

TRAVELLING AHEAD..



Travelling Ahead: Your Rights



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



Save the Children
Achub y Plant

What are rights?

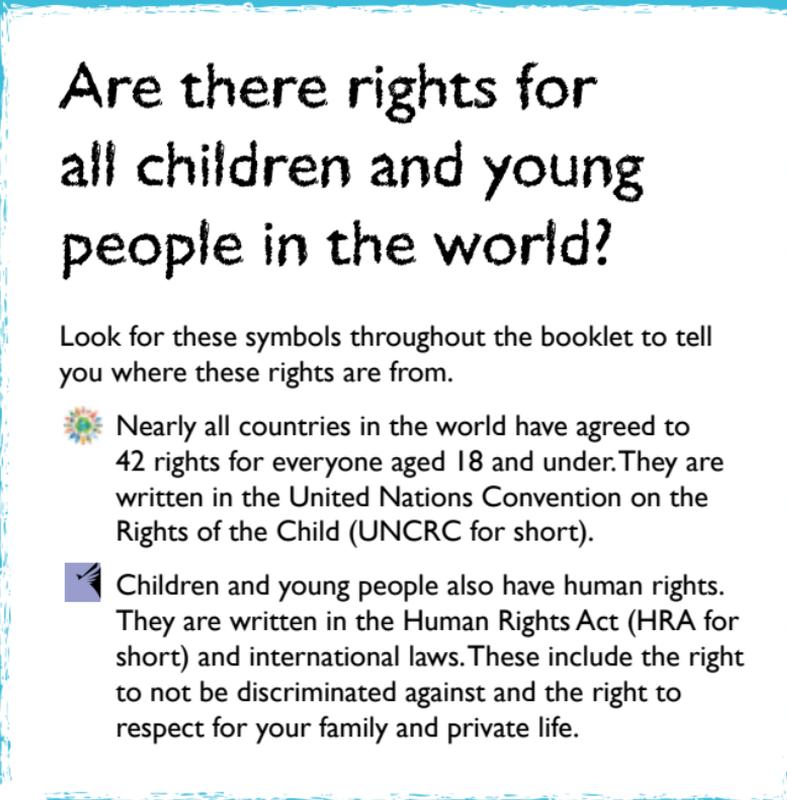
Rights are rules about things that everyone should have and how everyone should be treated.

Rights include things like:

-  2 The right to protection against racism and other forms of discrimination
-  3 The right that adults must always do what is best for you
-  27 The right to have good enough food, clothes and a place to live
-  19 The right to be protected from being hurt or badly treated

Everyone has rights and it is the government's responsibility to make sure that your rights are respected by everyone.

You have these rights all the time wherever you are – at home, school, work or play.



Are there rights for all children and young people in the world?

Look for these symbols throughout the booklet to tell you where these rights are from.



Nearly all countries in the world have agreed to 42 rights for everyone aged 18 and under. They are written in the United Nations Convention on the Rights of the Child (UNCRC for short).



Children and young people also have human rights. They are written in the Human Rights Act (HRA for short) and international laws. These include the right to not be discriminated against and the right to respect for your family and private life.



Are rights the same for us as for Gorgias/ Country People?

Lots of laws and rules say all people should be treated fairly. This is true everywhere in the world. In Wales the National Assembly should also make sure that everyone has equal opportunities.

People should not be racist. People should not discriminate against you. If you think you are being treated unfairly you have the right to complain.

The Race Relations Act 1976 and Amendment 2000 are laws against racism. By law, the government, councils and the police have to work towards ending discrimination against Romany Gypsies and Irish and Scottish Travellers.

Because many Gypsy and Traveller people have distinctive lifestyles, you have a right to have these 'differences' respected and protected by law.

How can I get my rights respected?

If your rights are not respected or you experience racism talk to someone you trust. Your Traveller Education Service can support you or give you advice on who else to talk to.

The Children's Commissioner for Wales is Keith Towler. It's his job to stand up and speak out for children and young people. His team work to make sure children and young people are kept safe and that they know about and can access their rights. The Commissioner's Advice and Support service is for children and young people, and the people who care about them, to have someone to turn to when they run out of all other options when dealing with a problem.



Freephone 0800 801 1000
Freetext 80800 and start text with COM
www.childcomwales.org.uk

Childline is a counselling service that you can contact about anything you are worried about.
Freephone 0800 1111

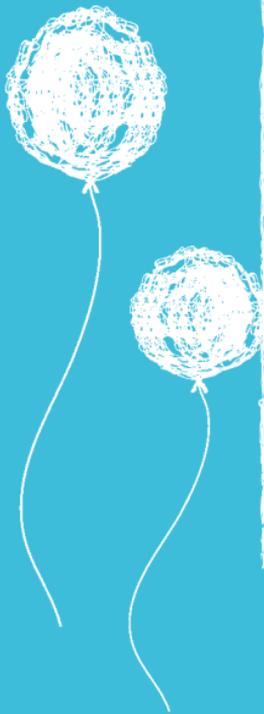
The Traveller Advice Team is an organisation that provides legal advice to Gypsies and Travellers. Phone 0845 120 2980

Or visit our website
www.travellingahead.org.uk/oursite and post a message to other young people about it.

Have your say and try to get things changed!

Do I have the right to be safe?

- 19 You have a right to be properly cared for and protected from violence, abuse and neglect.
- 32/36 You have the right to protection from abuse, drugs, and harmful activities.



What rights can help if I'm bullied at school?

Every school should have rules against bullying, called an anti-bullying policy. This policy should say that children must not be bullied because of their background or culture and that you should be protected. If you talk to a teacher you have the right to be listened to and to be taken seriously.

If you feel like bullying is not being dealt with properly you can make a complaint to the school. You can also make a complaint to the police.

What rights do I have in education?

28
19

You have the right to education that tries to develop you as much as possible. Education should encourage you to respect other people's rights and values and to respect the environment.

What happens if I don't go to school? Can I just do 3 years in school?

Children have to be educated from age 5 to 16. This can be at school, through training or education at home. Your parents can choose. Your education has to be good enough, full time and suitable to your age, abilities, interests and needs. If you are at school, but you do not attend often enough, your parents can be taken to court. Check out our website www.travellingahead.org.uk/oursite for more information on this.



If we are on the road, how can we go to school?

Traveller Education Support Services can support you and give you work to do while you are on the road. You can register at a different school while you are on the road, if you stay in one place for some time. As long as you tell your usual school how long you will be gone for they will keep your place for you to come back to.

Do I have the right to have a say and decide about what I think and want?

- 12 It is your right to have the opportunity to be involved in making decisions, planning and reviewing any action that might affect you. It is your right to have a voice and have a choice, even if you don't make the decision yourself. Your ideas should be taken seriously in all decisions.
- 14 You have the right to think what you like and to choose your religion with your parents' guidance.
- 17 You have the right to information from the media, like radios, internet and television. You should also be protected from information that could harm you.

What you say should respect the rights of others.

I think it should be like this...

How can these rights help me make things change, like at school and where I live?

Every council in Wales has to listen to what you have to say about what it should be doing in your area. This is part of writing the Children and Young People's Plan for your area (Children Act 2004). They write a new plan every three years.

- > Join a local Gypsy and Traveller youth group.
- > Take part in a youth forum, a youth council or the children and young people's parliament for Wales – Funky Dragon.
- > Go to our website www.travellingahead.org.uk/oursite to find out more and to send us your ideas



What rights say how my family and culture should be respected?

-  You have the right to have a name, a nationality and an identity.
-  You have the right to enjoy your own culture, follow your own religion, and use your own language.
-  Your private and family life and your home should be respected.

The law on respect for your home and family life means that the government and councils have to respect the travelling way of life. But this law is very complicated and how it works depends on the situation.

Are we allowed to be thrown off land? If we keep things clean and tidy can we stay?

 27 You have the right to a good enough standard of living. This means you should have food, clothes and a place to live.

Whether you can stay on a piece of land depends on lots of things, like where you are, who owns the land, planning permission and your welfare. Check out our website www.travellingahead.org.uk/oursite for more information.

What rights are about work?

32 You have the right to protection from work that is bad for your health or education.

There are national and local laws that limit the kind of work and hours of work children and young people can do. Here are some examples of the things these laws say.

Can I go to work with my family?

From the age of 13 local council laws will say if young people can work and how long for.

From the age of 14 national laws give young people the right to work for up to 12 hours in any school week, or 25 hours in any school holiday week.

From the age of 15 you can work up to 12 hours in any school week and up to 35 hours in a school holiday week.

After school leaving age and up to the age of 18 you should not normally work more than 40 hours a week.

Children aged under 13 can't work but they can take part in some paid performances, sport and modeling, with permission from the local council.

Work includes helping in any trade or occupation that is carried out for profit, whether or not you yourself are paid.

The sorts of work you can do are limited. Under school leaving age, for example, national laws say you cannot sell scrap metal and local council laws normally say you can't work more than 3 metres above ground level.



What protection do I get at work?



Everyone has rights at work, to be treated fairly and not be discriminated against. You should not be forced to work.

If you are under school leaving age, on a school day you cannot start work before 7am or finish after 7pm and you must have at least 2 weeks holiday in a year. You must not work for more than 4 hours without a rest break of at least one hour.

If you are over school leaving age and under 18 you should not normally work at night, between 10 pm and 6am, but there are some exceptions to this. You should have at least 12 hours off work in every 24 hours and in every seven days you should have 2 days off work in a row (48 hours). You should get an uninterrupted break of at least 30 minutes if you are working for 4 1/2 hours or more.

There are other limits about the kind of work you can do and the number of hours and you can find out about these on our website www.travellingahead.org.uk/oursite

How can I complain about something?

Everyone should treat you fairly and with respect. Talk to someone you trust about the problem

For extra help, support and someone to help you get listened to, phone the Children's Commissioner. The phone numbers are in the orange box back on the *How can I get my rights respected?* page.

Its No

At School

Talk to someone you trust about the problem. This could be a teacher you get on with or someone from outside the school. Ask for your school's complaints leaflet and this will tell you how to make a complaint.

The Police

If you are unhappy with how you were treated by the police, you can complain. Ask someone you trust to get the complaints leaflet from the police station or phone someone for support. If you were stopped, it will help if you kept the receipt that the police gave you.

The Council

If you feel like your ideas are not listened to when your council is writing their plan you can complain to a manager in your local area. Ask a Youth Worker or Traveller Education Worker for help.

Health

You have the right to make a complaint if you are not happy about any health service you use. Talk to your doctor, nurse or the health service manager first. If this does not sort things out you can make a formal complaint. Staff in any health service should give you information on how to do this. Or ask someone else for help.

t Right!



Do I have the right to play?

- 15** You have the right to be with friends and join or set up clubs, unless this breaks the rights of others.
- 31** You have the right to play and relax by doing things like sports, music and drama.



What rights do I have with the Police?

Do the police need a warrant to come into a trailer?

Whether or not the police need a warrant to come into any one's house or trailer depends on the situation. Some examples of where the police do not need warrants are, if they are trying to arrest or recapture someone and they have reason to think they are in the place they want to search or to save someone from danger to life or limb.

If the police do arrest you, they don't need a search warrant to enter and search any where you were during or just before the arrest. They can only search for evidence relating to the offence for which you have been arrested, and they must have reasonable reason for believing there is evidence there. They can also search anywhere occupied by someone who is under arrest for certain serious offences.

Can the police stop me?

Yes. A police officer or a police community support officer can stop anyone but they must have a good reason and tell you why.

The police can stop or stop and search you:

- as part of anti-terrorism efforts,
- if they think you're carrying a weapon, drugs or stolen property,
- if there has been serious violence or disorder in the vicinity, or
- if they are looking for a suspect who fits your description.

You should not be stopped just because of your age, race, ethnic background, nationality, faith, the language you speak or because you have committed a crime in the past.

What rights do I have if the police stop me? Am I allowed to ask for a badge number?

If you are stopped, the police must treat you with dignity and respect. They must give you their details, including their name, police (badge) number and police station. They must also give you a copy of the stop/search form, called a receipt, which says your name and why you were stopped.

They can ask things like: What you are doing? Why are you here? Where you are going? This is called a 'stop and account'. You cannot be forced to stay with the police to do this. You do not have to give your name, address and date of birth if you don't want to, unless you are being arrested or reported for an offence.

Do I have the right to Health Care?

- 24 You have a right to the best health possible and to medical care and to information that will help you to stay well.
- 7 You have the right to life.
- 23 If you are disabled you have the right to special care and education to help you develop and lead a full life.

Everyone has a right to free healthcare in Wales. No hospital should ever turn away someone who is the victim of an accident or illness. If a child needs extra help because they are disabled, social services should assess their needs and provide help and support.



Can I talk to a doctor in private?

- 16 You have the right to privacy.

Your privacy should be respected whenever and wherever you go for health services. Health services must keep files and information about you private unless they need to pass on information to protect you or someone else from harm.

If you are under 16 and your doctor thinks you are mature enough to make your own decisions, you have the right to health services without the knowledge of your parents or carers.



What rights are there for a child who can't live with their family?

- 98** Children have the right to live with their family and be brought up by their parents if possible, except if this is bad for them.
- 20** If a child can't live with their parents, they have the right to special protection, help and the best care possible if they are adopted, fostered or living in care.
- 10** If a child lives in a separate country to their parents, they have the right to get back together and live in the same place.

Extra Information and Help?

If you want more information and help on any of these issues check out our website www.travellingahead.org.uk/oursite. There you will find more information about other people who can help you stand up for your rights.

This is not a legal document. We have summarized parts of international conventions and the law to give you information about legal and moral rights. We have had to leave out a lot of detail. Save the Children have tried to be as accurate as possible, and our leaflet has been checked by experts, but we cannot be held responsible for legal accuracy as laws can be interpreted differently and can change.