

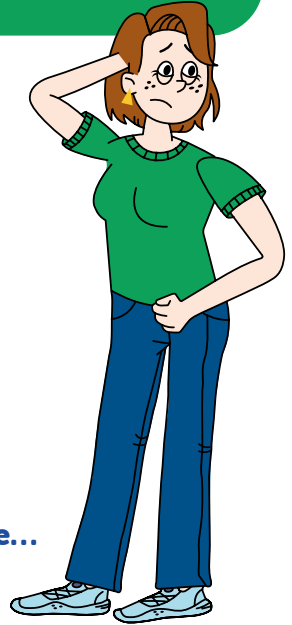
# I want to see my brother and sister... What are my rights?

families  
outside

supporting  
families affected  
by imprisonment



# Keep  
The Promise



Everyone under 18 has the same rights – laid out in the **UNCRC** – that must be upheld, whether they are in secure care or living in the community. Throughout your time in secure care, you are still entitled to all of these rights.

**It is important that you know what these rights are...  
You have the right to know your rights!**

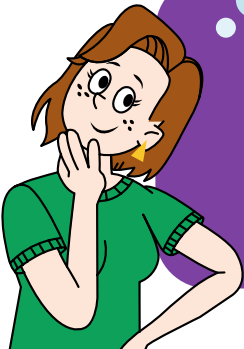


In fact, there are some rights specific to young people in secure care that make sure that you are receiving the support you are entitled to. These are upheld by **Article 37** of the UNCRC.

## What is the UNCRC?

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

Children and young people have the same human rights as adults, as well as some extra rights that recognise the importance of childhood as a time for growth, learning and play.





## You have a right to keep in touch with your family and other loved ones.

**You should be actively supported to maintain – and, where necessary, rebuild – your relationships with your loved ones while you are in secure care, where this is in your best interests.**

Sibling relationships can be especially important. This includes anyone you may have a sibling-like relationship with (e.g. cousins, step-siblings, residents of the same care placements), even if you aren't blood-related.

You have a right to have visits from your siblings if you, social workers, and secure care staff all agree that this is in your best interests. This can be arranged by your siblings calling up the secure care provider to book a visit time.

Some secure care providers also have **dedicated family services** to support you and your siblings with keeping in touch as well as to rebuild relationships that might need that additional support.

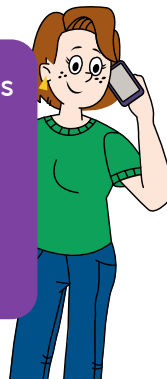


According to **Article 12** of the UNCRC, you have a right to have your views respected, and to have your say on what your best interests are.

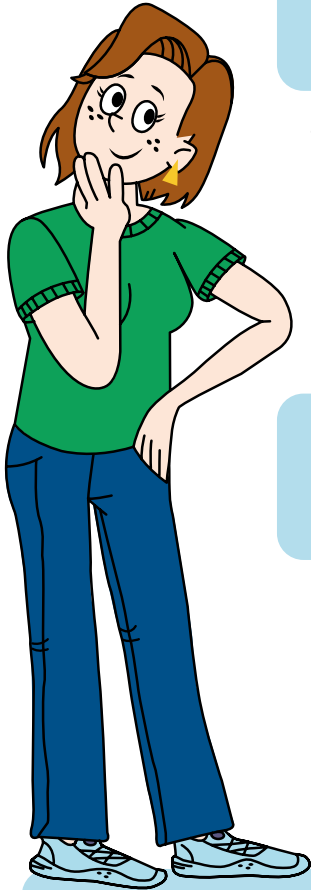
Within 72 hours of your arrival in secure care, there should be a meeting with social workers and secure care staff where you should be consulted on things like who you would like to be in touch with and how often.



'Sibling-like' relationships are protected to the same level as blood relatives by **Section 13** of the **Children (Scotland) Act 2020**.



You also have a right to speak to your siblings on the phone.



## You have a right to privacy.



This includes a right to a private family life, and for your phone calls and emails to be kept private. However, in secure care, staff might supervise your visits or phone calls, if this is in your best interests.

## You have the right to information.



If your visits or phone calls are supervised or restricted, you are entitled to a full explanation of the reasons for this – and this should be reviewed regularly while you are in secure care.

## You have the right to help and support.



**Article 20** of the UNCRC lays out your right to special support and protection as a young person who is not living with their family.

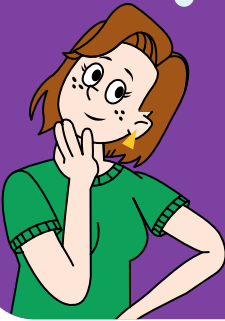


## You have the right to express your thoughts and opinions.



If you would like support to have your voice and views heard, you also have the **right to an advocate**.

### What is an advocate?



An **advocate** is someone independent of the secure care system who is there to help you. They can provide information about your rights, support you to express your views or speak on your behalf, help you to prepare and take part in meetings, Children's Hearings and reviews, support you to share a concern or make a complaint, and help you access other services.

Some organisations that provide **advocacy services** and **support** include...



Who Cares? Scotland – 0330 107 7540



The Why Not? Trust – 01786 477810



Clan Childlaw – 0808 129 0522



Scottish Child Law Centre – 0300 3301 421



Children and Young People's  
Commissioner Scotland – 0800 019 1179

Your access to legal advice, representation, and advocacy should be ongoing throughout your time in secure care.