



Good character references at sentencing in domestic and sexual offence cases

Supplementary evidence to the Committee for Justice

Men's Advisory Project Northern Ireland | 23 September 2026

The Men's Advisory Project Northern Ireland (MAP) asks the Committee to consider an amendment to the Criminal Justice (Sentencing etc.) Bill. Where a person has been convicted of a domestic or sexual offence, testimonials about their general good character, reputation or community standing should not reduce their sentence. Courts should continue to receive information genuinely relevant to the offender and the sentencing decision. Our proposal concerns the distinct practice of asking for leniency because other people have experienced the convicted person favourably.

MAP is a specialist service supporting men and boys affected by domestic and sexual abuse. This recommendation applies regardless of the victim's or offender's sex. Our work with male victims gives us particular insight into how an abuser's public reputation can frustrate disclosure and continue to affect a victim after conviction.

The sentencing question is relevance

After conviction, the court has determined that the defendant committed the offence. A colleague's account of a valued employee, or a neighbour's account of a considerate friend, does not alter the conduct proved or the harm caused. Such accounts may be sincere. Their authors may never have seen abuse. That is precisely why the accounts provide little insight into behaviour within a private relationship or in the circumstances of a sexual offence.

The sentencing court must assess the offence and the offender. It should ask what a proposed reference establishes about culpability, harm, risk or a recognised basis for mitigation. "They never behaved like that towards me" does not answer the question. Following conviction, it cannot cast doubt on the victim's account of the offence.

Public respectability can conceal private abuse

Domestic and sexual offending can coexist with a respected public identity. A person may behave well towards friends, colleagues and neighbours while abusing a partner, family member or somebody over whom they hold power. In domestic abuse, an offender may actively cultivate credibility with others. A victim who expects disbelief may then find it harder to disclose what is happening.



This concern was put directly to the Public Prosecution Service (PPS) during consultation on its domestic abuse policy. A respondent warned that abusers can cultivate standing in the community, making abuse harder to detect and victims less likely to be believed. The respondent asked the PPS to challenge good character advanced in mitigation. The published response recorded that request as “Noted”. [1] The resulting policy nevertheless states that a defendant may advance previous good character in mitigation after conviction; prosecutors are to challenge material that is misleading, untrue or unfair. [2]

The Justice Minister has recognised the underlying problem. In the Assembly on 30 June 2026, Minister Naomi Long said that an offender’s public facade may bear little relation to private conduct and that perpetrators can cultivate a community’s trust. She distinguished the more complex questions about character evidence at trial from possible reform of its use at sentencing. [3]

[The legal basis for restraint already exists](#)

Existing Northern Ireland sentencing material does not require automatic credit for an unblemished reputation. The published Magistrates’ Courts general principles say that previous good character and lack of convictions are more appropriately understood as the absence of an aggravating factor than as mitigation. [4] In *The King v Jonathan Hutton* [2024] NICA 19, the Court of Appeal held that the absence of a criminal record was neutral in that case, “as in the majority of cases”, and should not have been recorded as mitigation. [5] A clean record and a personal testimonial are not identical matters, but both authorities show why reputation must not be assumed to reduce seriousness.

Research by Dr Eithne Dowds at Queen’s University Belfast also examines how good character evidence can reinforce the mistaken assumption that a person who appears respectable is unlikely to commit a sexual offence. Her analysis supports formal removal of good character as a mitigating factor at sentencing. [6]

[The effect on victims and the particular experience of men](#)

The issue is also what the sentencing hearing does to a victim who has already had to establish the offence through the criminal process. Hearing influential people praise the convicted person can repeat the message that made disclosure difficult: others know a different, apparently credible person. Geraldine Hanna, Commissioner for Victims of Crime, raised this concern in evidence to the Committee on 22 September 2026 and



called for prohibition of good character references at sentencing in domestic and sexual abuse cases. The Committee's official record confirms the evidence session; her comments were reported at the time. [7]

Men can face additional assumptions about masculinity, strength and who can be a victim. Where the offender's public reputation was used to make a man doubt that anyone would believe him, praise offered after conviction can feel like the same barrier entering the courtroom. The following statement is illustrative of this. It is written to convey the experiences of some of MAP's clients and is not the testimony of an identifiable MAP client:

"I had spent years being told nobody would believe me because everyone thought my abuser was wonderful. That was part of how the abuse worked. When there was finally a guilty verdict, I thought that part was over. Then I sat in court listening to people who had never lived with my abuser, never seen what happened behind closed doors and never experienced the person I experienced telling the judge what a good person they were. It felt as though the very thing that had helped hide the abuse was now being offered as a reason to treat my abuser more kindly. My abuser was good to them. I never said otherwise. I said my abuser abused me. And the court had found that they did."

The victim's distress does not determine sentence. It does, however, give the Committee a reason to test whether the practice serves a legitimate sentencing purpose, especially when the information offered may have helped conceal the abuse in the first place.

[A defined and workable reform](#)

MAP asks the Committee to consider a provision under which, following conviction for the domestic abuse offence, an offence to which a domestic abuse aggravation applies, or a prescribed sexual offence, the court must not treat testimonials about the offender's general reputation, social or professional standing, community contribution, or positive conduct towards unrelated third parties as mitigation merely because they depict the offender as a good person.

The scope should be drawn carefully to cover relevant domestic offending without depending solely on a particular charge label. The Department and legislative drafters should determine the precise offence definitions and how to address cases in which the domestic context is established at sentencing. The court should retain the ability to consider substantiated information directly relevant to the offender's circumstances, genuine rehabilitation, risk, health where relevant, caring responsibilities where legally



relevant, remorse, a guilty plea and other established sentencing considerations. A witness who provides concrete evidence of treatment undertaken or compliance with an order would not be excluded simply because that evidence appears in a letter.

The reform should address post-conviction sentencing material only. Questions about character evidence at trial engage different rules and fair trial rights, and should be examined on their own terms. The Minister has recognised this distinction. [3]

There is an additional fairness concern. Offenders with prominent jobs or extensive networks may be able to assemble references from people of status. Sentences should not vary because one person can secure more impressive testimonials. The court can individualise sentence using evidence that bears on the offence and the offender without assigning mitigating weight to social capital.

Recommendation to the Committee

MAP recommends that the Committee request a focused departmental amendment during scrutiny of the Criminal Justice (Sentencing etc.) Bill, or set out in its report the precise legislative change it expects. We ask the Committee to distinguish relevant evidence about an individual offender from general testimonials of perceived good character and to ensure that the rule applies equally to all victims and offenders.

A conviction establishes what the person did to the victim. The fact that they treated other people well should not lessen the sentencing consequences of domestic or sexual abuse.

Sources

1. PPS, Summary of Consultation Responses on the Policy for Prosecuting Cases of Domestic Abuse, February 2024, p. 67. [Source](#)
2. PPS, Policy for Prosecuting Cases of Domestic Abuse, February 2024, para. 4.4.4. [Source](#)
3. Northern Ireland Assembly, Official Report, 30 June 2026, Second Stage debate. [Source](#)
4. Judiciary NI, Magistrates' Courts Sentencing Guidelines, Introduction and General Principles, section on the offender's character. [Source](#)
5. The King v Jonathan Hutton [2024] NICA 19, para. 53. [Source](#)
6. Eithne Dowds, research on good character evidence and rape sentencing, 2025. [Source](#)
7. Northern Ireland Assembly, Committee for Justice meeting, 22 September 2026; UTV report of Geraldine Hanna's evidence, 22 September 2026. [Source](#) Contemporary report: [UTV News](#) (evidence not available on portal at this time)