

From: [REDACTED]
Sent: 01 September 2026 15:46
To: +Comm Justice Public Email <committee.justice@niassembly.gov.uk>
Cc: [REDACTED]
Subject: draft response to Justice Committee

Good afternoon, Kathy,

I refer to your correspondence dated 8 July 2026 seeking further information on three points. Please see information below. If there is anything the Committee require in addition, please let me know.

1. Cases from the Court of Appeal demonstrating the exceptions used for the application of suspended sentences, which may be of relevance to the provisions of the Bill relating to assaults on public workers:

All cases listed and summarised below focus on suspended sentences and the statutory test, exceptional circumstances, care in assessment of 'dangerousness', procedure to suspend and the concept of 'totality':

1. **The King v Francis Devlin** <https://www.judiciaryni.uk/judicial-decisions/2023-nica-71> [November 2023]

Renewed application for leave to appeal a sentence of four years' imprisonment – four counts of conspiracy to cheat the public revenue – sole issue of impact of imprisonment on applicant's son – whether sentence should be suspended – Court of Appeal approved the application of the guidance in R v Petherick [2012] EWCA Crim 2214 in NI – circumstances not so exceptional to merit a suspension – public interest in deterrence – appeal dismissed.

[2023] NICA 71 Keegan LCJ.

- b. **THE QUEEN v KT** <https://www.judiciaryni.uk/judicial-decisions/2019nica-42> [September 2019]

Whether failure to activate two previous suspended sentences and to impose a third suspended sentence unduly lenient – sexual offences - 85 year old man - numerous sexual offences involving children – sentence quashed and the two previous suspended sentences activated and pass a sentence so as to achieve an effective total determinate custodial sentence of 3 years.

[2019] NICA 42 Keegan J , Stephens LJ , Treacy LJ

c. **R v Loughlin (Michael)** (DPP Reference No5 2018)

<https://www.judiciaryni.uk/judicial-decisions/2019-nica-10> [March 2019]

Reference by DPP under s. 36 Criminal Justice Act 1988 – whether sentence for attempted murder unduly lenient - appropriate sentencing range for offence of attempted murder - adherence to statutory test in considering imposition of suspended sentences - need for care in assessment of dangerousness - original sentence unduly lenient and substituted – appeal allowed.

[2019] NICA 10 Morgan LCJ

d. **R v Kevin Brannigan** (DPP Reference No7 2013)

<https://www.judiciaryni.uk/judicial-decisions/2013-nica-39> [June 2013]

Causing GBI by careless driving – dangerous driving – perverting the course of justice – almost invariably requires immediate consecutive sentence – suspended sentences inappropriate in this case – sentencers need to consider whether exceptional circumstances exist in serious offending before suspending.

[2013] NICA 39 Morgan LCJ

e. **R v Colin Hughes** [https://www.judiciaryni.uk/judicial-decisions/2003-](https://www.judiciaryni.uk/judicial-decisions/2003-nica-17)

[nica-17](https://www.judiciaryni.uk/judicial-decisions/2003-nica-17) [May 2013]

Activation of earlier suspended sentence - *totality*.

[2003] NICA 17 Carswell LCJ

f. **Attorney General 's Reference** (Nos 1 &2 1996) [February 1996]

Suspended sentence - adequacy of sentence - offences against the person - causing grievous bodily harm and burglary - whether suspended sentences unduly lenient - procedure for suspending sentence.

[1996] NI 456 MacDermott LCJ

2. Evidence/data in relation to attacks on officers of the court including, for example, the numbers of cases, the types of offence, outcomes (suspended sentences or other penalties) etc :

Please see table of incidents against solicitors attached hereto, along with the Society's 'Solicitor Survey Results '. The information in the table has been collated from members who contacted the Society after they had been attacked.

3. Suggestions as to how offences such as harassment, intimidation and stalking could be captured in Clauses 37 – 39 of the Bill, in relation to offences against public workers :

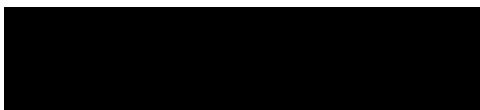
Consideration could be given to amending Clause 37(1)(a) to read:

"assaults, intimidates, harasses or stalks a public worker who is acting in the exercise of their functions as such a worker."

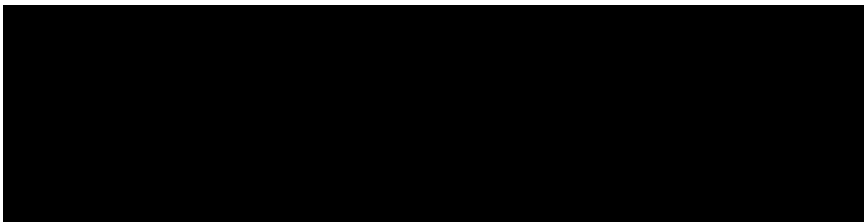
Consideration could also be given to amending Clause 37(2)(a) to read:

"assaults, intimidates, harasses or stalks a person assisting a public worker who is acting in the exercise of their functions as such a worker, and ..."

We would emphasise that we are not legislative drafters and are therefore not qualified to propose definitive statutory wording. The suggested amendments above are intended solely to illustrate how conduct such as harassment, intimidation and stalking might be expressly captured within the provision. Any amendment would require consideration by a legislative drafter, including whether the proposed language is appropriate and whether corresponding definitions or consequential amendments would be necessary.



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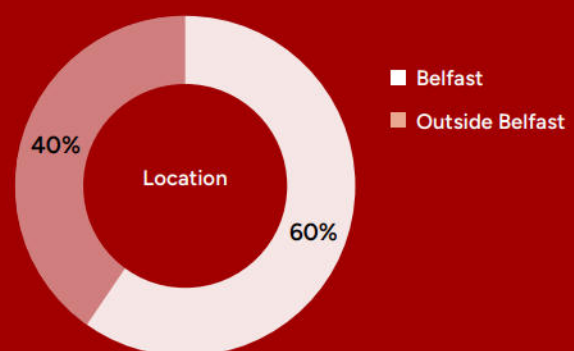
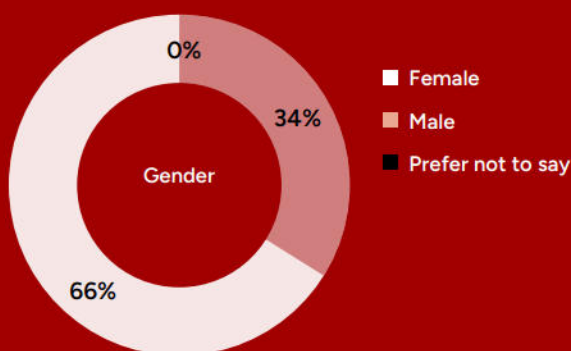


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Solicitor Safety Survey Findings

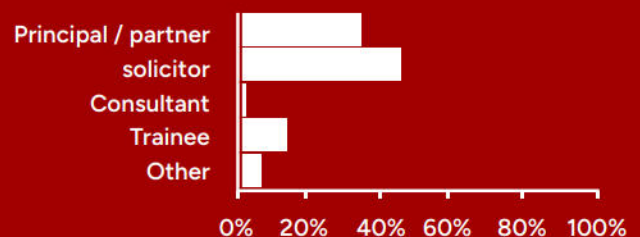
A short survey was carried out by the Law Society of Northern Ireland via Survey Monkey between 6-16 February 2026. Its primary aim was to gather insights into the prevalence of personal safety risks and incidents experienced by solicitors whilst carrying out their professional duties in Northern Ireland. The survey received responses from a total of 480 members.

Respondent's background



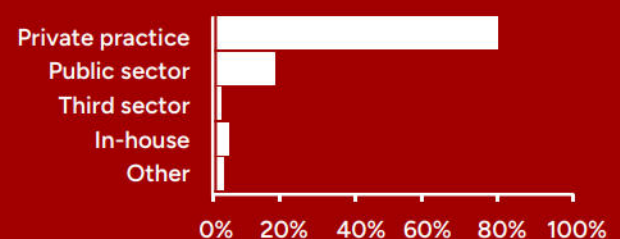
Most respondents to the survey were female (66%), and were located within Belfast (60%), with the other 40% based relatively evenly across other Local Association areas.

Over one-third of respondents were Principals or Partners, alongside representation from practising solicitors, consultants, trainees, and others. 64% had more than 10 years' post-qualification experience. This demonstrates strong senior-level engagement in the survey.



Survey respondents were largely based within private practice (79%). Respondents represented a broad mix of practice areas. The most common included:

- Family
- Conveyancing
- Criminal
- Litigation
- Accidents/personal injury



These are frontline areas of legal practice involving high levels of direct client contact and often adversarial work.

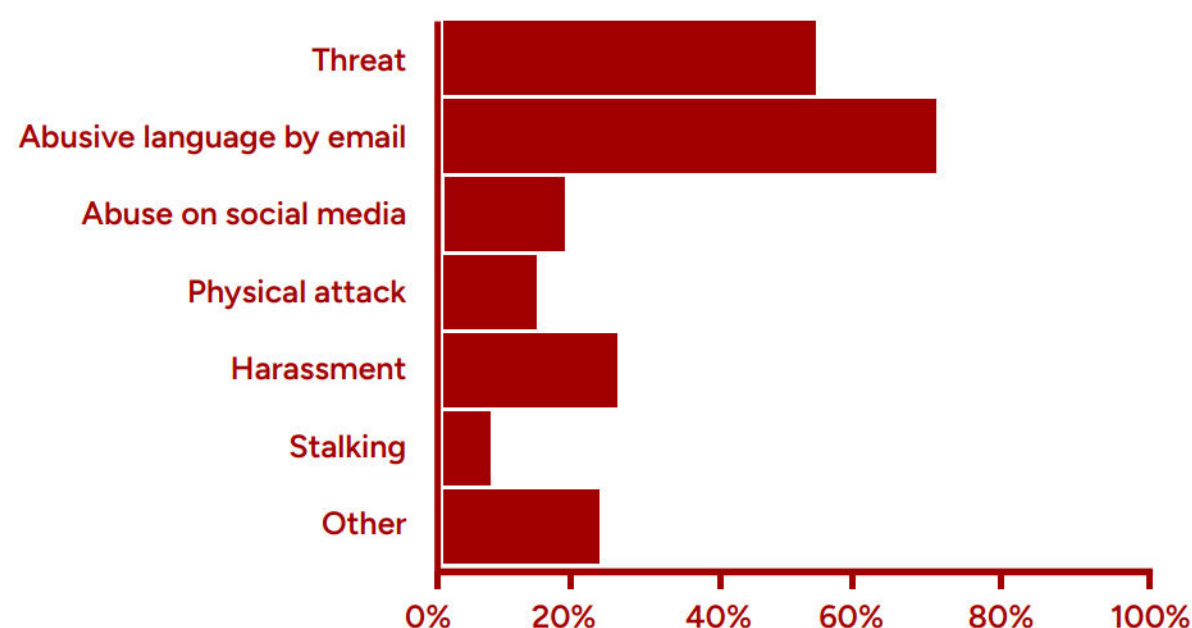
Key Findings

66% of the total respondents said they had been subjected to some form of threat or abuse in the course of their work, ranging from online harassment to physical attacks.



Nature of threats/incidents

Many respondents had experienced multiple types of threats and attacks whilst carrying out their professional duties. Abusive language via email was the most common form of incident reported (71%), followed by direct threats (56%).



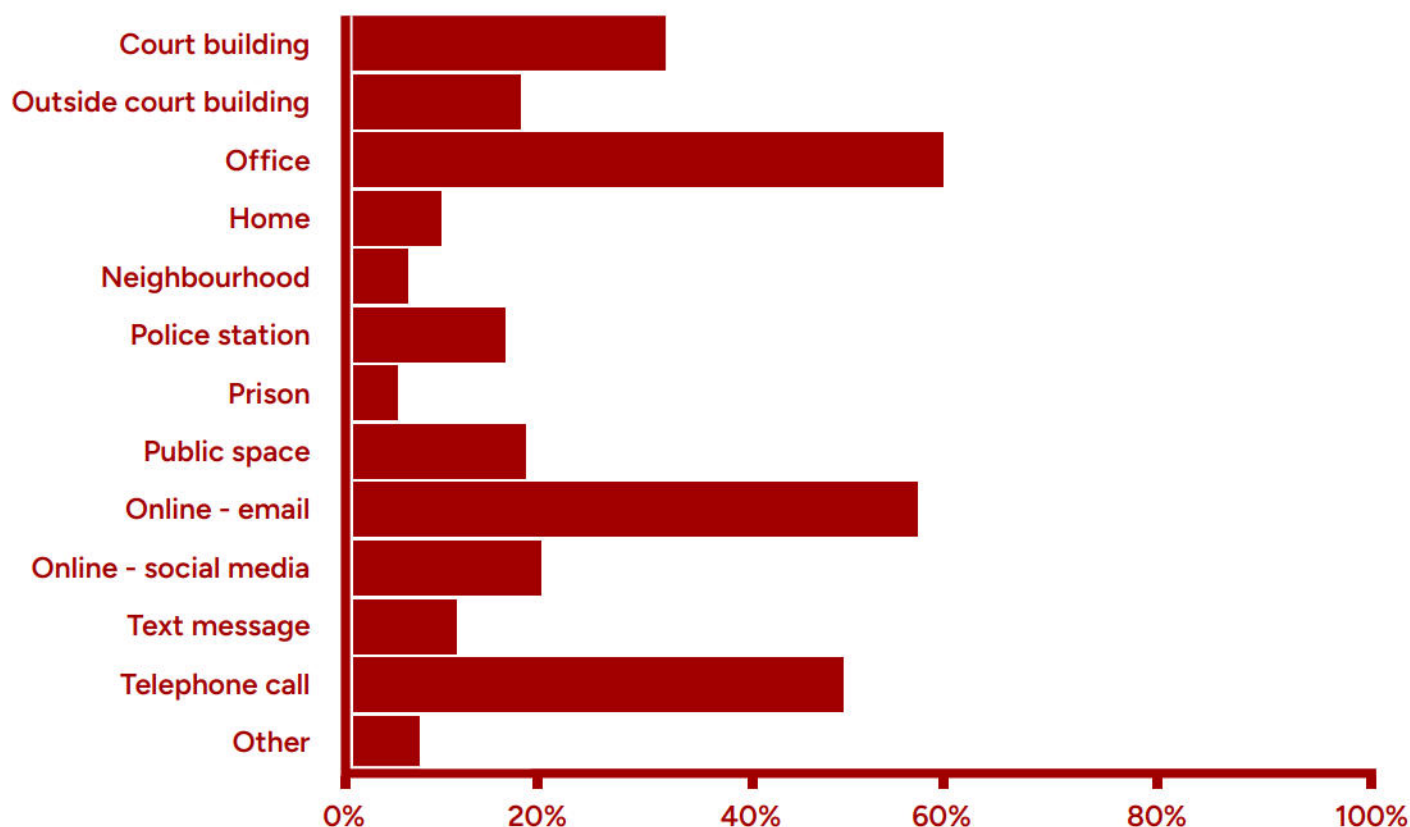
For those who selected "other", a significant majority reported abusive language by phone or in person. A wide range of other behaviour included for example criminal damage, IT hacking, blackmail, threatening letters, and terrorist threats.

"My colleague and I were contacted at home by police who delivered a death threat from a third party."

"He (the client) made a point of stalking both my staff and me at the office and at court which made us extremely uncomfortable. The person was quite sinister and had threatened to put a tracker on my car."

"He (the client) started shouting at me and then lifted a chair which he started swinging in the air in front of my face."

Location of threats/incidents



Survey respondents reported that threats and incidents occurred across a range of locations, with the office being the most frequent location (61%), highlighting this as a major risk area. Digital communications were the second most common, including via email, telephone calls and social media. 41% reported that they had been subjected to threats/incidents within or outside a court building (41%).

"Lawyers feel unsafe at court and at their offices. The increased level of online harassment and threat means that abuse is shared in such a way as to make the victimisation very public... this type of abuse reaches into every aspect of your life."

A number of respondents highlighted the vulnerabilities of clients that they work with, including the prevalence of those with mental health issues, which has been particularly exacerbated post-covid.

"Contact with the law/legal process is so stressful for the public. This stress often bubbles over and clients/participants can easily lash out at whoever is at hand."

"We deal with very heightened individuals some of whom are very aggressive and whose behaviour can be very intimidating and threatening...(we) vastly understate the regular threats we contend with as we pass it off as part of the job."

Source of threats/incidents

The primary source of threats/incidents came directly from active clients (35%), while 19% was from the opposing client, 9% from a client relative and 18% from a former client. This shows that risks persist even after the professional relationship ends. Many also described incidents which involved litigants in person and members of the public.

52% of respondents said that they had been subject to a threat or incident in the past year.

Of those who had experienced a threat or incident in the past year, 16% reported a single occurrence and 30% reported multiple incidents.

Reporting

70% of respondents said that they did not report the threat/incident, highlighting a significant underreporting of safety incidents in the profession.

The main reason cited by 59% for not reporting was "did not think it would make a difference".

"It is my opinion that solicitors feel that there is no point in complaining to police and when they do the defendant receives a sentence that does not equate to the offence and the impact this offending (which seems to be increasing) has on our system of justice."

"Complete uncertainty as to outcomes. A threatening client will lie and deny and respond with more threats and/or a complaint. The whole area is fraught."

"I felt it would inflame matters and also make matters worse for my own client."

"When reported, the PSNI informed me that there was no evidence and therefore it would not be taken any further. I was not taken seriously, not listened to and my complaint was not advanced."

Of those who did report the threat/incident, the majority reported to their employer, followed by the PSNI. Other reports were made to individuals/organisations such as G4S, the Court Office, Judges and their Professional Body.

Impact

Participants in the survey were asked what the impact of the threat/incident(s) were on them, and responses highlight that threats and incidents have significant consequences for solicitors. .

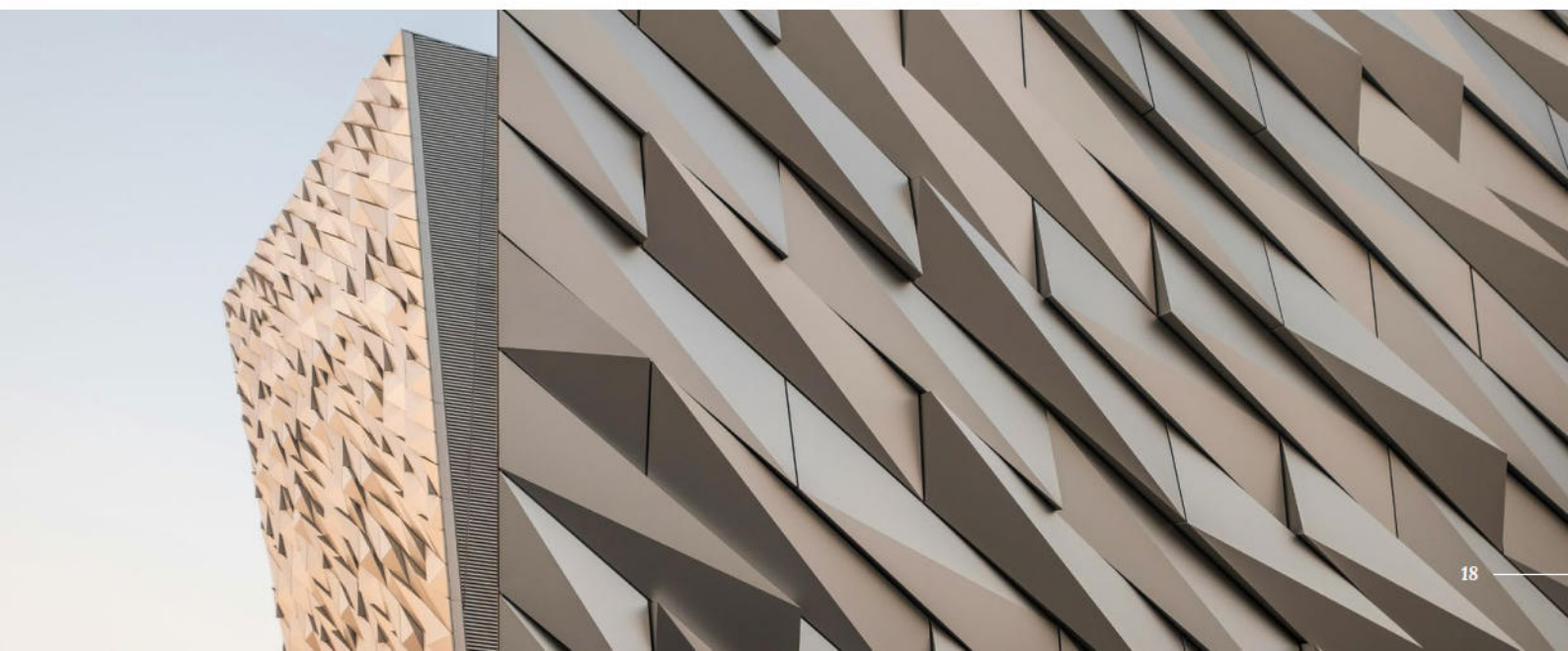
Wellbeing

58% of respondents highlighted that it had a negative impact on their wellbeing, with many reporting stress, anxiety, hyper-vigilance and cumulative effects over time. This demonstrates that mental health and emotional wellbeing are heavily affected.

"As a female lawyer in a family setting we deal with misogyny every day. A lot of our male clients, if disgruntled about the case 'not going their way' or paying their bill, will threaten to or make complaints about you, which is stress inducing and impacts on your mental wellbeing even though you have done nothing wrong."

"As a manager, I'm concerned for the safety of my staff. One of my solicitors was on stress leave given the very personal nature of the online allegations made against her."

"I was stalked by a witness in a harassment case. My home was broken into... it was a very personal invasion of my home. This behaviour lasted a number of months and as it was a female stalking a male no one took it seriously."



Safety concerns

Almost half of respondents (48%) felt their personal safety or that of their family was at risk. This resulted in many implementing safety measures, including upgrading home and office security, such as installing security cameras. Others considered moving home, while two respondents reported that they moved home.

"I had a client who was extremely volatile... he mixed me up with another solicitor and wrongly blamed me for a sentence. He then admitted to turning up at court houses, outside our office and at the bar library looking for me and a barrister. He admitted to carrying a knife and wanted to stab myself and another barrister. He also made admissions that he often fantasied about stabbing myself and another lawyer."

"While personal safety was never actually compromised, I worried constantly that it would be. The individual knew where I worked and frequently attended our office demanding to speak to me."

"In Sainsburys I was confronted by a Respondent in an NMO case. He screamed in my face whilst my young son was in the trolley. I realised then how vulnerable we are to attack."

Professional impact

21% reported that it affected their ability to carry out their role, with 17% saying that they considered leaving their practice area or role. Some respondents noted that they actually left their role as a result.

"I left private practice as a criminal solicitor owing to threats made from male clients including statements about how they would come to my house."

"You question why you continue to do a job where this type of behaviour is par of the course. It has a significant impact on your psyche and causes great worry and stress."

"Often it is dismissed as 'part of the job'... the impact of this causes such anxiety and disruption to life that many people I know in the family sphere have had to consider whether it's worth it / or whether to leave the profession."



Law Society
of Northern Ireland

Date	Details	Outcome
2017-2024	Numerous incidents carried out by ex-partner of client towards female solicitor including e.g. attending outside solicitors home causing fear/distress for family, following them on visits to holiday home including approaching them in shops/beach/during daily walks, taking photos, approaching them in public spaces/events, regularly standing outside office, bombarding with threatening emails, causing damage to vehicle tyres, smashing windows of office, appearing at children's	Charged with Harassment at Magistrates Court in April 2024. Appealed to County Court in May 2025 – conviction was upheld, resulting in a four-month custodial sentence suspended for two years and a five-year restraining order. Harassment has extended to another solicitor.
2024-2025	Threatening online videos, assaults against solicitor's staff members, damage to office with baseball bat. Carried out by female client.	Individual received 10-month jail term (five months for attacks on social worker and five months for damaging the solicitor's office)
2024-2025	Improper communications and harassment towards solicitor from client following frustrations related to family matters.	5 months sentence suspended for 3 years.
2025	Online Facebook live streaming, posts tagging and referencing solicitor personally. Carried out by opposing party in case (NMO continually breached)	PSNI advised that it did not meet the threshold for police intervention and advised solicitor to be vigilant.
2025	Solicitor acting in defence of an insurance matter had their car burned out.	Didn't receive update from PSNI and has assumed matter is closed.
2025	Included a number of incidents of stalking and other behaviour including at football match and in church. Further incidents not reported due to dissatisfaction with PSNI.	Individual arrested in November 2025 for the offence of stalking. Case currently with PPS.
2025	Numerous incidents carried out by neighbours relative following support provided in a neighbourhood dispute case, including e.g. burning out car, verbal abuse, causing disturbance at family member's wake.	Individual acquitted in common assault case.

2025	Litigant in person arrived at solicitors' office to sign paperwork. They became aggressive, began shouting and punched the solicitor. The individual had previously made threats to another solicitor representing his wife. Individual had also been obstreperous during court proceedings, and Master insisted on security presence when they appeared.	Charge of common assault and summons for criminal damage to solicitors' property. Contested hearing resulted in 5 months suspended sentence and fine.
2025	Police officers attended solicitors' home to inform them that an unknown male had called the PSNI and read a pre prepared statement that there was a threat involving a firearm against the firm.	Management of case passed to the District Policing team.

Further examples of other reported or ongoing matters:

- Opponent in a divorce/ancillary relief case approached solicitor whilst they were out for a walk in local neighbourhood, shouted profanities at them and solicitor believed they were going to hit him (June 2026).
- List of solicitor firms offering immigration services posted on social media stating "Below is the list of main immigration lawyer offices in Northern Ireland. Do with that what you will patriots", during recent outbreak of public disorder. (June 2026).
- Client who had almost 200 convictions and recently just got out of jail left threatening message with reception and subsequently was very aggressive over the phone to the solicitor. Advised that if they continued to make threats or come to the office they would report to the PSNI (June 2026).
- Solicitor subjected to abuse by a client who arrived at court drunk and thereafter continued to make inappropriate remarks regarding her appearance (April 2026).
- Incidents of harassment at offices by an unknown individual smearing excrement over front façade, side door and shutter grills of office. PSNI were initially declining to uplift material for forensic analysis (March 2026).
- Threat made to solicitor by telephone by person pretending to be the client/their relative, specifically told that they would be shot (March 2026).

- Client displayed obsessive behaviour towards solicitor which included sending a number of gifts, some of which the solicitor felt in appropriate. Solicitor came off record for the client, and they subsequently followed them in public places and sent a number of emails making concerning harassing statements (2025).
- Opposing party in a case doing live streams and posts on social media, tagging office and referencing solicitor personally. Reported to PSNI for harassment and advised that it did not meet the threshold for police intervention (2025).
- Days after a judgment in a case, the solicitor's car was stolen from outside their office. Reported to PSNI but told that they didn't think it would be located.



**Northern Ireland Assembly
Committee for Justice**

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Head of Practice and Procedure
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By email: [REDACTED]

8 July 2026

Dear [REDACTED]

Criminal Justice (Sentencing etc) Bill – Oral Evidence

On behalf of the Committee for Justice, I wish to thank you and your colleagues from the Law Society for attending the meeting on 2 July 2026, to give oral evidence on the Criminal Justice (Sentencing etc) Bill.

During the meeting, the witnesses from the Society agreed to provide the Committee with a number of points of further information, including:

- Cases from the Court of Appeal demonstrating the exceptions used for the application of suspended sentences, which may be of relevance to the provisions of the Bill relating to assaults on public workers;
- Evidence/data in relation to attacks on officers of the court including, for example, the numbers of cases, the types of offence, outcomes (suspended sentences or other penalties) etc; and
- Suggestions as to how offences such as harassment, intimidation and stalking could be captured in Clauses 37 – 39 of the Bill, in relation to offences against public workers.

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I should appreciate a response by 28 August 2026.

Yours sincerely



Kathy O'Hanlon
Clerk to the Committee for Justice