

## Sentencing Sexual Offences in Slovenia

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This article analyses the penal policy for sexual offences in Slovenia. The authors examine sentencing for four main sexual offences: rape, sexual violence, sexual abuse of a vulnerable person and sexual assault of a person under 15 years of age. The analysis is carried out at both normative and practical levels. At the normative level, statutory sentencing ranges are addressed and the four offences are placed in the sentencing framework of the Slovenian system, taking into account the changes introduced by an amendment to the Criminal Code (KZ-1H) (2021). At the practical level, data from the Statistical Office of the Republic of Slovenia on convicted adults for the period 2014–2020 are used to examine the sanctions imposed by the courts and the trends over the period under consideration. The authors find that, with the exception of the offence of rape, suspended sentences account for the majority of sanctions and that even in cases where prison sentences are imposed, they do not exceed the bottom third of the sentencing range. Even in those offence types where the legislature has provided for the exclusion of suspended sentences by increasing the special sentencing minimum, the courts in practice, through the institution of extraordinary mitigation, still impose suspended sentences. Such an approach is consistent with the otherwise mild punishment policy in Slovenia, but it points to a significant gap between normative solutions and what happens in practice.

**Keywords:** sexual offences, sentencing, penal policy, punishment

**UDC:** 343.8:343.541