

Policy: Charter of Rights for Children and Young People

Resources in black *italics* are located in the *Care and Protection Practice Manual* (CPPM).

Policy Purpose

To understand the vital role the Charter plays in protecting the rights of children in the Chief Executive Officer's (CEO) care, and Territory Families obligations under the Charter.

Policy Statement

The [United Nations Convention on the Rights of the Child](#) is a Convention in international law that has been agreed to by 191 countries, including Australia, and outlines the basic human rights that apply to all children, across all countries of the world.

The *Charter of Rights for Children in Care* (the Charter) is for all children and young people in out of home care in the Northern Territory and is consistent with the rights outlined in the *United Nations Convention on the Rights of the Child*, the [National Framework for Protecting Australia's Children 2009-2020](#) and the [National Standards for Out of Home Care](#).

The Charter provides a clear and simple set of statements of the rights that children and young people can expect to be upheld on their behalf throughout their time in care as well as explanatory notes about these rights.

The Charter draws attention to the rights of children who live in out of home care and helps to promote their rights. It lists the rights every child in out of home care can expect to have, the things they should be able to do and what they can expect from the people who care about them and for them. It demonstrates the commitment of Territory Families to ensuring children in out of home care know their rights, understand them, and for their rights to be promoted by the people who care for them. The Charter was developed with input from children and young people in care and young people who have left the care of the Chief Executive Officer (CEO).

Under section 68A of the [Care and Protection of Children Act 2007](#), Case Managers must ensure that all children and young people are provided with a copy of the Charter of Rights as soon as practicable after they enter the CEO's care. Their rights must be explained to them in a language and manner they can understand. Case Managers should also refer to the *Guidance: Using interpreters, translators and assisted communication services* to facilitate the child or young person's understanding at a developmentally appropriate level.

If the Case Manager determines that the child is too young, or lacks the maturity to properly understand and discuss their rights, a copy of the Charter should be provided to their Carer, the parents, members of their natural support network and any other relevant person nominated by the child or their family. The child's rights should be promoted through the care they receive, case management and the commencement and scheduled review of their Care Plan. The Case Manager records actions they have taken in CCIS.

It is also a Case Manager's responsibility to ensure that the child or young person is aware of the complaints process, the role of the [Office of the Children's Commissioner](#), and who to contact if they have questions or worries about their rights.

The Child or Young Person's Rights

As a child or young person in care I need:

- To be safe and feel safe;
- To stay healthy and well and go to a doctor, dentist or other professional for help when I need to.
- To be allowed to be a child and be treated with respect;
- If I am an Aboriginal child, to feel proud and strong in my own culture;
- To have a say and be heard;
- To be provided with information;
- To tell someone if I am unhappy;
- To know information about me will only be shared in order to help people;
- Look after me;
- To have a worker who is there for me;
- To keep in contact with my family, friends and people and places that matter to me;
- Careful thought being given to where I will live so I will have a home that feels like a home;
- To have fun and do activities that I enjoy;
- To be able to take part in family traditions and be able to learn about and be involved with cultural and religious groups that are important to me;
- To be provided with the best possible education and training;
- To be able to develop life skills and grow up to become the best person I can; and
- Help in preparing myself to leave care and support after I leave care.

Legislative Basis and Related Resources

[Care and Protection of Children Act 2007](#)

[Office of the Children's Commissioner - Northern Territory](#)

[CREATE Foundation](#)

<https://www.humanrights.gov.au/our-work/childrens-rights/about-childrens-rights>

[The Charter of Rights for Children in Care - Booklet](#)

[The Charter of Rights for Children in Care - Poster](#)

[The Charter of Rights for Children in Care - Information for Carers](#)

[The Charter of Rights for Children in Care - Information for Staff](#)

Using interpreters, translators and assisted communications services guidance

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