

Written Ministerial Statement

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Department of Justice

LAUNCH OF THE REVIEW OF SENTENCING POLICY

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Mrs Long (The Minister of Justice): Today, I wish to inform the Assembly that I have launched a Review of Sentencing Policy, to consider the need to develop future legislation in respect of several emerging policy issues.

Sentencing is a vital part of the justice system in Northern Ireland. It often involves complex considerations and requires a delicate balance to be struck between the needs and expectations of victims and the general public the one hand and the rights of defendants on the other.

This challenging task is performed by a skilled judiciary whose job is to deliver fair and appropriate sentences independently of government in every case which comes before the criminal courts.

The role of government is to provide a flexible and robust sentencing framework which is fit for purpose and within which the judiciary can exercise its judicial function and discretion effectively.

As members will be aware, I plan to introduce a Sentencing Bill to the Assembly very soon, subject to Executive approval. This Bill will legislate for many of the recommendations of my Department's last Review of Sentencing Policy, which concluded in 2021.

Sentencing is one area of public policy that is constantly evolving. Since the conclusion of the Department's last Sentencing Policy Review and even since Executive approval was secured to draft the Sentencing Bill in December 2024, there have been sentencing policy developments in Northern Ireland and other jurisdictions which require further consideration.

Therefore, I have decided to undertake a further Review of Sentencing Policy to complement the forthcoming introduction of the Sentencing Bill, and to consider the need to develop future legislation in respect of these emerging sentencing issues. I consider that it is important that sentencing policy is under constant review as a means of maintaining public confidence in the justice system.

The Review will consider the appropriateness and effectiveness of the current legislative framework governing:

- good character evidence;
- serious sexual offences;
- drug-related offences;

- the unlawful killing (i.e. manslaughter of) an emergency worker acting in the exercise of their functions (known in England and Wales as Harper's Law);
- Firework offences;
- Animal welfare offences; and
- Environmental crime.

The Review will also consider one area that I had hoped to include in the Sentencing Bill, but which instead needs a little further consideration, namely the proposal to provide the Court of Appeal with a power to provide sentencing guidance. The drafting process has revealed a need to further consider the operational implications of this proposal, and how it would work in practice, so I therefore wish to include this in the Review.

The Review will also consider the extent to which current arrangements represent an effective sentencing guidelines mechanism and explore the need for reform in Northern Ireland. The Review will also take account of recent developments in sentencing policy in other jurisdictions, including England and Wales, and identify potential options for equivalent reform in Northern Ireland.

This list is not exhaustive and so I may also add further items to the Review as they arise.

Where the review suggests that changes to the current sentencing arrangements may be necessary, any proposals will be subject to public consultation.

I look forward to engaging with Members as the Review progresses.