

Joint briefing note to the Justice Committee on behalf of the Women's Resource and Development Agency, The Rainbow Project and HERe NI

On 17th September, The Women's Resource and Development Agency, HERe NI and The Rainbow Project appeared before the Justice Committee to give oral evidence on the Criminal Justice (Sentencing etc) Bill. During our evidence session we recommended that femicide be included as a standalone offence within the Sentencing Bill. This briefing note will outline jurisdictional best practice on femicide and other hate crime offences.

Examples of best practice regarding the offence of femicide in other jurisdictions

In 1992, Diana Russell, in a book co-edited with Jill Radford, entitled, "Femicide: the politics of woman killings" defined femicide as the "misogynistic killing of women by men."¹ The definition was later refined, and in 2001 she describes it as the "killing of females by males because they are female," placing crimes against women and girls within the patriarchy and identifying them as the most extreme example of gender-based violence against women.²

The first country to use the term femicide as a criminal offence was Costa Rica in 2007, and since then, over the course of 15 years, the entire Latin American region has followed suit to varying degrees, including the Republic of Cuba.³ In the European Union, Cyprus, Italy and Croatia all have a standalone offence for femicide, while other EU countries, including Belgium, France and Spain have all included femicide within their aggravated sentencing model.

Below are some country examples of best practice:

Croatia

In March 2024, the Croatian Parliament approved a Bill to make femicide a specific criminal offence. The Bill introduces a legal definition of

¹ Jill Radford and Diana E.H Russel (1992) - [Femicide: The Politics of Woman Killing](#)

² UN Women (2018) - [Analysis of femicide/feminicide legislation in Latin America and the Caribbean and a proposal for a new model law](#) p. 14

³ Blog of the European Journal of International Law (2025) - [Does Italy's new Femicide Law comply with International Law?](#)

'gender-based murder' into the Criminal Code, providing harsher penalties for it: at least 10 years' imprisonment, or longer. The Criminal Code defines this type of murder based on the victim's acquaintance with the perpetrator, the victim's vulnerability, subordination or dependency, or a context of gender inequality, sexual violence or gender-based violence.⁴ Introduced only two years ago, the practical implementations of this law and its impact on preventing VAWG remains to be seen. However, Iva Čatipović, from the Center for Nonviolence and Human Rights, states that through the introduction of femicide as a standalone offence "the Croatian government undoubtedly expresses the political will necessary to recognize and legally address the social problem of femicide."⁵

Italy

In July 2025, the Italian Senate unanimously approved a bill introducing femicide as a distinct offence in the Italian Criminal Code, subject to more severe penalties. The amended Article now defines femicide as the murder of a woman when the act is committed as an act of hatred, discrimination or abuse of power; as an act of control, possession or domination over a woman; in connection with the woman's refusal to establish or maintain an emotional relationship; or as an act limiting her individual freedom.⁶ While the Italian model of the standalone femicide offence serves as an example of good practice across Europe, critics argue that this must be paired with preventative measures including comprehensive education on misogyny to actually reduce femicides.

Brazil

In Brazil in 2024, femicide stopped being treated as an aggravated form of homicide and became a separate crime, punishable by 20 to 40 years in prison.⁷ Brazil defines a femicide as a killing that has a gender-based motive or relationship, based on control or submission, or gender-based discrimination demonstrated by specifically outlined behaviors or situations.⁸ Overall, we know that even strong femicide laws do not stop femicide from

⁴ European Parliamentary Research Service (2026) - [Recognition of Femicide in the EU](#)

⁵ Women Against Violence Europe (2024) - [Femicide as a Separate Criminal Offence: A Milestone in Croatia](#)

⁶ European Parliamentary Research Service (2026) - [Recognition of Femicide in the EU](#)

⁷ Marília Marasciulo (2026) - [Brazil Femicides Reach New High Despite New Laws](#)

⁸ Ibid., UN Women (2018) - [Analysis of femicide/feminicide legislation in Latin America and the Caribbean and a proposal for a new model law](#)

happening. According to data from the Brazilian Ministry of Justice and Public Security, the number of femicides in Brazil rose from 527 cases in 2015 to 1,510 in 2024—an increase of 186.53%.⁹ However, the existence of the standalone offence is crucial because it allows these murders to be called out and recorded for what they are: murders driven by misogyny.

Ivana Milovanović, who is a court judge in Serbia, stated that the creation of a standalone femicide law “does not mean that there is no femicide in these countries, but it facilitates monitoring and studying femicide and finding adequate measures for its prevention, quick response, adequate investigation, and the prosecution and punishment of perpetrators”.¹⁰ She added, “Contrary to this, in countries in which femicide is not a specific criminal offence, this can lead to legal misclassification – that is, treating femicide as ordinary murder, which can completely annul the gender component of the crime and lead to milder punishments.”

Why does it matter?

- If femicide is named, it sends a clear signal that the motivation behind the murder was based on a woman’s gender and driven by misogyny.
- If the number of femicides are recorded it can be used to understand the scale of the problem, raise awareness, and build advocacy.
- It will prove the Northern Ireland Executive’s commitment to one of its key priorities: to end VAWG. Thirty one women have been murdered in NI since 2020, the Department must prove its commitment to EVAWG.

Analysis from other jurisdictions on how hate crime is determined and the use of hate crime aggravators in successful prosecutions

Scotland

In Scotland there is an Hate Crime Aggravation model covering transgender identity and variations in sex characteristics. We know this is achieving prosecutions; in Scotland during the last financial year there were 104 charges reported with an aggravation of transgender identity.¹¹ In Scotland, Sexual orientation aggravated crime is the second most commonly reported type of

⁹ Mônica Manir (2025) - [10 Years Since Femicide Law Comes into Force](#)

¹⁰ UN Women (2020) - [Femicide Should be Recognised as a Specific Criminal Offence](#)

¹¹ Crown Office and Procurator Fiscal Service (2026) - [Hate Crime in Scotland 2025-2026](#)

hate crime. The number of charges reported in 2025-26 was 2,062.¹² This data indicates that the aggravating model is being utilised within the prosecution service, as well as illuminating the scale of hate crime against LGBTQIA+ people.

England

In England someone can be a victim of **more than one** type of hate crime. These crimes are covered by legislation (Crime and Disorder Act 1998 and section 66 of the Sentencing Act 2020) which allows prosecutors to apply for an uplift in sentence for those convicted of a hate crime.¹³ We recommend that the NI Bill similarly captures intersectionality through allowing multiple aggravators to be attached to the hate crime offence.

Republic of Ireland

Researcher Jennifer Schweppe has carried out a significant amount of research on hate crime in Ireland including following cases from incident to disposal by the courts and tracked and identified the barriers to adequate prosecution, including the most effective ways to approach prosecuting cases when there are multiple aggravators present. Her work is critical in the importance of understanding implications of correctly labelling the motivations behind hate crimes. A useful report by Dr. Schweppe report of the practice as it applies in Ireland and across 4 other EU jurisdictions is available via the Irish Council of Civil Liberties¹⁴.

European Union

The European Union Agency for Fundamental Rights (FRA) has developed a compendium of hate crime prevention, reporting and recording practices from EU member states, compiled by the Working Party on Improving Reporting and Recording of Hate Crime in the EU.¹⁵ A significant thread running through many states' approaches is not just legislative reform, but the development and adoption of comprehensive action plans to proactively tackle hate.

¹² Ibid., Crown Office and Procurator Fiscal Service (2026) - [Hate Crime in Scotland 2025-2026](#)

¹³ Crown Prosecution Service - [Hate Crime](#)

¹⁴ Schweppe, Haynes and Walters: [Lifecycle of a Hate Crime, Irish Council of Civil Liberties \(2017\)](#)

¹⁵ EU Agency for Fundamental Rights - [Compendium of Practices on Hate Crime](#)