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[**Parallel session** – Sentencing in Domestic Abuse and Sex Crimes Cases, Friday, Sep 05, 6:30pm]

Title: **Justice in Practice: Sentencing Patterns for Rape Cases in Portuguese Courts**

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Abstract

This study examines sentencing patterns in rape cases within Portuguese courts, analyzing the influence of legal and extra-legal factors on judicial decisions.

Based on the data collected through an exhaustive content analysis of 89 court decisions, it explores variations in convictions, prison sentences, and sentence lengths to assess sentencing consistency and the influence of offender characteristics.

Findings indicate that custodial sentences are the most common outcome, with sentencing practices remaining relatively stable across trial and appellate courts. Statistical analyses identify significant predictors of imprisonment, including prior criminal records, mental disorders, substance abuse, negative personality traits, and the presence of aggravating or mitigating circumstances. Sentence length is primarily determined by crime severity, mental disorders, and substance use history.

These results highlight the interplay between legal principles and offender characteristics in shaping sentencing outcomes in rape cases. While legal factors remain central, extra-legal considerations also influence judicial decisions. This study contributes to discussions on judicial decision-making, sentencing consistency and judicial discretion, offering insights for policymakers, legal practitioners, and scholars interested in criminal justice.

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