

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of

Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

Minister's Office
Castle Buildings Block C
Stormont Estate
Ballymiscaw
Belfast
BT4 3SG

JCP\26\

Kathy O'Hanlon
Committee Clerk
Committee for Justice
Parliament Buildings
Stormont
Belfast BT4 3XX

22 July 2026

Dear Kathy

CRIMINAL JUSTICE (SENTENCING ETC) BILL – P DOLAN ORAL EVIDENCE

Thank you for your letter of 30 June 2026 asking for clarification of some issues raised by the Committee following its meeting on 25 June.

Serving of licence for repeat offenders

In any case where a person is released from prison on licence, they can be recalled at any time during the remainder of the sentence if they fail to comply with the conditions of the licence. A standard licence condition is that the offender must not commit further offences. Further offending however does not necessarily result in recall to prison.

It is for the Parole Commissioners to recommend that an individual on licence be recalled and for the Department (or the Secretary of State where there is evidence or information the disclosure of which may be against the interests of national security) to make the decision to recall, if they are satisfied this is necessary to protect the public from harm or serious harm.

Where a subsequent custodial sentence is imposed while an offender is already on licence, the original licence continues to run while the offender is back in custody. If the licence end date goes beyond the release date of the subsequent sentence, then, when the offender is released, they remain subject to that licence until its expiry date, meaning the offender may be recalled to prison again for breach of any condition attached to that licence committed within that period (as well as being subject to any licence associated with the subsequent sentence).

The Sentencing Bill does not interfere with this position, meaning that if an offender is released on licence for an offence of causing death by dangerous driving or causing death by careless driving whilst under the influence, and subsequently commits a repeat offence under the Bill while the original licence is still in force, they may be recalled under the original licence, if considered necessary for the protection of the public, up until the date on which the original licence expires.

Serving of driving disqualifications

At present, disqualifications from driving take effect from the date of sentence. Accordingly, where a custodial sentence is also imposed, the driving ban runs concurrently with time spent in prison.

Legislative provision had been made within the Coroners and Justice Act 2009, to require the courts, when imposing a custodial term, to extend the driving disqualification to take account of the period spent in custody. This was not commenced for technical reasons.

The Criminal Justice (Sentencing etc) Bill, at clause 45 and Schedule 6, makes a range of amendments to give effect to the policy intention to allow an extended disqualification period to reflect the custodial period imposed. Once commenced, this will ensure that disqualifications will normally be served post release from custody.

FROM THE OFFICE OF THE JUSTICE MINISTER



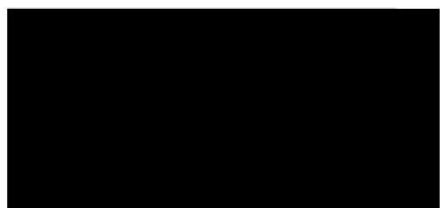
Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

I trust this will be helpful to the Committee.



DALO



**Northern Ireland Assembly
Committee for Justice**

[REDACTED]
DALO
Department of Justice
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ

30 June 2026

Dear [REDACTED]

Criminal Justice (Sentencing etc) Bill – P Dolan oral Evidence

At its meeting on 25 June 2026, the Committee for Justice received an oral briefing from Peter Dolan from the Enda Dolan Foundation on the Criminal Justice (Sentencing etc) Bill, which focussed on Part 7 of the Bill – Road Traffic Offences.

Following the evidence session, the Committee agreed to ask whether an offender who has been released on licence, and is subsequently convicted of repeat road traffic offences under the provisions of the Bill, would be required to serve the remainder of their licence term from the previous conviction(s) in prison. The Committee also requested clarification on whether a driving disqualification for road traffic offenders who are also serving a custodial sentence commences upon release from prison, or runs concurrent with that prison sentence.

I should appreciate a response by 28 August 2026.

Yours sincerely

[REDACTED]

**Kathy O'Hanlon
Clerk to the Committee for Justice**

Room 345, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX
Telephone: (028) 905 21033

E-mail: committee.justice@niassembly.gov.uk