

# Unit 5: The Role of the NI Justice System

## Active Citizenship



### Lesson 1: Types of sentencing

This lesson requires pupils to explore the different types of sentencing in place for those who commit a crime. They will identify the advantages and disadvantages of different sentencing types.

#### Planning

<b>Prior Learning</b>	<p>Pupils should have gained prior knowledge and understanding of:</p> <ul style="list-style-type: none"><li>• what justice is;</li><li>• what lawfulness is; and</li><li>• what the Northern Ireland justice system is.</li></ul>
<b>Learning Outcomes</b>	<p>Pupils will be able to:</p> <ul style="list-style-type: none"><li>• identify different types of sentencing that people can face;</li><li>• identify advantages and disadvantages of the different types of sentencing; and</li><li>• make decisions for themselves on what they consider fair or harsh sentencing, considering multiple factors.</li></ul>
<b>Thinking Skills and Personal Capabilities Focus</b>	<p>Pupils will have opportunities to develop the following:</p> <p><b>Working with Others</b></p> <ul style="list-style-type: none"><li>• Respect the views and opinions of others and reach agreements using negotiation and compromise</li></ul> <p><b>Thinking, Problem Solving and Decision Making</b></p> <ul style="list-style-type: none"><li>• Make and justify decisions</li><li>• Offer solutions and weigh up options</li><li>• Examine options and weigh up pros and cons.</li></ul>
<b>Attitudes and Dispositions</b>	<p>Pupils will be encouraged to develop the following:</p> <ul style="list-style-type: none"><li>• Openness to new ideas</li><li>• Concern for others</li><li>• Personal Responsibility.</li></ul>

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## Resources

Animation: *The Role of the Northern Ireland Justice System*

Unit 5: Lesson 1 Resource A – Sentencing

Unit 5: Lesson 1 Resource B – Understanding sentencing (Match the terms to the definitions)

Unit 5: Lesson 1 Resource C – Advantages and disadvantages of different types of sentencing

Online activity: [You be the judge](https://www.ybtj.justice.gov.uk)

[www.ybtj.justice.gov.uk](https://www.ybtj.justice.gov.uk)

Post-it notes

## Suggested teaching and learning strategies

### Launch

Lead a class discussion, using prompt questions and effective questioning techniques:

1. **What is the role of the Northern Ireland justice system?**
2. **Who has the right to sentence people?**
3. **What is the role of a jury?**
4. **Can a sentence be revoked/overturned?**
5. **How many different types of sentencing can you come up with?**

You may now wish to show the animation *The Role of the Northern Ireland Justice System*.

*Possible answers and discussion points:*

1. *To protect the people of Northern Ireland and ensure that when someone has committed a crime they are dealt with fairly*
2. *A judge and jury*
3. *To hear both sides of the arguments and decide whether the evidence proves that the accused is guilty or not guilty*
4. *Yes, there is the possibility to appeal a sentence up to three times if new evidence is brought to light.*
5. *Jail time/Custodial sentence; community service; electronic tagging, etc.*

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## Activities

### Activity 1: Sentencing

- There are many different types of sentencing. Working in pairs, ask the pupils to unscramble the types in **Resource A**. You may wish to give them some definitions (from the next activity) to help.

Answers:

1. **Custodial**
2. **Non-custodial**
3. **Prison**
4. **Fines**
5. **Community service**
6. **Electronic tagging**
7. **Anti-social behaviour order**

### Activity 2: Understanding sentencing

- Discuss with the class what each type of sentencing involves.
- Invite them to match the correct definitions with the terms in **Resource B**.

Answers:

1. **Custodial** – F. A sentence given by the court imposing legal custody of the offender, either in prison or in some other closed institution, for example psychiatry, reformatory or drug detoxification
2. **Non-custodial** – E. A sentence given by the court that does not involve a prison term or other closed institution
3. **Prison** – G. A building in which people are legally held as punishment for their crime
4. **Fines** – B. Amounts of money that have to be paid as punishment for a crime or other offence
5. **Community service** – C. Unpaid work intended to help the community, such as graffiti removal or litter picking
6. **Electronic tagging** – D. The attaching of monitors to the offender to allow them to be tracked
7. **Anti-social behaviour order** – A. An order obtained from the courts by local authorities to restrict a person's behaviour that might cause distress to the local community

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## Activity 3: Advantages and disadvantages of different types of sentencing

- Make copies of the statements in **Resource C**, cut them out, mix them up and give a set to each group of 4–5 pupils in your class.
- Ask the pupils to sort the statements into five categories: those relating to *Prison, Fines, Community Service, Anti-Social Behaviour Orders, and Electronic Tagging*. Next, ask them to separate the statements to show which they think are *Advantages* and which are *Disadvantages* of each type of sentence. (You could also ask the pupils to come up with some advantages and disadvantages of each type of sentence first, before you give out the cards.)
- Discuss the pupils' answers together as a class.

## Activity 4: You be the judge (online activity)

- Introduce the online activity [You be the judge](http://www.ybtj.justice.gov.uk) (available at [www.ybtj.justice.gov.uk](http://www.ybtj.justice.gov.uk)) and explain: 'You will now be presented with a number of different criminal case studies. From your knowledge of different types of sentencing, come up with what you believe is the correct form of punishment and justify your choices.'
- Choose a criminal case study to play to the class on the whiteboard.
- After each video, pause and discuss the question posed with the pupils before progressing to the next video.
- Before the last video, ask the class to vote on their chosen final sentence from the options given.
- Facilitate a discussion on their choices.
- Select the sentence chosen by the majority, and display the results and final video.

## Debrief

Use this whole-class activity to encourage pupils to discuss their learning and identify their understanding:

- Ask the pupils to write on a Post-it note something they have learned about sentencing that they previously didn't know.
- Invite them to stick their Post-its on the board.
- As a class, discuss the different points raised.

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## Unit 5: Lesson 1 Resource A Sentencing

1. USACIOLTD

C \_ \_ \_ \_ \_

2. ONN CSLTUADOI

N \_ \_ - C \_ \_ \_ \_ \_

3. PINROS

P \_ \_ \_ \_ \_

4. EFSIN

F \_ \_ \_ \_

5. MUTYOCMIN REESVCI

C \_ \_ \_ \_ \_ S \_ \_ \_ \_ \_

6. ICLEENTROC AGTGGIN

E \_ \_ \_ \_ \_ T \_ \_ \_ \_ \_

7. NTAI COIASL RBAVUOIHE DRREO

A \_ \_ \_ - S \_ \_ \_ \_ B \_ \_ \_ \_ \_ O \_ \_ \_ \_



# The Role of the NI Justice System

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## Unit 5: Lesson 1 Resource B

Understanding sentencing (Match the terms to the definitions)

1. Custodial

2. Non-custodial

3. Prison

4. Fines

5. Community service

6. Electronic tagging

7. Anti-social behaviour order

A. An order obtained from the courts by local authorities to restrict a person's behaviour that might cause distress to the local community

B. Amounts of money that have to be paid as punishment for a crime or other offence

C. Unpaid work intended to help the community, such as graffiti removal or litter picking

D. The attaching of monitors to the offender to allow them to be tracked

E. A sentence given by the court that does not involve a prison term or other closed institution

F. A sentence given by the court imposing legal custody of the offender, either in prison or in some other closed institution, for example psychiatry, reformatory or drug detoxification

G. A building in which people are legally held as punishment for their crime

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## Unit 5: Lesson 1 Resource C

Advantages and disadvantages of different types of sentencing



ADVANTAGES	DISADVANTAGES
Not normally used for minor crimes, unless the person has previous convictions	Some offenders may spend the rest of their lives behind bars.
Removes the offender from society	People have wrongfully been put behind bars for years before being released; these years cannot be given back.
Removes the threat to the community, especially in the case of murder and rape cases	The person who committed the crime is not the only one to be punished; for example, their children will grow up without a parental figure.

Prison

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## Unit 5: Lesson 1 Resource C

Advantages and disadvantages of different types of sentencing

Fines		
The most common non-custodial sentence is a fine.	Failure to pay a fine can lead to imprisonment.	
A fine is paid immediately or in instalments, which allows people to pay it back in manageable amounts.	A fine might not deter a person from committing a crime.	
An alternative to prison where guilty people have to carry out unpaid community work	Community service might not deter a person from committing a crime.	
The judge will set how many hours' work in the community the offender has to carry out based on their crime.	The person who committed the crime is still living in the community; they could still pose a threat to society.	
Can help improve the local area, for example through litter picking, graffiti cleaning, repairing, repainting and creating play areas	The work is unpaid, so the guilty person may remain in a poverty trap that led to their committing a crime in the first place.	

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## Unit 5: Lesson 1 Resource C

### Advantages and disadvantages of different types of sentencing

	Advantages	Disadvantages
<b>Anti-Social Behaviour Orders</b>	<p>Designed to correct minor incidents of anti-social behaviour that might not normally have been challenged by the courts, such as noise pollution, being rude, drunken behaviour, vandalism and shoplifting</p> <p>The order acts to restrict behaviour in some way. It might prevent the offender from going to a certain area, swearing, drinking, and having parties.</p>	<p>Put in place to try to protect the public from further anti-social behaviour</p> <p>In some cases an ASBO has been viewed as a badge of honour amongst some young people.</p>
<b>Electronic Tagging</b>	<p>An alternative to prison where the offender wears a plastic ankletag</p> <p>Contains a microchip that transmits a signal. If the signal is not received, for example if the person travels away from home without permission, the police are alerted immediately.</p> <p>Used to enforce a curfew on an offender while allowing them to remain within society and maintain a more normal lifestyle</p>	<p>Allows more space in prisons and saves money</p> <p>Some feel that this is only a money-saving exercise and does not remove the threat of the offender from society.</p>