



Protocol for providing character references in the case of criminal convictions.

▪ What is a Character Reference in a criminal case?

A character reference at sentencing stage in a criminal trial is a letter written by someone who knows the offender. Its purpose is to provide information to the Judge about the individual circumstances of the offender so that they are taken into account in determining the sanction to be imposed.

The reference provides a broader perspective on the individual beyond the specific criminal act. Its purpose is to offer insight to the court about the convicted individual beyond the crime itself, aiding in determining a fair punishment that aligns with the principle of proportionality.

Character references carry significant weight in influencing the Judge and can greatly impact the sentencing of the defendant in a criminal case.

Referees should understand that they may be called upon to testify in court and be cross-examined regarding the character reference they have provided.

▪ What are the obligations to provide a character reference?

There is no legal obligation to provide a character reference at sentencing stage in a criminal trial.

▪ If a member of staff proposes to give a character reference at a sentencing hearing, they should do so with the following in mind:

The reference should acknowledge the charges and the conviction.

Where a character reference is provided on behalf of a student/employee or former student/former employee the following applies;

- The character reference may be provided on University headed paper, provided it is acknowledged that it is the view of the signatory and not that of the University or the University community. The character reference should clearly state that the views expressed are those of the signatory.
- The character reference should be factual, giving an accurate account of the staff/student's performance at the University. It should avoid hyperbole.
- The referee should notify their line manager where a reference is proposed to be provided in the circumstances outlined above.

Where a character reference is provided in a personal capacity (i.e. the individual has no association with UL or is not related to the individual's time in UL), University headed paper/ University email may not be used.