

From 1<sup>st</sup> April 2014 the Sentencing Council's *Sexual Offences: Definitive Guideline* applies when sentencing those aged 18 and over for offences sentenced on or after that date.

Where the offender is under 18 and is being sentenced for one of the following offences, Part 7 of the SGC guideline applies:

- Sexual activity with a child
- Causing or inciting a child to engage in sexual activity
- Engaging in sexual activity in the presence of a child
- Causing a child to watch a sexual act
- Sexual activity with a child family member
- Inciting a child family member to engage in sexual activity.

**Refer to SGC Sexual offences guidelines, Part 7: Sentencing young offenders – offences with a lower statutory maximum. See link on guidelines to download page.**

For each of these offences, the maximum sentence for an under 18 offender is five years' imprisonment rather than 14 or 10 years' if the offender was over 18.

**The starting points and ranges apply to an offender aged 17 who pleaded not guilty.**

Where the offender is under 18 and is being sentenced for any other sexual offence covered by the Sentencing Council's *Sexual Offences: Definitive Guideline* the court should apply the *Overarching Principles: Sentencing Youths Definitive Guideline*.

**Refer to guideline: Overarching Principles – Sentencing Youths. See link on guidelines to download page.**

Part 7 and the overarching principles will continue to apply until such time as the Council produces new definitive guidelines for sentencing youths. The Council is beginning work on these in Autumn 2014 and they will be the subject of public consultation during 2015. When the definitive guidelines are issued, the website will be updated with sentencers and practitioners advised of the date of implementation.