



UNCRC Decoded

United Nations Convention on the Rights of
the Child Awareness Raising and Promotion

A02, CH02, YP02, PC01





This is a UNCRC background briefing which we advise is read by facilitators prior to delivering any of the UNCRC Workshops

**It could also be used as a resource during the workshops with adults, parents/carers or secondary aged young people.
(use in conjunction with list of the UNCRC Articles from the Workshops resources)**

UNCRC stands for United Nations Convention on the Rights of the Child

It's a list of rights that all children and young people, everywhere in the world have, no matter who they are, where they live or what they believe in.

Although the UNCRC is not currently a law, the UK government has agreed to it (ratified it) and are working to make sure that all children in the UK have all their rights within the UNCRC.

All governments in the UK including the Welsh Assembly Government also have to make sure that children, young people and adults know about and understand the convention.



The UNCRC has 54 articles:

It protects the rights of children and young people up to 18 years of age across the world. In Wales it forms the basis for all Children's and Young People's policy making from ages 0 to 25.

Articles 1-41 (each outlining a Right) set out how children and young people should be treated.

The other 13 articles are all about how governments and adults should work together to make sure children and young people can access and enjoy their Rights (1-41).

These Rights are the things that are important to make sure children and young people:

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



All Rights ALL Children and Young People All of the Time

Rights are something everyone has as a result of being born. No one has power to give them to you or take them away from you. There are no conditions attached to them. Children and young people have lots of rights. These rights are set out in a number of international and European treaties (normally called "conventions") and in laws.

Children and young people have rights under the Human Rights Act 1998 and rights under the UN Convention on the Rights of the Child which is an international human rights law that the UK Government agreed to in 1991. In addition the Welsh Assembly Government adopted the UNCRC as the basis of all its policy making for children and young people in 2004. We sometimes call people "rights holders" to emphasise that they have rights. As well as talking about children and young people's rights, the Convention sets out quite a lot of things that Governments across the world need to do to support children and young people to enjoy their rights. These include making sure that as many people as possible know and understand about rights and support children and young people to have their voices heard when decisions are being made that affect them.

However, when we learn about rights we learn that not only do we have them ourselves but everyone else has them too. Therefore, when we are enjoying our own rights, we have a duty to make sure that we do so in a way that doesn't deny other people theirs. So for example, if you are enjoying your right to participate in decision-making on issues that affect you (Article 12) by getting involved in a discussion with 6 other people, all 7 of you have the right to have their voices heard- even if their views are fundamentally different to your own.

Remember – Rights do not come with responsibilities, they are unconditional.

Rights are what you are entitled to, **needs** are what you require. Governments do not have a duty to meet your needs but they do have a duty to respect your rights and help you to know about them and claim them

Rights are associated with **being**, whereas **needs** are associated with **having**.



There are four main principles of the UNCRC:

Non-discrimination (Article 2) Governments must ensure that all children and young people enjoy their rights. No one should suffer discrimination. This applies to every child or young person, “irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status”.

Best Interests of the Child (Article 3) When governments make decisions that affect children and young people, they must think about the best interests of children first. This principle relates to decisions by courts of law, administrative authorities, legislative bodies and both public and private social-welfare organisations.

The Right to Life, Survival and Development (Article 6) This article is related to the right to survival and to development. The term “development” has a broad meaning, including physical, mental, emotional, social and cultural development.

The Views of the Child (Article 12) Children and young people have a right to participate in all matters affecting them, and those views should be given due weight “in accordance with the age and maturity of the child”. In short, children have the right to be heard and to have their views taken seriously.



All of the articles cover Three Main Themes

Participation

These articles are based on the idea of the child or young person as someone who actively contributes to society as a citizen in the here and now and not just someone on the receiving end of good or bad treatment from others.

Provision

These articles cover the basic rights of children and young people to survive and develop. These range through health care, food and clean water to education and an environment which allows children to develop. The Convention is clear that the best place for a child is normally with their family, and that the Government has a duty to support and assist parents.

Protection

These articles deal with exploitation of children and young people at work; physical, sexual and psychological abuse; discrimination and other mistreatments which many still suffer, including in the UK. The Convention makes it a duty for Governments to protect children and young people and, where necessary, to provide rehabilitation for them.



The UNCRC in Wales

The Welsh Assembly Government formally adopted the United Nations Convention on the Rights of the Child in January 2004 as the basis for all its work with children and young people. It now provides the basis for policy making for children and young people in Wales.

Only 0-18 year olds have access to the Rights of the Convention, however, in Wales the principles of the Convention form the basis for all policy making for 0-25 year olds, which is a different thing and any resources developed need to reflect this and make it clear.

The Welsh Assembly Government is working to:

- To develop and disseminate resources that raise awareness of the UNCRC across Wales with children, young people, parents, and all adults and professionals as above.
- To ensure that the UNCRC is more publicly visible with access to information about the UNCRC on the Welsh Assembly Government and Local Authority websites and within Welsh policy making .



The Welsh Assembly Government s' Seven Core Aims

In 2004 the Welsh Assembly Government reiterated its commitment to children' and young peoples rights by setting out Seven **Core Aims** which is effectively a summary of the UNCRC under seven key headings.

These seven core aims underpin the working practice of any service or organisation working with children and young people in Wales.

Children and young people should have:

- a flying start in life
- access to a comprehensive range of education, training and learning opportunities
- the best possible physical and mental, social and emotional health, including freedom from abuse, victimisation and exploitation
- access to play, leisure, sporting and cultural activities
- the opportunity to be listened to, treated with respect, and have their race and cultural identity recognised
- a safe home and a community that supports physical and emotional well-being
- a life not disadvantaged by any type of poverty.



Frequently Asked questions

Why do we need the Convention on the Rights of the Child?

- Children and young people have the same human rights as everyone else. However because of their youth and vulnerability the Convention provides them with additional rights to protect and ensure they are not discriminated against.
- Children and young people are especially susceptible to the environment and prevailing conditions in which they live and are more vulnerable than other groups in society.
- They can be ‘invisible’ if adults do not provide the pathways through which they can be heard.
- Children and young people have not always been accepted as the holders of rights – they and their rights are often seen as the ‘possessions’; of their parents.

Why is the Convention on the Rights of the Child so important?

- It gives legal precedence to the idea that children have human rights and that these rights should be at the heart of governance.
- It approaches the rights of children and young people in a holistic way, viewing all aspects of the identity with equal importance.
- It emphasises that children and young people require protection and should also be empowered as citizens now.
- It is applicable all of the time for all children and young people in all situations.



Frequently Asked questions

What is a Right?

- A Right is something that children and young people are entitled to, they do not have to be earned, and they belong to all children and young people from the time they are born.

What are Human Rights?

- Human Rights are universal guarantees protecting individuals and groups against actions (violations) and omissions (failures) that affect their freedom and human dignity.

Do rights come with associated responsibilities?

- No! Rights are inalienable and everyone has them unconditionally. However in claiming our own rights we must ensure we don't stop other people from enjoying their rights.

What is a need?

- **Rights** are what you are **entitled** to, **needs** are what you **require**. Governments do not have a duty to meet your needs but they do have a duty to respect your rights and help you to know about them and claim them.

Remember All Children And Young People Have All Of Their Rights All Of The Time



Want to know more? Here are some websites worth visiting

1. **UNCRC Lets Get It Right** www.uncrcletsgetitright.co.uk
2. **School Councils Wales website** www.schoolcouncilswales.org.uk
3. **Funky Dragon** www.funkydragon.org
4. **Children's Commissioner** www.childcomwales.org.uk
5. **Save the Children** www.savethechildren.org.uk
6. **CLIC National Information and Advice Service for Children and Young People**
www.cliconline.co.uk
7. **Children in Wales** www.childreninwales.org.uk
8. **2.PSE Guidance website (TBC)** www.wales.gov.uk/personalandsocialeducation
9. **Barnados** www.barnados.org.uk/wales
10. **Children and Young People's Participation Consortium** www.participationunit@savethechildren.org.uk