

Offender's sentence increased following intervention by the Solicitor General

News story

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A man has had his sentence increased following an intervention by the Solicitor General, Rt Hon Lucy Frazer QC MP.

Mark Murphy, 34, began messaging an online dating profile, unaware that it had been set up by an undercover police officer posing as a fourteen-year-old girl. He was arrested after arranging to meet at what he thought was the girl's home in Gloucester.

Murphy pleaded guilty and was sentenced to a three-year community order on 9 March 2021 at Gloucester Crown Court, and was also ordered to complete 200 hours of unpaid work and 40 days' rehabilitation activity.

Following the Court's decision, the Solicitor General referred Murphy's sentence to the Court of Appeal under the Unduly Lenient Sentence (ULS) scheme.

On 20 May 2021, the Court ruled that the sentence was unduly lenient and increased it to 2 years' imprisonment.

After the hearing at the Court of Appeal, the Solicitor General, Rt Hon Lucy Frazer QC MP, said:

I was shocked and appalled by Murphy's intentions and it was only thanks to the vigilance of our police that his criminality did not extend further. I welcome the decision of the Court of Appeal to increase his sentence.

The Court of Appeal has decided that where a defendant sets out to sexually abuse a child, but in circumstances where the child happens to be an adult posing as a child, then the starting point for sentencing should be set by reference to the harm that the defendant intended to cause the fictional child. The fact that there was no real child for the defendant to abuse will then be reflected in a downward movement from that starting point. The extent of that reduction will be a matter for the court in individual cases to decide.

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