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Kathy O'Hanlon
Clerk to the Committee for Justice
Room 345, Parliament Buildings
Department of Justice
Stormont Estate
Belfast
BT4 3XX

Re: Oral evidence on the Criminal Justice (Sentencing etc) Bill – follow up

Dear Kathy,

Please see below the responses to the points for further information raised during our recent oral evidence session to the Committee.

•Views on the possible addition of femicide via an amendment to the Bill;

We would support the addition of femicide via amendment to the Bill. Femicide is defined by experts as the misogynistic killing of women by men", and the key element is that it is motivated by misogyny and happens to women because they are women. Almost all of Latin America has introduced femicide as a standalone crime and in the EU Italy, Croatia and Cyprus has followed suit and this is our preferred model, although France, Belgium and Spain use an aggravated sentencing model.

The key advantages of introducing femicide as a standalone offence are:

1. It enables correct labelling of the offence and its motivation, helping to guide preventative work against misogyny and the VAWG that results from it
2. It enables appropriate sentencing and appropriate interventions while in custody
3. Data derived from prosecutions, convictions and sentencing is essential to understanding the scale of the problem and appropriate allocation of resources.

• Views on the potential inclusion on misandry, with or alongside misogyny, as an aggravator and whether this would diminish any misogyny offence;

We do not support the inclusion of misandry in this Bill, and its inclusion would diminish the misogyny offence. Our view is informed by expertise both from scholars and from legal practitioners who are clear that misogyny is uniquely dangerous because it reinforces dominant systems of oppression; we live in a society steeped in misogyny but do not live in one steeped in misandry. This

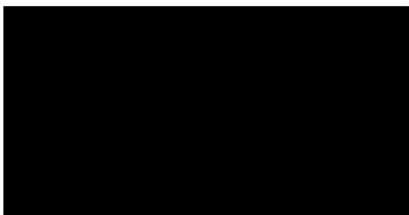
is borne out in the data regarding femicides, domestic abuse, sexual violence and sexual harassment, and is reinforced by an ongoing political movement to oppress and control women. Misandry is not in the same position; overwhelmingly it is a personal prejudice that does not come with significant institutional and cultural power.

- **Any thoughts on a mechanism for a review of sentencing that mitigates trauma for victims who may otherwise have to go through an appeal.**

Firstly, we would like to put on record that we are not a legal organisation and do not have any staff that are legally trained and would signpost to the Sexual Offences Legal Advisers (SOLAs) in Victims Support NI. Currently, for serious cases heard in the High Court, the Director of Public Prosecution for Northern Ireland has a power to ask the Court of Appeal to review a sentence on the grounds that it is unduly lenient. We welcome this current review of sentencing, and our view is that any measure that avoids an appeals process that requires the survivor to give evidence for a second time or lengthens the time until their part of the process is completed is an improvement.

Thank you for your continued leadership in this important area of work and for including us in your considerations.

Yours sincerely,



Service Manager

Rape Crisis Northern Ireland

