



<b>Subject:</b>	Call for Evidence by Criminal Justice Committee re Draft Criminal Justice (Sentencing etc) Bill – new offence assault on public worker
<b>Date:</b>	22 <sup>nd</sup> May 2026
<b>Reporting Officer:</b>	Nora Largey, City Solicitor & Director of Legal Services
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<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</b>	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none"><li>1. Information relating to any individual</li><li>2. Information likely to reveal the identity of an individual</li><li>3. Information relating to the financial or business affairs of any particular person (including the council holding that information)</li><li>4. Information in connection with any labour relations matter</li><li>5. Information in relation to which a claim to legal professional privilege could be maintained</li><li>6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction</li><li>7. Information on any action in relation to the prevention, investigation or prosecution of crime</li></ol>	
<b>If Yes, when will the report become unrestricted?</b>	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	The purpose of this report is to provide submissions to the Department of Justice in respect of the call for evidence of Draft Criminal Justice (Sentencing etc) Bill, in particular to clauses 37-39 inclusive which deal with assaults on public workers.
<b>2.0</b>	<b>Recommendation</b>
2.1	The Committee is asked to: <ul style="list-style-type: none"> <li>• Approve the draft submission (Appendix 2), as the Council's formal response.</li> </ul>
<b>3.0</b>	<b>Main Report</b>
3.1	On 3 March 2026, the Justice Minister introduced a draft Criminal Justice (Sentencing etc) Bill. The Bill is in response to a review that was undertaken by the Department of Justice in respect of sentencing in criminal matters in Northern Ireland.
3.2	As a result of the review, the Department identified a number of areas that needed to be addressed, one such area was the need to legislate for a new offence of assaulting a public worker.
3.3	The new offence is very important to the council as it is the first time that there is a differentiation in the legislation acknowledging public workers. The proposed offence identifies the vital role that public workers, whether employed or engaged, have to ensure the delivery of public services and that all public workers should be able to carry out their functions without fear of violence, abuse or intimidation.
3.4	The proposed Bill includes the new offence at clause 37, assault of a public worker who is exercising one of their functions. The public worker can either be paid or unpaid and is defined as someone employed or engaged to a) provide a service to the public, b) perform a public duty, or c) deliver a public service.
3.5	Clause 37 would deal with assaults that would fall within the threshold of common assault but under the new offence there is a higher sentencing maximum of 12 months custodial sentence as opposed to 6 months for common assault. Under the proposed Bill, assaults on public workers would be deemed to be indictable triable summarily offences and therefore are not subject to a summary only time limit of 6 months from the date of the offence for a prosecution to be laid before the court.
3.6	The draft Bill makes provisions for an allegation of aggravation by reason of being committed against a public worker to be specified alongside a charge of a specified offence. If the offence and the allegation are proven, then the court must specify so and record the aggravation in the conviction.
3.7	Any offender that is convicted and their offending is accepted to be aggravated by the fact that it was on a public worker will result in the seriousness of the offence being increased and this should be acknowledged by the sentencing court when sentencing the offender by explaining how this has aggravation has affected the sentence imposed.

3.8	The proposed offence of assault on a public worker and the provision for aggravation where an offence is committed against public workers are welcome steps for the protection of public sector workers including council staff.
3.9	The council employ over 2000 workers that are required to deliver a wide range of public services on a daily basis, and the proposed legislation if enacted would only serve to strengthen the council's zero tolerance approach to assaults on staff whilst the increase in sentencing powers would act as a further deterrent to any potential offenders.
3.10	Submissions have been drafted for your consideration in response to the Bill in relation to Part 6, draft Clauses 37-39 in respect of assault on public workers.
<b>4.0</b>	<b>Financial &amp; Resource Implications</b>
4.1	N/A
<b>5.0</b>	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
5.1	No equality or good relations implications envisaged.
<b>6.0</b>	<b>Communications Implications</b>
6.1	None
<b>7.0</b>	<b>Appendices</b>
	Appendix 1 – Part 6 Draft Clauses 37-39 of Criminal Justice (Sentencing etc) Bill Appendix 2 – Draft Submissions