

The Equality Coalition
Community House
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15 October 2026

Kathy O'Hanlon
Clerk to the Committee for Justice
Room 345, Parliament Buildings
Ballymiscaw,
Belfast
BT4 3XX
By email committee.justice@niassembly.gov.uk

Criminal Justice (Sentencing etc) Bill—oral evidence follow up correspondence

Dear Kathy,

We refer to our oral evidence to the Committee on the 1 October 2026 in relation to the Criminal Justice (Sentencing etc) Bill ('the Bill'), and our written evidence focusing on the potential for the Bill to include misogyny aggravator provisions.

As set out in your correspondence of the 9 October, we agreed to write to the Committee to address a question from the Chair Mr Frew, in relation to Clause 36(7)(b) of the Bill, as to what '*for any other reason*' may refer to in that clause and on a proposal that '*psychological harm*' be included as an additional factor. This correspondence responds to these questions.

For completeness Clause 36 of the Bill contains provisions on '*Aggravation by reason of vulnerability*' whereby a court can consider an aggravated sentence in situations whereby the victim was a vulnerable person. Subsection (7), which the above questions concern, provides the definition of '*vulnerable person*' for this purpose as follows:

7) In this section, "vulnerable person" means—

(a) a person under the age of 18, or

(b) a person whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age or for any other reason.

For adults therefore the present definition expressly covers physical or mental disability or illness and old age; but is non-exhaustive by virtue of the '*any other reason*' clause.

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Regarding broader import of the ‘*any other reason*’ concept we do not consider we are best placed to respond to different scenarios, and those providing direct services to victims of violence, abuse, neglect and exploitation are better placed to provide examples.

In relation to the proposal to add ‘*psychological harm*’ our first observation is to point to the extent to which this concept, which would encompass conditions such as PTSD, would be already covered by the existing concept of ‘*mental illness*’ within the existing wording.

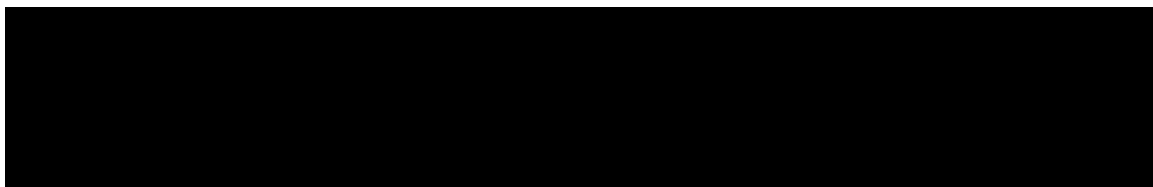
In relation to the origins and rationale of the proposal to add ‘*psychological harm*’ we have reviewed the broader evidence to the Committee and note this proposal was put forward by the Men’s Alliance Northern Ireland in their evidence and submission to the Committee (17 September 2026; and written evidence [Full Consultation Response to DoJ Sentencing Bill \(April 2026\)](#)). The rationale for the proposal from the men’s alliance is to “*Expand the definition of "impaired ability" to include psychological impairment from coercive control, protecting men who delay reporting due to social stigma.*” In putting forward this point in oral evidence the Alliance points to 80% - 90% of the men they deal with will suffer from mental health problems.

We make two observations on this. Firstly when ‘*psychological impairment*’ relating to ‘*coercive control*’ reaches the threshold of a mental health condition it will already be expressly covered by the existing drafting of the clause. Secondly, in our view it is not clear how the express addition of the additional wording would address the issue of men delaying reporting due to social stigma. The causes of such delays would appear to be rooted in patriarchal structures and understandings which would remain intact by the addition of the proposed wording.

In their evidence, the Men’s Alliance also allege there is gender-bias against men in sentencing practice and broader ‘systemic sex discrimination’ against male victims by other public authorities. To this end the submission singles out the Housing Executive and Department for Communities and practices relating to resource allocation through gender budgeting, objective need, and service procurement. Leaving aside the validity and reliability of these claims, even in circumstances where they were substantiated, the proposed additional wording would not address any of these issues.

We hope these observations are of assistance in the Committee’s deliberations on these matters.

Yours sincerely,

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CAJ / Equality Coalition Co-Convener

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**Northern Ireland Assembly
Committee for Justice**

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Equality Coalition

By email: [REDACTED]

[REDACTED]

09 October 2026

Dear [REDACTED]

Criminal Justice (Sentencing etc) Bill –oral evidence

On behalf of the Committee for Justice, I wish to thank you for attending the meeting on 1 October 2026 to give oral evidence on behalf of the Equality Coalition on the Criminal Justice (Sentencing etc) Bill.

During the meeting, you agreed to provide the Committee with further information on examples of what you consider ‘for any other reason’ in Clause 36(7)(b) might refer to and how ‘psychological harm’ might be incorporated into the clause as a factor in making someone vulnerable.

I would appreciate a response by 16 October 2026.

Yours sincerely

[REDACTED]

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