Department of Justice
An Roinn Dlí agus Cirt
Männystrie O tha Laa

Offender Levy Rate Review - Northern Ireland

A Public Consultation

Date: 16 November 2026

Department of Justice | An Roinn Dlí agus Cirt Männystrie O tha Laa

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Foreword by the Minister of Justice

This consultation seeks views on whether to increase the rates of the offender levy imposed on those convicted of a criminal offence or who have been provided with certain out of court penalties in Northern Ireland.

The offender levy was introduced in June 2012 and applies to adult offenders only. Its imposition is a statutory requirement, with legislative provision made in sections 1 – 6 of the Justice Act (Northern Ireland) 2011. The levy rates range between £5 and £50, depending on the severity of the sentence or penalty imposed, and levy revenue is used to resource a non-statutory Victims of Crime Fund for improved services to victims and witnesses of crime. Since its inception, the levy has raised nearly £4.8m.

Since its introduction, the levy rates have never been increased. Budgets in all Executive Departments are under considerable pressure. In the meantime, the needs of victims of crime must be met. As such I consider that an increase to the levy rates, to take account of inflation since 2012, is necessary.

I am therefore seeking views from the public in this eight-week consultation on increasing the offender levy, with the aim of bringing the necessary subordinate legislation to support an increase to the Assembly before the end of this mandate. Implementation of an increase in the rates would be subject to any necessary approvals and administrative arrangements being put in place.

Naomi Long MLA
Minister of Justice

Responding to this consultation

1.1 The Department is seeking your views on the issues raised by this consultation. We encourage respondents to answer the consultation questions via the on-line Citizen Space platform (https://consultations.nidirect.gov.uk/doj/offender-levy-rate-review-northern-ireland) on the NIDirect website.

1.2 If you are unable to respond using our online consultation facility, you can email your response to the following address: offenderlevyrateconsultation@justice-ni.gov.uk or you can write to us at:
Criminal Justice Policy and Legislation Division,
Department of Justice,
Knockview Buildings,
Stormont Estate,
Belfast
BT4 3SX.

1.3 The Department will publish a summary of responses to the consultation.

Duration and closing date

1.4 The consultation opens on Monday 16 November 2026 **and will close on 11 January 2027.** The Department is unable to consider any responses received after this date.

Alternative formats

1.5 Copies in alternative formats can be made available on request. If it would assist you to access the document in an alternative format or language please let us know and we will do our best to assist you.

Privacy, confidentiality and access to consultation responses

1.6 We may publish your response to this consultation. We will remove email addresses and telephone numbers from the responses; but apart from this, we may publish them in full. For more information about what we do with personal data please see our consultation privacy notice at **Annex B**.

1.7 Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA). Any such disclosures will be in line with the requirements of UK data protection legislation.

1.8 If you want the information that you provide to be treated as confidential, please explain why you regard it as confidential so that your explanation may be considered if the Department receives a request for the information under the FOIA.

Complaints

1.9 If you have any concerns about the way this consultation process has been handled, please submit your complaint by email to Governance.Unit@justice-ni.gov.uk or write to the following address:

Governance Unit
Corporate Engagement & Communications Division
Department of Justice
Room B5.16 Castle Buildings
Stormont Estate
Belfast
BT4 3SG

Impact assessments

1.10 The Department of Justice has conducted rural needs screening, human rights screening, and an equality screening exercise on the options contained in this consultation paper, and has identified no potential adverse impact on any of the identified groups. Further screening exercises will be undertaken if necessary in relation to any further developments following consideration of responses to the consultation.

Introduction

1. This consultation seeks views on potential changes to the level of offender levy as contained in sections 1 to 6 of the Justice Act (Northern Ireland) 2011 ("the Act")[1].

Background

2. The principal aim of the offender levy is to make offenders more accountable for the harm which their actions cause by requiring them to make a financial contribution to the delivery of support services to victims and witnesses of crime.

3. The money generated from the levy is ring-fenced from the main Government Consolidated Fund so that it can be used to help pay for a range of services and projects in Northern Ireland that support victims and witnesses during their engagement with the criminal justice system

4. The Act sets out the amount of the levy and includes a power for the Department of Justice to amend these amounts by way of subordinate legislation. To date no amendment has been made, meaning the levels are the same now as they were when the levy was introduced in 2012.

The Current Scheme

5. The scheme applies only to adult offenders where the levy is automatically applied by the court on conviction for a relevant offence or where it increases the amount of non-court disposal. The sentences which attract the levy are:
   - immediate imprisonment;
   - detention in the young offenders centre;
   - suspended custodial sentence;
   - community order;
   - fine;
   - certain fixed penalties – an endorseable fixed penalty or conditional offer for road traffic offences under Articles 60 and 80 of the Road Traffic Offenders (Northern Ireland) Order

[1] Justice Act (Northern Ireland) 2011

1996 respectively or a penalty note for disorder under section 60 of the Justice Act (Northern Ireland) 2011;

- Prosecutorial fine – under section 19 of the Justice Act (Northern Ireland) 2015.

Current charges

6. The current Northern Ireland Offender Levy rates are set out in the table below.

Penalty	**Amount of Offender Levy**
Immediate Custody of more than 2 years or an indeterminate sentence	£50
Immediate Custody of 2 years or less	£25
Court fine	£15
Fixed Penalty notice	£5*

The Act also provides for the application of a levy of £20 to suspended sentences and community orders. This provision has not yet been commenced. The Justice Act (NI) 2015 provides for a £10 levy to be attached to a Prosecutorial Fine – however, provision for such a disposal has not yet commenced.

* endorseable fixed penalty notices for road traffic offences, conditional offers and penalty notices for disorder. The amount of levy (and fine) is increased by 50% (to £7.50 for the levy) for non-payment within the required time period.

How is the offender levy collected?

7. The Northern Ireland Courts and Tribunals Service (NICTS) is responsible for collecting payment of the levy in the same way as an existing monetary penalty order, except where a custodial sentence has been given, in which case the Northern Ireland Prison Service (NIPS) is responsible for collecting the levy from the offender.

8. If committed to prison, the offender is given the opportunity to pay the levy amount in full. However, in the event that they are unwilling or unable to do so, the levy is deducted from their prisoner earnings[2] while in custody.

Other financial penalties

9. In certain cases the courts may impose a number of financial penalties on an offender, such as a compensation order. The Act makes provision to make clear the order of priority for payment of these. It provides that where it would be appropriate to make a compensation order, but the offender does not have sufficient means to pay both the compensation and the offender levy, the court must reduce the levy, if necessary to nil.

10. The Act also provides that when a fine and an offender levy are imposed together, the amount of any fine imposed may be reduced on account of the levy where the offender has insufficient means to pay both.

Position in England and Wales, Scotland and Ireland

England and Wales

11. In England and Wales, the equivalent to an offender levy is called the victim surcharge.

12. Having been introduced in 2007[3] and at that time applying only to fines, there have been regular uplifts and the scheme now extends to most sentences[4].

[2] Incentives and privileges under the Progressive Regimes and Earned Privileges Scheme (PREPS) are allocated according to three different regime levels: Basic (£4 per week), Standard (£11 per week) and Enhanced (£20 per week). Generally, all prisoners enter the Scheme on the Standard regime level. Progression or demotion within the scheme is dependent on behaviour, compliance with prison rules/regime/staff instruction, engagement with their development plan etc.

[3] Legislative provision now found at Sentencing Act 2020
[4] Victim Surcharge - Equality statement - GOV.UK

13. Similar to the offender levy, revenue raised from the surcharge is used to fund victim services through the Victim and Witness General Fund - full list of the groups supported.

14. The table below summarises the current amounts of the surcharge in England Wales.

Surcharge rates

Sentence	Adults (18+)	Youth (under 18 at time of offence)	Organisations
Conditional discharge	£26	£20	£26
Fine	40% of fine, max £2,000	£26	40% of fine, max £2,000
Community Order	£114	£26	
Suspended sentence of imprisonment (6 months or less)	£154		
Suspended sentence of imprisonment (over 6 months)	£187		
Immediate custodial sentence (6 months or less)	£154	£41	
Immediate custodial sentence (more than 6 months – up to and including 2 years)	£187	£41	

Sentence	Adults (18+)	Youth (under 18 at time of offence)	Organisations
Immediate custodial sentence (over 2 years or custody for life)	£228	£41	
Youth rehabilitation order or referral order		£26	

Scotland

15. In Scotland the victim surcharge, which came into force on 25 November 2019[5], applies only to fines and is dictated by a mandatory, sliding scale based entirely on the total value of the fine imposed, as set out below.

Scottish Victim Surcharge Rates

Total Amount of Fine	**Surcharge Payable**
Up to and including £200	£10.00
Between £200.01 and £500 inclusive	£20.00
Between £500.01 and £1,000 inclusive	£40.00
Between £1,000.01 and £2,500 inclusive	£75.00
Between £2,500.01 and £5,000 inclusive	£175.00
Between £5,000.01 and £10,000 inclusive	£350.00
In excess of £10,000	7.5% of the total fine

All collected fees go directly into the Scottish Government's Victim Surcharge Fund

[5] Victims and Witnesses (Scotland) Act 2014

Ireland

16. Ireland does not have a statutory offender levy or victim surcharge system attached to criminal sentences or court fines.

Why carry out a review of the charges?

17. Whilst the offender levy rates in Northern Ireland have remained static since 2012, the change in value for goods and services since June 2012 to August 2026 – as measured by the Consumer Prices Index - is just over 50% (50.34% to be exact).

18. In addition we want to be able to ensure adequate and stable funding for existing services for victims of crime, funded by the offender levy, as well as to be able to give consideration to funding new services where possible.

19. The Victims of Crime Fund allocates ringfenced revenue from the main Government Consolidated Fund obtained through the Offender Levy to projects that support victims and witnesses of crime in the criminal justice process.

20. In 2025-26 revenue totalling £465,876 was received by the Department of Justice, with allocations to Victim Support NI Support services for victims and witnesses, NSPCC Young Witness Service Support services for young victims and witnesses, and the Commissioner Designate for Victims of Crime.

21. Details of all allocations back to 2012 are available on the Departmental website: https://www.justice-ni.gov.uk/publications/victims-crime-fund

22. The impact of crime has both a human and an economic cost. In the financial year 2022/23 the total cost of crime in Northern Ireland was estimated at £3.4 billion; of this £2,639 million were costs incurred as a consequence of crime and £467 million were costs incurred responding to crime. The Minister wants to be able to provide more funding for victims' services. Increasing the offender levy is an obvious way of achieving this when funding across the NI Executive is so scarce, particularly in light of the human and economic impacts and harm caused by crime.

The options

Option 1:

Do nothing

- Doing nothing would mean that the levy remains at 2012 levels.

Option 2:

Increase current levy rates to reflect inflationary increases since 2012

- An increase in charges to the value of 50.34% (and then rounded to the nearest pound), in line with the Consumer Prices Index, would take account of inflation over the period since 2012.

- Under this option the charges would be increased as set out in the table below.

Penalty	Amount of Offender Levy (2012 values)	Amount of Offender Levy (Proposed 2026 values)
Immediate Custody of more than 2 years or an indeterminate sentence	£50	£75
Immediate Custody of 2 years or less	£25	£38
Court fine	£15	£23
Fixed Penalty notice	£5	£8

The uncommenced levy of £20 to suspended sentences and community orders would increase to £30. The uncommenced £10 levy to be attached to a Prosecutorial Fine would increase to £15.

For the endorseable fixed penalty notices for road traffic offices and penalty notices for disorder, the amount of levy (and fine) is increased by 50% for non-payment within the required time period. This would increase from £2.50 to £4.

- The Consumer Price Index is the broad measure of inflation used across Government and there is therefore consistency in using such an uplift here.

- By way of illustration, the offender levy raised £465,876 in 2025-26. Based on that figure, an increase of 50.34%, in line with the Consumer Prices Index, would bring in an **additional £234,522**.

Option 3:
Increase current levy rates by some other amount

Other measures might include taking account of:

- Retail Price Inflation
- Gross Disposable Household Income
- Wages
- GDP deflators
- A set monetary value

There is no limit to the possible options. However, we struggle with a supporting rationale for using any of these, given that Consumer Price inflation is the accepted measure used across Government. Public comments and analysis on the use of an alternative measure to effect the increase is very welcome.

Option 4:
Equalise the Northern Ireland rates with those in England and Wales or Scotland

It is notable that, even by increasing the Northern Ireland rates in line with the Consumer Price Index, the rates would still be lower than exist at present in England and Wales, and Scotland. An option therefore would be to equalise the Northern Ireland rates with the rates in one of those jurisdictions.

This is an attractive option in that it would maximise the amount of income available for victims' services.

However the systems in other jurisdictions are structured differently and there is no direct read across to Northern Ireland. Further, the Department would need a strong rationale to adopt one jurisdiction's rate over another.

It may be that such an option would be better-placed for consideration as part of a more comprehensive review in the next mandate, but consultee views are very welcome on this option.

Next steps

- This consultation will run for eight weeks and **close on Monday 11 January 2027**.
- The Department will analyse the responses and, if appropriate, bring a Statutory Rule to increase the rates of the offender levy to the Northern Ireland Assembly for consideration.
- Whilst time is short, it is still, at present, possible for the Northern Ireland Assembly to consider the Statutory Rule before the Assembly rises for Easter recess and the 2027 Assembly election.
- Subject to Assembly approval, the date for bringing any new rates into operation will need to be confirmed. The operational date will be subject to any necessary approvals and administrative decisions, including on ringfencing, changes to IT systems, etc.
- As the levy has been running for over 14 years, a more comprehensive review of the scheme would be appropriate. However this will need to take place in the next mandate.

Annex A

Consultation Questions

We would welcome responses to the following questions.

Question 1. Name (optional)

Question 2. E-mail Address (optional)

Question 3. Organisation (if applicable)

Question 4. To what extent do you agree or disagree with **Option 1: Do nothing - maintain fees at current levels? (please select)**

Strongly Agree

Agree

Neither agree nor disagree

Disagree

Strongly Disagree

Question 4. please give reasons.

_____

_____

_____

Question 5. To what extent do you agree or disagree with **Option 2: Increase current levy rates by 50.34%, taking account of the rate of inflation from 2012 as measured by the Consumer Prices Index?** (please select)

Strongly Agree

Agree

Neither agree nor disagree

Disagree

Strongly Disagree

Question 5. please give reasons.

_____

_____

_____

Question 6. To what extent do you agree or disagree with **Option 3: Increase current levy rates by some other amount ?** (please select)

Strongly Agree

Agree

Neither agree nor disagree

Disagree

Strongly Disagree

Question 6. please give reasons and further detail/supporting reasons.

_____

_____

_____

Question 7. To what extent do you agree or disagree with **Option 4: Equalise the Northern Ireland rates with those in England and Wales or Scotland?** (please select)

Strongly Agree

Agree

Neither agree nor disagree

Disagree

Strongly Disagree

Question 7. please give reasons and further detail/supporting reasons.

_____

_____

_____

Question 8 - If you do not agree with Option 1-4, is there an alternative measure by which an increase can be taken forward?

Yes/No

Question 8. if yes, please give details.

_____

_____

_____

Question 9

Please let us know if you have any other comments or suggestions.

_____

_____

_____

Impact of Proposals

Equalities Statement

Section 149 of the Equality Act 2010 places a duty on Ministers and Departments, when exercising their functions, to have 'due regard' to the need to eliminate conduct which is unlawful under the 2010 Act, advance equality of opportunity between different groups and foster good relationships between different groups. We will undertake a full assessment of the impact of each of our proposals to ensure compliance.

About you

Please use this section to tell us about yourself. Please note you are completing this section voluntarily; your details will be held securely according to the Data Protection Act 2018. We have not asked you for any personal data, however your opinions may constitute personal data and by responding electronically we will have your IP address and/or your email address. These personal data will be deleted one month after the findings of the consultation have been published. We will publish details of who has responded where we have this information.

Job title or capacity in which you are responding to this consultation (for example: police officer, member of the public:
(Please insert details if applicable)

Company name/organisation
(Please insert details if applicable)

Annex B

Confidentiality and Privacy Notice

Confidentiality of consultation responses – Freedom of Information Act 2000

The Department intends to publish a **summary** of responses following completion of the consultation process.

Your response, and all other responses to the consultation, may also be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this public consultation.

Subject to certain limited provisos, the Freedom of Information Act gives members of the public a right of access to any information held by a public authority, in this case, the Department. This right of access to information includes information provided in response to a consultation.

The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties "in confidence" if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

Further information about confidentiality of responses is available by contacting the Information Commissioner's Office (or at https://ico.org.uk/)

Privacy Notice

Data Controller Name: Department of Justice

Address: Department of Justice
Castle Buildings
Stormont Estate
BELFAST
BT4 3SG

Telephone: 02890 378617

Email: FOI@justice-ni.gov.uk

Data Protection Officer Name: Department of Justice Data Protection Officer

Telephone: 02890 378617

Email: DataProtectionOfficer@justice-ni.gov.uk

Why are you processing my personal information?

The Department is seeking comments from interested parties as part of its public consultation on increasing the general civil jurisdiction of the county courts in Northern Ireland. The Department is not seeking personal data as part of the consultation but is likely to receive names and addresses/e-mail addresses as part of a consultee's response.

Consultation is a requisite part of the development of public policy and strategy.

ONLY if you are relying on consent to process personal data.

The Department is not relying on consent for processing the data supplied by the applicant. DoJ is required to seek consultation responses as part of policy development.

What categories of personal data are you processing?

Responses to the consultation will include names and addresses and/or e-mail addresses.

Where do you get my personal data from?

The personal data will originate from the person responding to the consultation.

Do you share my personal data with anyone else?

We will not share your personal data with other organisations.

Do you transfer my personal data to other countries?

No.

How long do you keep my personal data?

We will retain your data in line with 5.7 of Schedule 5 of the DoJ Retention and Disposal Schedule (https://www.justice-ni.gov.uk/publications/doj-retention-and-disposal-schedule)

(If you use automated decision making or profiling) How do you use my personal data to make decisions about me?

The Department will not use automated processing for responses to this consultation.

What rights do I have?

You have the right:

- to obtain confirmation that your data is being processed, and access to your personal data
- to have personal data rectified if it is inaccurate or incomplete
- to have personal data erased and to prevent processing, in specific circumstances
- to 'block' or suppress processing of personal data, in specific circumstances
- to data portability, in specific circumstances
- to object to the processing, in specific circumstances
- in relation to automated decision making and profiling.

How do I complain if I am not happy?

Complaints should be submitted to:

Freedom of Information Unit
Department of Justice
Castle Buildings
Stormont Estate
BELFAST
BT4 3SG
Telephone: 02890 378617

Email: FOI@justice-ni.gov.uk

If you are unhappy with any aspect of this privacy notice, or how your personal information is being processed, please contact the Departmental Data Protection Officer at: DataProtectionOfficer@justice-ni.gov.uk

If, after contact the Departmental Data Protection Officer, you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF
Tel: 0303 123 1113
Email: casework@ico.org.uk
https://ico.org.uk/global/contact-us/