

Generally

The PPS will answer any questions you may have regarding the outcome of the case, including explaining the sentence imposed on the defendant. You can speak to the prosecutor in court or to staff in the Regional offices.

PPS Regional Offices

If you would like further information about this scheme or the PPS generally you can contact your local Regional Office at the address below. Alternatively, you can visit the PPS website at www.ppsni.gov.uk

Belfast Region (Headquarters)

Belfast Region
93 Chichester Street
BELFAST, BT1 3JR
Tel: (028) 90 542444
Textphone: (028) 90 897011
Email: info@ppsni.gov.uk

Eastern Region

Lisburn Chambers
Linen Hill House
23 Linenhall Street
LISBURN, BT28 1FJ
Tel: (028) 92 625555
Email: info@ppsni.gov.uk

Northern Region

Ballymena Chambers
4 Parkway
BALLYMENA, BT43 5ET
Tel: (028) 25 666500
Email: info@ppsni.gov.uk

Foyle Chambers
35 Limavady Road
LONDONDERRY
Co Londonderry, BT47 6LP
Tel: (028) 71 340648
Email: info@ppsni.gov.uk

Western Region

Omagh Chambers
Main Street
OMAGH, BT78 1BL
Tel: (028) 82 248733
Email: info@ppsni.gov.uk

Southern Region

Newry Chambers
41-43 Downshire Road
NEWRY, BT34 1EE
Tel: (028) 90545903
Email: info@ppsni.gov.uk



PUBLIC
PROSECUTION
SERVICE

Unduly Lenient Sentences at the Crown Court

Independent, Fair and Effective

Unduly Lenient Sentences at the Crown Court

In certain cases, the Director of Public Prosecutions for Northern Ireland, who heads the Public Prosecution Service (PPS), has the power to ask the Court of Appeal to review a sentence on the grounds that it is unduly lenient. An application to review a sentence must be made within 28 days from the day when the sentence was imposed. If the Court of Appeal agrees that the sentence was unduly lenient it may increase the sentence.

When is a sentence unduly lenient?

The Court of Appeal has held that an unduly lenient sentence is one that falls outside the range of sentence that a judge, taking into consideration all relevant factors, and having regard to sentencing guidance, could reasonably consider appropriate. In other words the sentence must not just be lenient, but must be unduly lenient.

The Court of Appeal has a wide discretion in deciding what to do. It will take into account any features which aggravate the offence and any features which mitigate the offence. The court also takes account of the fact that the offender has been put through the sentencing process a second time. It will not intervene

unless the sentence is significantly below the sentence that the judge should have passed, a matter which the Director must bear in mind when deciding whether or not to refer a sentence to the Court of Appeal.

Where the Director does refer a sentence, the Court of Appeal will hold a hearing to review the sentence and decide either to quash the sentence and replace it with one it considers more appropriate, or decide that the sentence was within the range permitted and refuse the appeal.

When can a sentence be reviewed?

The sentence imposed must be for one of following offences:

- more serious offences that can be dealt with only in the Crown Court, such as murder, rape and dangerous driving causing death;
- certain sex offences;
- child cruelty;
- threats to kill;
- certain serious frauds;
- certain drugs offences;
- conspiring, attempting or inciting any of these offences.

An application to review a sentence can only proceed if it is brought within **28 days** from the day the sentence was imposed. It is therefore vital that concerns about a sentence are brought to the Director's attention as quickly as possible.

Who can make a request to review a sentence?

Victims, their families, and members of the public can contact the Director directly or through a public or legal representative about a sentence and their concerns.

The request should be made to the Director of Public Prosecutions at PPS Belfast Region Headquarters. The full address (and that of the other Regional Offices) is set out in full on the last page of this leaflet.

These cases are examined very carefully by the Director or the Deputy Director, who will consider all the facts and circumstances of the case and take account of the proper concerns of the victim or family. The Director will take legal advice from:

- prosecutors who appeared in the case in the Crown Court
- and a highly experienced senior independent barrister who had not been involved previously in the case.

