

The future of secure care and the single point of contact (SPOC) for victims in the Children's Hearings System

Scottish Government Consultation 2026

Victim Support Scotland is a national organisation dedicated to supporting victims and witnesses of crime. As Scotland's largest victims' organisation, people impacted by crime have access to our services right across the country. We are a listening ear when people need to talk to someone about the impact of crime, we provide practical support such as when people need a safety plan to feel secure in their home and we give access to critical crime-related emergency funds in their time of need.

We play a crucial role in delivering victim-centred support, and this in turn drives our forceful and successful lobbying and campaigning for change within the criminal justice system. As an organisation rooted in the experiences of victims and witnesses, we aim to ensure that their voices are central to the development of policy and practice.

Background to the consultation:

[Future of secure care and the single point of contact \(SPOC\) for victims: consultation - gov.scot](https://www.gov.scot/future-of-secure-care-and-the-single-point-of-contact-spoc-for-victims-consultation)

This consultation seeks views on a transformative future for secure care, and for the children who may need its support, across the following inter-linked issues:

- The case(s) for the future nationalisation and / or the national co-ordination of secure care in Scotland, including the potential contribution of the National Social Work Agency;
- Depending on the adopted future approach, the design of funding and commissioning models to support consistent, high-quality provision;
- Expanding or redefining the statutory concept of “secure accommodation” or “secure care” and revising the criteria for when a child may be placed in restrictive environments.
- Models proposed in the ‘Reimagining Secure Care’ report – ‘flex secure’, ‘community-based hubs’ and ‘multi-disciplinary teams’
- Standards for the safe and secure transportation of children, whether to secure care facilities or to essential appointments during their stay in secure care, or wider transport needs when secure transport is required; and
- The establishment of a Single Point of Contact (SPOC) for victims affected by harmful behaviour that is being considered within the youth justice system.

***PLEASE NOTE:** Victim Support Scotland did not answer every question within this consultation as some questions related to the operation of secure care – a subject we are not placed to comment on. We responded to the questions which had a direct link to the impacts for victims.

Question 3: Are there any factors or circumstances you think should be considered in potential future secure care criteria?

Examples may include (not exhaustive):

- a. Persistent, severe distress requiring intensive containment.
- b. Repeated placement breakdowns due to complexity of needs.
- c. Serious risk of exploitation.
- d. Harm arising from behaviour that does not fall under self-harm or harm to others.
- e. Situations where intensive support is required for safety

Answer:

Victim Support Scotland feels that the criteria provided should have clear explanations provided with them.

Feedback from families, where the child in their case is in secure accommodation, indicates that they strongly feel that the seriousness and lasting impacts of the harm the child has caused must be considered. This is particularly true in cases of murder or culpable homicide, but it is also relevant to domestic abuse and sexual offences.

Victim Support Scotland would welcome consideration of any history of harmful behaviour as part of decision-making. It may be the case that where there is a history of harmful behaviour, victims and families could feel a sense of frustration that prior steps had not been taken and, if they had been, the current harmful behaviour might have been mitigated. VSS recognises the Scottish Government's position that secure care should remain a last resort for children¹ and that children cannot be placed in such settings solely based on potential future risk.

It may also be useful to consider any history of early intervention measures, the nature of those interventions, and whether there have been previous secure care placements. This could also include a history of referral to the Children's Reporter on either an offence or welfare basis. Taking a cumulative view of past behaviours and support received may help to create more balanced and informed decisions.

Question 18: What support should be in place to ensure successful transitions, including to Young Offenders' Institutions, and reintegration for children and young people leaving secure care into

¹ [Reimagining secure care - gov.scot](https://www.gov.scot/reimagining-secure-care)

their communities, including as they transition into adulthood and more independent living?

Answer:

VSS's response to this question focuses on the support we know is required for victims who have been harmed by a child or young person when they are transitioning to a Young Offenders' Institution or reintegrating back into their communities after leaving secure care.

Risk Assessments

As is the case when deciding whether to grant parole in the criminal justice system, robust risk assessments, based on the risk the child or young person may pose to communities and victims, should be carried out as part of considerations as to whether a child or young person will move to a Young Offenders' Institution or reintegrate into their community.

When carrying out risk assessments for the release of a child or young person from secure care or a Young Offenders' Institution, it may be beneficial to consider the perspectives of victims and their families on the risks they anticipate.

Victim Support Scotland has heard from victims who describe feelings of anxiety in relation to the release of a child who has engaged in harmful behaviour, particularly in cases involving serious offences. Many seek reassurance that decisions to release a child are informed by a clear, evidence-based assessment of reduced risk. Considering the views of victims and families as part of the process may help to reflect the range of experiences and circumstances of people affected by crime. In a broader sense, it could also help with community confidence in the youth justice system.

For cases that are referred to the Crown Office and Procurator Fiscal Service, some families are given the opportunity to provide a victim impact statement. VSS welcomes consideration of victims and families being offered the opportunity to provide a victim impact statement in cases that are not heard in the court system.

Lived Experience

VSS is aware of at least two families we support, through our support for families bereaved by crime service, who were offered the opportunity to provide a victim impact statement during cases that were being dealt with in court. The opportunity to provide a statement was offered to the families ahead of a plea deal being offered.

Providing a victim impact statement enabled these families to have their voices heard and convey the impact of the crime.

Victim Support Scotland recognises that the secure care system is different to and separate from the criminal justice system, and so procedures differ. Namely, for many children who are in secure care, there is no set release date, but there are review hearings every three months. These review hearings, when considered appropriate by professionals supporting the child going through the youth justice system, could serve as an opportunity for victims to have their voices heard in relation to the impact the harmful behaviour has had.

Readiness

In cases where the child or young person is to be reintegrated back into their community, we acknowledge that assessing risk alone would provide an incomplete picture. In supporting successful transitions into their community, we would advocate that whether the child or young person has demonstrated a sense of accountability for their actions, alongside their readiness for reintegration, should be considered.

This readiness should be assessed against evidence-based criteria, including participation in programmes which address the harmful behaviour and demonstration of behavioural change.

At the same time, VSS recognises that the concept of “readiness” can be subjective. It should therefore be applied with care, supported by objective measures and professional assessment. Decisions should be made in consultation with relevant agencies and with full consideration of the impact on victims and families.

Victim Notification Scheme (VNS)

Ensuring that victims and families remain engaged and informed is a key part of a trauma-informed justice system, and in the case of this consultation, the secure care system. We know that having access to information on release from custody/secure care is essential for victims and their families to prepare for this mentally and practically. This could also include the need to ensure victims’ feel safe, which could involve robust safety planning for a victim and their family.

We acknowledge that the information a victim or their family is entitled to when the person causing harm in their case is a child, differs from when a perpetrator is an adult. Under current legislation, when a child is convicted on indictment under sections 205 or 208 of the Criminal Procedure (Scotland) Act 1995 and placed in secure care, the Scottish Government’s Education and Justice Directorate is responsible for providing registered victims with certain information available under the VNS.

Victims are not entitled to information if the child causing harm is released before the age of 16. At the point when a sentence is passed, it is not possible to know whether

this will apply, as decisions about release are made later by the Parole Board at the child's parole qualifying date. Because of this, there are challenges to families receiving information under current arrangements. VSS is aware that this works to the presumption that such cases are expected to be very rare, however, provision must be made to cover cases involving murder or culpable homicide, sexual offences, and domestic abuse.

Every victim of crime is affected in some way, but we know that families bereaved by crime, victim/survivors of rape and sexual assault and victims of and domestic abuse are acutely impacted by the difference in information in relation to the child and their potential release before the age of 16.

This difference in information fosters feelings of fear and exclusion from the system, which impacts victims' ability to heal from the trauma. Based on feedback from victims' families, VSS is asking that steps are taken to ensure that victims and families are notified in sufficient time when the child or young person in their case is being released back into their community. Not doing so would risk retraumatisation should the family come into contact with the child locally.

When enacted, provisions under Section 37 of the Victims, Witnesses and Justice Reform (Scotland) Act 2025 will remove this age-based restriction, meaning that victims and families will be notified of the release of a person under 16. This change will help ensure that all victims and families receive appropriate information regarding the person causing harm in their case, regardless of the child's age at release.

Victim Support Scotland welcomes this change and notes the announcement of progress in regard to Victim Notification Scheme reform on 25 March 2026. There is no current date for implementation of this change, and it is imperative that the Scottish Government implements these changes robustly and at pace.

Overall transparency

Victim Support Scotland consistently makes it clear that victims and families must remain informed at every stage of their journey with the secure care system and any related processes, such as release from secure care into a Young Offender's Institution or their community.

Understanding of what secure care is:

Just as the criminal justice system is complex, so too is the youth justice system. VSS would therefore welcome provision for clear and simple guidance for victims and families on what secure accommodation is, how it works, how it is changing, and what this means for victims' rights. This could be shared and explained in a supportive environment through the SPOC service.

Victims of harms caused by children and where they are in secure accommodation often consider secure care to lack sufficient structure, offer a high degree of freedom in their day-to-day activities, and provide no restriction to their liberty.

Given this, we feel the following information would be beneficial for victims and families:

- A breakdown of options of what happens when a child is placed in secure care. This should include a breakdown of potential programmes a child may engage with throughout their time in secure care to address their behaviour, and the role of programmes supporting other needs they may have, that might contribute to reduced conflict with the law.
- A clear explanation of each step and process involved in assessing a child's suitability for reintegration back into their community. Victims and families should be supported to understand that decisions about release are not made at the last minute and without thorough consideration.

VSS is aware that these explanations may not help a family feel safer when a child leaves secure care, but we believe that such transparency would be a significant benefit for victims and families to understand what secure care for a child who is in conflict with the law will look like.

Lived Experiences - Exclusion Zones and Licence Conditions:

Feedback from victims indicates that they would benefit from increased communication about licence conditions, so that they are aware such measures are available upon the release of a child from secure care. In particular, we would welcome increased explanation provided to victims and families on exclusion zones, both in terms of what they can or cannot ask for and reasons why requests are accepted or refused.

VSS staff supporting victims and families of a victim of a child being held in secure care note that one of the main concerns raised is that families want to know if their requests for exclusion zones to be in place for when a child is reintegrating back into their community have been accepted. Families tell us that they are not made aware of acceptance or refusal of their request for an exclusion zone.

Not sharing this information can be traumatising, as they will not know whether the child will be close to them upon release from secure care. Additionally, VSS has heard that at least one family did not know that exclusion zones were an option for them to

request. This demonstrates a lack of information sharing with this family and a missed opportunity for them to advocate for their wellbeing.

Finally, it is VSS's understanding that, as it is children who are being reintegrated back into the community, they would return to live with their family - which could be in the same area as the victim or their family. We therefore seek clarity on what conditions may be put in place, for example, to not approach a victim or family or be within a specified proximity.

- We are aware that it may be the case that the family of the child who has caused harm is relocated away from the family of the victim, but it is unclear as to whether this would be the norm in every case.

It is important to ensure that information shared with victims and families is accurate and consistent. We are aware of at least one case in which a family had been told a child would move to a Young Offenders' Institution but were then informed the child would be released back into their community. This level of variation and change for a family of a victim is difficult to deal with and can cause upset, distress, and panic.

Question 30. How should the SPOC service interact with other possible support routes for victims and what kind of specialist training do you think staff need to work effectively in this service?

Answer:

The Single Point of Contact (SPOC) service provides a single, coordinated, trauma-informed point of contact for victims of all ages who have been harmed by children. The service ensures that victims receive:

1. consistent communication
2. clear information
3. coordinated multi-agency support throughout their journey.

The SPOC service will act as a 'one-stop-shop', operating as a hub to coordinate support from and to other specialist organisations. The creation of the SPOC service is intended to support the sharing of relevant information, enabling joint working and support. Parallel to this, each SPOC worker will be skilled in managing multi-agency communications, which is integral to ensuring the smooth running of the service.

By acting as a hub, SPOC workers will refer or signpost victims to appropriate services, depending on the victim's preference or crime type. Specialist services could include ASSIST, Children First, KibbleSAFE, Rape Crisis Scotland, Scottish Women's Aid, or Victim Support Scotland and our specialist service, Support for Families Bereaved by Crime.

Crucially, where there may be a waiting list for any of these specialist services, the SPOC staff will continue to provide support to ensure that no victim is left unsupported. This means that the service must be able to cover information needs relating to a wide range of crime types, as well providing generic support to all age groups.

Specialist training

First and foremost, every member of staff working as part of the SPOC service and the associated support teams must be trained in trauma-informed practices. This is essential when supporting victims and families to reduce the risk of re-traumatisation and to ensure victims and families feel supported throughout the process.

More specifically, it is pertinent that all SPOC staff are competent in their knowledge, understanding and application of the Scottish legal system, including the Children's Hearing System, Early and Effective Intervention, the UNCRC, Age of Criminal Responsibility, and the Kilbrandon principles.

Additionally, knowledge of the Getting it Right For Every Child (GIRFEC) commitment, child protection protocols, and care and risk management should be embedded in the SPOC workers' experience and knowledge. Possessing this essential knowledge is vital in ensuring that all parties involved in the process are aware of their rights and ensures that appropriate protocols and processes are followed.

In order to apply the knowledge on the aforementioned systems and principles, SPOC staff must have sound experience in supporting child victims, vulnerable adults and challenging cases. This is essential as every case, and every person, is unique and will require different approaches to support. Experience in working with a wide range of victims and families will ensure that SPOC staff are well equipped and adaptable.

Consistent support and training are of critical importance to ensure that SPOC staff are supported in their role and can effectively undertake their duties. This will help them to feel confident and well equipped to do their job, consequently ensuring that the support they provide is to a high standard. It is also vital that regular check-ins are carried out to assess their welfare whilst working with difficult cases. Safeguarding for SPOC staff should be of high importance to ensure their safety and support performance.

Communication

All communication should use plain, trauma-informed language and explain the reasons behind decisions in straightforward terms. Efficient and timely information sharing helps victims to feel respected, informed, and better able to engage with the process they are going through. It would also support the principles of trauma-informed practice and transparency that underpin a fair and compassionate justice system.

We know that the way in which information is shared can be just as important as the content of the communication. Ensuring that information is provided with empathy and clarity is one of the most powerful ways to build trust and dignity for victims and families.

When interacting with victims and families, it is essential that they are contacted in a way that best suits their needs and wishes. To ensure a trauma-informed approach, victims and/or families must be offered the choice in how and when they wish to receive communications.

The SPOC service should utilise different communication methods, including digital, print, written, illustrative, video and visual route maps, to cater to a wide range of communication needs. This helps to ensure that no one is excluded from knowing and understanding the information they are entitled to.

We have heard from victims in relation to other criminal justice processes that they value supported, personal contact that helps them prepare emotionally for the next steps in the process. VSS has heard that when victims are left uninformed, they can become frustrated and distressed.

Information must be provided as part of a supported journey where contact is maintained with a victim or family (based on their preferences), explanations are provided and communication is adapted based on individual need. This approach will ensure accessibility for people with complex communication needs.

As part of this supported journey, building a professional connection between a SPOC worker and victim or family is essential in building trust. One VSS staff member has stated *“The power of an intentional conversation must never be underestimated.”*

Question 31. How should the SPOC service interact with other organisations within the sector and what features should it include to make it accessible, age-appropriate and trauma-informed?

Answer:

Firstly, it is important to note that the SPOC service will be responsible for coordinating support from and across victim support and justice organisations. This may include, but is not limited to, specialist agencies including ASSIST, Children First, KibbleSAFE, Rape Crisis Scotland, Scottish Women’s Aid, Victim Support Scotland, as well as education and health services. By having SPOC act as the central service responsible for facilitating interaction with other organisations, the process is made simpler for both victims and families and the secure care system.

Collaboration on matters relating to victims and families is vital in order to ensure that they receive the most appropriate and well-rounded support. Each of the organisations mentioned above and others, bring their own expertise and legacy in working with victims of crime and families.

In order to be most accessible to victims, the SPOC service provider should include:

- A national footprint
- Free phone helpline
- Established provider
- Open to victims of all ages and all crime types

Targeted, victim-centred support from a specialist organisation is invaluable for victims and families during their healing journey. These organisations are uniquely equipped in working with people affected by certain crimes and the unique complexities this can bring.

Collaborative working between all organisations involved will always be supportive and complementary.

Question 32. Do you agree that the support services that may be provided should extend to signposting victims and their families to counselling and other support and advice services?

Answer:

Yes. The SPOC service has been designed so that SPOC staff can and should signpost victims to appropriate services. The support required by victims and families can be complex and wide reaching. It is essential that they have clear access to the targeted support they need and choose. We are conscious however, that there may be limited availability of affordable counselling services and long waiting lists to access support.

Additionally, the number of different organisations which can provide support and advice is vast. Where the victim does not already have a preference or support already in place, it is pertinent that the SPOC worker signposts victims to the most appropriate support and advice services potentially based on geography or area of expertise.

Wider support that SPOC staff may refer a victim or family could include:

- Mental health and therapeutic services
- Community resources and local groups
- Mediation for intervention and prevention
- Support groups for parents and carers.

Each of these services can provide vital support to help victims and families navigate processes following a harm or crime. These experts will be equipped with knowledge

and experience in dealing with the physical and psychological complexities that can arise. They can therefore offer the most appropriate tailored support that victims and families may otherwise not have had access to. To facilitate this, the SPOC worker will have sound knowledge in signposting the most relevant and appropriate support and advice for each victim or family.

A vital part of this signposting service is that, whilst the victim or family are waiting for support or advice from a specialist service, the SPOC worker will continue to provide wrap-around support. This will ensure there is a continuation of service and support, especially if there is a delay with specialist services. This is essential to ensure that victims and families are not left without access to support and advice at any point.

Question 33. Do you agree that the SPOC service should be resourced to commission and to offer those services to victims?

Answer:

Yes. Victim Support Scotland agrees that the SPOC service should be resourced to commission and to offer those services to victims.

There may be ongoing needs, impacting on a range of victims and families, where proactive commissioning is required. This might be related to gaps and/or the capacity of the signposted service to respond. The SPOC may need to commission services to ensure the resource is available. This will ensure that SPOC has access to services that are tailored to these needs that can be easily accessed.

The SPOC service will coordinate support and assemble a package of support through needs assessments. SPOC staff will possess comprehensive knowledge of the best specialist support available and be able to accurately signpost victims and families to the most appropriate providers. This can continue to be monitored throughout a victim's journey with the secure care system, ensuring that the support provided remains relevant and appropriate.

By resourcing the SPOC service with the means to commission and offer specialist support, the SPOC worker can ensure that support is available for as long as the victim requires it and is not, at any point, left without support.

In regard to counselling, it would not be our intention that this is built into the SPOC service itself as the organisational and professional arrangements that relate to this therapeutic intervention would have significant implications for the SPOC service.

Question 34. If a SPOC delivery model encompassed trained staff, with some aspects potentially delivered by volunteers, what do you think would be the benefits of this approach and do you have any views on the priority training and qualifications of SPOC personnel providing support services?

Answer:

The current SPOC service delivery model proposes support being delivered by paid staff. As the model develops, consideration could be given to the inclusion of volunteers, but this is not currently part of the proposal.

SPOC workers who have specific skills will be recruited to ensure the safety of victims and their families. All SPOC staff will be trained in the following:

- Trauma-informed practice
- Risk assessment
- Safeguarding
- Children's Hearing System procedures
- Data protection

Ensuring that SPOC staff possess these required skills will create a well-rounded service in which all staff are aware of their responsibilities and obligations to the victims and families they will be supporting. To ensure that SPOC staff remain supported in their role, they will receive regular supervision and reflective practice sessions to support their wellbeing, prevent burn out and avoid vicarious trauma.

Additionally, some SPOC workers will have specialist areas of expertise. These could include:

- Children's Hearing System and Scottish Children's Reporter Administration training
- Youth justice system training
- Enhanced Trauma Informed training
- Case Record Management System training
- Child Protection training
- Risk Assessment training
- GDPR training
- GIRFEC training

Cases which will be dealt with via the secure care system may include aspects that could be particularly challenging to navigate. By employing SPOC staff with specialist backgrounds and training, they will be able to provide knowledge, skills and suggestions that otherwise may not have been considered. For example, there may be a case which has a domestic abuse aspect to it. In this circumstance, a SPOC worker with a background in working with a domestic abuse organisation or victims could be deployed to this case. This will ensure that victims and families receive support that is appropriate and grounded in sound knowledge and understanding.

In addition to the support a SPOC worker can provide, it may also be appropriate for the SPOC worker to involve other agencies in order to seek guidance on specific issues. This creates a holistic service and allows for the creation of robust and thorough safety planning for victims and families as they move forward in their healing journey.

Question 35. In order to provide support and explanation to victims whose cases are not disposed of by a Children's Reporter or children's hearing decision, do you agree that the SPOC service should be able to access information from others, including the chief constable of the Police Service of Scotland and local authorities, where cases are dealt with by diversionary measures like Early and Effective Intervention?

Answer:

Victim Support Scotland agrees that the SPOC service, and in turn victims and their families, should be able to access information from others, including where relevant:

- Chief Constable of the Police Service of Scotland
- Local authorities, including social work departments
- Crown Office and Procurator Fiscal Service

This allows for appropriate sharing of information that provides a fuller picture of all support offered and measures taken.

The SPOC service will implement a whole system information tool to allow for the sharing of appropriate and current information. This will be done within all legal parameters via a robust information sharing agreement between organisations involved. This ensures that all information is handled securely and confidentially.

Question 36. What, if any, do you see as the data protection related issues that you feel could arise from the proposals set out in this consultation?

Answer:

Confidentiality of all parties involved in a case is of the utmost importance. The situations victims and families will be navigating will be extremely sensitive, and every

step must be taken to ensure their information is protected - where children are involved - lessening the risk of personal data and inappropriate details being shared.

Victim Support Scotland strongly believes that where someone has been harmed by a child, the victim or their family has a right to appropriate information about how this harm is dealt with by the children's justice system, or in more serious cases, via the criminal courts.

We note from SCRA that currently the victim (and the victim's parents/carers if the victim is a child) is entitled to know what the decision of the Children's Reporter is, but not why the decision was made. We also know that they are provided with generic information which explains what decisions are available to the Reporter and the general circumstances in which they are made.

Currently, victims and families are only entitled to know whether or not a child was placed under a Compulsory Supervision Order (CSO) as a result of a Children's Hearing decision. They are not provided with the details of any conditions attached to a CSO, and they are not advised if the hearing authorised secure accommodation. Again, they are not provided with the reasons for the hearing's decision.

We note that after provisions in the Children (Care and Justice) (Scotland) Act 2024 are implemented, the victim will be entitled to know if there was authorisation to place a child in secure care as a result of a Children's Hearing (only where that decision directly relates to the offence that involves the victim).

VSS is supportive of this new provision under the Children (Care and Justice) (Scotland) Act which is likely to be implemented in March 2027, as it will afford victims and families additional information so that they can more fully understand the process, know if steps have been taken to restrict their liberty, and that professional support is in place - this all contributes to a sense of justice for the harm caused. However, victims will still not be entitled to know CSO conditions, nor reasons for a hearing's decision. VSS suggests that in more serious cases, discretion could be made for sharing appropriate information relating to the conditions of a CSO, and reasons for hearing decisions. This information could help both parties with aspects such as safety planning, especially if reintegration to their own community is advised.

Victim Support Scotland is aware that there are additional challenges when victims and families are not entitled to information in a case where the crime has been committed by a child. We respect that there will be circumstances in which information cannot be shared, however, we wish to highlight that this will present challenges when supporting victims and/or families. In our experience, where victims and families are not entitled to information this can foster feelings of exclusion and that no action is being taken in their case. The SPOC worker must be provided with the appropriate information to

share (based on the Information Sharing Agreement) and ensure that they provide support and explanation to victims and families in these cases.

SPOC will have clear and secure information sharing agreements across every agency that is relevant to a case. Clear parameters for data sharing are set in legislation. The SPOC service will ensure victims and families understand from the outset what information they are and are not entitled to receive. This forms part of the trauma-informed practice of ensuring victims and families have clear knowledge of their rights and remain informed throughout.

Question 37. What, if any, do you see as the children's rights and wellbeing issues that you feel could arise from the proposals set out in this consultation?

Answer:

Victim Support Scotland wishes to highlight that, as the main focus of this consultation is on the rights of the child causing harm, there is less focus on the rights and wellbeing of victims. This fosters a feeling amongst victims and families of victims coming second to the child who has committed a crime.

The children's hearing system is grounded in the Kilbrandon Principles, which take a child-centred approach to youth justice. It aims to address the underlying and contributing factors, taking into account individual circumstances rather than a harsher, punishment-based approach.

It is important to highlight that the children and adults who have been impacted by the harmful behaviour of a child can also have been affected by similar adverse experiences that require support. The responses and resources put in place for the child who has harmed can often feel like preferential treatment to families and communities.

We have heard families express concerns about initiatives being available for children causing harm, but these seemingly not available for the victims in these cases. The reduction in youth-based activities is cited as an example, and perhaps a cause, of some of the harmful behaviour.

Rights and wellbeing of victims and families

Whilst the focus is on children in conflict with the law, and support for child victims in their cases, we highlight that adult victims will also exist, and provision must be made for their support and information needs. It is crucial that provisions are made for adult victims and their families.

Victim's Code for Scotland

A key role of the SPOC service could be to explain the existence of the Victim's Code for Scotland², and where it may apply to the rights of child victims. More is required to explore this more fully, how it interacts with rights under UNCRC and guiding principles of the Children's Hearing System.

Wellbeing of child victims

The SPOC service is specifically designed to uphold the rights of victims impacted by a crime perpetrated by a child. SPOC staff will also be trained in ensuring the safety of child victims. This will include comprehensive training and knowledge of Child Protection, Care and Risk Management and GIRFEC to ensure that the often-complex needs of a child are met and the appropriate care and support is provided for them. We know that the support required by a child victim will differ to that required by an adult victim and so, by ensuring that SPOC staff have solid understanding of working with children, especially those who have been victims of crime, the service can deliver a trauma-informed approach that is tailored to the needs of a young victim.

Additionally, there are extra safeguards in place for information sharing where there is a child involved. Any information sharing that must take place for the protection and support of a child victim must be lawful, fair and proportionate and comply with all relevant legal requirements. The SPOC service will have the capabilities to ensure this is the case to further protect the child.

Question 38. What, if any, do you see as the main equality related issues that you feel could arise from the proposals set out in this consultation?

Answer:

Balance of Rights

Upholding the UN Convention of the Rights of the Child should remain a priority, as is updating existing legislation to reflect this. This is relevant across all legislation that impacts children.

Significantly, and specifically in relation to development of the SPOC service which supports victims of all ages, Victim Support Scotland is uniquely placed to support all victims and witnesses of all harms and crimes through our presence in local communities across Scotland.

Victim Support Scotland acknowledges that this consultation focuses on ensuring that the secure care system adequately supports the children and young people in its care.

² [Victims' Code for Scotland](#)

SPOC has the potential to address the changes in information sharing and support for victims of children who cause harm, resulting from the Children (Care and Justice) Act. While the majority of questions in this consultation naturally focus on children in conflict with the law, with the remainder highlighting the new proposals for a SPOC service, we welcome all future opportunities to support and consider provisions for victims of crime of all ages.

Through SPOC, victims' awareness of their own rights would help grow their confidence in the children's justice system. The creation of the SPOC service, based on the model developed by VSS in partnership with other service providers, is a vital step in ensuring choice, transparency and the long-term support that victims deserve.

Victim Impact Statements

As mentioned previously in this consultation (Question 18), allowing for victim impact statements to be submitted and considered would help to ensure a balance of rights for victims and families. Affording this opportunity to victims and families allows them to convey the impacts they are dealing with following an incident, whilst also providing professionals within the children's justice system a fuller picture from all parties.

Communication and transparency

Regarding a victim's right to information, it is important that the processes of the secure care system are conveyed to victims and families. This can help them feel a greater sense of justice when they know that the child in secure care is being offered programmes to address their harmful behaviour.

VSS has heard from families that they had been told a number of different scenarios for the 'sentencing' of the child in their case. This change can be very frustrating for families and generate feelings of mistrust, upset and anger.

- For example, a family may be told that a child will spend 5 years in secure accommodation in the first instance, but this is then revised to 2 years.

In such instances, the SPOC service will help to explain the reason for these changes to victims and families.

The SPOC worker should be equipped for a level of 'pre-emptive preparing' for families. VSS makes it clear that it should not be assumed that a victim or family will know what the process following harmful behaviour from children will look like.

Question 39. Please share any other views you have about this consultation, or any other issues you feel it raises.

Answer:

Changes to automatic early release point – 40% to 30%

We note that the recently approved Prisoners (Early Release) (Miscellaneous Amendment and Transitional Provisions) (Scotland) Regulations 2026 has changed the automatic release point for short term prisoners from 40% of sentence served to 30%.

We also note that this change also applies to children being held in secure accommodation. We understand that this change is driven by the need for parity in the adult and children's systems under the UN Convention on the Rights of the Child.

As highlighted in our response to Consultation Question 18 – it must be noted that victims' rights in many parts of the justice system differ greatly depending on whether the perpetrator is a child or an adult.

The impact on a victim and their family remains the same, no matter the age of the perpetrator. Open communication is an important component of victims' experience of early release. This is essential in the context of secure accommodation (relating to this question), and Young Offenders' Institutions, as well as the criminal justice system more widely.

The changes due to be implemented in the Victim Notification Scheme, which will remove the age-based restriction on the information that is available in relation to release, will help to support transparent communication further.