



Hourglass Response: Department of Justice
Rehabilitation of Offenders –
A consultation on proposals to reform
rehabilitation periods in Northern Ireland.

Hourglass Response to Department of Justice: Rehabilitation of Offenders - A consultation on proposals to reform rehabilitation periods in Northern Ireland.

Q1. Do you think that the rehabilitation periods for custodial sentences in Northern Ireland should be reviewed?

Yes, Hourglass believes that rehabilitation periods for custodial sentences in Northern Ireland should be reviewed, making them fairer, helping ex-offenders reintegrate into society quicker and more easily, and bringing them more into line with rehabilitation periods for England and Wales, and Scotland.

Q2. If you answered 'yes' to Question 1 do you think the rehabilitation periods should be reduced or increased?

Hourglass suggests that rehabilitation periods should be reduced. Rehabilitation periods that are too lengthy help prevent reintegration into society and moving forward for ex-offenders. A criminal record can affect access to housing and employment, with 75% of employers asked noting that they discriminate against applicants on the basis of a criminal record,¹ while at least 105 social housing providers ask on application about criminal records.² As the recent Ministry of Justice "A Smarter Approach to Sentencing" White Paper acknowledges, employment and the inability to access secure long term employment, is a key risk factor in reoffending.³ A reduction in rehabilitation periods and the length of time for convictions to become spent will help provide a better avenue for ex-offenders to reintegrate into society.

Q3. If you think that rehabilitation periods should be reduced, do you support the introduction of a two-part rehabilitation period, made up of the length of the sentence imposed by the court plus an additional "buffer" period?

Yes, Hourglass believes that the "buffer" period helps make the rehabilitation process fairer for all ex-offenders and provide a sensible way to reduce rehabilitation periods.

Q4. Finally, in respect of sentences that can become spent, do you support a review of the custody bands under which rehabilitation periods are specified?

Yes, Hourglass believes that a review of the custody bands should be instituted alongside the review of consultation on rehabilitation periods in Northern Ireland.

Q5. Currently, convictions resulting in a custodial sentence of over 30 months (2½ years) in Northern Ireland can never become spent. Do you think this should be reviewed?

Yes, Hourglass believes that all convictions (excluding serious sexual, violent, or terrorist offences) should be capable of being spent. As Unlock notes, the principle of excluding rehabilitation by sentence and offence has the potential to create further injustice at the margins of society, and institute the idea that certain people are inherently incapable of being rehabilitated.⁴

Q6. If you answered 'yes' to Question 5, please select one of the following options:

Do you think that the limit of 30 months should be changed to include determinate custodial sentences of over 30 months with no upper limit (meaning that all determinate custodial sentences of over 30 months could become spent, (excluding serious sexual, violent, or terrorist offences)?

Yes.

¹ Working Links (2010) *Prejudged: Tagged for life*, London: Working Links

² UNLOCK (2019) *Briefing: Reforming the criminal records disclosure regime*.

³ Ministry of Justice (2020) *A Smarter Approach to Sentencing*.

⁴ UNLOCK (2020) *The cycle repeats itself: Better, but still not smarter, disclosure of criminal records. Unlock's response to the Ministry of Justice white paper "A smarter approach to sentencing"*



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