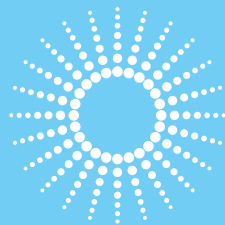


# are we there yet?

a report for under 12s  
about **children's**  
**rights** in Scotland



one  
scotland  
SCOTTISH GOVERNMENT



**The artwork used throughout this booklet was 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](http://www.childrensparliament.org.uk)**

# are we there yet?

a report for under 12s  
about **children's**  
**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.**

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all about the  
united nations  
convention  
on the **rights**  
**of the child**  
the (UNCRC)



The United Nations (the UN) is a gathering of 192 countries. It was set up to help make the world a more peaceful and fair place for us all. The 192 countries meet in the General Assembly, which is like 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 by every country.

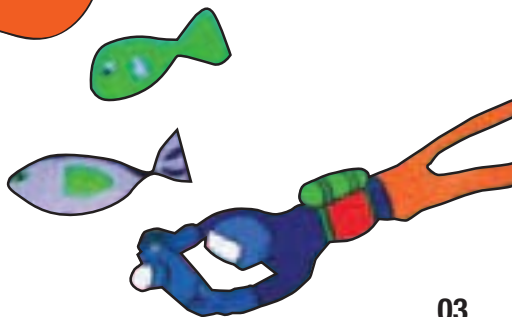
One of the most important UN Conventions is about children's rights; **your rights**. It's called the **United Nations Convention on the Rights of the Child** (the UNCRC).

The rights in the UNCRC belong to every child and young person from birth to the age of 18.

The United Kingdom (UK) Government has signed the UNCRC which means that in all the countries of the UK, including Scotland, children 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.**

a peaceful  
and **fair**  
world



In Scotland the Government prepares a report too. The Scotland Report is divided into different parts just like this booklet.

**Part 01 is about making rights happen**

**Part 02 is about fairness, freedom and having your say**

**Part 03 is about being healthy**

**Part 04 is about education and things to do**

**Part 05 is about family life and being cared for**

**Part 06 is about being safe and protected**

**In 2007 Scotland elected a new Government.**

**This booklet is about what the last Government did about children's rights.**

**The booklet is a part of the new Government's plan to let you know more about your rights.**

making  
rights  
happen

01



# There are just over 1 million children and young people under the age of 18 in Scotland.

The Government tried in the past 5 years to think about how to do things and how to make new laws so that the promises made to children in the UNCRC could be kept. So, for example:

- ★ The Government made a new law that says that school education should help you develop to your full potential.
- ★ The Government made a new law that banned smoking in public places so that children are protected 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 by being **responsible citizens**.

The Government also said that young people need to be **safe** and **properly looked after, healthy, active, respected** and **included** if they are to **do their best**.



**Rights belong to everyone.** But the Government knows that life can be tougher for some children and families and so the Government has **a responsibility** 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 children to tell them about what's happening when it comes to their rights. There's more about SCCYP at **[www.sccyp.org.uk](http://www.sccyp.org.uk)**

fairness,  
freedom  
and having  
your say



02



- ★ **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 should have a name and belong to a country.**
- ★ **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 children.**
- ★ **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.**

The Government has tried to make Scotland a place where people respect each other; we can have different cultures, languages or religions but we are all equal and we all have rights.



The Government has said that you have a right to **have your say** when adults make a decision that has an effect on you. This includes having your say **at school about your learning**.

Most **children with disabilities** go to mainstream school. Some go to special schools. The Government has tried to make sure school pupils with extra needs get the support they need to make the most of school.

The Government has made the **Children's Hearings** better. You might go 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.

If you are **looked after or in care** it is especially important that you **have your say** about what is happening to you.

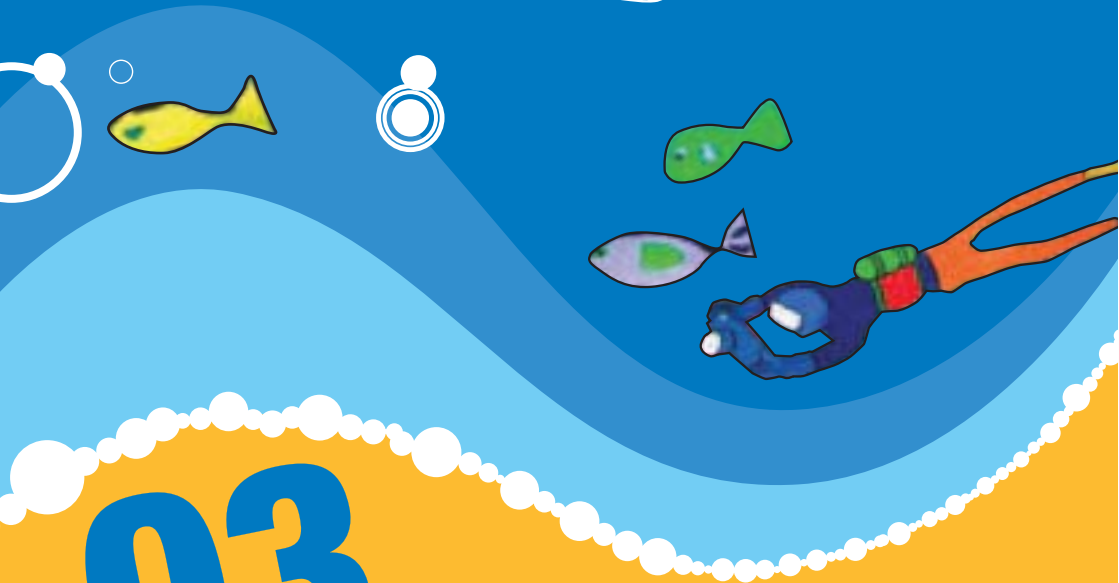
The Government has been worried about **anti-social behaviour** and passed a law about it. This law allows Police to break up and move on groups of children or young people who are gathered together in a public place. Some people said this broke young people's rights to get together peacefully. But the Government said this was not the case.



In Scotland a parent can use **physical punishment**, like smacking. The Government thought about banning all physical punishment and asked people what they thought. Most adults thought that adults should be able to use physical punishment. Most children 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 to explain to parents what they can and cannot do.



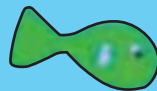
# being healthy



03



- ★ **You have the right to life and to be healthy.**
- ★ **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 if you need them to.**



# All health services in Scotland are free for children and young people. These are some of the things about health that the Government has thought about...

The Government said **every school** should be doing **everything it can** to help create a healthy life for all pupils. Children should be learning about being healthy and getting healthier food and drink at school. The Government was concerned about the diet of many children; some are **overweight** or **obese**. The Government launched campaigns and projects to get pupils involved in sports and exercise in schools.

The Government tried to increase **breastfeeding** as its good for a baby's health.

The Government worked to reduce the numbers of Scottish children who are injured or killed in **road accidents**. There are Children's Traffic Clubs for 3 year olds and 20-mile-per-hour speed limits have been put in place near schools.



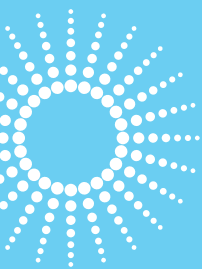
**HIV and AIDS** affect some children and young people, perhaps because they are living with HIV/AIDS themselves or because someone in their family does. In Scotland people living with HIV/AIDS can get drugs to help them manage HIV/AIDS and stay as well as they can.

**Drug and alcohol use** is a big concern in Scotland. Nearly 100,000 children live in a family where a parent has alcohol problems. The Government said that learning about drugs and alcohol at school is really important.

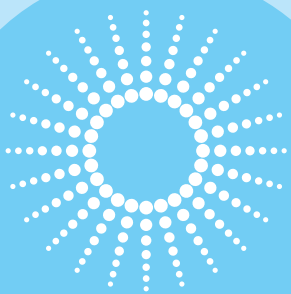


**Smoking** is a problem in Scotland. But the numbers of children and young people who smoke are coming down slowly. Scotland became the first part of the UK to **ban smoking in enclosed public places**.

The Government said one of the most important things that should be done is to make sure **no child lives in a family that is poor or homeless**. New laws have made the situation better for families and children, but there is still a lot to do.



education  
and things  
to do



04



- ★ **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.**
- ★ **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.**

# The Government said that every young person in Scotland should be able to get involved in free cultural activity.

The Government thinks that **play** is an important part of children's lives and supported lots of organisations that provide play opportunities.

Every child in Scotland **must** get an **education** from the age of 5. Education in Scotland is free. There is nursery education for 3 and 4 year olds and now some for 2 year olds.

There is Gaelic-medium education for **speakers of Gaelic** and the Government said it will train more Gaelic-speaking teachers, especially for secondary schools.



The Government knows that young people from poorer communities do less well with their exams than other pupils and has said that schools need to do **better at looking after pupils and help children settle down and learn.**

If pupils experience **racism** or **homophobia** or **bullying** at school their learning will suffer. Schools have been given new help and advice on how to manage these things better.

The Government gave schools and community groups a new learning pack about **sectarianism** which will help children to learn about different religions and to say 'no' to discrimination or hatred based on a person's religion.



Most young people **attend school** regularly, but some pupils are **absent** more often. The Government helped to provide home school link workers to help families understand the importance of getting children to school.

Some pupils in Scotland get **excluded from school**. Pupils from poorer backgrounds or have special needs are more likely to get excluded. The Government made it law that pupils have a right to be told why they have been excluded, and schools must set a date and time to meet with parents and pupil to discuss any exclusion.

every child in  
Scotland **must**  
get an education



05

family life  
and being  
cared for

- ★ **You should know who your parents are and be cared for by them if possible.**
- ★ **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. They should listen to your opinions; and you should listen to them.**
- ★ **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.**
- ★ **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.**



The Government knows that some children and families need extra help, especially when it comes to protecting children from being harmed. The Government said that adults need to be better at keeping promises to children by getting better at **protecting children from being hurt, abused or neglected; this is called child protection.**

Children were involved in writing '**Protecting Children and Young People: The Charter**' which explains what children want from helping agencies. If you Google the full name you will get the link to the charter.

**Schools** should be places where adults make sure children are protected from harm. The Government gave every school advice about how to do this.

About 440 children and young people are **adopted** in Scotland every year. The Government said that when a child is adopted the most important thing is to know what is best for the child, and that adoption should be done quicker.

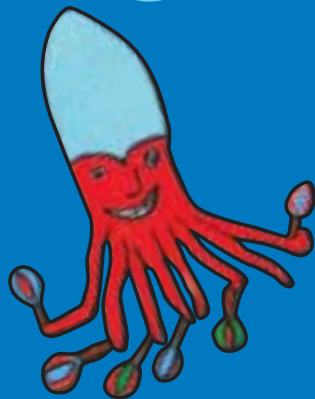
**Young carers** are children and young people who help to care for someone in their family who may have an illness or disability. The Government thinks that there are at least 4,000 children aged 12 or under who are young carers. The Government has helped to set up Young Carers Projects to give help, support and advice.

When adults hurt or abuse another adult in the family it is called **domestic abuse**. It can happen in any kind of family and affects up to 100,000 children in Scotland every year. You are never to blame for an adult in your family hurting someone. It is never okay to hurt or abuse someone.



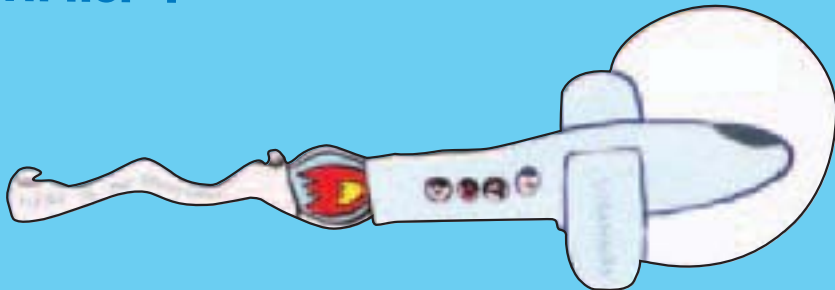
06

being  
safe and  
protected



- ★ **You should be protected from getting involved in making, taking or selling harmful drugs.**
- ★ **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.**
- ★ **Children must not be kidnapped or sold.**

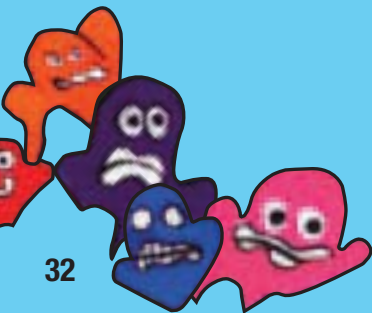
- ★ **No-one should treat you cruelly. If you break a law you should be able to keep in contact with your family. If you are accused of breaking the law you must get the help you need to understand what is happening.**
- ★ **You should not do work that is bad for your health or education.**
- ★ **If you are a refugee you should be cared for properly and have the same rights as other children who were born here.**



The Government knows that when a parent or carer has a **problem with drugs or alcohol** it can affect their children. The Government told professional people that while it is important to help parents **they must be better at protecting children** and make sure they are properly cared for.

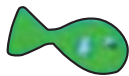
The Government must look after children who come to Scotland who are **seeking asylum or are refugee children**. The Government must keep the same promises about rights to these children as they do for all children in Scotland.

There has been lots of concern in Scotland about how the UK Government **removes families with children** once it is decided they cannot stay. Sometimes this was happening in the early morning (called 'dawn raids') and it was very stressful for families. The Government talked to the UK Government to try to change this way of working.



The Government was worried about the numbers of **children and young people who are committing crimes**. The Government wants social workers and other helping professionals to think about **getting help to families** where children might be at risk of getting involved in crime.

Many of the **victims of crime** committed by children and young people are **other children and young people**. The Government said it needs to know more about what happens and why.



the Government **must**  
look after children who  
come to Scotland



# your rights: any questions?

**Here are some useful contacts for  
more information:**

- ★ Phone **ChildLine** on **08001111** for a **confidential** chat about any worry or concern. Or visit **[www.childline.org.uk](http://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 UNCRC are delivered. More at: **[www.sccyp.org.uk](http://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](http://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](http://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](http://www.sclc.org.uk) or phone **0800 328 8970** for free legal advice.
- ★ If you have any questions, or need advice if you are looked after at home or away from home, contact **Who Cares? Scotland** [www.whocaresScotland.org](http://www.whocaresScotland.org) by email: [enquiries@whocaresScotland.org](mailto:enquiries@whocaresScotland.org) or phone: **0141 226 4441**

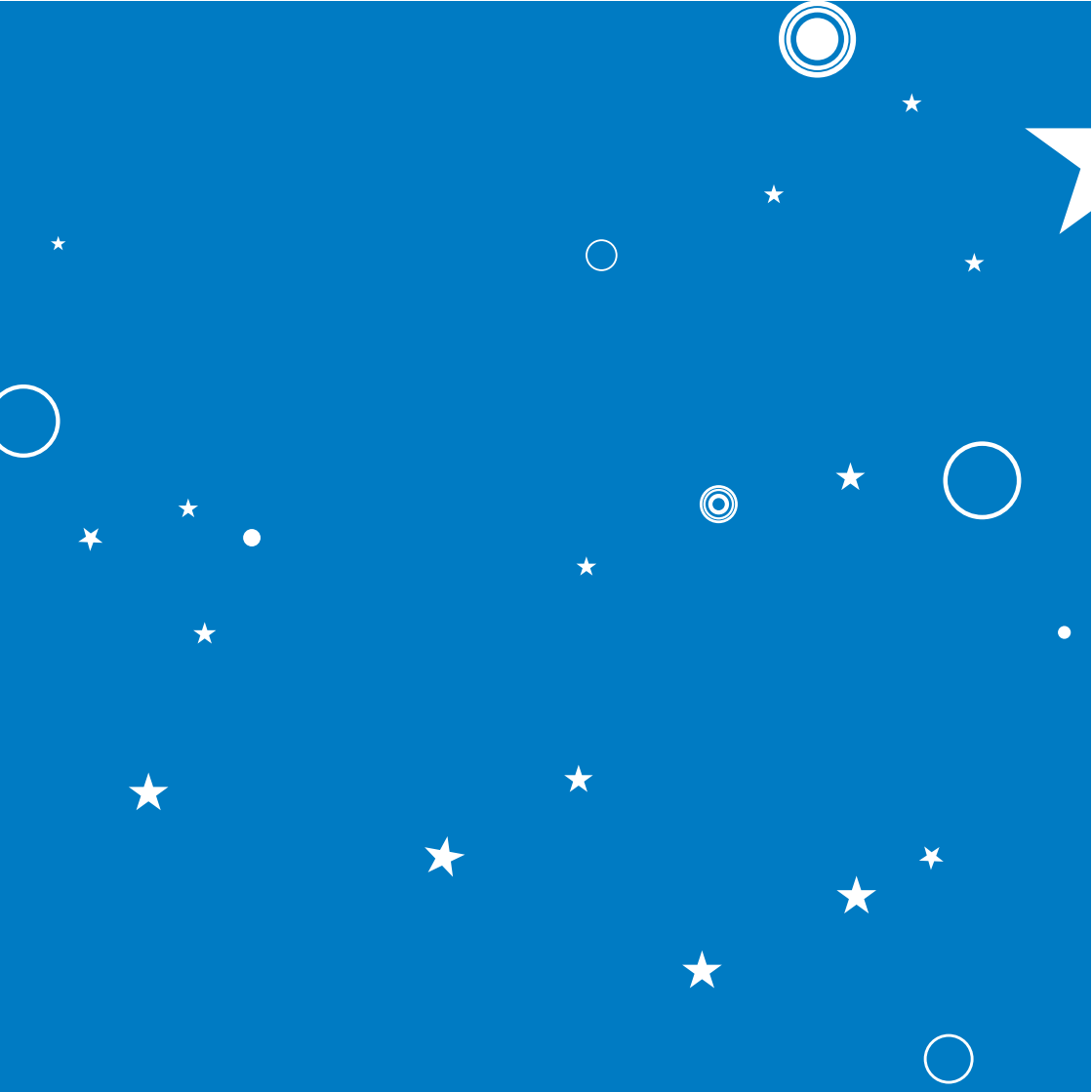
Text/Development: The TASC Agency T: **0131 555 3527**



your  
notes



# your notes





**The Scottish  
Government**

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