



MC/CRIM/01/26

SENTENCING REMARKS

REX

v

CRISTOBAL QUILODRAN

before
HHJ Malcolm Simmons

GIVEN ON
12th March 2026

Representation:

Mr Stuart Walker
Mr. Damian Sabino

Crown Counsel, Prosecution
Defendant

These sentencing remarks will be published until 28th July 2039 for this reason:

- As per Schedule 10 of the Criminal Procedure Evidence Ordinance, 2014, the conviction of the defendant will be considered spent.

Any concerns about the publication or content of this document will be placed before the Judicial Officer(s) for consideration.



IN THE MAGISTRATES COURT OF THE FALKLAND ISLANDS
MC/CRIM/02/26
Sentencing hearing: 12th March 2026

Before

HIS HONOUR JUDGE MALCOLM SIMMONS

BETWEEN:

REX

V

CRISTOBAL QUILODRAN

MR. STUART WALKER, Crown Counsel, appeared for the Prosecution

MR. DAMIAN SABINO appeared for the defendant by video link

**Reporting restriction under section 465 of the Criminal Procedure and Evidence
Ordinance 2014**

SENTENCING REMARKS

1. You were convicted before the Summary Court on 4th February 2026 on the following 17 charges:

Charge 1

That, on or before 28th day of November 2024, knowing that AB did not consent thereto,

recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 2

That, on or before 28th day of November 2024, knowing that BC did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 3

That, on or before 28th day of November 2024, knowing that CD did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 4

That, on or before 28th day of November 2024, knowing that DE did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 5

That, on or before 28th day of November 2024, knowing that EF did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 6

That, on or before 28th day of November 2024, knowing that FG did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 7

That, on or before 28th day of November 2024, knowing that GH did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 8

That, on or before 28th day of November 2024, knowing that HI did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 9

That, on or before 28th day of November 2024, knowing that IJ did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 10

That, on or before 28th day of November 2024, knowing that JK did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 11

That, on or before 28th day of November 2024, knowing that KL did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 12

That, on or before 28th day of November 2024, knowing that LM did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 13

That, on or before 28th day of November 2024, knowing that MN did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 14

That, on or before 28th day of November 2024, knowing that NO did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 15

That, on or before 28th day of November 2024, knowing that OP did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 16

That, on or before 28th day of November 2024, knowing that PQ did not consent thereto, recorded her doing a private act with the intention that you or a third person would, for the purpose of obtaining sexual gratification, look at an image of her doing the act, an offence under section 285(3) of the Crimes Ordinance 2014.

Charge 17

That, on or before 28th day of November 2024, made 22 indecent photographs of youths, an offence under section 247(1)(a) of the Crimes Ordinance 2014.

2. You have been committed to this Court for sentencing.

Maximum Sentences

3. The maximum sentence for an offence of Voyeurism under section 285(3) of the Crimes Ordinance 2014 is 2 years imprisonment or a fine or both.
4. The maximum sentence for an offence of taking and publishing indecent photographs of youths under section 247(1) of the Crimes Ordinance 2014 is 10 years imprisonment or a fine or both.

Sentencing Guidelines

5. The appropriate guidelines are the 'Voyeurism' and the 'Possession of Indecent Photograph of child/Indecent photographs of Children' guidelines and the Overarching Sentencing Guidelines. The guidance on totality is particularly relevant to this case given the multiple offending and the fact that you are already serving a sentence of imprisonment.

Offending

6. The majority of your offending took place at the Stanley Leisure Centre where you were employed as a Lifeguard and in a supervisory role. You were in a position of trust and responsibility that included your having a safeguarding role in relation to children who were attending the Leisure Centre.
7. The Leisure Centre is a popular facility within the community and frequented by a significant number of adults and children. It is considered to be a safe space and children will often attend clubs and events without the need to have a parent or guardian with them.
8. I am sure that you were engaged in the offending over a significant period of time and throughout your employment at the Leisure Centre.

Charges One to Fifteen – Voyeurism

9. Charges 1 to 15 all relate to covert video recordings made at Stanley Leisure Centre.

10. You placed a covert camera in the female changing room and the toilet in the changing room.
11. Each charge represents a separate adult female victim who was video recorded without their knowledge or consent. The recordings show the victims getting changed and they can be seen in various stages of undress, exposing their naked breasts, buttocks and genitals.
12. You recorded your female victims in places they were entitled to feel safe. You invaded that space, in order to feed your perverted desires and seeking sexual gratification. You knew some of your victims, having spoken to them at the Leisure Centre and perhaps having even taught or assisted them. You betrayed the trust of your employer and those members of the community who regularly visited the Leisure Centre.

Charge Sixteen Voyeurism

13. Charge 16 relates to offending between 2021 and 2024 when you lived in shared accommodation.
14. The victim of this offence is an adult female who lived in the accommodation. You secretly video recorded her when she was using the shower and the bathroom. The victim's naked breasts, buttocks and genitals are visible in the video recording.
15. Your behaviour in committing this offence amounts to a gross violation of your victim's privacy and a breach of her trust. This offence took place in the victim's home, where she should have felt safe.

Charge Seventeen

16. Charge 17 relates to covert video recordings of female children in the private changing room at the Leisure Centre.
17. In total, 21 video recordings were identified depicting 33 female children in various stages of undress as they changed clothing inside the changing room. The video recordings show children with naked breasts, buttocks and genitals. The ages of the children recorded range from 5 years old to 17 years old. Some of these recordings depict female children getting changed with a parent or guardian and some where children were using the changing room by themselves.

Previous Convictions and Current Sentence

18. You are currently serving a sentence of imprisonment having been convicted on 28th May 2025 and subsequently sentenced to a term of imprisonment of 4 years and 6 months in relation to one offence of grooming, two offences of sexual activity with a child, three offences of making indecent images of children and three offences of possession of extreme pornography.
19. This offending is different. You have previously been convicted of offences relating to the making of indecent images of children by looking at, or downloading, images of children he sourced from the internet. Charge 17 involves the actual production of such images at source. The children shown in these recordings live in the Falkland Islands and you created original indecent images of them where no such image existed before.

Victim Impact

20. Your offending falls into three categories: the indecent photographs of youths (Charge 17) and voyeurism (Charge 1 – 15) and the offending in shared accommodation (Charge 16). A total of 49 individual victims were identified.
21. I have read the victim impact statements of the parents of each of your child victims. They are deeply unpleasant to read and provide a detailed insight into the damage your offending has caused. The Leisure Centre was a place these children and their parents were entitled to feel safe.
22. Your victims describe a variety of emotions, including anxiety and distress, disrupted sleep and other trauma that is the direct consequence of your offending.
23. Some of the parents of these children had moved to the Falkland Islands to enjoy the relative safety and tranquility that these islands offer – a place their child could grow and develop away from the dangers that, regrettably, are present in many of the countries they left. They believed that, living within our small community, their children would be safe. For most, that trust will be difficult to regain.
24. These parents describe the shock they experienced upon being told by police that you had recorded images of their child naked or in a state of undress. In many cases that shock turned to anger and disbelief.

25. You had taught many of your young victims to swim. You were someone they trusted. Many of these young girls will, understandably, have trust issues that will endure.
26. In the age in which we now live, many children have concerns about their body image. That was true of some of the young girls depicted in these images. Knowing that you recorded them naked will be difficult for some of those young girls to process and may have lasting consequences.
27. I have also read victim impact statements of the adult female victims of your offending. These women also describe the shock, anger and disgust that they felt upon being told by police that you had recorded them naked or in various states of undress.
28. One of your victims described the shock she felt upon being told what you had done and the effect that has had on her mental health.
29. One of your former colleagues describes how she suffered a deterioration in her mental and physical health as a result of these offences. She no longer felt able to continue with her job at the leisure centre and has abandoned her teaching sessions and qualification, something she loved doing.
30. This is a small community in which people usually feel – and are entitled to feel – safe. For many of these women, the Leisure Centre offered a safe space, somewhere they enjoyed going, a place where they could relax and spend time with their family and friends.
31. The effect of your offending will be far-reaching and enduring. Many may no longer trust the Leisure Centre to provide a safe environment for their children.

Consecutive and concurrent sentencing

32. Section 573 of the Criminal Procedure and Evidence Ordinance 2014 provides:

(1) If a court imposes 2 or more custodial sentences for 2 or more offences on the same indictment or information, the court may order the sentences to run concurrently or consecutively.

(2) If a court imposes a custodial sentence on a person who is already serving a custodial sentence for another offence, the court may order the sentence for the subsequent offence to commence at the expiration

of the first sentence, even if the total term of a custodial sentence exceeds the term for which the person can be sentenced for either offence on its own.

(3) In deciding whether to impose a consecutive sentence, the court must have regard to the following principles —

(a) consecutive sentences should not normally be imposed in respect of offences arising out of the same event;

(b) the total custodial sentence must not be excessive, having regard to the nature of the offences and the circumstances of the offender;

(c) a custodial sentence on a person under 21 must not exceed 24 months in total, as provided by section 726(4);

(d) life imprisonment should not run consecutively to an existing determinate sentence;

(e) consecutive sentences will be treated as separate sentences for the purpose of release on licence.

33. Mr. Walker has referred me to the case of *R v Adams* [2014] EWCA 1898, para. 16. I have considered the dicta of that case in sentencing.

Offending

34. I will deal with **Charge 17** first.

35. You secretly made 21 video recordings depicting 33 children. The video recordings show children with naked breasts, buttocks and genitals. These were Category C images. The starting point for the production of Category C images is 18 months imprisonment with a category range of 1 to 3 years imprisonment.

36. In terms of aggravating features, you were in a position of trust by reason of your employment. You abused that trust. The children depicted in these photographs were very young, some as young as 5 years of age. These were moving images. You knew many of these children, having taught them to swim. You had developed a relationship with them, even giving some of them nicknames. The images were in your possession for a long period of time. While the volume of images is not, on my assessment, high, it nevertheless includes a large

number of different victims. There were attempts to conceal the evidence by hiding the video recordings in folders named as a television programme and by giving devices to Marco Leyton.

37. Before consideration of your mitigation and early guilty pleas, I consider the appropriate starting point for this offence to be 33 months imprisonment.
38. Turning to **Charges 1 – 15**, you made 16 moving images of females who were naked and/or in various states of undress. The images were available to be viewed by others. You were in a position of trust by reason of your employment and you abused that trust in order to commit these offences. You used your position to access the female changing room and place a covert camera in the changing room and toilet. I am satisfied there was a significant degree of planning. Those factors place your offending in Category 1. The starting point for a Category 1 offence is 26 weeks imprisonment with a sentencing range of 12 weeks to 18 months imprisonment. The images were collected over a significant period of time. You attempted to conceal the evidence by hiding it inside folders named to appear as a television programme and by giving hard drives to Marco Leyton to conceal from the police.
39. Before consideration of your mitigation and early guilty pleas, I consider the appropriate starting point to be 18 months imprisonment on each charge, concurrent.
40. Turning now to **Charge 16**. This charge is different to those in counts 1 -15. Your offending took place at a different location and involved a different victim. Your adult female victim lived in the shared accommodation. You secretly video recorded her when she was using the shower and the bathroom. Your victim's naked breasts, buttocks and genitals are visible in the video recording. This offending took place in your victim's home, where she should have felt safe and secure, and not at risk of criminal offending. This offending involved significant planning. Your offending falls in Category 1. The starting point for a Category 1 offence is 26 weeks imprisonment with a sentencing range of 12 weeks to 18 months imprisonment.
41. Before consideration of your mitigation and early guilty pleas, I consider the appropriate starting point to be 15 months imprisonment.

Pre-Sentence Report

42. I have a pre-sentence report from the Probation Service dated 14th July 2025 and an addendum report dated 5th March 2026.

43. You are a citizen of Chile. You were born on 17th February 1989. You are now 37 years of age.
44. You have two daughters, both aged 10 years. Your daughters, with whom you are in contact, reside in Chile with their mothers.
45. You arrived in the Falkland Islands in 2019 and initially worked as a house-keeper and then at a local supermarket before taking up employment at the Leisure Centre in Stanley. You worked at the Leisure Centre between 2020 and 2024.
46. In July 2025 you told the Probation Officer that you had been experiencing emotional difficulties. You described having started to experience stress and anxiety at work early in 2024, finding yourself struggling to cope with the amount of work, occasionally finding yourself feeling upset, often over insubstantial matters. You had sought support for this and accessed the Emotional Wellbeing Service and you were prescribed anti-depressants.
47. You have reported to having had low moods and depression in the past and that you had tried to end your life on two separate occasions. The first of these was when you were seventeen, resulting in a stay in a psychiatric hospital. You also reported that, during the police investigation, you had taken an overdose of various pills.
48. You had been in a relationship but I understand that relationship has now ended. Your former partner still visits you.
49. You pose a high likelihood of further offending and a very high risk of causing harm. Your offending demonstrates a sexual interest in children and females.
50. These are serious offences and the length of the maximum sentences reflects that. You knew what you were doing was wrong but you continued, driven by your sexual interest in women and young girls.
51. In terms of your offending, I have considered the relevant facts against each of the definitive guidelines. I have considered the Pre-Sentence Reports for which I thank the Probation Officer.
52. You have reflected on your offending and its impact on others. You have expressed feelings of shame and shown remorse for the “catastrophic effect” that your offending has had. You have entered guilty pleas. You have been engaging with the Probation Service and you have

expressed a willingness to further engage in rehabilitation. I have taken all of that into account in sentencing.

53. There can be no doubt that you understood the likely impact of your offending. You are, as the Probation Officer describes, “a skilled manipulator”, presenting as a trusted member of the community while engaging in criminal and abusive behaviour.

Sentence

54. I have had the benefit of sentencing notes from Mr. Walker and Mr. Sabino. I have listened carefully to their submissions. I have taken into account everything said on your behalf by Mr. Sabino. I have also considered carefully the Pre-Sentence Report and the addendum thereto.

55. I recognise that the impact of a custodial sentence will be significant. You are a Chilean national. You have two young daughters who live in Chile. Although you have a former partner in the Falkland Islands. Your family and other support network are overseas. I take into account the impact of any custodial sentence upon your family.

56. I have considered and taken into account the totality principle. I have taken into account your mitigation and early guilty pleas. I have structured the sentence to reflect all of your offending behaviour with reference to overall harm and culpability, together with the aggravating and mitigating factors relating to the offences and those personal to you, arriving at a sentence that is just and proportionate.

57. I have considered the guidelines as to the imposition of a custodial sentence and whether it might be suspended. I have taken into account everything said on your behalf by Mr. Sabino. This offending is so serious that I am satisfied only an immediate custodial sentence is appropriate.

58. I have considered and taken into account in sentencing section 573 of the Criminal Procedure and Evidence Ordinance 2014.

59. The offending in charge 17 is different to the offending in respect of which you are already serving a prison sentence. Unlike the other images, these were images that you produced, having secretly recorded the children depicted.

60. These offences were committed prior to the offences for which you have already been sentenced and in respect of which you are currently serving a sentence of imprisonment. I have taken that into account. I have carefully considered totality and whether to make further

allowance to take into account the earlier sentence. I have considered what sentence length would have been imposed if the court had dealt with these offences at the same time, to ensure the totality of the sentence is just and proportionate in all the circumstances.

SENTENCE

61. I impose a sentence of 22 months imprisonment on Charge 17.
62. In respect of Charges 1 – 15 inclusive, 12 months on each charge, **concurrent** and **concurrent** to the sentence imposed under Charge 17.
63. In respect of Charge 16, 10 months imprisonment **consecutive** to the sentence imposed under Charge 17.
64. **The total sentence of 32 months imprisonment shall be consecutive to the sentence you are already serving.**
65. I am not making a compensation order in respect of your victims because I do not have sufficient information available to me at this stage to enable me to make such an order.
66. The prosecution have not asked for a Sexual Harm Prevention Order and I do not consider it necessary or appropriate to impose one in the circumstances.
67. I make an Order under section 617 of the Criminal Procedure and Evidence Ordinance 2014 for forfeiture and destruction (a deprivation order) in relation to devices seized from you and to which reference is made in the prosecution schedule, those being devices containing indecent images of children and/or voyeuristic material.
68. Because of the immediate custodial sentence I am not making an order that you pay prosecution costs.
69. Following your convictions for these offences, you will be subject to notification requirements with the police for 10 years. You must keep the police informed at all times of your personal particulars, the address at which you are living, and any alteration in the name you are using. You are already subject to notification requirements in respect of the sentence that you are currently serving.