

**The Children's Commissioner's response  
to the Ministry of Justice Consultation  
'*A New Victims' Code*'**

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May 2026

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## Foreword from Dame Rachel De Souza

*“I think I didn't personally know there was victims code until I heard about this, so it would be nice if there was more awareness for young victims to know that they have these rights so they can use it for their advantage.” – Young woman, 18.*



It will always be my ultimate ambition to prevent any child from becoming a victim of crime. However, until this ambition is realised, every child victim of crime deserves safety, justice, and to heal. This requires a justice system which recognises and responds to the unique needs of children. That's why I am pleased to publish this written response to the Ministry of Justice's consultation *'A new Victims' Code'*, ('the Code') which details proposed changes to the Victims' Code to improve communication with victims of crime about their rights. I have long called for the Victims' Code to better consider child victims of crime, and this is a needed step in ensuring their rights are upheld and needs are met.

However, the Code alone cannot address all the systemic challenges children face when accessing justice. This is a welcome piece of the puzzle, but we must continue to make improvements in officer training and the availability of specialist care for children.

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Bringing the views of children to government is central to my role in protecting and promoting their rights. That is why I am so grateful to the four children and young people with experience of the justice system as victims of crime, who gave their views on the proposed code. Their views, along with the evidence set out in my report *Children's experiences as victims of crime*<sup>1</sup>, have informed responses to questions in each of the six chapters of the consultation. In addition to the response to each question, I have made four further recommendations to the Ministry of Justice, which are:

- **Ensure all police officers working with children are fully trained in the Victims' Code**, including how to recognise changes in a child's communication needs and when to initiate a further communication needs assessment. Specialist child-engagement officers should be available for children who need additional support.
- **Ensure that the pre-evidence needs assessment clearly outlines to children the different types of evidence they may give, and how it will be used.** Build in a requirement for officers to consider whether an additional needs assessment is required if evidence gathering occurs over a long period of time.
- **Include in the final needs assessment a clear plan for who in the child's network should be informed about the outcome of their case**, such as their school, social worker or other support services, so the right help can be put in place.
- **Ensure that the co-compliance framework clearly sets out responsibilities for children**, defining who is responsible for applying the framework consistently, how practice will be monitored, and what mechanisms will trigger intervention when standards are not met.

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<sup>1</sup> Children's Commissioner's office. Children's Experiences as victims of crime. [Link](#). 2024.

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## Acknowledgements

Thank you to the four children and young people who have experienced the justice system as victims of crime and were interviewed to inform this response, and also the children and young people who contributed to my report *Children's experiences as victims of crime*. Their candour, bravery and openness have driven the recommendations in this consultation response and will shape *the Victims' Code* for the better. Where they experienced failures in the care and support they received, they have paved the way for a more positive experience for children and young people who encounter the criminal justice process in the future.

## Content warning

This consultation response is not intended to be read by children, but by professionals and policymakers committed to making children safer. It makes frequent reference to sexual harm, system failures and to mental ill-health. This content may be difficult and upsetting to read. However, we think it is important to provide frank insight into how child victims of sexual harm experience services and support in order to improve practice.

If you or any child you know of are affected by the issues discussed, the following organisations can provide you with expert information, advice and support. If you have any concerns about the safety of a child you should contact police or children's safeguarding services.

**childline**  
ONLINE, ON THE PHONE, ANYTIME  
[childline.org.uk](http://childline.org.uk) | 0800 1111

**Childline** is a free and confidential service for under-19s living in the UK:

[www.childline.org.uk](http://www.childline.org.uk) | Call 0800 1111



**Shout** provides 24/7 for urgent mental health support via text:

[www.giveusashout.org](http://www.giveusashout.org) | text SHOUT to 85258



**Stop It Now** helpline is for anyone worried about child sexual abuse, including their own thoughts or behaviour.

[www.stopitnow.org.uk](http://www.stopitnow.org.uk) | Call 0808 1000 900



**Shore** is an online safe space for teenagers worried about sexual behaviour, offering anonymous advice and support.

[www.shorespace.org.uk](http://www.shorespace.org.uk)



**The Survivors Trust** for victims of sexual violence: [thesurvivorstrust.org/our-helpline](http://thesurvivorstrust.org/our-helpline) | **0808 801 0818**



**NAPAC** offers support to adult survivors of childhood abuse: [support@napac.org.uk](mailto:support@napac.org.uk) | **0808 801 0331**

You can also contact **your local NHS urgent mental health helpline** or call **111** for 24/7 advice | [www.nhs.uk/nhs-services/mental-health-services/where-to-get-urgent-help-for-mental-health/](http://www.nhs.uk/nhs-services/mental-health-services/where-to-get-urgent-help-for-mental-health/)

## **1. Chapter 1: Assessing victims' needs effectively**

### **1.1 Does the new information, in the blue box in Right 1 entitled 'When and how your needs will be assessed' help victims to understand how their needs will be assessed?**

**No**

The second box '**If you are under 18: when and how your needs will be assessed**' may not be suitable for younger children. We recommend that a child-friendly version is produced.

Additionally, we suggest removal of the second 'you' in the first sentence 'When you first speak to the police, they will ask **you** questions to understand how you can be best supported' if, for some children, these questions will actually be directed to their parent or guardian.

### **1.2 Do you think needs assessments occur at the right stages of the criminal justice process (those stages are when a victim first engages with the police, during the investigation of the crime, and before giving evidence)?**

**No**

The Children's Commissioner's office agrees that needs assessments should occur at all three of the stages set out in the consultation. However, we propose that greater flexibility is facilitated, and that additional emphasis is placed on the needs assessment which is conducted before giving evidence.

#### **Greater flexibility through skilled officers**

For children and young people whose needs can change and evolve rapidly, the Commissioner recommends that specific mechanisms are built in during the second stage 'during the investigation' to ensure that a needs assessment is repeated regularly as the case progresses. This is often the longest

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period of the criminal justice process, during which children will be processing the traumatic event they have experienced as well as developing and maturing, meaning their preferences and needs regarding communication may change.

This is particularly important as children get older, moving through the proposed age brackets. Children interviewed by the Children's Commissioners office about the proposed changes felt that updates to methods of communication should automatically be offered as a child moves from one age bracket to another but not automatically changed without consent.

The Commissioner is clear that all police officers who engage with children as a part of investigations must be adequately trained to carry out a needs assessment, and to be able to use these skills to monitor any changes in communication needs at each stage of the legal process. In some cases, more specialist support may be required, and police officers should have access to specialists to consult for support when needed, and to ensure their standard of training is maintained.

### **Recommendation 1**

Ensure all police officers working with children are fully trained in the Victims' Code, including how to recognise changes in a child's communication needs and when to initiate a further needs assessment. Specialist child engagement officers should be available for children who need additional support.

### **Video recorded interviews**

All the children interviewed by the Commissioner's office had experienced a recorded interview and found it stressful. Some felt that it was inappropriately distressing for a child of their age. One young person had been told the interview would be recorded but not that it would be used in court. We therefore recommend a further needs assessment is conducted prior to each video recorded interview.

The Commissioner's report *Children's experiences as victims of crime*, published in 2024, found that many children were not receiving a comprehensive needs assessment prior to their interview

process in line with the *Achieving Best Evidence* (ABE) guidance. It is therefore disappointing that the children interviewed in 2026 for this response encountered similar issues.

Our report on children's experiences as victims of crime clearly sets out that processes for conducting interviews and evidence gathering with children is too often traumatic. If we are to truly address this, there is need for further reform to the system to ensure police receive further training and that adequate post-interview support is built in every time, for every child.

However, there is a real opportunity for the new Victims' code and the accompanying co-compliance framework to explicitly set out the additional needs of children before this often-distressing stage of the criminal investigation process. The Victims' Code should set out a clear directive to ensure children are given an appropriate explanation as to how video recorded interviews and any court appearances will work, and what support a child may need after giving evidence via any mode. Additionally, the Code should prompt officers to periodically consider whether a new needs assessment is required if evidence is being collected over a long period of time.

### **Recommendation 2**

Ensure that the pre-evidence needs assessment clearly outlines to children the different types of evidence they may give, and how it will be used. Build in a requirement for officers to consider whether an additional needs assessment is required if evidence gathering occurs over a long period of time.

*"I wasn't told in advance kind of what they'd be like and how cutthroat they can feel and like there's no support afterwards for like after you've done the filmed interviews, after you've done anything like that. Like absolutely no support is offered, no after like check-ins, nothing."* - Young person

*"I didn't even know what some of the words meant that they were using. And I feel like that's so embarrassing."* - Young person

*"I had all these interviews where I was being put on record and I felt very pressured. I didn't really, like I never really knew fully what was going on."* - Young person

Many of the young people interviewed said that the emotional impact of reporting a crime in the current system would make them reconsider reporting crimes in the future and has the potential to put children off reporting at all.

Ensuing that their communication needs are appropriately identified prior to interview, and that support is provided after interview, is essential for ensuring that any new needs arising from the potential trauma which occurs at interview can be addressed, supporting children and young people to continue through the criminal justice process. This is particularly important for children who may have been victims of complex crimes where there are multiple investigations required.

*"I was crying because I was like, oh, they don't believe me anymore. They'd made me feel like I was lying or I had made things up and I was crying and there was just nothing, no support, no check-in, nothing. And I think honestly, that's what's put me off reporting other things"* - Young person

*"Most of the people that I know who chose not to report were, it was because it's emotionally draining and it's unlikely to end in conviction."* - Young person

## **1.4 Do you think there could be a further needs assessment at the end of a case?**

### **Yes**

Children and young people interviewed by the Children's Commissioners office felt that they did not receive enough communication after legal proceedings concluded. In particular, they felt that they had not been informed of their right to reviews or compensation. A further needs assessment at the end of the case may help to prompt services to ensure that all relevant information is communicated to children and young people at this vital stage, which can often feel like a 'cliff edge' for victims.

*"I was just told, well, the case is closed, he's been set free, go on with your day"* - Young person

One young person interviewed was told immediately after a distressing video recorded interview that their case would not be taken forwards.

*"You've just made me so upset, like doing yet another interview with me and made me feel really shit, but you've got nothing from him either. And they just sort of told me in the most like blunt, cut off way. They were like, [...] we can't prove anything. We can't, like, say anything because there's no evidence"* - Young person

*"I didn't know about the compensation until the two years was up [...] I don't know what the compensation even is to this day. But if it's like an amount of like money, like financial compensation, then I'm like, no number can even put a put a price on what I've gone through"* - Young person

Additionally, at this final communication needs assessment meeting, consideration should be given together with the child to who else should be communicated to regarding the outcome of the child's case and any further support they may need. This may include informing the child's school, social work team or other support networks.

The outcome of the case may impact what kind of support is needed from a child's network. For example, children interviewed for our report on children's experiences as victims of crime who received a 'No Further Action' decision told us that they felt a loss of trust in all support services around them. The Code should prompt the final needs assessment to consider what particular considerations should be made in the context of the outcome of the case. The guidance document *Keeping Children Safe in Education* sets out what schools should do in cases where no further action is taken and shows why it is so important that schools are informed, and that it is clearly communicated with them that No Further Action does not equate to a finding that no offence occurred.

### **Recommendation 3**

Include in the final needs assessment a clear plan for who in the child's network should be informed about the outcome of their case, such as their school, social worker or other support services, so the right help can be put in place.

## 2. Chapter 2: Engaging with child victims

### 2.1 Do you think a framework guiding criminal justice agencies' engagement with children should be introduced?

#### Yes

The Children's Commissioner has long called for an update to the Victim's Code which acknowledges and addresses the specific needs of children. None of the four children and young people interviewed by the Children's Commissioners office had heard of the Victims' Code at the time of reporting to the police, but all agreed that it would have been useful to be made aware of their rights at the time.

*"I think I didn't personally know there was victims code until I heard about this, so It would be nice if there was more awareness for young victims to know that they have these rights so they can use it for their advantage."*

They felt it would help young people feel empowered to pursue their cases and may stop people "falling through the cracks", as one young person put it, because they don't know what's meant to be happening.

They also felt better engagement could encourage child victims to come forward, with one child noting *"I think that's a major part is that you have no idea if you're actually going to benefit from it, if you're going to get supported from it. And I think just having like a very clear list that doesn't change, what to expect would definitely encourage more people to report major crimes"*

Children felt that being better engaged with to understand their rights would help them to understand and identify scenarios where they were not being treated correctly.

*"So that if you are being mistreated, it kind of protects the victims. If you're being mistreated by a police, then you can say, no, this is my right. This isn't appropriate behaviour."*

However, it is essential that increased communication with children via the framework does not erode the responsibilities of adults involved in a child's journey through the justice system to proactively

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identify and act upon any mistreatment during legal proceedings. The onus of upholding children's rights remains on the professionals working with them.

## **2.2 Do you agree with the proposed framework for how criminal justice agencies could engage with children?**

### **Yes**

Overall, children and young people interviewed by the Children's Commissioners office felt positively about the proposed changes to the Victims' Code but emphasised the need for nuance and individual child-centred approaches to supporting child victims.

*"So, it's like some people might need extra support, but then also younger people might not want their parents to know about what's going on and like they kind of deserve that privacy as well. So, I think it's a good framework generally, but I think it can't be like necessarily copy and pasted"*

One young person felt the age framework was hard to comment on because of this.

*"It depends on everyone's background. No two people have had the same upbringing, or if they have, then they don't have, you know, everyone reacts to things in different ways."*

The Commissioner's office therefore recommends that the Code makes clear reference to the need for flexibility, and highlights that all children are unique and should be treated as such. The Code should make clear that the framework is not setting out hard and fast rules for when to directly engage with children, but rather guidance for tailored decision making.

## **2.3 Do you think the proposed age categories that are being used to guide criminal justice agencies' engagement with child victims are the right ones?**

### **Yes**

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Children and young people interviewed by the Children's Commissioners office broadly agreed with the proposed age frameworks for communication with parents and children, although it was felt important not to underestimate teenagers' capacity to understand and advocate for themselves.

*"Obviously 16, being a threshold age, would be the easiest. But I do think from the age of like, secondary school age I think young people are more capable than we think. So I would say, after secondary school, aged like 12 or 13, if they're able to be brave enough to report that crime, then I think they should be able to have the option at least"* – Young Person

*"I think people who are under the age of 16 are a lot smarter than they are given credit for."* – Young Person

It was felt that updates to methods of communication should automatically be offered as a child moves from one age bracket to another but not automatically changed without consent.

One child stated: *"That is a big burden to put on someone so young but, I think if I was in that position I would have wanted to be told by a policeman knowing that that is one of my rights, but in a way saying that there's no pressure for me to accept that right"* – Young Person

The age categories provide a helpful broad structure to support officers in making decisions about communicating with children and young people. However, caution should be taken to ensure that the process does not become an automatic application of the categories set out. All children have different needs, and in particular children who have experienced trauma may wish to be more or less involved in decision-making, no matter their age. Additionally, the framework should consider the needs of children with special educational needs and disabilities (SEND), which may require a more tailored approach outside of the age framework. Training for officers on the application of the framework should clearly set out how to recognise where flexibility is required.

## **2.4 Do you think the right level of engagement is reflected in each category, for example a presumption of direct engagement with 16- and 17-year-olds?**

The children and young people that the Commissioner's office spoke with were clear that 16- and 17-year-olds should be directly engaged with, however, services must be supported to remember this cohort are still children, at a crucial time in their adolescence, and must be given extra support. Particular care should be taken to ensure this is provided for black and ethnic minority children, who often encounter adultification by the justice system<sup>2</sup>.

*"I didn't receive anything for a long time. I was having to ask the questions myself and at a young age I was doing my exams, doing everything"* – Young Person

Individual communication needs should be understood by all of those who may engage with a child or young person about the case, to ensure their preferences are upheld and actioned. Interviewees felt this was important both for young people who would like a high degree of agency and for those who would like more parental involvement.

One interviewee who was 17 when the crime occurred felt that they weren't given enough agency in the process because they were treated as a child.

*"I felt like there was a lot of choices being made without my consent or without me knowing, even though they couldn't let me make that choice. I think it's my right to know what's going on."* – Young Person

On the other hand, another interviewee felt it was important that 16- and 17-year-olds who do want their parent's support are not discouraged from requesting this.

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<sup>2</sup> HM Inspectorate of Probation, 2022, Adultification within child protection and safeguarding, [Link](#), Accessed on 20/04/26.

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*"I don't know, even if you're 16, you still might want to do it with your parents and that's fine. I think it doesn't need to be like a strict rule about it."* – Young Person

## **2.5 Are there any circumstances in which the proposed framework for how criminal justice agencies engage with children should not apply?**

### **Yes**

As set out in **Section 2.3**, while the framework provides a helpful reference point, flexibility must be inherently built in to this so that officers can use their professional judgement to apply flexibility to move through the framework as needed. This should include access to a specialist in child engagement for advice if needed.

Children and young people interviewed by the Children's Commissioners office about the framework stressed that, while they broadly supported the proposals, a 'one size fits all' model is inappropriate for victims of crime.

This was particularly important to them regarding parental consent, and all interviewees felt it was important to acknowledge that child victims may have difficult relationships with their parents which make the application of consent frameworks more challenging.

*"I do think it's very important to know that sometimes the parents are not on the side of the kids."* – Young Person

Even when the relationship between parents and children is good, parents may struggle to make decisions in their child's best interests due to the nature of the situation.

*"I think in lots of other cases, some people make certain choices because of their parents or because they're influenced by their parents. And their parents might not be in a good headspace themselves to know what's happening, or to, you know, be able to take control of what's happening and keep the child properly, actually safe."* – Young Person

Interviewees felt that the issue of parental consent for medical examinations was particularly difficult and there was agreement that children of all ages should be asked to consent to this.

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*"I think, in my opinion, the kids should always be asked, even if the parents are also asked and I think the kids should know step by step what's going to happen [...] and I don't think they should at all be forced to do it because that's quite a traumatic thing. It's just trauma on top of the trauma."* – Young Person

One young person had experience of physical evidence collection with parental consent but against their own wishes, they suggested that another adult such as a social worker or other professional should be asked to intervene if the child and parent disagree.

*"It felt like pretty much as nearly as bad, maybe pretty much as bad as like the actual rape that happened because again, they're invading my pain, my body."* – Young Person

The framework, and subsequent training of officers to use it, should outline clearly how to identify and address who has Parental Responsibility (PR) for a child. There will be some circumstances – for example for children on care orders under the Children Act – where parental responsibility is shared between the Local Authority and birth parents; some children – for example those in care under Section 20 or in kinship arrangements – may be living with carers who do not have parental responsibility. The framework must make clear that if PR is shared or a child is living with someone who does not have PR they must be involved in deciding which adult is involved in their case.

## **2.6 Please provide your views on what agencies could do to make sure that direct engagement with children is undertaken in a quality and trauma-informed way.**

High quality, trauma-informed practice is essential to providing children in the criminal justice system with a better experience. However, the term 'trauma-informed' can often be open to wide interpretation across different services. Therefore, the Commissioner recommends that the code sets out a definition of trauma-informed engagement for services to adhere to when considering their work with children who are victims of crime.

The Children's Commissioner's office asked children with lived experience of the justice system what their experiences of working with different agencies throughout the process and found the following:

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## Police

Interviewees had mixed experiences of support, but all felt that interactions with the police should have been better.

Several of the children interviewed felt that more female police officers would help: *“even having maybe a female police officer as well, like might have changed something. I'm not sure. It is quite like daunting when you have two men and you're discussing something like that. It can be a bit daunting as a 16-year-old girl.”* – Young Person

All interviewees felt that all officers should be better trained to understand and work with trauma.

*“Because when I was in the other services, there was this male police officer, the only quote unquote support I got was this male police officer who sat me in this tiny cubicle and said, well, this is what I want for my daughters if this happened to them.”* – Young Person

*“Just having a clearer idea of the processes and techniques that are used within the criminal justice system and that it can be very blunt and that it can be very harsh. And I think a lot of people don't realise that going into it and then met with quite force. And I think, it's not necessarily a right, but I think there definitely needs to be more compassion training and trauma training from for officers and people in charge on that side”* – Young Person

One young person described their initial encounter with police after the crime had occurred, which was inappropriately forceful.

*“It felt like I was being punished for what happened to me.”* – Young Person

## Schools

All the interviewees had experience of their schools being informed and felt this was important. However, several noted that the school knowing did not guarantee support, and this should be addressed.

*“They put me in this kind of pot as a misbehaved child and they didn't understand why”* – Young Person

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It is important for child victims to be supported by schools, not just as the service most children have most daily contact with, but as a key opportunity to reduce the long-term impact of the crime on a child's life chances.

*"So many people that go through these kinds of things that I've gone through end up not doing as well in school and you know, kind of losing prospects and potential, which I find really sad."* – Young Person

### **CAMHS and specialist support services**

Interviewees felt that the role of Child and Adolescent Mental Health Services (CAMHS) when interacting with the legal system should be made clearer to children and young people. Often, during an ongoing investigation, there are restrictions on the types of therapeutic intervention a child can receive. It should be made clear to children what support is available to them and ensure that they understand whether a meeting with a mental health professional is directly linked to their case, or separate 'safe' support.

*"They referred me to CAMHS, CAMHS said, 'Oh no, she's exaggerating about a lot of things, her mum said this and that to contradict that' and it felt very like I wasn't being heard."* – Young Person

Due to the recruitment route, all the interviewees had been referred to specialist support services and reported positive experiences there. This support should be more widely available to all victims of crime.

*"I've managed to process a lot of my trauma here without really feeling very suffocated by other people's." [...] "for the first time I felt like I was listened to"* – Young Person

However, several referred to long waiting lists before they were able to access this.

When specialist support is not available, children and young people often resort to reaching out to peers for support. This can have legal implications for the outcome of their case. Child victims need immediate specialist support, and clear signposting to appropriate spaces to discuss details of their case to avoid this.

*"I talked to my schoolmates about it, even though I'd been explicitly told not to, because I didn't know where else to turn."* – Young Person

## **2.7 Do you think the specific sections detailing what child victims can expect should be included in the Code? (as yellow boxes throughout)**

### **Yes**

This is important for older children and the parents or guardians of younger children as a mitigation to any breakdown in the communication provided. Too often, children interviewed by the Children's Commissioners office reported having been 'left in the dark' regarding their case, in some instances resulting in considering dropping charges. Providing children with details about what they can expect is an important step in upholding their rights. While children must not be expected to hold responsibility for ensuring the standards in the Code are upheld, ensuring that they know what to expect will serve as an additional safeguard against the failure to provide these.

We additionally recommend that a child friendly version of this content should be produced as a separate document for under 12s to help them to understand what they can expect. For younger children, the existence of the Code could also be included in wider educational initiatives about child rights.

Currently the burden of seeking out and understanding their rights and entitlements sits too much with the child.

*"I wasn't actually aware of the fact that I could get an advocate until I looked it up. So a lot of these things I just looked up on my own."* – Young Person

The provision of this information to children must not translate to an expectation that children are responsible for upholding the services they engage with to the standards set out in the code. The responsibility for delivering this, and monitoring the effectiveness of the delivery, remains with the professional bodies involved.

## **2.8 In general, do you think that the impact of a crime on victims under the age of 12 should be relayed by a parent or guardian (for example, by making a Victim Impact Statement on the child's behalf)?**

### **No**

The children and young people interviewed by the Children's Commissioner felt that no blanket policy should be applied here and expressed concerns about the ability of parents to express views on behalf of them. Every effort should be made to appropriately engage with children under the age of 12 to understand their wishes on this matter, and appropriate support given if they want to relay information about the impact of the crime themselves.

*"I'm not too sure about the idea of adult parents speaking for the child. [...] If they think it's, if they are able, if the kid is able to, and it's not too emotionally straining on them, it could be a work together kind of thing" – Young Person*

## **2.9 Please tell us if there is anything else that could be included in a yellow box in the Code to set out provision specific to child victims.**

Please see further responses in **Chapter 5**.

## **3. Chapter 3: Quality and timeliness of providing case information**

### **3.1 What information would be most valuable for victims going through the criminal justice process including during the investigation and pre-trial to access on a digital service?**

Interviews carried out by the Children's Commissioners office did not specifically seek to explore the implementation of a digital service, however, participants were able to communicate several important factors relating to their communication need.

Digital services can play a crucial role in improving how information is shared with victims of crime, particularly young people. All the children and young people interviewed felt that consistency, both in the content of updates and in who delivers them, had a direct impact on their experiences.

*"A big problem I did have with the investigation is that I didn't feel like there was much consistency."*

– Young Person

Many described feeling lost or destabilised when communication was irregular or came from multiple people. One young person explained that the lack of consistency made the whole process *"feel very chaotic,"* while another said that even though many things had gone wrong, clearer communication would have made a significant difference.

*"There was obviously a lot of things that went wrong for me but just having that kind of clear communication would have helped a lot."* – Young Person

The type and amount of information that is communicated with a child needs to be age appropriate as well as the way that it is presented. One young person explained that they had been told how an accused perpetrator had reacted to the allegation. This was the catalyst for them to request that the case be closed.

*“but it's like, what do you want me to do with that information? Like, if that's how you're leading it, then that gives me no hope, in the slightest, it's not even a glimmer of support towards me at all. It's just in that moment as well, I'd already felt really attacked and really really vulnerable. So then to be told that very bluntly to my face, [...]. Like, okay, well, there's no point in me going any further with this then. So I think in that moment, I just completely shut it all down. I was like, never again. And I think it was definitely the right decision for me at that time.” – Young Person*

Digital tools, when designed well, could help to improve consistency of communication. However, interviewees were clear that they needed updates to be delivered in an age-appropriate, trauma informed, way. Most of the children interviewed received updates from a range of individuals, and all of them felt that having one designated point of contact would have made things better.

*“I think if that person could be with the kid throughout the whole process as well, because I know that the case can be passed on to different people. I think if there's one consistent person throughout the whole process that would help a lot.” – Young Person*

The issue of parental consent and information sharing must carefully be considered with regard to access to any digital platform which will share updates about a child's case. Please see our answers in Chapter 2 for further details. There may be learnings to draw from work regarding proxy access to NHS Digital data which the VCOP team could consider drawing from.

The introduction of a digital tool to access information must not undermine the communication needs assessment and the framework set out in the Code for communicating with children. There is a risk if a child has access to a digital tool that they may access this when alone or without a trusted adult. If they then see new or distressing information, there is a lost opportunity to help them to work through this safely.

The implementation of any digital update tool used with children and young people must be designed in an age-appropriate way, sufficiently set up to facilitate the correct parent/carer access as per the framework, and should be secondary to tailored updates from a single point of contact, or team where needed.

## **4. Chapter 4: Improving how opportunities to participate are offered to victims**

### **4.1 Do you think that the opportunity to make a Victim Impact Statement should be offered to victims once a suspect has been charged and again when a trial is scheduled?**

#### **Yes**

This is particularly important for children and young people who may wish to express the impact of the crime they experienced differently as they develop and mature. One interviewee could not remember if they had made a Victim Impact Statement but thought they might have when they were much younger. They wanted the opportunity to update this as their case is ongoing several years later which has altered the impact.

*"I feel like I remember someone asking me how has this crime impacted you? But I really don't remember if I've done it."* – Young Person

One interviewee emphasised the importance of children representing their experiences in the most authentic way possible. If they would like to, children should be supported by professionals independently of their parents to understand how to develop a Victim Impact Statement in a way that is age and developmentally appropriate for them.

*"What I found was that actually my parent was not in a bad way, but unintentionally kind of putting words into my mouth that weren't actually what had happened or didn't feel like the right description to me. So whilst yeah, you know, at a young age you're not really able to communicate things the way that might be the most useful, it's important [...] it's about the authenticity for me."* – Young Person

## **5. Chapter 5: Helping victims understand their rights under the Code**

### **5.1 What do you think about requiring that victims be told about the Code when they report the crime, and when they have their needs (re) assessed?**

All the children and young people interviewed by the Children's Commissioner's office felt that they would have found it helpful to know about the code and their rights, with some even feeling that this should be included in the school curriculum. Therefore, we support this requirement.

One young person also suggested that information should be distributed by social workers or therapists because victims may not trust the police or be able to process the information given to them by police during traumatic phases of the criminal justice process.

As noted in **Chapter 2**, it is important that the code acknowledges that providing children with information about their rights does not transfer to them the responsibility for ensuring these are upheld. Professionals should consider sharing information with children about their rights as a part of their wider duty to uphold children's rights, as opposed to any transfer of responsibility for upholding these.

### **5.2 What do you think about the new requirement for police to offer victims a standard physical or digital product on the Code?**

The Children's Commissioner supports this requirement

## **5.4 What materials do you think would help children engage with the Code (for example, a video)?**

Young people interviewed by the Children's Commissioner's office felt that their rights as victims should be communicated with them at every stage throughout the process and in different formats such as leaflets and digital content.

*"I think it's something that should be reinforced through different bodies. I don't think it should just be told one, one and done. So I would say police and then for example when you start walking working with the support service like [service name], that should then be reinforced again."* – Young Person

One young person suggested incorporating it into school curriculum, or having police visit schools to give talks so that all children are already aware of their rights if they were to be a victim of a crime in the future.

Several of the young people interviewed suggested posters.

*"I think a poster would be helpful for people maybe if they're just in a waiting room and they're trying to process it all, they can have it just right there for anyone to see what their rights are."* – Young Person

It was noted that the appropriateness of design choices should be considered when developing materials, to consider the emotions children and young people may be holding at the beginning of legal proceedings.

*"I think we could also be given maybe like, [...] just a piece of paper just with all the basic points of the code being listed. Because I think with lots of leaflets and posters, they're going to be very brightly coloured, but you might not feel very bright."* – Young Person

Some children felt that online or digital information provision would be useful for children and young people, noting *"if you're dealing with young people, like a video kind of format would maybe be useful for young people."* – Young Person

One young person felt it needed to be communicated in person as well as physically as it risks being a 'box ticking exercise'. The Code should set out an expectation that all professionals who interact with children as a part of ongoing investigations are using language which reflects the Code, creating greater continual awareness.

*"It's way more important than just like, oh, we've chucked it down on a piece of paper because again, it feels like such a 'we've ticked a box, we've done it'. And it's not at all. And I think it needs to just be implemented more for young people that it's not just this throwaway thing [...]. just like a leaflet is just not good enough at all."* – Young Person

For all materials, there is a clear need to ensure that every effort is made to communicate complex legal terms in the most child friendly way possible, with specialist expertise sought in developing the materials if necessary.

*"I feel like it's difficult because with a lot of legal stuff, it's been written like very academically. And I think that's not accessible for young people at all. And a lot of people will need to know their rights but won't necessarily understand how it's been written if it's written really, really difficult to read. So, I think having something that's maybe translated for younger people."* – Young Person

## **5.5 What digital tools and innovation could help increase accessibility of the Code for children?**

Child friendly versions of all relevant materials should be produced, in particular regarding information for those under 12.

As well as age-appropriate content, considerations must be made for children, young people and families with special communication needs or where English is not the first language of the child, parent or both. Children and young people should not be required to communicate essential information to their parents or carers. Digital tools may be able to help with this by providing alternative formats of information to parents/carers, or in making connections with translators.

## 6. Chapter 6: Additional information

### 6.1 Please provide any views relating to this additional information in the Code.

Two further themes arose from the interviews carried out with children and young people on this matter:

#### **Accountability**

The co-compliance framework, which will be published alongside the new Victims' code, should clearly set specific measures relating to children, outlining who is responsible for each stage of information provision, who is responsible for ensuring that this is happening in every local area, and the lines of accountability for monitoring and audit of the application of the code.

#### **Recommendation 4**

Ensure that the co-compliance framework clearly sets out responsibilities for children, defining who is responsible for applying the framework consistently, how practice will be monitored, and what mechanisms will trigger intervention when standards are not met.

#### **Safety**

Several of the children and young people shared with us that they were not provided with sufficient information about how their safety would be ensured during ongoing legal proceedings. The Commissioner's office recommends that a prompt is added to the victims' code to ensure that professionals speak with children in an age appropriate way about any concerns they may have about their safety, and how to raise further concerns if they arise through the course of their case.

*"Actually, I would have made a bit of a complaint on how there wasn't any information on how to keep myself safe initially before the case started."*

This is particularly important for children who may be expected to be in the same location as the perpetrator of the crime, such as school. This requires communication with other professionals around bail conditions and case updates to keep them safe.

*“they let the perpetrator, the predator back into [location], claiming that the investigation was over when it wasn’t.”*

## **6.2 Are there any further views you would like to share as part of this consultation which haven’t been captured via responses to other questions.**

### **Time for decisions**

A further theme raised by children interviewed by the Children’s Commissioner’s office was **time**. It was suggested that all stages of the process could offer an opportunity to make decisions at a pace which works for the child, allowing children time to think, manage the trauma of the crime and make decisions at a time which suits them best. For some children this will mean processes happening much faster than they do currently, as children often find themselves in ‘limbo’ with long waits between each stage of their case.

*“I definitely would have liked to have been given like at least a year to process it as well, maybe given like... A good therapist didn't tell me what to think but just let me just process it in the room. Maybe just given a chance to have some space and just think through for myself before making a proper decision because I was not in the right space when I was 15.”*

This was particularly crucial for young people making decisions about their case while facing other important moments in their adolescence.

*“When you're a kid and you've already been given a lot of adult responsibilities and it just feels like, well, let's just get this decision over and done with so I have one less thing on my plate.”*

Children also require more time and support following more stressful elements of the criminal justice process such as providing evidence. Interviewees reported that making decisions at this time was inappropriate.

*“They asked me if I wanted it to be taken forward and off. In that moment, I was just like, no way, I’m never doing this again.”*

## Methodology

Four young people were interviewed to inform this consultation response.

Participants were recruited through two victim support charities, one in London, one in Bristol. One young person had previously been interviewed by the Children’s Commissioner’s office for the 2024 report [Children’s Experiences as Victims of Crime](#), which is referenced throughout this response.

Three of the young people were female, one was non-binary. All were aged between 17 and 21 years and had been victims of crime and reported it to police as children. Three had experienced sexual assault and one chose not to disclose details of the crime they had experienced.

Interviews were carried out by one researcher and followed a topic guide which covered proposed changes to the Victims’ Code in the context of their lived experience.

In recognition of children and young people’s time, expertise, and the emotional energy needed to participate in research of this kind, interviewees were offered a gift voucher as thanks for their contribution.

The interviews were audio recorded and transcribed for analysis by another researcher. Illustrative anonymised quotes are used throughout this report. Some quotes have been lightly edited to remove duplication or improve clarity.



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