

**From:** Jessica Murray [REDACTED]  
**Sent:** Friday, 6 December 2024 4:26 PM  
**To:** sentencingcouncil  
**Subject:** Submission on Sentencing Reform – Abolishing Character References in Sex Offences and Child Abuse Cases

To the Sentencing Council,

I am writing in response to the ongoing review of sentencing reform, specifically to address the continued use of character references in cases involving sex offences and child abuse. Drawing on my professional experience as a (former) Sex Offences and Child Abuse Detective, I would like to highlight why I believe these references are archaic, irrelevant, and ultimately harmful to the pursuit of justice for victims.

Character references are intended to provide insight into the offender's moral standing or contributions to society. However, these references serve to shift focus away from the severe impact and enduring harm caused to victims. In my investigations, I have witnessed countless survivors display extraordinary courage as they recount deeply traumatic experiences, only to have their voices overshadowed by favourable references from the offender's colleagues, friends, or family members.

This practice is not only outdated but actively undermines the principles of justice. It perpetuates the notion that the offender's societal contributions or reputation should mitigate the consequences of their actions, even when those actions have irreparably harmed the lives of others. Victims often feel retraumatised when their experiences are minimised in favour of the offender's "good character." Furthermore, it risks reinforcing societal biases, where those with privilege or influence are seen as more deserving of leniency, irrespective of the harm they have caused.

The key issues with character references in these cases include:

**1. Irrelevance to the Crime:**

An offender's reputation or good deeds in unrelated contexts should not be used to downplay the severity of their offences. Sexual abuse and exploitation of children are acts that defy societal norms and morals. A history of unrelated "good character" does not absolve an offender of the choices they made to commit such heinous acts.

**2. Detracts from Victims' Experiences:**

Allowing character references creates an imbalance in court proceedings, often reducing the harm experienced by victims to a secondary consideration. It risks overshadowing the survivor's voice and the profound impact these crimes have on their mental, emotional, and physical wellbeing. Justice should centre the survivor's experience and prioritise the harm caused by the offender, rather than being diluted by unrelated praise for the offender's prior conduct.

**3. Perpetuates Inequity in Sentencing:**

Those with greater social standing or connections are often able to obtain glowing character references, creating disparities in sentencing outcomes. This systemic bias rewards privilege and undermines equality before the law, especially when compared to offenders who lack the same resources to produce such references.

**4. Re-traumatisation of Victims:**

Victims frequently describe feeling invalidated and re-traumatized when character references are read in court. It can create the impression that the offender's reputation and contributions to society outweigh the pain and suffering they have inflicted. Survivors of sex offenses and child abuse deserve a process that affirms their experiences and demonstrates that such crimes are treated with the utmost seriousness.

I firmly believe that abolishing character references in sentencing for sex offenses and child abuse is a necessary step in ensuring justice for victims. Courts should place their focus squarely on the offender's actions, the evidence presented, and the impact on survivors, rather than being influenced by character attestations that are wholly irrelevant to the crimes committed.

This reform would bring our justice system in line with contemporary values, reaffirming its commitment to supporting victims and holding offenders accountable. It would send a clear message that sexual violence and child abuse are intolerable, and that no amount of prior good character can excuse or diminish such crimes.

I urge the Council to consider this important change as part of the ongoing review. Our legal system must evolve to prioritize the needs of survivors, and removing character references in these cases is a vital step toward achieving that goal.

Thank you for the opportunity to contribute to this critical discussion. I would be happy to provide further insights or clarification if needed.

Yours sincerely,

Jessica Murray

A black rectangular redaction box covering the signature area.