

## Response ID ANON-DPM6-N99E-V

Submitted to Criminal Justice (Sentencing etc) Bill  
Submitted on 2026-05-18 11:58:46

### Introduction

What is your name?

Name:  
Lesley Heaney, Head of Tobacco Control Policy, Dept of Health NI

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:  
Dept of Health NI

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.

### 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::

The Department of Health strongly supports the introduction of this new offence under Clause 37 (Assaults on public workers etc.) as an important step in strengthening protections for Health and Social Care staff. Violence and aggression towards staff remains a significant concern, and it is essential that those delivering vital public services are able to work in a safe and secure environment. This measure would send a clear message that such behaviour is unacceptable and support ongoing efforts to reduce incidents of abuse and assault across the HSC.

In addition, the definition appropriately recognises those employed or engaged to provide services to the public, including frontline retail staff who are required to enforce age restricted sales, particularly in the context of current tobacco legislation and the forthcoming tobacco, vape and nicotine measures introduced through the Tobacco and Vapes Act. That Act may place additional responsibilities on retail workers in future to request identification and, in some cases, refuse sales of tobacco, vape and nicotine products. With the introduction of regulations under this Act, retail workers will be required to check not only that a customer is over 18 for vape and nicotine products, but also that a person was born prior to 1 January 2009 for tobacco sales (with effect from 1 January 2027). Engagement with the retail sector has highlighted concerns about the potential for increased risk of abuse or assault of shop staff when seeking identification. Providing clearer legal protection through this clause would send a strong signal that such behaviour is unacceptable, support staff confidence in enforcing the law, and help ensure that important public health measures are implemented safely and effectively.

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

Yes

Please provide information to support your answer here::

Noted in previous response.

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?

Not Answered

Please provide information to support your answer here::

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?

Not Answered

Please provide information to support your answer here::

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

Not Answered

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?

Not Answered

Please provide information to support your answer here::