

THE UNITED
NATIONS
CONVENTION
ON THE
RIGHTS OF
THE CHILD
(UNCRC)

EXPLAINED

peace
power



(UNCRC)



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scotland
SCOTTISH GOVERNMENT



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CONVENTION
ON THE
RIGHTS OF
THE CHILD
(UNCRC)
EXPLAINED**



A report on your rights in Scotland

THIS BOOKLET IS ALL ABOUT WHAT'S BEEN HAPPENING IN SCOTLAND TO KEEP THE PROMISES MADE TO YOU IN THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD.

The artwork used throughout this booklet is based on artwork produced by the members of the Children's Parliament. The Scottish Government is very grateful to the Children's Parliament for its kind permission to use its artwork.

You can find further information about the Children's Parliament at www.childrensparliament.org.uk

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ISBN 978-0-7559-5609-8

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Edinburgh
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Produced for the Scottish Government by RR Donnelley B54027 03/08

Published by the Scottish Government, March 2008

The text pages of this document are printed on recycled paper and are 100% recyclable

CONTENTS



OVERVIEW	2
SECTION 1: MAKING RIGHTS HAPPEN	4
SECTION 2: FAIRNESS AND EQUALITY	6
SECTION 3: CHILDREN'S RIGHTS AND FREEDOMS	10
SECTION 4: FAMILY LIFE AND BEING CARED FOR	12
SECTION 5: BEING HEALTHY	17
SECTION 6: EDUCATION, CULTURE AND THINGS TO DO	21
SECTION 7: BEING SAFE AND PROTECTED	27
YOUR RIGHTS: ANY QUESTIONS?	32

OVERVIEW

THE UNITED NATIONS (UN) IS A GATHERING OF 192 COUNTRIES. IT WAS SET UP AFTER WORLD WAR II TO BRING ABOUT A PEACEFUL AND FAIR WORLD. THE COUNTRIES MEET IN THE GENERAL ASSEMBLY, WHICH IS THE CLOSEST THING TO A WORLD PARLIAMENT.

The countries of the UN have written conventions which say what they agree to do to make the world peaceful and fair. A **CONVENTION** is a collection of rules or things that should be done. One of the most important UN Conventions is about children's rights; **YOUR RIGHTS**.

Even though they use the word **CHILD** the rights in the United Nations Convention on the Rights of the Child (UNCRC) belong to **EVERYONE UP TO THE AGE OF 18**. The UNCRC has **54 PARTS WHICH ARE CALLED ARTICLES**.

The United Kingdom has signed the UNCRC which means that in all the countries of the UK, including Scotland, children and young people should have the rights that have been promised.

EVERY 5 YEARS THE UK GOVERNMENT HAS TO REPORT TO A SPECIAL UNITED NATIONS COMMITTEE on what is happening about children's rights. In Scotland the Government prepares a report too. The Government in Scotland can only do so much about children's rights because some of the decisions that affect children and young people are still made in the UK Parliament in London.

IN 2007 SCOTLAND ELECTED A NEW GOVERNMENT SO MOST OF THIS REPORT IS ABOUT WHAT THE LAST GOVERNMENT DID ABOUT CHILDREN'S RIGHTS. THIS BOOKLET IS PART OF THE NEW GOVERNMENT'S PLAN TO LET YOU KNOW MORE ABOUT YOUR RIGHTS.

This booklet tells you what the **SCOTLAND REPORT** said about the past 5 years. If you want to see the full Scotland Report you'll find it at: www.scotland.gov.uk/Publications/2007/07/30114126/0

The Scotland Report is divided into sections and so is this booklet. At the start of sections 1 to 7 we give you some information about the rights you have.

***SECTION 1** is about **making rights happen,**

***SECTION 2** is about **fairness and equality,**

***SECTION 3** is about **children's rights and freedoms,**

***SECTION 4** is about **family life and being cared for,**

***SECTION 5** is about **being healthy,**

***SECTION 6** is about **education, culture and things to do,**

***SECTION 7** is about **being safe and protected.**

SECTION 1: MAKING RIGHTS HAPPEN

There are just over **1 MILLION UNDER 18s IN SCOTLAND.**

That's **20% OF SCOTLAND'S POPULATION.**

The Government tried in the past 5 years to **THINK ABOUT WHAT CHILDREN'S RIGHTS MEAN WHEN THEY ARE MAKING DECISIONS AND PASSING LAWS THAT WILL AFFECT CHILDREN AND YOUNG PEOPLE.** Some examples of how children's rights are becoming a part of how we do things in Scotland are:

- ✿ The law says that school education should help you develop to your full potential.
- ✿ If you are a young carer you have more rights to get the help you need.
- ✿ Adults who have harmed children must not get a job working with children.
- ✿ Shops or restaurants are not allowed to stop a mum from breastfeeding her baby.
- ✿ The law helps protect the rights of children and young people who speak Gaelic.
- ✿ When a child is being adopted it is what's best for the child that matters most.
- ✿ Smoking in public places is banned, protecting children from passive smoking.

The Government said that it wants young people in Scotland to be **CONFIDENT**, to be **SUCCESSFUL LEARNERS** and to **MAKE CONTRIBUTIONS** to their school and community. The Government also said that young people need to be **SAFE, LOOKED AFTER BY CARING ADULTS, HEALTHY, ACTIVE, RESPECTED** and **INCLUDED** if they are to **DO THEIR BEST.**

RIGHTS BELONG TO EVERYONE. The Government knows that life can be tougher for some young people and they need to do better to help them have their rights.

To help keep the promises made to young people about their rights the Government set up **SCOTLAND'S COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**; called SCCYP. The Children's Commissioner is Kathleen Marshall. Kathleen and her team are **INDEPENDENT** of the Government. They want young people to tell them about what's happening when it comes to their rights. There's more about SCCYP at www.sccyp.org.uk

SCCYP!

The Government also plans to set up a **SCOTTISH COMMISSION FOR HUMAN RIGHTS**. It will look after everyone's human rights and make sure the Scottish Parliament and the new Scottish Government do their best to make Scotland fair, safe and peaceful. This new Commission will work with the Children's Commissioner.

It's worth remembering that the UNCRC isn't actually the law in Scotland; but the Government says it will try its best to make sure everything it does will help make children's rights happen here. Although the UNCRC isn't the law the **EUROPEAN CONVENTION ON HUMAN RIGHTS** is part of the law in Scotland. As a young person you have the same human rights as adults.

SECTION 2: FAIRNESS AND EQUALITY

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT FAIRNESS AND EQUALITY. THE UNCRC SAYS:

- ⊕ Rights belong to *everyone* - that includes you! Nobody should treat you unfairly because of who you are.
- ⊕ When adults make a decision about you it is what's *best for you* that should be the most important thing to consider. You must have your say too.
- ⊕ You have the right to life and to be healthy.

The Government has said that **PEOPLE HAVE THE SAME RIGHTS** whatever their race, ethnic background, religion or ability, whether they are male or female, and if they are lesbian, gay, bisexual or transgender. There have been new laws passed to help **PROTECT PEOPLE FROM DISCRIMINATION**.

Most **YOUNG PEOPLE WITH DISABILITIES** go to mainstream school. The others go to special schools. The Government was interested in making sure school pupils with extra needs get the support they need to make the most of school and passed a law about **ADDITIONAL SUPPORT NEEDS**.

53,883 CHILDREN AND YOUNG PEOPLE WERE REFERRED TO THE REPORTER AT THE CHILDREN'S HEARINGS IN 2006. More and more young people are referred every year. A lot of work has gone into making the **CHILDREN'S HEARING SYSTEM** better. You can be referred to a Hearing because you are not being cared for properly or because it is believed you have committed a crime. At a Hearing you have the right to have your say. You can ask for legal support to protect your rights.



After a Hearing, if someone needs special help and support, they might be given a *supervision requirement* and a social worker will work to make sure their needs are met. About 13,000 children and young people in Scotland have a supervision requirement; sometimes this is called being **LOOKED AFTER** (we use this term in this report) and this can happen when you are living at home or with a relative, another family or in residential care.

In 2005 the Government produced a report called **GETTING IT RIGHT FOR EVERY CHILD** which was about how young people get the help or support they need. It said that if professional people pay attention to this report it will be easier to get help when you or your family need it.



We'll mention a few times in this booklet that you have a right to **HAVE YOUR SAY** when adults make a decision that has an effect on you. In Scotland **THE LEGAL SYSTEM IS SUPPOSED TO TAKE ACCOUNT OF YOUR VIEWS**, say like if your parents are getting a divorce, or maybe you want to have contact with both your grandparents when your Mum or Dad split up.

If you are **LOOKED AFTER** it is especially important that you have your say about what is happening to you. If you are **16 AND LEAVING CARE** the Government identified that this can be a difficult time and that you need extra help to stay in school or go to college and have somewhere safe and settled to stay. The Government supports the agency **Who Cares? Scotland** to give advice and support if you have been in care; contact details are on the inside back page of this booklet.

The Government supports the Scottish Youth Parliament and the Children's Parliament so that children can have a say and be active citizens. Go to www.scottishyouthparliament.org.uk or www.childrensparliament.org.uk for more info.

SECTION 3: CHILDREN'S RIGHTS AND FREEDOMS

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT FREEDOM. THE UNCRC SAYS:

- ✿ You should have a name and belong to a country.
- ✿ You should know who your parents are and be cared for by them if possible.
- ✿ You can find out things, and say what you think through speaking, writing or making art, as long as it doesn't hurt you or other people.
- ✿ You can think and believe what you like and have what religion you want.
- ✿ You can meet with other people and join in groups or clubs. When you get together with other people you must not break the rights of other young people.
- ✿ You should have privacy. Your letters, diary or phone calls should be private.
- ✿ You can get information from the radio, television, books or on the internet. But you should be protected from information that might harm you.
- ✿ If you come from a minority group you have the right to speak your own language and practice your own religion if it is different from most other people.
- ✿ No-one should treat you cruelly.

All children born in Scotland have their birth registered, normally within 21 days.

In Scotland people can practice their religion. The Government had a campaign called **One Scotland, Many Cultures** to make sure people understand how important it is to respect that there are many different religions, languages and cultures in Scotland. If you are looked after away from your family home you have the right to continue to practice your religion and speak your language if it is not English.

The Government was concerned about **ANTI-SOCIAL BEHAVIOUR** and in 2004 passed a law about it. This law allows Police to break up and move on groups of young people who are gathered together in a public place. Some people said this broke young people's rights to get together peacefully. But the Government said this was not the case.

If a young person is in **SECURE ACCOMMODATION** or a **YOUNG OFFENDERS INSTITUTION** there are rules that say what kind of care, accommodation, health and education they should get.

In Scotland a parent can use **PHYSICAL PUNISHMENT**, like smacking. The Government considered banning all physical punishment and had a consultation. Most adults thought that adults should be able to use physical punishment. Most children and young people thought it should be banned. The Government decided not to ban it but to make it illegal for an adult to do some things like shake a child, hit them on the head or use something like a belt to hit a child. The Government produced a booklet called **Children, Physical Punishment and the Law** to explain to parents what they can and cannot do. If you want to read it, Google the title and find it on the Scottish Government website.



SECTION 4: FAMILY LIFE AND BEING CARED FOR

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT FAMILY LIFE AND BEING CARED FOR. THE UNCRC SAYS:

- ✿ You should never be hurt, abused or neglected by someone who looks after you.
- ✿ You should be brought up by your parents if possible. They should do what's best for you. The adults in your family should listen to your opinions; and you should listen to them.
- ✿ Your family should have enough money to make sure you are healthy and looked after properly.
- ✿ If your parents don't live together you have the right to stay in touch with them both, unless this might harm you.
- ✿ If you and your parents are living in different countries you have the right to get back together and live in the same place.
- ✿ You should not be separated from your parents unless they cannot care for you, or they are mistreating or neglecting you.
- ✿ If you cannot be looked after by your family your carers must respect your religion, culture or language.
- ✿ If you have to live away from your parents your situation must be looked at regularly and you should have your say about where you live.
- ✿ You should be protected from sexual abuse. Nobody should do anything to your body that you do not want them to do, like touching you or taking pictures of you or making you say things you don't want to say. If you have been harmed or abused you should get the help you need to recover.

THE GOVERNMENT RECOGNISED THAT SOME YOUNG PEOPLE LIVE IN CIRCUMSTANCES WHICH MEAN THEY AND THEIR FAMILIES NEED EXTRA HELP. THIS SECTION IS ABOUT WHAT THE GOVERNMENT DID IN THE PAST 5 YEARS TO KEEP ITS PROMISES TO THOSE YOUNG PEOPLE.

The Government has done a lot about getting better at **PROTECTING CHILDREN AND YOUNG PEOPLE FROM BEING HURT, ABUSED OR NEGLECTED**. The Government produced information and advice for professional people to help them get child protection right. They also got young people involved in producing **Protecting Children and Young People: The Charter** which explains what young people want from helping agencies. If you Google the full name you will get the link to the charter.

Young people must also be safe from harm when they get involved in sports clubs and activities and the project called **Child Protection in Sport Service** helps to do this.

If you have **A WORRY OR QUESTION ABOUT FAMILY LIFE OR BEING SAFE** you can phone **ChildLine** on **0800 1111**. If an **ADULT HAS A WORRY OR QUESTION ABOUT THE CARE OR SAFETY OF A YOUNG PERSON** they can phone a new 24-hour helpline called **ChildProtectionLine** on **0800 022 3222**. The Government gives money to provide these services.

There are nearly 10,000 **SOCIAL WORKERS** in Scotland. The Government has increased the training they get about child protection. There are also **1 MILLION OTHER ADULTS WHO WORK WITH YOUNG PEOPLE**. The Government introduced new checks so that adults have to get approval to work with young people. Because some people should not work with young people there is also a list of people barred from doing so.

The Government also identified that when a parent or carer has a **PROBLEM WITH DRUGS OR ALCOHOL** it can affect their children. A report called **Hidden Harm** talked about what life can be like and what help families need. The Government has told professional people that while it is important to help parents they must also be better at protecting children and making sure they are properly cared for.

The Government recognised that to be a witness in court can be difficult. Especially if you have been hurt or abused by someone and you have to give evidence. In these circumstances young people are called **VULNERABLE WITNESSES**. The Government has made a law which will help if you have to be a witness. If you are in such circumstances you should ask for more information about this from **ChildLine** or the **Scottish Child Law Centre**. Contact details on the inside back page of this booklet.

The law is clear about the **RIGHTS AND RESPONSIBILITIES OF PARENTS**, including when they are not married. The Government also wants parents to take responsibility if their child is behaving in ways that are anti-social. If a parent won't take up help they can be made to do so with a **PARENTING ORDER**.

To help improve things for young people who have to be **LOOKED AFTER AWAY FROM THEIR PARENTS** the Government set up the **Care Commission** and supported the **Fostering Network** to make sure homes and foster placements are as good as they should be.

Some young people are kept in **SECURE ACCOMMODATION** if they are likely to hurt themselves, or someone else, or run away. At any one time there are usually about 80 young people in secure accommodation in Scotland. There are standards about this kind of care which the Government says are being met.

About 440 children and young people are adopted in Scotland every year. The Government did a lot of work about improving **ADOPTION** in Scotland. It decided that the most important thing to be considered is what is best for the child, and that adoption should be done quicker. There is a new **Adoption and Children (Scotland) Act 2007** which explains how it will now work.

When adults hurt or abuse another adult in the family it is called **DOMESTIC ABUSE**. It can happen in any kind of family and may affect up to 100,000 children and young people in Scotland every year. The Government supports Women's Aid to help and support women and children affected by domestic abuse. It also set up new work to see how helping agencies can be better at tackling domestic abuse. There is advice and support if someone is hurting you or someone else at home at www.donthideit.com or phone **ChildLine** on 0800 1111 for a **CONFIDENTIAL** chat.

SECTION 5: BEING HEALTHY

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT YOUR HEALTH. THE UNCRC SAYS:

- ✿ You should be as healthy as possible. Adults should take good care of you.
- ✿ If you have a disability you should get the care and support you need so that you can live a full and independent life and grow up the same way as other children.
- ✿ If you are ill you should get the medical care you need.
- ✿ Your family should have enough money to make sure you and other children in your family are healthy and looked after properly. The Government should help when necessary.



All health services in Scotland are free for children and young people. There are 14 NHS Boards in Scotland which organise how health services work in your local area. **WAITING TIMES** for appointments or treatment at hospitals are now shorter for everyone. The Government produced an **ACTION FRAMEWORK** that detailed what it is trying to do about **CHILDREN AND YOUNG PEOPLE'S HEALTH**.

Every school should be a **HEALTH PROMOTING SCHOOL**. This means your school should be doing everything it can in lessons, after school, and in the food and drink available, to help create a healthy life for all pupils. A project called **Hungry for Success** worked to improve food, drink and canteens in schools.

The Government was concerned about the **DIET** of many young people; some are **OVERWEIGHT** or **OBESE**. The Government launched campaigns and projects to get pupils involved in sports and exercise in schools called **Active Schools**.

The Government tried to increase **BREASTFEEDING** as it's good for a baby's health. Only 1 in 3 babies in Scotland are still being breastfed at 8 weeks old.

A lot of attention has been given to **THE MENTAL HEALTH OF YOUNG PEOPLE**. Plans include having a professional person who is an expert in mental health linked to every school and special training for professionals who support young people who are most vulnerable; including those who are looked after. The Government also said it will do more to place young people who are admitted to hospital in accommodation for them and not in adult places.

The Government was so concerned about **SUICIDE AND SELF HARM** that they set up a project called **Choose Life**. This was to make support and counselling services more available in schools and in the community. The Government set up the 'see me' campaign to help get rid of the stigma and discrimination that can be felt when someone has a mental health problem. There's more at www.seemescotland.org.uk



The Government recognised that **CONFIDENTIALITY** is important when young people want information or help about **SEXUAL HEALTH AND RELATIONSHIPS**. Professionals have been told they need to be better at understanding and explaining how confidentiality works.

SEXUALLY TRANSMITTED INFECTIONS are increasing amongst young people. The Government is concerned about the numbers of teenagers who get pregnant. A Government plan called **Respect and Responsibility** was introduced. It says we need to learn about respect for ourselves and others, that sex and relationship education in schools should be better and that teenagers should be able to get free contraception and condoms if they want them.

HIV AND AIDS affect some children and young people, perhaps because they are living with HIV/AIDS themselves or because someone in their family does. In Scotland people living with HIV/AIDS can get anti-retroviral drugs to help them manage HIV/AIDS and stay as well as they can.

DRUG AND ALCOHOL USE is a big concern in Scotland. Nearly 100,000 children and young people live in a family where a parent has alcohol problems. The Government committed to tackle binge drinking and encourages young people, when they are older, to drink sensibly. Cannabis is the other drug most used by young people but it is worth remembering that the vast majority of young people do not use drugs. School education about drugs and alcohol is getting better and **Know the Score** was a project launched to get information to everyone. More at www.knowthescore.info

SMOKING is a problem in Scotland. About 12% of 15 year old boys smoke; and 18% of 15 year old girls. The numbers are coming down slowly. **A Breath of Fresh Air for Scotland** was the Government's plan to make a difference. In 2006 Scotland became the first part of the UK to **BAN SMOKING IN ENCLOSED PUBLIC PLACES**.

The Government made **TACKLING CHILD POVERTY** a priority and wanted to do more for **FAMILIES OR YOUNG PEOPLE WHO ARE HOMELESS**. It introduced **Closing the Opportunity Gap** and gave a commitment to making sure all 16 to 18 year olds have a place in education, employment or training. New laws about homelessness have made the situation better for families and children, but there is still a lot to do.

SECTION 6: EDUCATION, CULTURE AND THINGS TO DO

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT EDUCATION, CULTURE AND THINGS TO DO. THE UNCRC SAYS:

- ⊗ You have a right to an education.
- ⊗ You have the right to play and join in other activities. The Government should help you get involved in art and cultural activities.
- ⊗ Your education should help you develop your talents and help you learn about your rights. You should learn to care for other people and for the environment.
- ⊗ When adults make a decision about you it is what's best for you that should be the most important thing to consider. You should have your say too.
- ⊗ You can find out things, and say what you think through speaking, writing or making art, as long as it doesn't hurt you or other people.
- ⊗ If you are a refugee you should be cared for properly and have the same rights as other children who were born here.
- ⊗ If you come from a minority group you have the right to speak your own language and practice your own religion if it is different from most other people.

Education is **COMPULSORY** for every child from 5 to 16 years old in Scotland and is **FREE**. There is also free pre-school education for 3 and 4 year olds, which most attend, and now some for 2 year olds.

The **Standards in Scotland's Schools Act (2000)** brought into law parts of the UNCRC which promise young people that **EDUCATION SHOULD DEVELOP YOUR PERSONALITY, TALENTS AND ABILITIES**. Other laws protect the rights of pupils who need extra help with their learning. The law in Scotland says **YOU SHOULD HAVE YOUR VIEWS TAKEN INTO ACCOUNT WHEN DECISIONS ARE BEING MADE ABOUT YOUR LEARNING**.

In 2002 there was a **NATIONAL DEBATE ON EDUCATION** which led the Government to make a commitment that school should help pupils become **SUCCESSFUL LEARNERS, CONFIDENT INDIVIDUALS, RESPONSIBLE CITIZENS AND EFFECTIVE CONTRIBUTORS**. The Government also said it wanted schools and other helping professionals to work together better so that all children can have their needs met.

The Government introduced some work to help with **READING AND WRITING**, especially to encourage parents to read with children at home. For 16 to 19 year olds there was a **Youth Literacies** project to help young people stay in education, training or employment.

The Government did some research about the experience of pupils who are **ASYLUM SEEKERS OR REFUGEES** which highlights for schools how best to meet their needs. **YOUNG GYPSY/TRAVELLER** pupils also get help through support for the Scottish Traveller Education programme. The Government funds Gaelic-medium education for **SPEAKERS OF GAELIC** and is working to train more Gaelic speaking teachers, especially for secondary education. Schools should be places where adults make sure children are protected from harm. The Government gave every school advice about how to do this called **Safe and Well**.



As part of connecting schools with families the Government introduced a new law about **INVOLVING PARENTS** in schools. The **Parentzone** website helps with this: www.parentzonescotland.gov.uk

The Government recognised that young people from poorer communities, or who are looked after, do less well with their exams than other pupils and so produced a plan called **We Can and Must Do Better**. Schools need to do better at looking after pupil's individual needs and all services must work together to make young people's lives stable so they can settle down and learn.

If pupils experience **RACISM** or **HOMOPHOBIA** or **BULLYING** at school their learning will suffer. Schools have been given new guidance on how to manage these things better. It said that teachers and other adults in schools need training. The Government funds the new anti-bullying service called **respectme** which will work with any organisation that works with young people, including schools, to help them be better at preventing and responding to bullying wherever it may happen. More at: www.respectme.org.uk

The Government also produced an anti-sectarian resource called **Sectarianism: Don't Give It, Don't Take It**.

Most young people **ATTEND SCHOOL** regularly, but some pupils have high **LEVELS OF ABSENCE**. The Government put resources into providing home school link workers to help families understand the importance of getting young people to school. They also tested a call system which means that if a pupil doesn't turn up at school their parent gets a call.

In one year nearly, 43,000 young people get **EXCLUDED FROM SCHOOL**. 99% of these are temporary. Pupils from poorer backgrounds, or who are looked after, or have special needs are more likely to get excluded. The Government gave pupils **RIGHTS** in law to be told formally why they have been excluded, and schools must set a date and time to meet with parent(s) and pupil to discuss any exclusion. Parents and pupils have the right to appeal.





To help schools think more about exclusions and behaviour the Government made recommendations in the report **Better Behaviour Better Learning**. The Government set up a **POSITIVE BEHAVIOUR TEAM** to help schools think of ways to deal with behaviour and to make sure that every pupil gets the chance to learn.

Too many young people aged 16 to 19 are not in education, training or employment. The Government report **More Choices, More Chances** sets out a plan for tackling this.

To help young people get the most from education, training and employment the Government supports the agency **Careers Scotland**. It works in schools and with young people who are vulnerable, including young people leaving care or leaving prison.

There are 43 **FURTHER EDUCATION COLLEGES** in Scotland and if young people need financial support to go to college they can get an **EDUCATION MAINTENANCE ALLOWANCE**. The Government has also been working to get more young people from poorer communities into university education.

To help young people get into **VOCATIONAL TRAINING** the Government produced **Lifelong Partners**. This is to lead to more partnerships between schools and colleges and new **Skills for Work** courses. **Modern Apprenticeships** also offer young people over 16 the opportunity of paid employment while they are training.

The Government produced a report called **Scotland's Culture** and said that every young person in Scotland should be able to get involved in **FREE CULTURAL ACTIVITY**. Young people who have an interest and talent in cultural or artistic activity should be encouraged to do their best.

The Government recognised the importance of youth work and produced a **Youth Work Strategy** that said all young people should have the chance to take part in youth work whoever they are and wherever they live. The Government also thinks that **PLAY** is an important part of children and young people's lives and supported lots of organisations that provide play opportunities.

SECTION 7: BEING SAFE AND PROTECTED

THERE ARE IMPORTANT PROMISES IN THE UNCRC ABOUT BEING SAFE AND PROTECTED. THE UNCRC SAYS:

- ☹ You should be protected from getting involved in making, taking or selling harmful drugs.
- ☹ You should be protected from sexual abuse.
- ☹ If you have been harmed or abused you should get the help you need to recover.
- ☹ Children must not be kidnapped or sold.
- ☹ No-one should treat you cruelly. If you break a law you should be able to keep in contact with your family. You must not be put in a prison with adults. If you are accused of breaking the law you must get the help you need to understand what is happening.
- ☹ You should not do work that is bad for your health or education.
- ☹ If you are a refugee or asylum seeker you should be cared for properly.



THIS SECTION OF THE REPORT IS ESPECIALLY INTERESTED IN YOUNG PEOPLE WHO ARE VULNERABLE OR IN SPECIAL CIRCUMSTANCES WHICH MEAN THEIR RIGHTS NEED TO BE PROTECTED.

The Government in Scotland does not have the power to make decisions about immigration and asylum; but **ASYLUM SEEKING AND REFUGEE CHILDREN AND YOUNG PEOPLE** do come to Scotland, particularly to Glasgow. The Government has the same responsibilities to these children and young people as they do for all others in Scotland. The Government asked the **Scottish Refugee Integration Forum** to think especially about their needs.

If a child arrives in Scotland alone, without their family, they become looked after and are cared for in the same way as other children in care.



There has been lots of concern in Scotland about how the UK Government **REMOVES FAMILIES WITH CHILDREN** who have failed in their applications for asylum. Some removals were happening in the early morning (called 'dawn raids') and are very stressful for families. The Scottish Government talked to the UK Government to try to change this way of working. Glasgow City Council now helps by providing important information about the best interests of children and families. But final decisions are still made by the UK Government not by the Government in Scotland.

The Scottish Government was concerned about the numbers of **YOUNG PEOPLE WHO ARE COMMITTING CRIMES**. Some young people commit a lot of the crimes recorded, they are called **PERSISTENT OFFENDERS**. The Government made a plan to reduce the number of young people who are in this group. Organisations who work with young people on their offending now get more money. The Government encouraged services to think about **EARLY INTERVENTION** in the life of families where children might be at risk of getting involved in offending.

In Scotland you are considered to be old enough to be **RESPONSIBLE FOR A CRIMINAL ACT** at the age of 8. This is low compared to other countries. Previously the UN Committee has asked for this to be raised. However, the Government said that because Scotland has the **Children's Hearing System** (there's more about it back in section 2) children and young people are treated fairly and their needs as well as their crimes are considered. In special circumstances (if a very serious crime had been committed) someone under 16 can go to a normal court.

The Government introduced **Anti-Social Behaviour Orders (ASBOs)** for children aged 12 or over. The Government said that ASBOs should be used **ALONGSIDE THE HEARING SYSTEM**. Only a small number of ASBOs have been used for under 16s in Scotland. **ELECTRONIC MONITORING** (known as tagging) can also be used for under 16s but it cannot be used alone; young people must have a package of care and support to make sure they are doing something about their behaviour.

Between the age of **16 AND 18** a decision is made about the best place to take someone who has been charged with an offence; if someone has been looked after they might stay in the Hearing System. As part of its work on **YOUTH OFFENDING** the Government encouraged social workers and other helping professionals to do their best to keep 16 and 17 year olds out of the criminal courts.

When someone under 21 is guilty of an offence the court must ask for information on the young person's background and consider alternatives to sending the young person to a Young Offenders Institution (YOI). One example of an alternative **COMMUNITY BASED RESPONSE** is that young people who are 16+ can be given a **COMMUNITY REPARATION ORDER** which means doing unpaid work in the community.

Many of the **VICTIMS OF CRIME** committed by young people are **OTHER YOUNG PEOPLE**. But there are no accurate figures for this. The Government recognised the need to know more. Young people can get support and information if they have been the victim of a crime from the **Victim Information Service** based at the Children's Hearings or from **Victim Support**. You can use these services yourself if you are over 14, or through your family if you are under 14. More at www.victimsupportsco.org.uk

Government research showed that about 40% of school pupils have a part-time job. **YOUR RIGHTS AT WORK** are now protected by the **Children (Protection at Work) (Scotland) Regulations 2006**. During term time under 16s can only work up to 12 hours per week.

The Government has introduced new laws to help **PROTECT YOUNG PEOPLE FROM SEXUAL EXPLOITATION**. It is a crime for adults to groom a child with the intention of having sex or getting an under 18 involved in pornography or prostitution. There is also a UK wide plan to stop adult and child trafficking.

The Government has been very concerned about **YOUNG PEOPLE WHO RUNAWAY** and who might sleep rough. In Glasgow there is a refuge for young runaways where people can get help and support. Other work to help runaways is planned.

YOUR RIGHTS: ANY QUESTIONS?

HERE ARE SOME USEFUL SITES THAT MIGHT GIVE YOU MORE INFORMATION:

- ✿ Phone **ChildLine** on **08001111** for a confidential chat about any problem. Or visit www.childline.org.uk
- ✿ Scotland's Commissioner for Children and Young People is responsible for making sure the promises made to young people by the UN Convention are delivered. More at: www.sccyp.org.uk
- ✿ UNICEF is the United Nations agency that promotes children's rights all over the world. More at: www.unicef.org.uk
- ✿ For information from around the world go the **CBBC** site and type in children's rights in the search engine at: www.bbc.co.uk/cbbc
- ✿ If you think someone is not respecting your rights you can get advice about what to do from the **Scottish Child Law Centre**. Check out the Kids Zone at their web site: www.sclc.org.uk or phone **0800 328 8970** for free legal advice.
- ✿ For information about health visit: www.teenagehealthfreak.org
- ✿ If you have any questions or need advice if you are looked after at home or away from home contact **Who Cares? Scotland** www.whocarescotland.org by email: enquiries@whocarescotland.org or phone **0141 226 4441**.











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RR Donnelley B54027 03/08

ISBN 978-0-7559-5609-8



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