

PE2196/D: Address early sexual offending in Scotland

Lord Advocate written submission, 10 February 2026

Thank you for your letter of 29 January seeking my views on petition PE2196 and the Committee's interest in what further action could help address early sexual offending, particularly in relation to online behaviours by young people.

The petitioner raises important concerns about prevention, early intervention, parental involvement, the handling of "gateway" behaviours such as unsolicited sexual images and ensuring meaningful support for victims. Protecting people from sexual harm, especially children and young people, remains a priority for the Crown Office and Procurator Fiscal Service (COPFS). Early harmful sexual behaviour, whether online or offline, can have a profound and lasting impact on victims. Our response must support victims, promote accountability, and intervene early to reduce the risk of future offending.

I note that the Scottish Government has provided the Committee with a comprehensive written submission, dated 14 November 2025, setting out the current policy and operational framework. This covers the Whole System Approach, GIRFEC, Bairns' Hoose, Equally Safe, and the range of education and prevention initiatives relating to consent and online safety. COPFS works closely with partners operating within this landscape and supports ongoing efforts to strengthen prevention, improve education on consent and online harms, and ensure that victims receive trauma-informed support.

COPFS takes all sexual offending seriously, including cases involving young people. Online sexual offences, including the sending of unsolicited sexual images, coercing someone to view sexual content, or communicating indecently are already capable of prosecution under existing legislation. We recognise the concerns raised about early or "gateway" behaviours and treat such conduct seriously when it reaches the threshold of criminality.

For each case, COPFS ensures a consistent and proportionate response by carefully assessing the circumstances. This includes considering whether prosecution is necessary, or whether an alternative response, such as diversion or support aimed at changing behaviour, would better meet the needs of the child, protect victims, and reduce harm in the wider community.

While the development of wider policy measures lies with the Scottish Government and Parliament, COPFS will continue to contribute evidence and expertise to inform any future reforms.

I welcome the Committee's focus on the wider multi-agency context in which concerns about harmful sexual behaviour are identified and addressed. Prosecution alone cannot address the full range of harmful behaviours raised in the petition. Strengthening the broader system will help improve outcomes:

- **Strengthening prevention and education**

COPFS supports continued investment in clear, evidence-based education on consent, respectful relationships and online harms. Engagement with young people, schools, parents and carers is key to improving understanding both the risks and the consequences of harmful sexual behaviour.

- **Improving consistency of intervention**

Effective early intervention depends on strong collaboration between social work, police, health, education and the third sector. COPFS continues to support work to strengthen shared standards and decision-making pathways so concerns can be identified and addressed before behaviours escalate.

- **Enhancing victim support**

Victims must remain at the centre of the justice response. Trauma-informed practice, clear communication, and early access to specialist support are vital. COPFS is actively implementing its Trauma Informed Framework, launched in May 2023, which includes mandatory training for all staff.

COPFS is also proud to be working with partners in the development of Bairns Hoose in Scotland. As prosecutors, we fully support its child-centred approach to care, protection and justice. We recognise that children affected by crime may be profoundly impacted by their experiences, and we welcome this new model designed around their needs and views.

We are working with Scottish Government and other partners on implementation of the Victims, Witness and Justice Reform (Scotland) Act, which introduces reforms to improve the experience of victims and witnesses in the justice system, with a focus on cases involving sexual offending.

COPFS remains committed to working with partners across government, education, policing and the third sector to help address early sexual offending and ensure victims receive the support they need.

I am grateful to the Committee for its consideration of these important issues and would be happy to provide further assistance as required.

Yours sincerely,

THE RIGHT HONOURABLE DOROTHY BAIN KC
LORD ADVOCATE