



**CALL FOR EVIDENCE
CRIMINAL JUSTICE (SENTENCING ETC)
BILL
RESPONSE SUBMISSION BY
WOMEN'S AID NI
MAY 2026**

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WOMEN'S AID – INFORMATION & STATISTICS

Women's Aid NI is the lead voluntary organisation challenging and addressing domestic violence and abuse in Northern Ireland. WAFNI is the umbrella body of eight Women's Aid groups across NI. WAFNI promotes regional collaborative working across all Women's Aid groups and provides a regional lead in areas of training development, preventative education, strategic development of children and young people's services, policy response and advocacy.

We work collectively across Northern Ireland to:

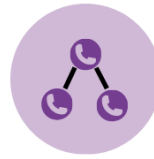
- engage with women, children and young people; to give them a voice and ensure they inform all aspects of service development and delivery.
- provide trauma informed specialised services to women, children and young people who have experienced domestic abuse.
- deliver preventative education programmes in schools and community settings to promote healthy non-abusive relationships and share key safeguarding messages.
- educate and inform the public, private, voluntary, statutory and community sectors of the context and impact of domestic abuse.
- provide quality assured education and training to a wide audience, to increase capacity to respond to domestic abuse.
- monitor, influence and respond to government policy and legislation as a Subject Matter Expert, giving a voice to survivors of domestic abuse.
- Work in partnership, sharing our expertise with all relevant agencies to ensure a joined-up response to domestic abuse.

Throughout this response, the term “Women's Aid” refers to the overall Women's Aid movement in Northern Ireland, including our local groups and Women's Aid Federation.

WOMEN'S AID NI SERVICES IN 2024/25



524 WOMEN
stayed in our refuges
throughout NI



8,393
Referrals made to
Women's Aid Services



364 CHILDREN
stayed in refuge
with their mum



5,810 WOMEN
received support whilst
staying in their homes



6 BABIES
were born whilst their
mum was in refuge



5,354 CHILDREN
had mums supported in
Women's Aid services



304 WOMEN
who were pregnant
received support from
Women's Aid



**66 WOMEN
& 52 CHILDREN**
with no recourse to public
funds stayed in our refuges



55 LANGUAGES
Spoken in Women's
Aid Services



36 - 40 YEARS OLD
The most common age
range of women supported
by Women's Aid



88%
of Women's Aid clients
have been abused by a
partner or ex-partner



**66 WOMEN
& 52 CHILDREN**
with no recourse to public
funds stayed in our refuges

Sentencing Bill - Call for Evidence

Women's Aid welcome the opportunity to present evidence on the Criminal Justice (Sentencing, etc.) Bill to the Justice Committee. This Bill being brought to the Northern Ireland Assembly marks the most significant legislative change in sentencing policy since justice powers were devolved in 2010 and for the first time will introduce a series of reforms that modify key aspects of Northern Ireland's sentencing framework. In relation to domestic and sexual abuse and indeed other forms of violence against women and girls, many survivors share their experiences of the criminal justice system, often retraumatising, experiencing extreme delays and often having charges dropped to lower charges. Then when they have been through all of this, the sentencing simply does not reflect the crime

Survivors believe that sentencing is too lenient and do hope that this sentencing framework with strengthening the framework's current punitive capacity. We are hopeful that we now have guidance and a bill which will put sentencing on a statutory footing for the first time in Northern Ireland. We would hope that a sentencing framework will help identify abuse and assess aggravating factors, but it is important that judges consider the lasting impact on victims, including psychological harm and potential for future risk, beyond just the immediate physical assault through thorough knowledge and understanding of coercive control. With legislative developments, Women's Aid have welcomed the significant changes in relation to treating domestic abuse now as a formal aggravating factor that demands penalties. If an offence of domestic abuse is committed, it is hoped that it is identified appropriately and treated appropriately. This is a challenge given recent reports from the Criminal Justice Inspectorate (CJI) which indicate that "significant work is still required" to ensure the full impact is felt, particularly in how consistently police and prosecutors apply the "aggravator" tags in court.¹

¹ [Annual Review of the Effectiveness of Part 1 of the Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021- Year Three Review - CJI NI](#)

Exercise of court's discretion when sentencing

Clause 1 - Purposes and principles of sentencing: adults

Clause 2 - Duty to follow and give reasons in relation to sentencing guidance

Clauses 1 and 2

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:

Women's Aid agree with the statement above in Clause 1 and believe it is important that we have sentencing within legislation. This will be the first time in Northern Ireland that this will happen, and this Bill will place the purposes and principles of sentencing into legislation instead of being extrapolated from individual Court of Appeal judgments rather than a single comprehensive law.

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:

For a just and fair system you need to have the principles of proportionality, fairness, and transparency and should address any gaps that we currently have through not having sentencing embedded in legislation. In relation to proportionality Women's Aid believes that the sentence should fit the crime. At present survivors who are engaged in the criminal justice system do not feel that the sentence is commensurate with the seriousness of the offence and this is a piece of work that needs to have more public education and awareness with regard to other court disposals in relation to domestic abuse cases. Domestic abuse causes enormous amounts of pain and suffering which are long lasting and any sentencing needs to reflect the harm caused and the offender's level of responsibility. If we are ever going to have a society where there is zero tolerance of domestic abuse and the wider issue of violence against women and girls, this needs to be reflected in sentencing.

Fairness within sentencing needs to be human rights-compliant but also needs to always take consideration of the victims of the crime and the harm.

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

No

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:

Women's Aid supports this clause as it will ensure consistency across our courts in Northern Ireland in relation to sentencing.

An example of this is the introduction of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 which was hoped to improve the consistency of sentencing by establishing a specific domestic abuse offence and statutory aggravating factors, there is much work required to ensure fully consistent application across Northern Ireland.

Criminal Justice Inspection Northern Ireland Review and Recommendations

Following the introduction of the new law, there has been a marked increase in sentences being enhanced to reflect the domestic context, but studies and reviews indicate that challenges remain regarding consistency in sentencing outcomes.

Key Findings on Consistency in Northern Ireland (2024-2025):

- **Increased Use of Aggravators:** In 2024-25, sentences were enhanced in 455 cases following convictions under the Act, a significant increase from 170 cases in 2023-24.
- **Sentencing Disparity:** A 2024 study of the new legislation identified that while a "constructive start" was made, there is still work to be done to close the gap between the domestic abuse aggravators identified by police and those that are formally recorded in convictions and sentencing.
- **Court Differences:** Custodial sentences are much more common at the Crown Court level (71% in 2024-25) compared to Magistrates' Courts.
- **Methodology Changes:** Recent Court of Appeal guidance (February 2025) has provided a new methodology for applying the domestic abuse aggravator to improve consistency by ensuring the "extra" penalty for domestic abuse is clearly identifiable in the sentence.
- **Sentence Suspension:** The new legislation introduced a presumption that short custodial sentences of 12 months or less will be suspended, which can lead to disparities in how "custody" is applied.

As outlined above there is some good work ongoing to ensure consistency within Northern Ireland in relation to domestic abuse cases but much work is still needed to improve. With the introduction of new legislation there was a need for training and resourcing for PSNI, PPS and all key stakeholders with the criminal justice system to help ensure consistency from first response and evidence right through to trial and sentencing.

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

No

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

No

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:

Women's Aid have major concerns about suspended sentences being used in domestic abuse cases without appropriate rehabilitative or supervisory conditions designed to address offending behaviour. Suspended sentences need to be enough or a deterrent with the threat of custody, but appropriate resourced and tailored opportunities need to be in place for rehabilitation in the community.

There needs to be through any statutory sentencing guidance the court needs to make sure the use of suspended sentences

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:

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

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

Yes

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

No

Community requirements

Clause 8 - Community requirements

Clause 9 - Exercise of power to impose community requirements

Clause 10 - Requirement to obtain pre-sentence report

Schedule 1

Clause 8 to 10

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

Women's Aid support rehabilitative focus in relation to the intent behind these clauses and to be able to tackle the root causes of crimes. We would be concerned that certain crimes including domestic abuse are not included within this.

It would also need to be resourced appropriately including our Probation Service which is saying that they underfunded. For this to work well and have effective community sentences you need a fully functional properly resourced Probation service. They are affective in relation to certain offences which show pay back in local communities. We are unsure and would need evidence as to how effective this would be in cases of domestic abuse.

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

Yes

Please provide information to support your answer here:

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

No

Please provide information to support your answer here:

Activation of sentence and amendment of order etc.

Clause 14 - Breach or amendment of suspended sentence order, and effect of further conviction

Schedule 2

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

Yes

Please provide information to support your answer here:

This is key for Women's Aid, in cases where a suspended sentence order is in place and a further conviction takes place, there needs to be an automatic custodial sentence. Survivors are subjected to further abuse, and it is not dealt with appropriately by the courts. In 2024-25 the overall rates of conviction:

56.3% of prosecutions (1,408 out of 2,501) for offences under the Act resulted in a conviction.

Custodial Outcomes: Of those convicted, approximately one-third received a custodial disposal.

Crown Court vs. Magistrates' Court: Custodial sentences were much more frequent in the Crown Court (71% of convictions) compared to the Magistrates' Courts, where 95.4% of cases were handled.²

Again, Women's aid call for breaches of suspended sentences to be dealt with appropriately and zero tolerance in relation to repeat offenders of domestic abuse.

Supplementary (Suspended sentences)

Clause 15 - Regulation of suspended sentence orders

Clause 16 - Restriction on making both community order and suspended sentence order

Clause 17 - Interpretation

Clauses 15 - 17

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

Yes

As stated above Women's Aid believes there should be special consideration into crimes against women and girls including domestic abuse to send out a clear message of zero tolerance in relation to these crimes. We need to take the learning from Domestic Homicide Reviews, not miss opportunities where interventions could have been made and take the crimes of domestic abuse seriously from first response, to charging and finally to sentencing.

² [Domestic Abuse Related Cases Dealt With in 2024/25 | Northern Ireland Statistics and Research Agency](#)

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

Yes No

Please provide information to support your answer here:

Life sentences

Clause 18 - Duty to give reasons when determining a tariff

Clause 19 - Mandatory life sentences for adult offenders: further provisions

Schedule 3

Clauses 18 - 19

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:

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:

We agree that there needs to be a consistency and transparency for the public in relation to sentencing no more so that in life sentences for adult offenders. Again, the minimum time served for crimes such as murder need to reflect the severity of the crime and meet what the public expects for justice. 15 years for cases with no significant aggravating features and 20 years for "exceptionally high" seriousness provides a clear framework for judges. Transparency is important in that the public understand how sentences are determined and this also can increase public confidence in the criminal justice system in NI.

Women's Aid would also call for femicide to be a specific crime, treating the murder of women motivated by gender-based violence as a specific crime with an automatic life sentence. Many countries have already passed legislation recognising femicide as a separate offence punishable by life imprisonment. Countries include Italy (2025), Croatia (2024), Cyprus (2022) and Belgium (2023) within the EU that have adopted this historic law against femicide.

Femicide is not just murder, it is a crime motivated by gender-based hatred, domination, or discrimination. A life sentence would reflect our state's recognition that these crimes target women's right to live free from patriarchal subjugation. A mandatory life sentence sends a clear message that gender-based violence is unacceptable, potentially acting as a deterrent for perpetrators of domestic abuse and stalking.

Specific legislation for femicide helps end the "impunity" often associated with murders where there is a history of domestic abuse, where sentences are sometimes lower due to "crime of passion" narratives or killers using weapons found at the scene.

For families, the loss is a permanent "life sentence of grief". Stricter sentencing ensures the punishment better aligns with the severity of the crime and the lifelong impact on survivor's families and children.

Current sentencing often fails to reflect the gravity of domestic homicide, sometimes resulting in minimum tariffs of less than 20 years. This sends a dangerous message of tolerance for violence against women. By implementing life sentences, the government can send a clear, unequivocal message: women's lives have value, and gender-based violence will be met with the full force of the law. We need this change to protect all women and girls.

Key recommendations in relation to the offence of murder were outlined in the Domestic Homicide Sentencing Review 2022³

Recommendation 3: Taking a Knife or Weapon to the Scene We recommend that the starting point of 25-years which applies in circumstances where a knife or other weapon is taken to the scene should be disapplied in cases of domestic murder because it denotes a starting point in which the vulnerability of the victim is not given any consideration. (The harms that paragraph 5A of the Schedule 21 to the Criminal Justice Act 2003 was introduced to prevent in 2010 are very different from the sort of harms which occur in domestic murders).

The Review recommends that the 25-year starting point for determination of the minimum term is disapplied in cases of domestic murder. This would mean that, irrespective of whether or not the murder weapon had been brought to the scene with intent, all domestic murders would have a starting point of 15 years (unless other particular circumstances of the murder mean they qualify for the 30-year starting point Domestic Homicide Sentencing Review Government Response to the Independent Review by Clare Wade KC or the Whole Life Order starting point or the perpetrator is a child).

Recommendation 4: Coercive Control Model We recommend that domestic murders should be given specialist consideration within the present sentencing framework under Schedule 21. A level of seriousness should be denoted by application of the coercive control model within the normal 15 year starting point. This is intended to ensure that gendered circumstances (such as killing at the end of a relationship and jealousy) are used to ascribe seriousness to the murder and that wider legal harms are identified and reflected in the sentence.

The NI Assembly has an opportunity to take a stand against femicide by introducing this landmark change to legislation and becoming beacons of change in a jurisdiction in which the issue of femicide affects so many people despite our small population.

³ [Domestic Homicide Sentencing Review - Government Response to the Independent Review by Clare Wade KC](#)

Unduly lenient sentences

Clause 20 - Cases to which this applies

Clause 21 - Review of Sentencing.

Clause 22 - Reference to the Supreme Court

Clause 23 - Supplementary provision

Schedule 4

Clauses 20 -23

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?

Yes

Please provide information to support your answer here:

Should apply to all cases of femicide and violence against women and girls to show zero tolerance in relations to these crimes.

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:

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

Yes No

Please provide information to support your answer here:

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

Yes No

Please provide information to support your answer here:

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

Clause 24 - Determining the length of the custodial sentence period

Clause 25 - Calculation of the term of sentences where applies

Clause 26 - Effect of on other sentencing provisions

Clause 27 - meaning of "specified custodial sentence" and "relevant custodial period"

Schedule 5

Clauses 24 - 27

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 victims 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:

Women's Aid advocate for this legislative change to mandate the disclosure of victim remains, ensuring that the rights of grieving families to closure and justice take precedence over the silence of convicted killers.

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

Yes No

Please provide information to support your answer here:

Reduction to sentence following disclosure

Clause 28 - Relevant disclosure

Clause 29 - Reduction to sentence

Clause 30 - Application to sentences passed before commencement

Clauses 28 - 30

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:

Women's Aid would support these principles given that as a domestic abuse charity our support is firmly with the victims and the necessity to provide closure and we would have concerns about offender manipulation and the safety of those family members.

In relation to domestic homicide there are other issue of consider in withholding the body of a loved one this is often seen as the final act of domestic abuse and coercive control. Extending the power and control from the prison cell. If these clauses incentivise the end of the distress, they serve a vital restorative function for survivors. he principle that any reduction must be limited to the aggravating tariff only is a significant safeguard. It ensures that the base sentence for the killing remains untouched, so that the offender still faces a penalty proportionate to the loss of life, regardless of subsequent cooperation. We would also be concerned about perpetrators of domestic abuse deliberately withholding information during a trial to save it as a future bargaining tool in sentence reduction. This would of course cause huge amount of trauma and distress for the family. A domestic abuse lens requires that "relevant disclosure" (Clause 28) be verified with extreme rigour. Reductions should only be granted if the information is proven to be accurate and provided in good faith, rather than as a strategic move to shorten a sentence without genuine remorse.

Women's Aid reinforces the need for the focus to always be with the victim's family. Any reduction under (Clause 29) must be transparent and full and open dialogue needs to be with the victim's family and always considered before any reduction is approved.

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

Yes No

Please provide information to support your answer here:

Parole Commissioners

Clause 31 - Duty to consider failure to disclose

Clause 31

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:

The proposal to place a statutory duty on Parole Commissioners to consider the non-disclosure of a victim's remains (often referred to as "Charlotte's Law") addresses a profound issue of justice for grieving families. From a policy and restorative justice perspective, there are several reasons why this is a significant inclusion including:

Impact on Victims' Families: The inability to locate a loved one's remains is a form of ongoing trauma. Requiring commissioners to consider this failure acknowledges that the harm caused by the offender continues if the remains are missing.

Assessing Reform and Risk: A prisoner's refusal to provide such information can be viewed as a lack of genuine remorse or a continued attempt to exert control over the victim and their family. These are critical factors when determining if a prisoner is truly rehabilitated and safe for release.

Public Interest and Confidence: Including this duty aligns the parole process with public expectations of decency and accountability. It ensures that "public interest" isn't just about physical risk, but also about the moral requirements of justice.

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

No

Please provide information to support your answer here:

Supplementary (Failure to disclose)

Clause 32 - Interpretation

Clause 32

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

Yes

Please provide information to support your answer here:

Particular persons or groups: Aggravation by hostility

Clause 33 - Aggravation by hostility

Clause 34 - Consequences of aggravation by hostility

Clause 35 - Power to add further kinds of hostility

Clause 33 - 35

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 No

Please provide information to support your answer here:

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

Yes No

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:

While we support the introduction of a power to expand the scope of protected characteristics to include further forms of hostility, our endorsement is conditional. We, as an organisation represent a diverse range of stakeholders and would be concerned that the current wording of this Clause could potentially be used to revoke or diminish existing protections for minoritised groups. Consequently, we believe the legislation requires robust safeguards to ensure this power is used solely to enhance, rather than undermine, the safety and legal standing of vulnerable communities.

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 - Aggravation by reason of hostility

Clause 36

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:

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 - Assaults on public workers etc

Clause 38 - Aggravation where offence is committed against public workers

Clause 39 - Consequences of aggravation where offence committed against public workers

Clauses 37 - 39

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 No

Please provide information to support your answer here:

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

Yes No

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 No

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 No

Please provide information to support your answer here:

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

Yes 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 No

Please provide information to support your answer here:

Road Traffic Offences

Clause 40 - Causing death or grievous bodily injury by driving while disqualified

Clause 41 - Period of imprisonment for certain offences

Clause 42 - Period of imprisonment for certain repeat offences

Clause 43 - Disqualification period for certain offences

Clause 44 - Disqualification period for certain repeat offences

Clause 45 - Extension of disqualification for driving

Schedule 6

Clauses 40 - 45

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 No

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 No

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 No

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 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?

Yes No

Please provide information to support your answer here:

General

Clause 46 - Further provision

Clause 47 - Interpretation

Clause 48 - Minor and consequential amendments

Clause 49 - Transitional provisions and savings

Schedule 7

Clauses 46 - 49

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

Yes No

Please provide information to support your answer here:

Commencement

Clause 50 - Commencement

Clause 50

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

Yes No

Please provide any other comments or views you have here:

Short Title

Clause 51 - Short title

Clause 51

Short title

51. This Act may be cited as the Criminal Justice (Sentencing etc) Act (Northern Ireland) 2026.

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

Yes 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 No

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

At the time of writing, since 2020, 30 adult women have been murdered here in Northern Ireland, the vast majority of whom there is suspected or confirmed domestic abuse background in these cases. These are the women we know about, but they do not take into account all the women who have lost their life due to domestic abuse who have completed suicide following horrendous domestic abuse.

Within the Domestic & Domestic Abuse Strategy Year 2 Action Plan there is a commitment to working on introducing suicide within the current domestic homicide reviews, this however, has not happened as yet.

Given the recent case outlined below, we would welcome the opportunity to meet with the Justice Committee to discuss the issue of suicide in domestic abuse cases. The Committee may have been aware of a legal precedent that was set in Scotland last week with the jurisdiction with the first prosecution of its kind in Scotland has changed the legislative framework in cases of suicide: [Man jailed for killing wife who jumped from bridge - BBC News](#)

Lee Milne was convicted of culpable homicide. The jury found him responsible even though his wife had jumped to her death.

Police said Kimberly was "clearly terrified" of 40-year-old Milne, and that her death was the result of her taking "a course of action to get away from him".

Milne was also found guilty of a separate charge of domestic abuse at several properties in the city.

Prosecutors said Kimberly had suffered significant violence at the hands of Milne in the 18 months prior to her death.

This included choking, grabbing her by the hair, striking her, shouting and swearing.

Women's Aid would like this to be a precedent here in NI and to consider the following:

- **Manslaughter Charge is Possible, but Complex:** In England and Wales, it is possible to charge a perpetrator with unlawful act manslaughter, even if the victim's final act was self-inflicted, provided it can be proven that the abuser's unlawful actions made a substantial contribution to the death. However, securing such convictions has been difficult due to legal complexities surrounding the "chain of causation" and the need to prove a direct link between the abuse and the suicide.
- **Calls for New Offence:** Organisations like Advocacy After Fatal Domestic Abuse (AAFDA) and Project Resist run a "Suicide is Homicide" campaign, calling for a specific new law or statutory offence of "manslaughter by coercive or controlling behaviour". They argue this would provide juries with clearer guidance on the causative relationship and ensure perpetrators are held accountable with a sentence similar to manslaughter.
- Recent landmark inquests have explicitly highlighted the link between domestic abuse and subsequent suicide, bringing increased attention to the issue and supporting the calls for legal reform.
- While the law allows for potential manslaughter charges in some cases, there is **no specific legislation** that automatically changes the charge for all domestic abuse-related suicides, but we need to campaign and call for government action to improve accountability and prevention.
- Train and better equip PSNI in coercive control and to apply an investigative mindset when attending unexpected or sudden deaths including introducing guidance to police in attending unexpected deaths, including suspected suicides,
- Mental Health Strategy to be stronger on domestic abuse
- Suicide prevention strategy to include domestic abuse
- Public awareness of the issue – we need to be having these conversations

We also wish to take this opportunity to call on the Committee to help bring about change in Northern Ireland by addressing the elephant in the room: crimes motivated by misogyny are being perpetrated against women, yet our legislation continues to fail to recognise this. As a result, victims and survivors are repeatedly being let down in this jurisdiction.

There are crimes committed against women and girls simply because they are women and girls. Failing to recognise this targeted violence within legislation ignores the motivations of perpetrators and fails to acknowledge attacks directed at a societal group that, according to the most recent Census⁴, makes up approximately 50.8% of the Northern Ireland population.

⁴ [Census 2021 | Northern Ireland Statistics and Research Agency](#)

In recent years in the UK and Ireland, there have been several cases in which women have been physically attacked, where the underlying motivation was clearly misogynistic in nature, yet this was not recognised within the legal framework surrounding the offences.

A key example is the case of convicted offender Dermott McIlveen, who in 2020 cycled around Belfast randomly stabbing four women and punching two others after reportedly feeling “slighted” by a woman earlier⁵ that day. He is currently serving a 12-year sentence.

We also repeatedly witness the targeting of women online, where discussion quickly descends into misogynistic commentary about their appearance, character, or perceived behaviour. This is particularly evident for women in politics, business, entertainment, sport, and other public-facing roles. Regardless of what they say or do, women in these roles are frequently subjected to online abuse, often from men unknown to them, including degrading language, threats of harm, and ‘deepfake’ images. Notably, 99% of individuals targeted in deepfake pornography⁶ are women. These attacks occur simply because they are women.

At a minimum, this behaviour often goes unchallenged or unaddressed because hostility towards women is still not consistently recognised for the harmful and discriminatory behaviour that it is. As a result, women are not afforded the same level of protection or public recognition that would likely apply where similar hostility was directed towards other marginalised groups.

Had these acts been committed against another marginalised societal group, for example, people of visible faith or people of colour, hate crime legislation could also have applied. However, the deliberate targeting of random women was not meaningfully recognised within the current legal framework as being motivated by misogyny.

We believe that crimes against women and girls perpetrated by strangers are often a concentrated expression of misogyny, where hostility towards women is the principal motivating factor behind the offence. A woman who is unknown to the perpetrator is often targeted solely because she is a woman; the perpetrator has no personal knowledge of her beyond that fact.

By contrast, perpetrators of domestic abuse often select victims primarily on the basis of control, coercion, and power over the individual victim, rather than solely because they are women. This differs from stranger perpetrated attacks, where misogyny itself is often the dominant motivating factor.

High profile examples of stranger-perpetrated violence against women include the murder of Sarah Everard, who was targeted at random while walking alone, and the mass killer Elliot Rodger, who carried deliberately targeting women to kill and left a vast amount of documentation clearly stating his motivation was hatred of women. These horrific acts represent concentrated expressions of misogyny, in which women were victimised simply because they were women. To their killers, they were viewed as “*just women*”, and that is precisely why they were targeted.

In cases involving domestic abuse and sexual offences where the perpetrator is known to the victim, the primary motivation is often the perpetrator’s perceived power and ability to abuse within a wider misogynistic social environment that continues to minimise violence against

⁵ [Belfast attacker 'slighted' by woman before bike stabbings - BBC News](#)

⁶ [2023 State Of Deepfakes: Realities, Threats, And Impact | Security Hero](#)

women. While misogyny may form part of that context, it is not always the principal motivating factor behind the offence itself.

In summary, our recommendation is that misogyny as a statutory hate crime aggravator should not generally apply to intimate partner or known-perpetrator offences such as domestic abuse, but should apply in stranger-perpetrated offences where misogynistic hostility is clearly the dominant motivation for the crime.

Northern Ireland urgently needs misogyny to be recognised as a hate crime aggravating factor. We believe this is a significant gap in the law that must be addressed if we are to send a serious and unequivocal message of zero tolerance towards violence against women and girls.