

Rape of a child under 13

Average custodial sentence length for adults sentenced for rape of a child under 13



Source: Ministry of Justice (2021) *Criminal Justice System Statistics publication: Outcomes by Offence 2010 to 2020: Pivot Table Analytical Tool for England and Wales*

The average custodial sentence length given to adults who are convicted of rape of a child under 13 has predominantly varied between 11 and 12 years since 2013. The years 2010, 2011 and 2012 saw approximately 6 months being added to the average length of sentence each year. The most recent Sentencing Council guideline came into force in April 2013 and it is difficult to determine from the average sentences alone what impact this guideline has had on sentencing practices for this type of offence. It is also important to note that in this type of offending consent is irrelevant as a child under 13 does not, under any circumstances, have the capacity to consent to any form of sexual activity.