here::

Clause 7 sets out how a suspended sentence is to be treated. Do you agree with the intent of Clause 7?

Not Answered

Please provide information to support your answer here::

Do you have any other comments on Clauses 3 to 7 of the Bill?

Not Answered

Please provide information to support your answer here::

### Community requirements

The Minister of Justice has stated that the intention behind adding community-based requirements to suspended sentences is to allow rehabilitative work to be carried out where it might be helpful to do so and to add a visible element to making reparations that could be realised via a community based sentence. Do you agree with the intent behind enacting Clauses 8-10?

Yes

Please provide information to support your answer here::

Community-based requirements can support rehabilitation and provide meaningful reparation. The key will be ensuring they are proportionate and workable.

Do you have any other comments on Clauses 8 to 10 of the Bill?

Yes

Please provide information to support your answer here::

Clauses 8-10 are a positive step, but their effectiveness will depend on proper resourcing and the availability of high-quality community-based programmes

## Responsible Officer

Do you have any comments on Clauses 11 to 13 of the Bill?

Not Answered

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?

Yes

Please provide information to support your answer here::

Yes. Creating a specific offence for assaulting a public worker recognises the increased risks faced by people who provide essential services and helps reinforce that such behaviour is unacceptable. At the same time, it will be important to ensure the offence is applied proportionately and alongside wider measures to improve safety and reduce violence against frontline staff

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

Yes

Please provide information to support your answer here::

Yes, the definition in Clause 37 is broadly appropriate. It captures the wide range of people who provide services to the public and may face increased risk because of their role. The key will be ensuring the definition is applied consistently so that all frontline workers who interact with the public are properly protected.

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::

The proposed penalties appear broadly appropriate in recognising the seriousness of assaults on public workers. However, there is concern about whether a fine alone would act as a sufficient deterrent, given the impact these incidents have on frontline staff and community confidence. Equally, while a maximum sentence of two years may be suitable for many cases, there may be more serious assaults where a higher maximum could be justified. It is important that the sentencing framework allows courts to respond proportionately to the full range of offending and supports efforts to improve safety for those delivering essential public services.

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?

Yes

Please provide information to support your answer here::

These individuals often face heightened risks, and recognising this through an aggravating factor helps underline the seriousness of such behaviour. It also reinforces the message that assaults on those delivering essential public services have wider impacts on community confidence and safety.

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

Yes

Please provide information to support your answer here::

Clauses 37 to 39 are a welcome step in recognising the risks faced by public workers and the wider impact such assaults have on community confidence.

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

Not Answered

Please provide information to support your answer here::

## Commencement

Do you agree that the sections of the Bill should be commenced as outlined in Clause 50 of the Bill?

Not Answered

Please provide any other comments or views you have here::

Short Title

Do you have any comments on Clause 51 of the Bill?

Not Answered

Please provide any other comments or views you have here::

Any Other Comments on the Bill

Do you have any other comments or views on the Criminal Justice (Sentencing etc) Bill?

No

Please provide any other comments or views you have on the Criminal Justice (Sentencing etc) Bill here::