

Response ID ANON-QGUP-6MXG-Y

Submitted to Criminal Justice (Sentencing etc) Bill
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Introduction

What is your name?

Name:
Four Women and Girls Ballymena

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:
Four Women and Girls Ballymena

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::

4WomenandGirls broadly agrees with the purposes of sentencing outlined in Clause 1. However, we also believe the protection of the public should explicitly include protecting vulnerable victims from repeat offending and ongoing abuse. This includes the need for stronger protection for victims, clearer communication regarding release and sentencing decisions, and greater consideration of victim safety in cases involving violence, abuse, intimidation, or repeat 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::

Fairness and proportionality should include proper recognition of coercive and controlling behaviour, psychological harm, repeat offending, victim vulnerability and patterns of abusive behaviour when sentencing for physical harm, even where injury may appear limited. Greater transparency is also needed regarding how aggravating and mitigating factors are applied and how sentencing decisions are explained to victims and families.

We further believe that greater consistency in sentencing outcomes across comparable cases would help improve public confidence in the justice system while still preserving judicial independence and discretion.

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 is a positive step towards improving transparency and consistency in sentencing. However, 4WomenandGirls believes the practical application of these principles must place greater emphasis on victim safety and the seriousness of violence against women and girls (VAWG). We believe greater transparency is needed regarding how sentences are calculated in practice, including the impact of remand time, suspended sentences, release arrangements, and aggravating or mitigating factors. Victims and families often struggle to understand why sentences imposed appear shorter than expected or how certain decisions are reached.

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::

We support the objectives of this clause, particularly its aim of promoting greater consistency, transparency and accountability in sentencing decisions. Requiring courts to follow relevant guidance, unless contrary to the interests of justice, may help reduce unnecessary disparities in sentencing outcomes and improve public confidence in the justice system.

This is particularly important in offences such as domestic abuse, violence against women and girls, stalking, harassment and sexual offending, where public concern is often raised about perceived inconsistencies in sentencing outcomes between cases and between courts. Clearer adherence to sentencing guidance, alongside reasons for departing from it, may help improve consistency and understanding of judicial decision-making.

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

Yes

Please provide information to support your answer here::

I support the requirement for courts to provide reasons for sentencing decisions and for any departure from applicable guidance. This may help improve transparency, accountability and consistency across the justice system.

Consideration should also be given to ensuring that sentencing remarks clearly explain how aggravating factors, victim impact, patterns of repeat behaviour and risks to public safety have been considered. This is particularly relevant in cases involving domestic abuse, stalking, coercive control and violence against women and girls, where victims and the wider public may perceive significant inconsistencies in sentencing approaches between judges or cases with similar facts.

The requirement to provide reasons where guidance is not followed may also assist appellate oversight, improve public understanding of sentencing decisions and support greater consistency in future cases.

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::

We support the overall objective of promoting greater consistency, transparency and accountability in sentencing decisions while still preserving judicial discretion where necessary in the interests of justice.

In particular, we believe consistency in sentencing is important in maintaining public confidence in the criminal justice system, especially in cases involving domestic abuse, violence against women and girls, stalking, harassment and sexual offending. Concerns are often raised regarding perceived disparities in sentencing outcomes between cases with similar facts, and clearer reasoning requirements may help improve understanding of judicial decision-making.

We also believe sentencing remarks should clearly explain how aggravating factors, repeat offending, coercive control, victim impact and ongoing risks to public safety have been considered. This may assist transparency for victims and improve confidence that relevant safeguarding concerns have been fully addressed.

Consideration should additionally be given to ensuring that breaches of suspended sentences, licence conditions and protection orders are dealt with promptly and consistently, particularly where there is evidence of escalating behaviour or repeat offending.

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?

Yes

Please provide information to support your answer here::

4WomenandGirls supports the use of suspended sentence orders where they are appropriate but reducing offending can be more effectively achieved through supervision and community-based requirements where these are not already in place.

Suspended sentences should be used cautiously in cases involving violence against women and girls, domestic abuse, coercive control, stalking, harassment, sexual violence or where the offender being at large poses a risk to the victim. In such cases, courts should clearly explain why a suspended sentence is appropriate and how victim safety has been considered.

We also believe victims should be informed in advance where relevant orders are activated following further offending or breaches.

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?

Yes

Please provide information to support your answer here::

4WomenandGirls broadly agrees with the operational and supervision periods outlined in Clause 5 and supports the inclusion of supervision requirements aimed at reducing reoffending and improving accountability. We believe breaches of supervision requirements should be responded to promptly and victims should, where appropriate, be informed of significant breaches or further offending connected to suspended sentence orders.

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?

Yes

Please provide information to support your answer here::

4WomenandGirls agrees that offenders should receive clear explanations of suspended sentence orders and their requirements. Clear communication is important to ensure offenders fully understand the consequences of breaching an order, the expectations placed upon them during the supervision period, and the potential activation of the custodial sentence if further offending occurs which should increase compliance.

We also believe victims and families should receive clearer explanations regarding sentencing outcomes and release arrangements where relevant, as many people currently struggle to understand how sentencing decisions operate in practice. There is often confusion surrounding suspended sentences, remand time, licence conditions, parole, and what circumstances may lead to activation of a custodial sentence.

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

Yes

Please provide information to support your answer here::

Same information applies.

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

Yes

Please provide information to support your answer here::

We support the intention behind Clauses 3–7 to expand and strengthen the use of suspended sentence orders and community-based requirements where appropriate. Rehabilitation, reparation and reducing reoffending are important sentencing objectives and community-based measures may be beneficial in suitable cases.

However, we believe suspended sentence orders should be used cautiously in cases involving domestic abuse, violence against women and girls, stalking, harassment and sexual violence, particularly where there is evidence of coercive control, repeat offending, breaches of protection orders or escalating behaviour. Victims are often at heightened risk during periods following criminal justice intervention, including after sentencing and release into the community.

Consideration should therefore be given to ensuring that courts clearly explain why a suspended sentence order is considered appropriate, how victim safety and risk have been assessed, and what monitoring, supervision or safeguarding arrangements will be in place.

We also support the provisions requiring courts to explain the effect of suspended sentence orders and community requirements to offenders, as greater transparency and understanding may improve compliance and public confidence.

Given the significant discretion provided in relation to operational periods, supervision arrangements and activation of suspended sentences, it may also be beneficial to ensure consistent enforcement practices across courts, particularly in relation to breaches and repeat offending.

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::

4WomenandGirls agrees with the intention behind Clauses 8–10 in allowing rehabilitative and community-based requirements to be attached to suspended sentences where appropriate. However, these measures should be applied cautiously in cases involving violence against women and girls and relevant circumstances stated above. In such cases courts should clearly consider victim safety, risk of further harm, and whether a community-based requirement is appropriate given the seriousness and impact of the offending and potential to reoffend.

We also support the requirement for pre-sentence reports.

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

Yes

Please provide information to support your answer here::

4WomenandGirls believes victims and families should receive clearer explanations regarding how community-based requirements operate in practice, how breaches of requirements are monitored and enforced and the reasoning behind decisions to impose or not impose community-based requirements in particular cases. Community orders should also be carried out, where possible, in the same location where offence was committed. This is in the aim of rehabilitation for the offender and others in the community at risk of offending.

Responsible Officer

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

Yes

Please provide information to support your answer here::

4WomenandGirls supports clear supervision and monitoring arrangements for offenders subject to suspended sentence orders. In cases involving violence against women and girls particular emphasis should be placed on risk management, victim safety, and serious, prompt responses in breaches of suspended sentences.

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 ability to activate the original custodial sentence following breaches or further offending is an important safeguard. Clear consequences for non-compliance may also strengthen deterrence and reinforce the seriousness of suspended sentence requirements. We also believe breaches of suspended sentence orders should be responded to promptly and consistently, with appropriate consideration given to victims' safety and the risk of ongoing harm.

Supplementary (Suspended sentences)

Do you have any comments on Clauses 15 to 17 of the Bill?

No

Please provide information to support your answer here::

Part 2 - Suspended Sentences. Do you have anything further to add on Part 2 of the Bill?

Yes

Please provide information to support your answer here::

Suspended sentences should not undermine accountability, victim confidence or public protection in serious cases involving violence. In cases where a suspended sentence is imposed instead of immediate custody, courts should clearly explain why this outcome is considered more appropriate, what rehabilitative or supervisory measures are being relied upon instead and how the safety of victims, and the wider public has been taken into account.

Life sentences

Clause 18 makes provision so that, where a court makes an order under paragraph (1) or (3) of the Life Sentences (Northern Ireland) Order 2001 (the 2001 Order), the court must state in ordinary language the reason for imposing a life sentence and explain in ordinary language to the offender the effect of such a decision. Do you agree with the intention behind this clause?

Yes

Please provide information to support your answer here::

4WomenandGirls agrees with the intention behind Clause 18 requiring courts to explain, in ordinary language, the reasons for imposing a life sentence and the effect of that decision.

Many victims, families, and members of the public struggle to understand sentencing terminology and how life sentences operate in practice, particularly in relation to tariffs, release arrangements, and parole. Clearer explanations may help reduce confusion and improve public understanding of sentencing decisions.

Clause 19 inserts new Article 5B and Schedule A1 into the 2001 Order on the determination of tariffs in cases of mandatory life sentences for adult offenders. This includes the starting point of 15 years where there are no aggravating factors and 20 years as the starting point where the seriousness of the offence is exceptionally high. Do you agree with the provisions of this clause?

Yes

Please provide information to support your answer here::

4Womenandgirls believes that clearer explanations regarding how tariffs are determined and how starting points are applied may help the public to better understand life sentence decisions in practice.

Do you have any other comments on Clauses 18 or 19 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls believes clearer communication regarding life sentences is important. Tariffs and release arrangements is important for victims and families who may find life sentences difficult to understand in practice. There is often confusion regarding the difference between a life sentence and the tariff period, when an offender may become eligible for parole consideration and how release decisions operate. We also believe sentencing decisions in serious violent cases should clearly explain how aggravating and mitigating factors affected the final tariff imposed.

Part 3 - Life sentences. Do you have anything further to add on Part 3 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls supports measures aimed at improving consistency, transparency and public understanding of life sentences. However, sentencing in serious violent cases should more clearly recognise the long-term psychological and emotional impact that offences can have on victims, families, and wider communities particularly in cases involving violence against women and girls. We also believe in giving clearer explanations regarding how tariffs are determined, how release arrangements operate in practice and how the court considered aggravating and mitigating factors when determining the final sentence.

Unduly lenient sentences

Three options were consulted on for the reform of unduly lenient sentence review: • Option A – All Crown Court and Magistrates' Courts sentences are made referable• Option B – All Crown Court sentences are made referable• Option C – All Crown Court sentences and sentences for offences with a maximum penalty of 12 months or more when tried in a Magistrates' Court are made referable. No clear preference for any option emerged as a result of the consultation. The review team concluded that to extend the arrangements to some Magistrates' Courts sentences would risk diminishing their purpose and would add to confusion over which offences were included, so it was decided to only make the referrals applicable to Crown Court sentences. Do you agree with the approach as provided for in Clause 20?

No

Please provide information to support your answer here::

4WomenandGirls supports the expansion of the unduly lenient sentence scheme but does not agree that referrals should be limited only to Crown Court sentences.

We believe certain Magistrates' Court sentences should also be capable of review, particularly in cases involving violence, domestic abuse, coercive control, stalking, harassment, intimidation, sexual offences or other aggravating factors. While these offences may be dealt with in the Magistrates' Court, they can still have serious, long-lasting, and life-altering impacts on victims and families.

Limiting referrals solely to Crown Court cases risks creating the perception that some victims are less deserving of protection or scrutiny of sentences depending on where the case was heard. Public confidence in sentencing should not depend on court level alone, particularly where the offence involves violence or abuse.

We recognise concerns regarding practicality of delays in referrals and avoiding unnecessary complexity within the system. However, we believe this can be addressed by allowing referrals for specified categories of Magistrates' Court offences rather than excluding them entirely. Greater oversight of potentially unduly lenient sentences would improve consistency and transparency.

Clause 21 allows for the Director of Public Prosecutions for Northern Ireland to refer a case to the Court of Appeal where it appears to them that the sentencing has been unduly lenient and the case is one which is applicable under Clause 20.Do you agree with the intent behind this Clause?

Yes

Please provide information to support your answer here::

4WomenandGirls strongly supports the intention behind Clause 21 in allowing the Director of Public Prosecutions to refer unduly lenient sentences to the Court of Appeal.

The ability to review sentences that appear excessively lenient is important for maintaining accountability and consistency within the justice system. Victims and families can experience significant distress where sentences appear disproportionately low compared to the seriousness and impact of offending. This is particularly pertinent in domestic abuse or violence cases. The existence of a review mechanism may also help reassure victims and the wider public that sentencing decisions are capable of scrutiny where there are legitimate concerns regarding unduly lenient sentences.

Do you have any comments on Clauses 20 to 23 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls believes the unduly lenient sentence provisions are among the most important aspects of the Bill. Throughout our discussions, there was significant concern regarding perceived inconsistencies and leniency in sentencing in cases involving violence, abuse, coercive control, sexual offending and violence against women and girls. Many victims and families struggle to understand why certain sentencing outcomes are reached and often feel disconnected from the process. We therefore believe there should be greater transparency regarding sentencing decisions, clearer explanations of aggravating and mitigating factors and better public information regarding how the referral process operates. We also heard concern that defendants may seek to minimise sentences by asserting vulnerability or ill-health as mitigation, sometimes in circumstances where such claims appear short-lived following sentencing; more robust and evidenced scrutiny of mitigating factors presented by the defence is therefore required. Where there is evidence to obtain a conviction on a charge that charge cannot be dropped.

We also believe victims and families should receive clearer communication regarding whether a sentence qualifies for review under the unduly lenient sentence scheme, the relevant time limits for making a referral, and the outcome of reviews wherever possible.

Part 4 - Unduly lenient sentences. Do you have anything further to add on Part 4 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls strongly supports measures aimed at improving consistency in sentencing through the review of unduly lenient sentences. However, we believe the current proposals do not go far enough if Magistrates' Court sentences remain excluded from review.

Serious harm, including invisible psychological harm, can occur regardless of which court imposed the sentence and victims should not feel that access to review mechanisms depends on the level of the court dealing with the offence. We also believe improved transparency surrounding sentencing and review mechanisms is necessary to strengthen public confidence in the justice system and ensure victims and families feel informed, respected, and included within the justice process.

Failure to disclose information about victim's remains: Increase to sentence following failure to disclose

Part 5 of the Criminal Justice (Sentencing etc) Bill, covering Clauses 24 to 27, proposes to introduce a statutory aggravating factor, adding a minimum of 30% to the notional custodial period, for failure to disclose the location of a victim's remains or how a victim was disposed of. Do you agree with the introduction of this aggravating factor as an additional tariff to sentencing in "no body" cases?

Yes

Please provide information to support your answer here::

4WomenandGirls strongly supports the introduction of this aggravating factor in "no body" cases. Families in these cases are often denied the ability to properly grieve or obtain closure. The ongoing withholding of information can amount to a continuing form of cruelty and control extending far beyond the original offence itself.

We therefore support the introduction of an additional tariff where an offender continues to refuse disclosure. We believe this reflects the seriousness of the harm caused to families and may also encourage earlier co-operation and disclosure.

We also welcome the recognition within the Bill that non-disclosure should be treated as a significant aggravating factor rather than simply an issue considered informally during sentencing.

Do you have any other comments on Clauses 24 to 27 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls believes it is important that families are kept appropriately informed throughout the process and are provided with clear explanations regarding how the additional tariff operates in practice.

We also believe sentencing decisions in these cases should clearly explain how the aggravating factor affected the final sentence imposed and how the court considered the ongoing impact on the victim's family.

Reduction to sentence following disclosure

Clauses 28 to 30 of the Bill deal with applying a reduction to the additional aggravating tariff where disclosure of the location or detailing what happened to a victim's remains is made post conviction. The principle is that the amount of any reduction will never exceed the aggravation applied at the point of sentencing but provides an incentive for the offender to disclose information about the victim's remains or how they were disposed of. Do you agree with the principles behind Clauses 28 to 30 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls broadly agrees with the principles behind Clauses 28 to 30 in seeking to encourage disclosure of information regarding a victim's remains after conviction. However, any reduction should not create an incentive for offenders to deliberately withhold information until after sentencing in the hope of later securing a reduced tariff. We therefore support the principle that any reduction should never exceed the aggravation applied at the original sentencing stage.

We also believe courts and relevant authorities should continue to place significant weight on the ongoing psychological harm caused to families through delayed disclosure and prolonged uncertainty.

Do you have any other comments on Clauses 28 to 30 of the Bill?

Yes

Please provide information to support your answer here::

4WomenandGirls believes families should be kept appropriately informed throughout the process where disclosures are made post-conviction and should receive clear explanations regarding how any reduction to sentence has been calculated.

We also believe any disclosure relied upon for a reduction should be carefully assessed to confirm it is genuine and assists in providing information regarding the victim's remains.

Parole Commissioners

Clause 31 places a duty on Parole Commissioners to consider a failure by a prisoner to disclose the location of victim's remains or how a victim's remains have been disposed of, when considering their release as part of the public interest decision making. Do you agree that this should form part of the consideration for the Parole Commissioners when making a determination?

Yes

Please provide information to support your answer here::

4WomenandGirls strongly agrees that ongoing failure to disclose the location of a victim's remains or how remains were disposed of, should form part of the Parole Commissioners' considerations when making release decisions.

The continued refusal to provide this information may demonstrate a lack of remorse or co-operation and can continue to cause significant psychological harm and distress to victims' families long after the original offence.

Do you have any other comments on Clause 31 of the Bill?

Yes

Please provide information to support your answer here::

We also believe it is important that victims' families are kept appropriately informed throughout the parole process and are provided with clear explanations as to how ongoing non-disclosure has been considered in decision-making.

Given the significant and continuing impact these cases can have on families, consideration should also be given to ensuring that the emotional and psychological harm caused by continued non-disclosure is fully recognised as part of public protection and parole assessments.

We further support consistent consideration of non-disclosure across parole decisions to promote transparency, accountability and public confidence in the justice system.

Supplementary (Failure to disclose)

Do you have any comments on Clause 32 of the Bill?

Yes

Please provide information to support your answer here::

We support the principle that ongoing failure to disclose information about a victim's remains should continue to be considered during parole and public protection decisions. Continued non-disclosure may be relevant to issues such as remorse, accountability, risk assessment and public confidence in the justice system.

We also support measures intended to improve transparency for victims' families and ensure that the impact of ongoing non-disclosure is fully recognised throughout the criminal justice process. Victims' families should receive clear communication regarding how these issues are considered in parole and related decision-making processes.

Part 5 - Failure to disclose about a victim's remains. Do you have any further comments on Part 4 of the Bill?

Yes

Please provide information to support your answer here::

We support the proposal to expand the unduly lenient sentence referral arrangements to include all Crown Court sentences as this may improve consistency, transparency and public confidence in sentencing outcomes.

The ability to review sentences which may be considered unduly lenient is particularly important in serious offences, including domestic abuse, violence against women and girls, stalking, harassment and sexual offending, where victims and the wider public may have concerns regarding proportionality, risk and public protection.

We also support efforts to improve awareness and accessibility of the unduly lenient sentence scheme for victims and families. Clear information should be made available in an accessible and trauma-informed manner so that victims understand their rights and the relevant time limits for seeking a review. Consistency and transparency in sentencing decisions are important in maintaining confidence in the criminal justice system, particularly where there are perceived disparities in sentencing outcomes between similar cases.

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?

No

Please provide information to support your answer here::

4WomenandGirls supports the inclusion of race, religion, sexual orientation and disability within the aggravating factors outlined in Clause 33. However, we believe the legislation should also include four further areas of protection: gender, vulnerability due to age, pregnancy and explicit recognition of learning and intellectual disabilities.

Firstly, we believe gender-based hostility should be explicitly recognised within the legislation because violence, harassment, intimidation and abuse directed towards women and girls is often rooted in misogyny, prejudice or hostility linked to gender. Including gender as an aggravating factor would better reflect the realities of violence against women and girls and recognise the wider societal harm caused by misogyny-based offending.

Secondly, we believe vulnerability due to age should be recognised because both older and younger people may be specifically targeted due to perceived vulnerability, dependence or reduced ability to protect themselves. Age can significantly increase both vulnerability to offending and the impact of harm experienced.

Thirdly, while disability is already included, we believe the legislation should explicitly clarify that this includes physical, mental, learning, intellectual, and cognitive disabilities. Explicit recognition would help ensure that victims with learning or intellectual disabilities are fully protected and that the particular vulnerability and impact experienced by these groups is clearly recognised within sentencing.

Finally, we believe consideration should be given to including pregnancy as a statutory aggravating factor in sentencing, recognising that abuse during pregnancy can pose heightened risks to both the victim and unborn child and is often associated with escalating coercive control and violence.

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

Yes

Please provide information to support your answer here::

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?

Yes

Please provide information to support your answer here::

4WomenandGirls agrees that the Department should have the ability to amend the categories protected by hostility aggravators as society, offending patterns and understanding of vulnerability continue to evolve over time.

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

Yes

Please provide information to support your answer here::

4WomenandGirls believes the legislation should be expanded to explicitly include gender, pregnancy and vulnerability due to age and clearer recognition of learning and intellectual disabilities within the protected characteristics and aggravating factors.

We also believe sentencing decisions should clearly explain how hostility aggravators affected the final sentence imposed.

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?

Yes

Please provide information to support your answer here::

4WomenandGirls agrees with the inclusion of vulnerability as an aggravating factor within Clause 36. We believe offences committed against vulnerable victims can involve a greater abuse of power or exploitation.

We support the recognition of vulnerability as a broad aggravating factor, including vulnerability linked to age, gender, pregnancy, disability, mental health, learning or intellectual disability, cognitive impairment, dependency or other circumstances which may increase a person's susceptibility to harm or reduce their ability to protect themselves.

We also believe this provision is particularly important in cases involving violence against women and girls, domestic abuse, coercive control, exploitation or harassment where perpetrators may deliberately target victims they perceive as vulnerable.

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

Yes

Please provide information to support your answer here::

4WomenandGirls believes Clause 36 is an important addition to the Bill and will confirm that sentencing reflects the seriousness of offending against vulnerable victims. However, we believe courts should clearly explain when vulnerability has been treated as an aggravating factor and how it affected the final sentence imposed. We also believe guidance should demonstrate how vulnerability is interpreted broadly and consistently in relation to age, gender, pregnancy, physical disability, mental health conditions, learning and intellectual disabilities, cognitive impairment and circumstances involving dependency or coercion.

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::

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?

Yes

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?

Yes

Please provide information to support your answer here::

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?

Yes

Please provide information to support your answer here::

4WomenandGirls supports the overall intention behind Part 6 in recognising offences committed against particular groups or vulnerable individuals as more serious forms of offending. However, we strongly believe the provisions should also explicitly include gender, vulnerability due to age, and clearer recognition of learning and intellectual disabilities within the aggravating factors outlined elsewhere in Part 6.

Road Traffic Offences

Clause 40 increases the maximum penalty for causing death or grievous bodily injury by driving while disqualified to 12 months or the statutory maximum fine or both when tried summarily, and 4 years or a fine or both when tried on indictment. Do you agree with the proposed increased sentences?

Yes

Please provide information to support your answer here::

Clause 41 of the Bill proposes to increase the maximum sentences for driving offences that cause death or grievous bodily injury, through dangerous driving or while under the influence of drink or drugs, from 14 years to 20 years. Do you agree with the increase in maximum sentencing for these offences?

Yes

Please provide information to support your answer here::

Clause 42 of the Bill proposes to increase the maximum sentences available for certain repeat offences which occur within 10 years of the person serving the required custodial period for the earlier offence. Do you agree with the increase to the maximum sentence periods for certain repeat offenders?

Yes

Please provide information to support your answer here::

Clauses 43 to 45 provide for disqualification periods for certain offences and for certain repeat offences and increase the mandatory minimum disqualification period. Do you agree with the introduction of new mandatory minimum disqualification periods included in these clauses of the Bill?

Yes

Please provide information to support your answer here::

Do you have any other comments on Clauses 40 to 45 of the Bill?

No

Please provide information to support your answer here::

Part 7 - Road Traffic Offences. Do you have anything further to add on Part 7 of the Bill?

No

Please provide information to support your answer here::

General

Do you have comments on Clauses 46 to 49 of the Bill?

No

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?

Yes

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

Short Title

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

No

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?

Yes

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

4WomenandGirls welcomes the opportunity to contribute to the consultation on the Criminal Justice (Sentencing etc.) Bill supports the overall aim of improving consistency, transparency, accountability and public confidence within sentencing.

Throughout our discussions, there was strong concern that many victims and families in cases involving violence against women and girls, domestic abuse, coercive control, stalking, harassment, sexual violence and repeat offending often feel unsupported or unable to fully understand how sentencing decisions are reached in practice. There was also a wider sentiment that obtaining justice can feel exceptionally difficult for victims and families and that confidence in the justice system has been significantly affected by delays, perceived inconsistencies in sentencing and lack of communication throughout proceedings.

We particularly support measures aimed at improving transparency in sentencing decisions, requiring courts to explain how aggravating and mitigating factors affected sentences, improving consistency through sentencing guidance, strengthening review mechanisms for unduly lenient sentences, and recognising the severe and ongoing harm caused in "no body" cases where offenders refuse to disclose the location of victims' remains.

However, we also believe further steps are needed to ensure the legislation properly reflects the realities of violence against women and girls and targeted offending against vulnerable people. In particular, we strongly believe gender and pregnancy should be included within hostility aggravating factors, vulnerability due to age should be explicitly recognised, and disability protections should clearly include physical, mental, learning, intellectual and cognitive disabilities.

There was significant concern regarding delays throughout investigations, evidence gathering, charging decisions, and court proceedings. Victims and families should not be left waiting several years for trials or major developments in serious cases, as prolonged uncertainty can cause significant additional distress and trauma. Justice delayed is justice denied.

We further believe victims and families should receive clearer communication and timely updates throughout proceedings, including notification where offenders are released from custody, made subject to suspended sentence orders, returned to the community following breaches or further offending, or subject to significant changes in release arrangements. Many victims continue to experience fear, anxiety and uncertainty after sentencing such as in cases involving violence, abuse, stalking or harassment.

Concerns were also raised regarding the reduction or withdrawal of charges in exchange for guilty pleas in serious cases. While we recognise the operational pressures facing the criminal justice system, any plea negotiation that involves a significant reduction in charges must not undermine accountability or create a perception of impunity for serious offending. The perspective of the victim, the impact on victims and families, and the wider public interest in denouncing and deterring violence, abuse and sexual offending should be mandatory considerations in any decision to accept a plea on a reduced basis. Where significant charge reductions occur, clear reasons should be recorded and communicated, including an explanation of how victim impact and public confidence considerations were weighed.

Finally, we believe greater support should be available for victims and bereaved families throughout criminal proceedings. Families should feel informed, included and supported throughout the justice process and should receive clear explanations regarding how sentencing decisions operate in practice. This includes explaining remand time, release arrangements, parole and review mechanisms for unduly lenient sentences.

-----Original Message-----

From: [REDACTED]

Sent: 21 May 2026 14:27

To: +Comm Justice Public Email <committee.justice@niassembly.gov.uk>

Subject: Four Women and Girls Ballymena Other Criminal recommendations

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To whom it may concern,

Four Women and Girls Ballymena have completed a group submission on the survey regarding the new Criminal Sentencing Bill Amendments. Some of our members would also like to suggest other recommendations that were not in the survey. Firstly, stronger safeguarding and disclosure measures for offenders released on bail, remand, licence or suspended sentence arrangements.


Currently, it is my understanding that where adults are involved, disclosure of an offender's history is often limited by data protection and privacy considerations, meaning responsibility may effectively fall on the perpetrator themselves to disclose relevant offending to those they are living with or being supervised by.

We believe there should be greater consideration of mandatory safeguarding disclosures in situations where an offender is being placed into another person's home or accommodation arrangement, particularly in cases involving domestic abuse, violence against women and girls, stalking, harassment or sexual offending.

Consideration should also be given to ensuring that individuals agreeing to house or supervise an offender are appropriately informed of relevant risks before arrangements are approved, while still balancing privacy and human rights obligations.

This could help strengthen public protection, improve safeguarding and reduce risks to potential victims following release into the community.

Yours sincerely,

 Four Women and Girls Ballymena