

Statistical Bulletin

Sexual Offences

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for offences covered by the Sentencing Council's draft revised guideline on sexual offences, covering the following offences under the Sexual Offences Act 2003 (SOA):

- Arranging or facilitating the commission of a child sex offence (section 14)
- Sexual communication with a child (section 15A)
- Causing or inciting a child under 13 to engage in sexual activity (section 8)
- Causing or inciting a child to engage in sexual activity (section 10)
- Abuse of position of trust: causing or inciting a child to engage in sexual activity (section 17)
- Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity (section 31)
- Care workers: causing or inciting sexual activity (section 39)
- Causing or inciting sexual exploitation of a child (section 48)
- Causing or inciting prostitution for gain (section 53)²

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin.

Additional figures are available to download as Excel spreadsheets or Open Document spreadsheets at the following link:

<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistical-bulletin>.

Contents

Arranging or facilitating the commission of a child sex offence	2
Sexual communication with a child	3
Causing or inciting a child under 13 to engage in sexual activity	3
Causing or inciting a child to engage in sexual activity	4
All other causing or inciting sexual offences	5
Further information	5

¹ Offenders aged 18 or over at the time of conviction.

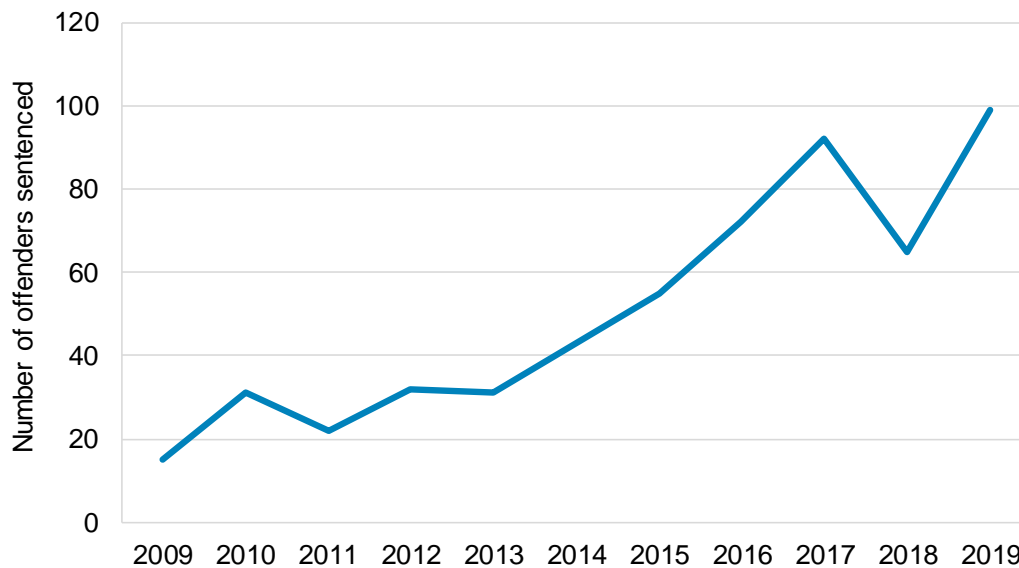
² Due to very low volumes of these causing and inciting sexual offences, sections 17, 31, 39, 48 and 52 have been grouped together to allow more meaningful analysis.

Arranging or facilitating the commission of a child sex offence

Sentence volumes

Since 2009, there has been an overall increase in the number of offenders sentenced for arranging or facilitating the commission of a child sex offence, from around 20 in 2009 to around 100 in 2019 (see figure 1).

Figure 1: Number of adult offenders sentenced for arranging or facilitating the commission of a child sex offence, 2009-2019



Sentence outcomes and lengths

In 2019, the majority of offenders sentenced for arranging or facilitating the commission of a child sex offence received an immediate custodial sentence (71 per cent). A further 17 per cent received a suspended sentence, 10 per cent received a community order and 2 per cent were otherwise dealt with.³

The statutory maximum sentence for arranging or facilitating the commission of a child sex offence is 14 years' custody, and in 2019 the average custodial sentence length (ACSL)⁴ was 3 years 10 months.

³ Otherwise dealt with include restriction orders, disqualification orders, victim surcharge, guardianship orders, restraining orders, sexual harm prevention orders, forfeiture order and other miscellaneous disposals.

⁴ The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

Sexual communication with a child

Sentence volumes

The offence of sexual communication a child came into force on 3 April 2017⁵; since then around 320 adult offenders were sentenced for this offence. Most of these were sentenced in 2019, with around 280 offenders sentenced.

Sentence outcomes and lengths

In 2019, 42 per cent were sentenced to a community order, a further 36 per cent receiving a suspended sentence, 15 per cent received an immediate custodial sentence and 6 per cent were otherwise dealt with.³

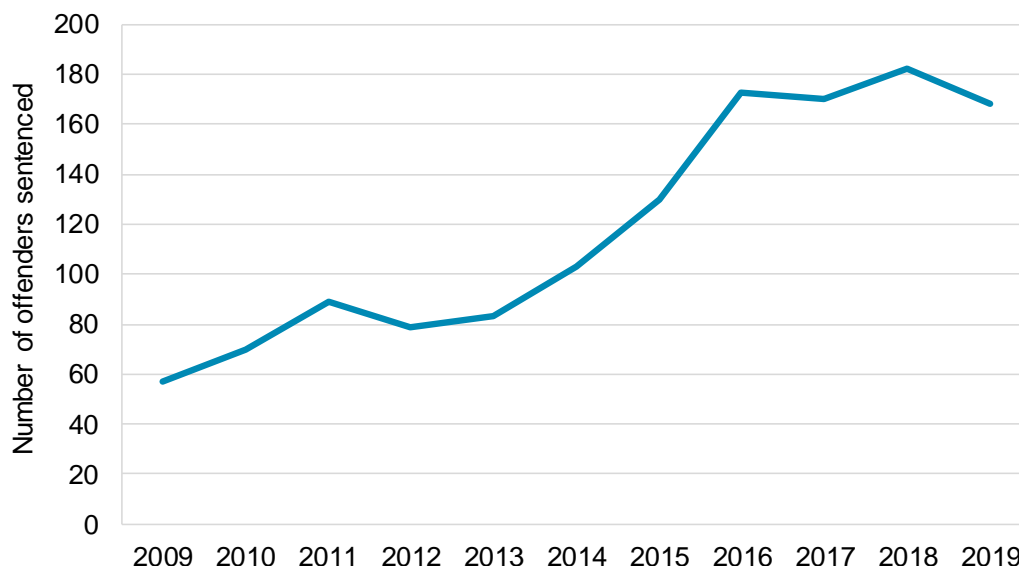
The statutory maximum sentence for sexual communications with a child is 2 years' custody and in 2019, the ACSL was 10 months.

Causing or inciting a child under 13 to engage in sexual activity

Sentence volumes

Since 2009, the number of offenders sentenced for causing or inciting a child under 13 to engage in sexual activity has increased overall from around 60 in 2009 to around 170 in 2019. A relatively steep increase was seen between 2012 and 2016 (from around 80 to around 170 offenders sentenced); since then, the number of offenders sentenced has been more stable (see figure 2).

Figure 2: Number of adult offenders sentenced for causing or inciting a child under 13 to engage in sexual activity, 2009-2019



⁵ In April 2017, Section 67 of the Serious Crime Act 2015 inserted a new offence into the Sexual Offences Act 2003, at Section 15A, and criminalised sexual communication with a child. This offence came into effect on 3 April 2017.

Sentence outcomes and lengths

In 2019, most offenders received a sentence of immediate custody (85 per cent). A further 10 per cent received a suspended sentence, 4 per cent received a community order and 2 per cent were otherwise dealt with.³

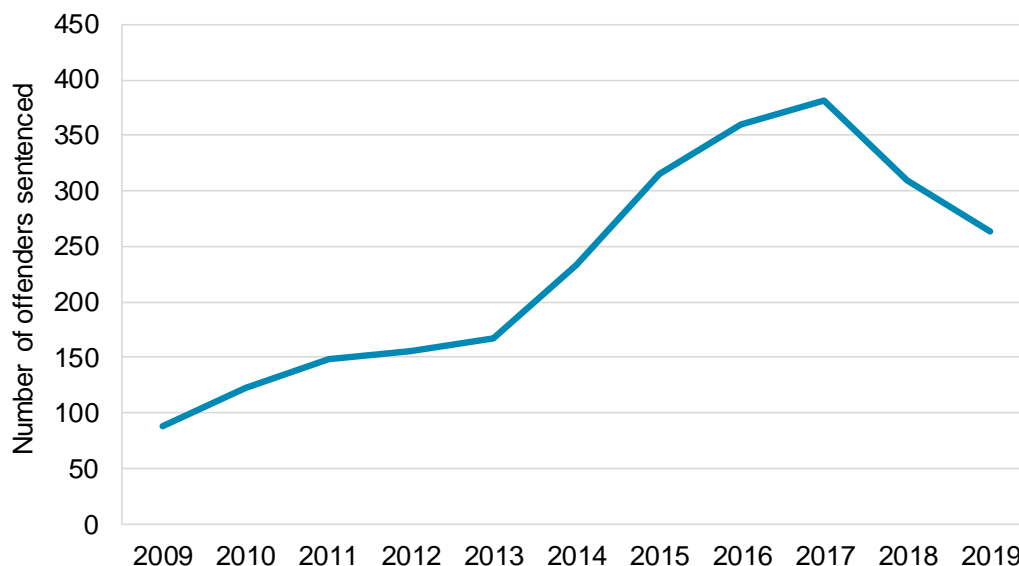
The statutory maximum sentence for causing or inciting a child under 13 to engage in sexual activity is life imprisonment and the ACSL in 2019 was 4 years 10 months.

Causing or inciting a child to engage in sexual activity

Sentence volumes

Between 2009 and 2017, the number of offenders sentenced for causing or inciting a child to engage in sexual activity increased, from around 90 in 2009 to around 380 in 2017. Since then the number of offenders sentenced has decreased each year, to around 260 in 2019.

Figure 3: Number of adult offenders sentenced for causing or inciting a child to engage in sexual activity, 2009-2019



Sentence outcomes and lengths

In 2019, the most frequent outcome for offenders sentenced for causing or inciting a child to engage in sexual activity was immediate custody (51 per cent of offenders). A further 26 per cent received a suspended sentence, 16 per cent received a community order and 6 per cent were otherwise dealt with.³

The statutory maximum sentence for causing or inciting a child to engage in sexual activity is 14 years' custody, and in 2019 the ACSL was 3 years 2 months.

All other causing or inciting sexual offences²

Sentencing volumes

Between 2015 and 2019, around 190 offenders were sentenced for causing or inciting sexual offences under these other sections of the SOA. The majority of these (around 130 offenders, 67 per cent) were sentenced under section 48: causing or inciting sexual exploitation of a child. Around 30 offenders were sentenced under section 17, around 20 offenders were sentenced under section 52, around 10 offenders were sentenced under section 31 and fewer than 5 were sentenced under section 39.⁶

Sentence outcomes and lengths

For offenders sentenced under section 48 (the highest volume of these offences) between 2015 and 2019, 60 per cent of offenders were sentenced to immediate custody. Suspended sentence orders accounted for 19 per cent of sentences, community orders accounted for 16 per cent, 3 per cent were recorded as otherwise dealt with and fines and discharges accounted for 1 per cent each. **Error! Bookmark not defined.** **Error! Bookmark not defined.**

The statutory maximum sentence for section 48, causing or inciting sexual exploitation of a child, is 14 years and the ACSL between 2015 to 2019, was 3 years 4 months.⁷

See the data tables for further details of sentences for the other offences; however, volumes are so low that analysis of sentencing outcomes and lengths is not particularly meaningful.

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When a defendant has been found guilty of two or more offences this is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea.

⁶ Figures on sentence outcomes have been presented for the highest volume offence (section 48), figures of sentencing outcomes for the other sections are available in the accompanying data tables.

⁷ The statutory maximum varies across these offences, for section 17 offences the statutory maximum sentence is 5 years, for section 31 offences it is life imprisonment, for section 39 offences it is 14 years' custody, for section 48 offences it is 14 years' custody and for section 52 offences it is 7 years.

General conventions

Actual numbers of sentences have been rounded to the nearest 100 when more than 1,000 offenders were sentenced, and to the nearest 10 when fewer than 1,000 offenders were sentenced.

Data sources and quality

The source of data for this bulletin is the Court Proceedings Database (CPD), which is maintained by the Ministry of Justice (MoJ). Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Further details of the processes by which MoJ validate the records in the CPD can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

<https://www.gov.uk/government/collections/criminal-justice-statistics>

Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to:

<mailto:research@sentencingcouncil.gov.uk>

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Further information on the Sentencing Council and its work can be found at:

<http://www.sentencingcouncil.org.uk/>