

DEPARTMENT OF HOME AFFAIRS

The Hon. Member for Douglas East, Ms Faragher, to ask The Minister for Justice and Home Affairs:

In each of the last five years, a) how many people have been prosecuted and convicted under the Sexual Offences and Obscene Publications Act 2021 (and predecessor legislation as applicable) for the following offences: rape, sexual assault of a child under 13, causing or inciting a child to engage in sexual activity, arranging or facilitating the commission of a child sex offence, sexual communication with a child, and possession, making, or distribution of indecent images of children;

b) for each category and year, what the sentencing outcome was, broken down by: immediate custodial sentence (with average and median sentence length provided), suspended custodial sentence (with average and median length), and community order or other non-custodial disposal;

c) the statutory maximum penalty for each of the offences listed in a) and details of how these compare to the maximum penalties in neighbouring jurisdictions; and if she will commit to publish sentencing outcome data for sexual offences on a regular basis.

Question W-202501-1919 published on 10/10/25; Answer published on 31/10/2025.

The Minister for Justice and Home Affairs (Mrs Poole-Wilson):

The Department has been unable to extract and present the data requested in the manner requested. This is due to a number of issues:

1. The police crime recording standards mean that an incident comprising a sequence of crimes between the same offender (or group of offenders) and the same victim should be counted as one crime if reported to the police all at once. Generally, the most serious crime is recorded. Therefore, an offender may have committed multiple crimes against the same victim, but only one crime is recorded. Therefore, it is difficult to capture prosecutions and convictions in a table in a way which allows a coherent follow through to the next question asked by the Hon Member. For that reason, the Department has sought to use only prosecutions data. The data in the table below shows in column one details of the offences one offender was convicted of and in column two the sentence imposed.
2. The AG's Chambers Prosecutions Division captures the sentencing outcomes for cases, but where an offender is sentenced for multiple crimes, the sentencing total is only captured in aggregate. While the sentencing remarks will contain the specific breakdown, these are not generally held by the AG's Chambers. In addition, sentences for multiple crimes may run concurrently and so the total is not always indicative of the final sentence to be served.
3. For the reasons above, it is not possible to provide much of the information sought.

In relation to the information requested on statutory maximum penalties, the Clerk of Tynwald's office undertook research on the Sexual Offences and Obscene Publications Act 2021 compared to the Sexual Offences Act 1992, including maxima. This can be [found here](#). It has not been possible to identify comparator offences from other jurisdictions in the timescale set out due to lack of resource in the Department.

The Sexual Offences and Obscene Publications Act 2021 came into effect for the most part on 25 March 2024. Its provisions apply to relevant offences committed after the date that relevant sections came into operation.

In relation to committing to publication of ongoing statistics in relation to sexual offences, I have asked officers to develop a consistent and coherent data set to allow for annual reporting of this important information.

2020

Indecent Images	14 months custody, 10 years Sex Offender Registration (SOR), 10 years Sexual Offences Prevention Order (SOPO)
Unlawful Sexual Intercourse	14 months custody
Indecent Assault x 2, Gross Indecency x 2, Rape x 2	9 years custody, 5 years extended licence, indefinite period on SOR
Rape, Indecent Assault	11 years custody, SOR until further notice, SOPO until further notice
Indecent Images x 13	16 months custody suspended 2 years, SOPO 10 years, SOR 10 years
Indecent Images	12 months custody
Indecent Assault/Gross Indecency/Indecent Images	16 months custody
Indecent assault / rape	11 years custody, SOPO

2021

Rape, Kidnap, Possess Firearm	12 years 6 months custody, SOPO, SOR until further order
Indecent Assault	26 months custody, 10 years SOR
Indecent Assault	22 months custody, 10 years SOR
Indecent Assault x 2, Gross Indecency x 3, Buggery, USI x 2	12 years custody, extended licence (4 years), indefinite SOR, SOPO
Indecent Assault	16 months custody, 10 years SOR, 10 years SOPO
Indecent Assault x 3 & Assault occasioning Actual Bodily Harm	35 months custody, SOPO, SOR, Travel notifications – indefinite
Indecent Images x 19	20 months custody, 2 years suspended, 10 years SOR

2022

Rape	23 months custody, 10 years SOR
Indecent Images x 11	16 months custody, extended licence 2yrs,
Indecent Assault & Indecent Images x 2	26 months custody, 10 years SOR
Indecent Images x 5	12 months custody, SOR, 10 years, SOPO
Rape	Guardianship Order (Indefinite), 5 years SOR

2023

Indecent Images of Children x 12	32 months custody, life on SOR
Indecent Images of Children x 7 Incite child to commit gross indecency	26 months custody, 10 years SOR, 10 years SOPO
Unlawful Sexual Intercourse (USI)	3 years custody + SOR indefinite
USI	33 months custody + SOR indefinite
Indecent Images of Children x 6	38 months custody, SOPO indefinite
Rape Indecent Assault Gross Indecency	5 years custody, SOR indefinite, SOPO
Gross Indecency Indecent Assault Indecent Images of Children	5 years 8 months custody, SOR until further order
Rape Indecent Assault	15 months custody, SOR indefinite
Indecent Images	13 months custody, 10 years SOR, Sexual Harm Prevention Order (SHPO) until further order
Indecent Assault x 5 Gross Indecency with a child x 2 Buggery x 2 Sexual Intercourse with person under 16 x 2	8 years 10 months custody, SOPO & SOR indefinite

2024

Incite/Procure person under 16 to commit gross indecency Sending offensive/indecent messages x 2	16 months suspended 2 years, Suspended Sentence Supervision Order (SSSO), SOPO 5 years, SHPO
Indecent Assault	26 months custody, SOR 10 years, SOPO 5 years
Sexual Assault	33 months, SOR indefinite, SHPO 5 years following release
Indecent Images / Gross Indecency	34 months custody
Indecent Assault / Gross Indecency	14 months custody, SHPO 5 years, notification indefinite
Assault by penetration / sexual activity with child x 3	6 years 8 months custody
Rape / Assault by penetration	9 years custody, SHPO, SOR for life, notification for life
Indecent Images	14 months suspended, 2 years with supervision, SHPO

2025

Indecent Assault x 21 / Indecent images x 9	Ongoing
Breach SHPO	18 weeks suspended, 12 months supervision, SHPO 10 years

The Department of Home Affairs is in the process of carrying out a Review of the Sexual Offences and Obscene Publications Act 2021. The Department will consider the results from this review to identify any learning and next steps.

Comparator offences between the Sexual Offences and Obscene Publications Act 2021 and the Sexual Offences Act 1992.

Category	Sexual Offences and Obscene Publications Act 2021	Predecessor legislation
Rape	Rape Rape of a child under the age of 13	Rape Buggery Intercourse with a person under 13
Sexual assault of a child under 13	Sexual assault of a child under 13 years of age	Gross indecency with child Indecent assault on a male child
Causing or inciting a child to engage in sexual activity	Person over 18 causing or inciting a child over 13 under 16 to engage in sexual activity	Incite/procure person under 16 to commit an act of gross indecency
Arranging or facilitating the commission of a child sex offence	Arranging or facilitating commission of a child sex offence	NA
Sexual communication with a child	Sexual communication with a child	Sexual grooming Attempt to meet a person under 16 following sexual grooming
Possession, making, or distribution of indecent images of children	Take/permit to be taken/make indecent photographs/pseudo photographs of children Distribute indecent photographs/pseudo photographs of children Indecent images of children: possession with intent to distribute Indecent images of children: taking Indecent images of children: possession Prohibited images of children: possession	Possession of indecent images of children Attempt to possess indecent images of children Indecent images of children: taking