



Young People's Guide to The United Nations Convention on the Rights of the Child (UNCRC)



Office of the Children's Rights Director
Ofsted
125 Aviation House
London
WC2B 6SE

www.rights4me.org





on the Rights of the Child
20th Anniversary Special Guide

Introduction

This is special 20th Anniversary guide written to help explain the significance of the United Nations Convention on the Rights of the Child (UNCRC) for looked after children. The UNCRC was accepted and agreed by the UK on 16 December 1991. It is an important document that applies to all children and young people in order to make sure they:

- are safe
- are not discriminated against
- have their best interests protected
- have the things they need to survive and develop
- have a say in decisions that affect their lives

Whilst all of the articles (or rights) in the Convention are important for all children, a few may have more relevance than others for those of you who are being looked after. So, whilst all of the articles in the convention are included in this guide, we have highlighted some of those rights (articles) that might be most useful or interesting to you



Article 1
If you are under the age of 18 all the rights in this Convention apply to you.

What does this mean for me?

As long as you are under 18 then you are entitled to be treated with respect to all of the rights in the Convention.

It doesn't, however, apply to someone who is 18 or over, even if they are a care leaver.

Article 2
The Convention applies to you regardless of your race, religion and abilities; or what you may think or believe. It does not matter what type of family you come from either, you have these rights – without discrimination.

What does this mean for me?

It means that all of the rights in the Convention apply to you even though you might be in care or being looked after.

Article 3
All decisions and actions for children must be about what is best for you.

What does this mean for me?

This means that it's all about making the right decisions for you (like whether you need to come into care, where you are placed, which school you go to and who you are allowed to keep in touch with).

Article 4
Governments shall carry these rights out by putting them into effect.

What does this mean for me?

Government and local authorities should be putting these rights into practice. This means that these rights should be happening for you right now and you should be able to expect and demand them where they are being withheld.

Article 5
Governments should respect that parents have responsibilities, and will help them in making sure that you enjoy all the rights given in this Convention.

Article 6
All children have a basic right to life. Governments should do all they can to help children survive, grow and be healthy.



Article 7
You have the right to a name and to know which country you belong to.

What does this mean for me?

This means that your name should not be changed, unless you want it to be, just because you are in care.

You also have the right to know your parents and, where possible, to be cared for by them.

What does this mean for me?

It also means that every effort should be made to help you be brought up by your own parents

Article 8
Governments should respect your identity (that is who you are); including your name, your nationality and family.

Article 9
Governments should not separate you from your parents unless it is for your own good - like if someone is mistreating or neglecting you.

What does this mean for me?

This means that, generally, you should not have to lose your family home unless it is not safe for you to live there.

Article 10
Families from other countries should be able to travel between the UK and the country they came from if this helps to bring children and parents back together.

Article 11
Governments should take steps to stop you being abducted (which means being taken out of the country illegally).

Article 12
You have the right to say what you think should happen in decisions that affect your life, and to have what you say taken seriously.

What does this mean for me?

This means that you should have a say in all decisions that affect you whether as part of a review or plan.



Article 13
You have the right to express your views, just as long as doing so does not harm the rights or reputations of others; or threaten our health or security.

What does this mean for me?

It means that even if you have views that others might not agree with you should have a right to your own opinion, and to express it. However, this doesn't mean that you have the right to say anything that others might find offensive or which could cause harm.

Article 14
You have the right to your own beliefs and religion, as long as this is not stopping other people from enjoying their rights.

What does this mean for me?

When you come into care your beliefs and religion should not change, unless you want them to. Otherwise they should be respected by those who are caring for you, and opportunities should be made for you to be able to practice your religion and customs.

Article 15
You have the right to mix with other children and young people, join groups and get involved in activities, events and organisations, as long as doing this does not harm the rights of others.

What does this mean for me?

This means that you have a right to be involved with groups and organisations that come together to campaign to improve things (like the environment or the care system). It would support your right to be involved with such things as Children in Care Councils or After Care clubs, or take part in an event talking about care.

Article 16
You have the right to privacy. Children should be protected from people unlawfully interfering in their life and family (such as the press).

What does this mean for me?

It means that the press have no right to report personal things about you and your family, or about what went on in court.

Article 17
You have a right to reliable information.

Media, such as television, radio, newspapers and websites, should provide materials that you can understand, and which help you in becoming an all together better, more healthy and happier person.



Article 18
Your parents share responsibility for bringing you up, and should always consider doing what is best for you. Governments should help them with services, especially in giving support to working parents.

What does this mean for me?

It means that even though you are looked after, your parents should still be involved with the important decisions about your life. They should be helped to do this in a way that respects your rights and what is best for you.

Article 19
Governments should do all that they can to make sure that children are kept safe from any violence, abuse or neglect.

What does this mean for me?

This means that everything possible should be done to keep you safe from harm.

Article 20
If for some reason you cannot be looked after by your own family, you must be given alternative care (like living in foster care, a children's home or being adopted). The people who care for you should respect your background (like your own religion, culture and language).

What does this mean for me?

This means that your local children's services department are responsible for finding you somewhere to live and be cared for. Your new carers, whether in foster care, children's home or you are adopted, must respect the way your own parents have tried to bring you up.

Article 21
If you are adopted, the first concern must be to make sure that this is what is best for you. Governments must make sure that they have proper systems for deciding this, whether the adoption takes place here or in another country.

What does this mean for me?

This means that you should only ever be adopted if that is what is best for you.

Article 22
If you came to the UK as a refugee, you should have the same rights as children who were born here.

What does this mean for me?

This means that if you came into care as an asylum seeker you should be entitled to the same treatment and services as other children who are also looked after.



Article 23
If you have a disability, you should get special care and support to help you to live a full and independent life.

What does this mean for me?

It means that you should get help in overcoming your disability so that it does not get in the way of stopping you doing all of the things that other children are doing.

Article 24
You have the right to good health care, clean water, nutritious food and a decent place to live so that you can stay healthy.

Article 25
If a local authority cares for you (this is sometimes called being in care or looked after), you have the right to have your care looked into (or reviewed) on a regular basis.

What does this mean for me?

It means that reviews should be held to look at how plans for your care are going.

Article 26
You have a right to expect help from government with money where you need this, and where your parents are unable to provide for you.

Governments should have measures for dealing with any application for social security benefits made by you, or others on your behalf.

Article 27
You have a right to a standard of living that is enough to meet your needs and help you to grow. Whilst parents are mainly responsible for making sure you have enough food, clothing and somewhere to live, the government should help families who cannot afford to provide this themselves.

What does this mean for me?

You should not have to come into care just because your parents cannot afford all of the things you need.

Article 28
You have a right to free education, and should be encouraged to attend.

Discipline in schools should be done in a way that respects children.

Governments should do what they can to help all children learn to read.



Article 29
Education should help you develop as a person and achieve what you are capable of.

What does this mean for me?

This means that your education should not be put on hold just because you have come into care. You should still be given every encouragement and support to do well in your education.

Article 30
You have a right to learn and use the language and customs of your own family, even if these are not shared by the majority of the people.

Article 31
You have a right to relax, play and enjoy a wide range of activities.

What does this mean for me?

This should mean that you have the right to continue to enjoy the sort of activities that you might have been involved in before you came into care.

Article 32
You have a right to be protected from working long hours or being too young to work. Any work that you do must not be dangerous, or in any way harmful to your health or education.

Article 33
You have a right to be protected from getting involved with dangerous drugs.

Article 34
You have a right to be protected from sexual abuse.

Article 35
You have the right to be protected against being sold, forced to work or used by others to make money in ways that could put you in harm (like through selling sex or drugs).

What does this mean for me?

It means that you have a right to protection from those who might target care to use children in bad ways.



Article 36
You should be protected from other types of activity that could exploit you (like being pushed too hard on something you are really gifted at or where the media leave a child with a bad reputation and image).

What does this mean for me?

It means that people should not write or say bad things about you just because you are in care.

Article 37
If you do wrong, you have a right not to be punished in any way that might be cruel or makes you feel small. You should never be locked up unless a court decides that you should be. This should only be if there is no other alternative; and, even then, for the shortest time possible.

What does this mean for me?

The rules that apply to you when living in foster care or a children's home must be fair and reasonable. No one has the right to hurt you or make you feel small as a punishment. And, you can only be locked up for doing wrong if a court agrees to this.

If where you live use physical restraint sometimes as a way of dealing with children who get out of control then they must take great care to make sure that they do so only when really necessary and in ways that are safe.

Article 38
You have the right to some protection from becoming a child soldier. Governments should not allow children under the age of 15 to join the armed forces, but have the option of raising that age to 18 years old (so whilst you can still join the armed forces at 16 and 17 years old, in the UK, you should not be involved in any armed conflicts).

Governments must give care and protection to anyone under 18 years old who has been affected by armed conflict.

Article 39
If you have been the victim of any harm, of any kind, you should receive special help to help you to recover.

What does this mean for me?

This means that you have a right to expect help and counselling for your emotional and mental health needs whilst you are in care.



Article 40
If you are accused of breaking the law, your legal rights should be protected and you should get the help you need to put your case. Governments should try to find ways of helping children in trouble, rather than send them away.

What does this mean for me?

This means that you have the same rights as other children when it comes to dealing with matters of crime.

Article 41
If the laws in a particular country are better for children's rights, than what it says in the Convention, then those laws should be kept and followed.

Article 42
Governments should make the Convention known to all children and adults (especially parents and people who work with children).

What does this mean for me?

You should know what your rights are and are entitled to be told these by someone working for the local authority responsible for your care.

Articles 43-54 are all about how the United Nations will work to make sure that children get the rights in the Convention.

This includes requiring each country, about every five years or so, to make a report on their progress to an international committee of experts on children's rights (this is called: 'The United Nations Committee on the Rights of the Child'). This Committee will then visit those countries to check to see if they are doing what they should be for children and let them know where they need to improve.

