



Clerk to the Committee for Justice
Committee for Justice
Department for Justice
Stormont
committee.justice@niassembly.gov.uk

May 2026

Dear Sirs,

Re: Written Submissions on behalf of Belfast City Council on draft Criminal Justice (Sentencing etc) Bill

The council are grateful to have the opportunity to provide written submissions in respect of the proposed legislation. The council are particularly concerned in respect of the proposed clauses at 37-39 inclusive that deal with assaults on public workers and make the following submissions in respect of these clauses only.

Clause 37 – Assaults on public workers etc.

The council fully supports the proposed new offence that specifically deals with assaults on public workers. One of the council's main roles is the delivery of a wide range of services to the public and it is our position that our staff should be able to deliver these services without being subjected to any violence, abuse or intimidation.

The council are satisfied that the definition of a public worker as set out in 37 (3) would cover any employee of the council and agree with 37(4) that it is immaterial whether the public worker is paid or unpaid.

In respect of the proposed sentencing maximum as set out in 37(5)(a) and (b) for any person convicted of assaulting a public worker, the council supports the maximum sentence being increased to 12 months custody for an assault on a public worker as opposed to 6 months for a common assault for matters dealt with in the Magistrates Court.

Clause 38 – Aggravation where offence is committed against public workers

We note that the proposed offence under clause 37 is specifically aimed at offences that would fall within the threshold of common assault and fully support that for the more serious offences, as set out under paragraph 38(3), the introduction of the offence being aggravated if they are committed against public workers.

The council believe that it is important that assaults on any public worker when committed in the execution of their function, be considered as an aggravating feature. We support the provision that this aggravating feature is acknowledged by the prosecuting authority in their laying of the specified charge against an offender by stating that 'the offence is aggravated by reason of being committed against a public worker'.

The council further supports the provision of aggravation when the offender has not committed the assault but instead is encouraging or assisting the offender.

Clause 39 – Consequences of aggravation where offence committed against public workers

When an offence of assault against a public worker is proven along with the allegation of aggravation, we support the provision that the sentencing court is obliged to state that the offence is aggravated by reason of being committed against a public worker exercising their function and record the offence to show it is aggravated.

Furthermore, we agree that when aggravation is proven that this increases the seriousness of the offence and when imposing sentence, the court should explain how the fact that the offence is aggravated affects the sentence imposed.

We would recommend that the court identify a starting point for sentencing of the specified offence before advising how the seriousness of the aggravation is then reflected in the overall sentence.

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