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12<sup>th</sup> June 2026

Dear Kathy

## **CRIMINAL JUSTICE (SENTENCING) BILL**

Thank you for agreeing to PFNI submitting views on the Criminal Justice Bill and apologies that this was not submitted before the closing date. Please see below specific areas of the bill which PFNI would like to comment on.

### **Clause 37 Assault on a Public Worker**

The Police Federation for Northern Ireland (PFNI) represents police officers who operate at the frontline of public safety and who are disproportionately exposed to violence, hostility and risk in the execution of their duties. Legislative reform in this area must therefore be assessed against its practical impact on officer safety, deterrence, and criminal justice outcomes.

PFNI welcomes the opportunity to contribute to scrutiny of the Sentencing Bill and recognises its stated aim of strengthening protections for those working in public-facing roles.

The Bill introduces:

- A new offence of assault on a public worker; and
- A statutory aggravator for offences committed against public workers.

These measures represent a positive step in recognising the risks faced by those delivering public services, and PFNI supports the principle of extending statutory



protection to workers who currently have no specific legislative provision. Specifically, the proposal to repeal the existing offence of assault on a constable gives rise to fundamental concerns.

The Bill proposes, through its schedules, to amend Section 66 of the Police (Northern Ireland) Act 1998 by:

- Removing the offence of assaulting a constable; and
- Retaining only the offence of obstruction of a constable.

The effect is that the long-established specific offence of assault on a police officer in the execution of their duty is repealed and replaced by a generic public worker offence. PFNI is unequivocal in its position - the existing offence of assault on police officers must be retained in full. The proposed provisions should complement, not replace, this offence.

Police officers occupy a distinct and constitutionally significant role within the justice system:

- They act as agents of the state, exercising coercive legal authority, including powers of arrest and detention.
- They are required to intervene in volatile, confrontational and high-risk situations.
- They face routine and foreseeable violence as an inherent part of their duties.

An assault on a police officer is therefore not merely an offence against an individual; it represents a direct challenge to the lawful exercise of state authority. This distinction has long been recognised in law and must continue to be reflected through specific statutory provision.

Replacing the specific offence with a generic public worker framework carries significant risks:

- Blurring of seriousness: Assaults on police officers risk being viewed as equivalent to assaults in fundamentally different contexts.
- Weakened deterrence: The clear and targeted message associated with the existing offence may be diluted.
- Perception of reduced consequences: Offenders may no longer perceive assaults on police as uniquely serious.



Given that assaults on officers occur at an average rate of seven per day, maintaining a clear and specific deterrent is essential.

The current offence enables:

- Consistent recording of assaults on police
- Reliable data for operational deployment and risk assessment
- Evidence-based policymaking and welfare interventions
- Transparent reporting to oversight bodies, including the Northern Ireland Policing Board.

The absorption of such offences into a broader category would:

- Obscure the true scale of violence against police officers
- Undermine initiatives such as our award winning '*Let Them Protect*' public campaign, which was supported by PSNI, DOJ and NIPB
- Reduce the ability to monitor trends and respond effectively.

In our view, this would represent a significant regression in evidence-based decision making. Of greater concern, is the potential impact on our members. We are concerned that repeal of the offence would:

- Be perceived as a downgrading of legal protection afforded to police officers
- Erode confidence in the criminal justice system
- Contribute to existing morale challenges
- Exacerbate recruitment and retention pressures.

In the current operational climate, maintaining confidence that the law properly recognises the risks officers face is of critical importance. By contrast, when addressing similar policy objectives, England and Wales enacted the Assaults on Emergency Workers (Offences) Act 2018, which:

- Created a specific, named offence covering emergency workers
- Retained the existing offence of assault on police
- Recognised the distinct status of policing alongside broader protections.



The Northern Ireland proposal diverges significantly by:

- Creating a generic offence covering a much broader category of workers; and
- Repealing the specific police offence entirely.

PFNI strongly supports the position that at a minimum, Northern Ireland should replicate the England and Wales model.

While engagement took place prior to introduction of the Bill, the proposed repeal of the assault on constable offence was not apparent at that stage. We do not oppose the creation of a new offence of assault on a public worker. However, to achieve the stated policy objective without unintended harm, we recommend:

#### Primary Recommendation

- Retain the assault element of Section 66 of the Police (Northern Ireland) Act 1998 in full, alongside the new offence.

#### Alternative Safeguards (if Bill progresses without amendment)

- Explicit statutory recognition of police officers as a distinct protected category.
- Clear sentencing guidelines requiring meaningful and consistent uplift.
- Mandatory recording of offences involving police victims.
- Robust monitoring and reporting mechanisms.

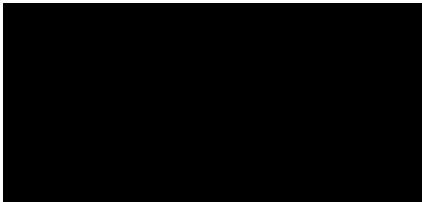
In summary, PFNI supports the intention to strengthen protections for public workers. However, the proposed repeal of the offence of assault on police officers represents a significant weakening of the current framework, fails to recognise the unique role and risks of policing, and risks undermining deterrence, accountability and officer confidence.

The existing offence must be retained, and any new provisions must enhance—not diminish—protections for police officers.



We welcome further engagement on this matter with the committee should the need arise.

Your sincerely



**PFNI Secretary**