

# **South Lanarkshire Child Protection Committee**



## **Sexting Guidance for Multi- Agency Child Protection Practitioners and Managers**

*Working together to keep our children safe*

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## 1. The Rights of Children & Young People

Every child and young person has rights no matter their age, gender, ethnicity, religion, language or any other status and as professionals we have a responsibility to ensure we support and promote these rights for all children and young people in all interactions.

The Children and Young Person's Commissioner Scotland works to protect the rights for children and young people in Scotland. You can find more information at [CYPCS](#)

The UN Convention on the Rights of the Child (UNCRC) is a complete statement of children's rights and is widely-ratified internationally. The UNCRC is clear within articles 12 children have the right to express their views, feelings and wishes in all matters that affect them, and Article 34 children have the right to protection from sexual abuse and exploitation. Please ensure these rights are reflected in your records.

## 2. The Issue of Consent

The first sexual experiences of young people play a significant part in their future ability to form solid, trusting relationships throughout their lives. While such sexual experiences can be positive, they can however have a harmful effect on a young person's mental and physical health and development. It is therefore important that young people are mature and ready before they engage in sexual activity.

When discussing consent, it's important to understand what this means.

***Consent is agreeing to something using your own free will.***

Whilst many young people will have an understanding of the age of consent it is wider than this. No matter how any relationship is formed, digital or face to face, the core principle of respect is relevant in both circumstances. Consent is freely given, not as a result of pestering, wearing someone down or making someone feel like they 'owe' something. If someone, changes their mind they are not consenting. Consent can be expressed verbally and non-verbally through an individual's body language.

### 2.1 Age of Consent

The Sexual Offences (Scotland) Act 2009 (the Act) received Royal Assent in July 2009 and came into force on 1 December 2010. The act defines a "young child" as a child who has not attained the age of 13 years and "older child" as a child who has attained 13 years but not reached the age of 16 years (see Appendix A for links to relevant legislation). The Act provides that any sexual activity between an adult and any child constitutes a criminal offence and that sexual intercourse and oral sex between children under the age of 16 years also remains unlawful. While the law is clear that sexual intercourse between young people

under 16 is unlawful it is acknowledged that the reality is that increasing numbers of young people are engaging in sexual activity. Research indicates that almost 30% of young men and 26% of young women reporting having had intercourse before their 16<sup>th</sup> birthday. Sexting plays a significant part in this as it transfers from online to real world risks.

## 2.2 The Scottish Government

The recent publication by the Scottish Government called [\*Key Messages for Young People on Healthy Relationships and Consent\*](#) sets out to provide important information about supporting positive relationships and sexual wellbeing in young people. Key messages include why relationships should be mutually respectful, consensual, positive, healthy and enjoyable. Practitioners and managers should consider the content in any assessment being undertaken.

## 2.3 Examples of Sexting

### CASE EXAMPLE

The coach of a gymnastic club notices that there is an issue with one of the 15-year-old girls within the club, she is unhappy and the coach asks what has happened. The girl tells her that she sent an explicit photo of herself to her 16-year-old boyfriend. Although, she says she didn't feel pressured into sending the photo her boyfriend shared it with their friends, which she didn't consent to. She is now being bullied about it by friends and other people within the gymnastics club and school who have seen the image.

## 2.4 The Law and Sexting

It is illegal to take, possess or share 'indecent images' of anyone under 18, even if the person in the picture is the young person themselves. While police will always try to avoid treating sexting among children as a crime, they also need to focus on children's wellbeing, which can result in serious actions being taken.

Because of the prevalence of sexting, children and young people are not always aware that their actions are illegal. In fact, sexting as a term is not something that is recognised by young people and the 'cultural norms' for adults can be somewhat different. It is important to be aware that young people involved in sharing sexual videos and pictures may be committing an offence.

The law around sharing intimate/sexual images or communications in Scotland is set out in three different Acts, as below.

- Abusive Behaviour and Sexual Harm (Scotland) Act 2016
- Sexual Offences (Scotland) Act 2009
- Civic Government (Scotland) Act 1982

Distributing or sharing an indecent image is an offence under section 52(1)b of the [Civic Government \(Scotland\) Act 1982](#) (as amended by the [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005](#)). The [Abusive Behaviour and Sexual Harm \(Scotland\) Act 2016](#) also has provision to protect children and young people when certain sexual offences are committed against children. The law against the disclosure, or threat of disclosure, of an intimate photograph or film is set out in the Abusive Behaviour and Sexual Harm (Scotland) Act 2016. The criminal offence arising from the act of sexting could also be a contravention of section 9 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005.

The Sexual Offences (Scotland) Act 2009 sets out it is an offence to force a person to look at a sexual image, or sexual written or verbal communication without their consent, where this is done for the purpose of obtaining sexual gratification, or for the purpose of causing humiliation, alarm or distress to the person at whom it is directed.

Sexting can be seen as harmless, but creating or sharing explicit images of a child is illegal, even if the person doing it is a child. A young person is breaking the law if they:

- Take an explicit photo or video of themselves or a friend
- Share an explicit image or video of a child, even if it's shared between children of the same age
- Possess, download or store an explicit image or video of a child, even if the child gave their permission for it to be created.

There are many benefits for children and young people who use online activity however, children and young people sometimes fail to recognise the implications of sharing things online in the way they might offline. In extreme cases it can result in suicide or a criminal record, isolation and vulnerability. Young people can end up being criminalised for sharing an apparently innocent image which may have, in fact, been created for exploitative reasons.

Any decision to charge individuals for such offences is a matter for the Procurator Fiscal's service, and they would need to consider if it is in the public interest to prosecute children / young people (over 12yrs). Children and young people need to be aware that they may be breaking the law, even if an investigation does not lead to prosecution.

A multi-agency child protection meeting or discussion is essential at the earliest opportunity. This may mean undertaking an Initial Referral Discussion (IRD) where a child or young person may be placing themselves at risk.

Each agency has a responsibility to ensure children and young people they are supporting are aware of the risks as described in part 2.4.

The National Guidance for Child Protection in Scotland (2014) states:

*“Children and young people need to understand the risks the internet and mobile technology can pose so that they can make sensible and informed choices. Practitioners and carers need to support young people to use the internet and mobile technology responsibly, and know how to respond when something goes wrong.”*

## **2.5 The Risks to children and young people**

Sexting is a behaviour that young people often engage in without understanding the full risks and consequences. It is essential, therefore, that they understand the legal implications and the impact on themselves and others.

The initial risk posed by sexting primarily comes from peers, friends and others in their social network rather than from strangers or adults. Once images are in the public domain, young people may then be subjected to additional risks. This can have a significant impact on their mental health.

It is also important to recognise that sexting does not refer to one single activity: it can have multiple facets and activities, be connected to sexual pleasure and be linked to a ‘normal’ part of sexual development; however, something that transpires online can quickly spiral out of control as it becomes freely available in the public domain. It can then be transferred, forwarded, downloaded, uploaded and shared.

*Recent evidence suggests that girls are more adversely affected by the risks than boys – it is not a gender neutral practice, it’s something that is shaped by pre-existing gender dynamics and reinforced through the use of the technology.’*

*Young people are also essentially taking risks with their futures. Increasingly employers, universities and colleges are doing ‘digital digging’ – they are looking at profiles, searching for names and asking questions about the online profile of potential recruits.*

NSPCC – Children, Young People and Sexting

## 2.6 Sexting, Mental Health and Impact

The impact and undesired outcome of sexting can be significant and can affect the mental health and social interactions of young people. Once the image is in the public domain, it is difficult to control, to know who has seen it and what they have done with it.

As a consequence this leads to a high level of distress for a young person, and it can lead to them resorting to 'coping' in unhealthy ways such as self-harming, isolating themselves and restricting their dietary intake. It can also lead to high levels of anxiety and the development, or exacerbation of, depressive symptoms. Young people are often worried about the consequences of their actions too late in the day and will hide what they have done while dwelling on it, not sleeping because of it and not concentrating in class.

If adolescents do not get the response they wished for from sending the image or video, this can have a negative impact on their self-esteem and body image. They may also experience bullying that further knocks their self-esteem. Young people who engage in sexting are also more likely to engage in other risky sexual activity which again, can have a negative impact on their mental state. Some young people are coerced into sexting, or blackmailed into more sexting, and this can lead to trauma. Images that young people have sent could reappear on websites years later, leading to yet another deterioration in that person's mental state at that stage and interfere with their future prospects

The risks to victims, bystanders and perpetrators are different but all three contain a degree of risk that can leave a young person in a vulnerable state and can significantly affect their future. Increasingly employers, universities and colleges are doing 'digital digging' – they are looking at profiles, searching for names and asking questions about the online profile of potential recruits. More information to support young people can be found here: [How to talk to a Child or Young Person about Sexting](#)

## 2.7 Why do children and young people sext?

For some it will be a voluntary decision, but it could also be due to pressure from friends, groups of people they know or a boyfriend/girlfriend. According to [Children1st Guidance & Advice about Sexting](#) some of the main reasons young people give are:

***"Everyone is doing it and it's not that big a deal."***

- Pressure from a boyfriend/girlfriend.
- To show they are attracted to or have strong feelings for another person.
- Believing that only the person they send it to will see it
- Feeling bullied or forced into doing it by others.
- Feeling insecure and hoping by doing it they will be accepted by friends
- Experimenting with their sexuality.
- As part of the adolescent natural tendency to push boundaries and take risks.

## 2.8 Responding to an Incident of Sexting

Your single agency child protection policy, protocol or guidance should outline what to do relating to any form of disclosure from a child or young person. **IT SHOULD ALWAYS BE CONSIDERED AS A CHILD PROTECTION MATTER IN THE FIRST INSTANCE.** Where your agency does not have available information on how to proceed, this SLPC Multi-Agency Sexting Guidance for Child Protection Managers and Practitioners will apply.

Any sexting disclosure follow the normal child protection procedures and will be discussed with multi-agency partners. A child or young person is likely to be very distressed especially if the image has been circulated widely and they don't know who has shared it, seen it or where this has ended up. The thought of parent / carer becoming aware can escalate the level of distress and should be managed sensitively. The child or young person may need pastoral support from school both during and after the disclosure. They may need immediate protection that will involve an Initial Child Protection Case Conference (ICPCC) led by Social Work Resources. Any referrals should be made on the balance of probability to ensure the child or young person's circumstances can be explored fully to consider risk as soon as possible.

The following questions will help decide upon the best course of action:

- Is the child disclosing about themselves receiving an image, sending an image or sharing an image?
- What sort of image is it? Is it potentially illegal or is it inappropriate?
- Are the agency child protection procedures and / or guidance being followed?
- How widely has the image been shared and is the device in their possession?
- Who does the device belong to?
- Does the child/young person need immediate support and / or protection?
- Are there other students, pupils or young people involved?
- Can the young person involved confirm where the image has ended up?

This situation will need to be handled very sensitively. Whatever the nature of the incident, ensure your child protection procedures are adhered to.

## 2.9 Should all incidents of Sexting be treated in the same way?



One of the challenges for agencies is dealing appropriately with sexting scenarios. Recent research by the NSPCC identifies that sexting does not refer to any one particular activity; rather, it can be a variety of different activities motivated by a variety of different situations.

David Finkelhor, 2011, the American sociologist, and Janis Wolak conducted a review of over 550 sexting cases in the US from a national survey of law enforcement agencies. Broadly, Finkelhor defined them into two categories: Aggravated and Experimental

#### **(a) Aggravated incidents of sexting**

This involves criminal or abusive elements beyond the creation of an image. These included further elements, adult involvement or criminal or abusive behaviour by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts, or creation or sending or showing of images without the knowledge or against the will of a minor who was pictured.

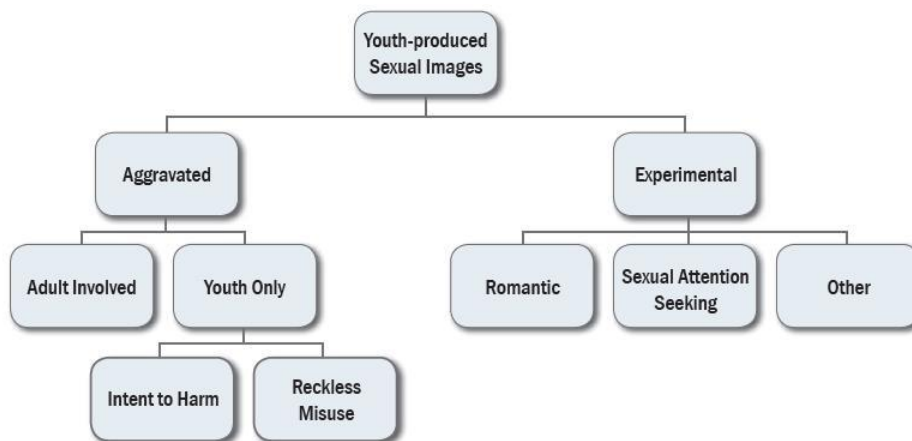
#### **(b) Experimental incidents of sexting**

This involves youths taking pictures of themselves to share with established boy or girlfriends, to create romantic interest in other youth, or for reasons such as attention seeking. There was no criminal element (and certainly no criminal intent) beyond the creation and sending of the images and no apparent malice or lack of willing participation.

The intention of the typology is to help 'codify' some of the diversity and explain the aims and motivations behind some of the behaviours. Anyone dealing with incidents of sexting, therefore needs to understand the circumstances as this may well influence how the issue is dealt with in the context of the school, the individual and the Police.

See the flow chart on **Page 11** for further information.

### **2.10 Sexting Flowchart**



*Source: Wolak and Finkelhor 'Sexting: a Typology' March 2011*

## 2.11 Understanding the nature of sexting

Having considered a range of cases you may find that your reaction to incidents of Sexting is being challenged by the contributory factors that surround each case and that a 'one size fits all approach' may not work. For example, consider:

- **The age and the developmental appropriateness of their actions:** is the activity appropriate for their age group or is it extreme behaviour? Young People will experiment – but what about a younger child? Are you concerned that the behaviour is outside the norms?
- **Their background or context: have they suffered abuse?** Are they a looked after child or a vulnerable child? Have they or are they currently involved in the Young Justice system? Could their actions have been influenced by the behaviour of influential adults?
- **Whether the child was willing or coerced:** were they subjected to sexual coercion or bullying, or was the incident willingly entered into? Were adults involved?
- **The nature of image that was shared:** how provocative or explicit was it? Does it break the law, i.e. is it a child sex abuse image?
- **The level of dissemination:** how widely was the image shared and with whom? How was it passed around?

- **Participant intent/motive:** was it simply a 'romantic' gesture? Or was there intent to harm another? What other motive might there be? Was there sexual attention seeking?
- **The wellbeing of those involved:** depending on the answers to some of the questions above, you should risk-assess the situation in order to determine whether you need to escalate the issue to protect those involved.
- **Whether protection, education or counselling is required** related to the level of risk. Does what may be a silly juvenile incident warrant a criminal record?
- **Urgency and timing:** again relevant to the level of risk - for example, an incident taking place last thing on a Friday may escalate over the weekend.
- **Involvement of other agencies:** do you need to contact the senior management team at another agency if the sexting involves, or has disseminated to, other children and young people?

### 3.0 Additional Considerations

Whilst there is an expectation that the Child's Plan (where applicable) will include purpose of these additional considerations is to identify the kind of support that may be required, such as:

- (a) Whether the young person needs protecting and if so, in what way;
- (b) Whether they, their parents and/or other children need information about the risks and issues;
- (c) Whether the young person needs counselling support services or child protection input;

Essentially, every incident is unique and you will want to consider each one in context. There are certain steps that you should always take in order to ensure that you are abiding by the law. Sexting is a complicated and sensitive issue for all agencies– there is no single solution and the consequences for young people, their families and schools can be devastating.

How an agency handles these incidents presents specific challenges. New technologies offer great learning opportunities but the ease with which children and young people can share and upload images allow little time for consideration of the consequences of actions which

may go hand in hand with adolescent development. There are preventative and reactive actions that can be taken by agencies and schools to support young people growing up in the digital world. We hope that this advice helps you to make effective decisions about the responses and actions you take in your school.

### **REMEMBER!**

- (a) Always operate within the context of your own child protection and safeguarding procedure;
- (b) Always put the wellbeing of the young person first;
- (c) Raise awareness of the issue of sexting across schools. leisure services, youth services etc. with the support of SLCPC as required;
- (d) Make sure that your policies, practices and procedures have been updated to reflect how you respond and prevent such incidents;

Overall, ensure that you create an environment in your agency or school that is supportive for young people if an incident occurs so they know where to go.

### **3.1 Keep Talking**

*Communication is vital: try to talk openly about the consequences of sexting: what might happen, how you will support them or where they can get help for themselves or someone they know.*

#### **How to start a conversation to keep young people safe:**

- Use something in the news, or relate it to something you have heard about a celebrity, where it has happened to them.
- Actively listen to their views on sexting.
- Explore how they might feel if a naked photo of them was shared on the internet.
- Be clear that you are against them sharing a naked photo of themselves, not just because it's illegal but because of the risks.
- Make sure they know that sharing a naked image of someone else can be a form of abuse.
- Agree who they should talk to if they've any worries (this may not be you, but should be an adult you trust such as a youth worker or guidance teacher).

### **3.2 Dealing with Disclosure**

If a child or young person makes a disclosure that indicates they have been subject to abuse or harm, normal child protection procedures must always apply.

Disclosures of any form of abuse or harm are extremely difficult for any child or young person as they are sharing very personal information about their life and current circumstances without any prior knowledge of how you as a professional will respond but more importantly what the consequences will be for them. Children and young people will be particular about who they disclose to, they are unlikely to disclose to people they do not trust or do not have a positive relationship with.

If a child or young person chooses to disclose to you, it's important to understand the complexities around this for them, and how important your immediate response will be. You will want to try and find out as much information as you can, however consideration must be given to the child or young person's emotional wellbeing and, appropriate support and reassurance should be provided, as the wellbeing of the child or young person is paramount.

### **4.0 Equality and Diversity**

South Lanarkshire Child Protection Committee promotes equal access and opportunities to all individuals. All partners are committed to treating people respectfully, fairly and equally and to tackling discrimination in all of its forms. As described in the [Equalities Act \(2010\)](#), no one should be discriminated against on the basis of race, ethnicity, disability, sexual orientation, religion, gender or age. All partners of the South Lanarkshire Child Protection Committee value diversity and actively challenge discrimination and prejudice. Those who participate in services should be listened to and respected and should have access to services which are fair, consistent and accessible to everyone, irrespective of their race, ethnicity, disability, gender, age, religious belief or sexual orientation.

Enquiries to: [PublicProtectionOffice@southlanarkshire.gov.uk](mailto:PublicProtectionOffice@southlanarkshire.gov.uk)

## APPENDIX 1

### Further Resources

1. Zipit ChildLine app designed to provide tools to defuse the pressures on young people to send an explicit image or video. Called 'Zipit', the free app offers witty images to send instead of explicit ones, advice for how to engage in safe chat, what to do if you feel threatened or if an image becomes public, and a direct link to call ChildLine. [ChildLine - Sexting Zipit App](#)
2. 360 degrees safe is an online, interactive self-review tool which allows schools to review their e-safety policy and practice. [www.360safescotland.org.uk](http://www.360safescotland.org.uk)
3. Internet Matters can offer helpful advice on digital resilience. <https://www.internetmatters.org/resources/digital-resilience-toolkit/>
4. *RespectMe* - Scotland's Anti-bullying service. Information and advice on all aspects of bullying for practitioner's parents and pupils: [www.respectme.org.uk](http://www.respectme.org.uk)
5. Child Exploitation and Online Protection Service Centre (CEOP), UK police agency dedicated to protecting children from sexual abuse [www.ceop.police.uk](http://www.ceop.police.uk)
6. Think U Know, a website for young people and their parents/carers and teachers. Full of information on internet safety and on how to report online abuse. Run by the Child Exploitation and Online Protection Centre (CEOP) [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

7. ChildLine is the UK's free, confidential helpline dedicated to children and young people  
[www.childline.org.uk](http://www.childline.org.uk) 0800 1111
8. Children 1<sup>st</sup> have produced helpful advice: [Guidance & Advice about Sexting](#)
9. Internet Matters provides free online advice on dealing with issues that could be affecting children and young people and parents/carers. Expert advice is here:  
[www.internetmatters.org.uk](http://www.internetmatters.org.uk)
10. NSPCC provides online advice and guidance to children, young people, parents/carers and professionals in relation to sexting. [www.nspcc.org.uk](http://www.nspcc.org.uk)

## References

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- Beat Bullying, [VIRTUAL VIOLENCE: Protection Children from Cyberbullying 2009](#)
- [Key Messages for Young People on Healthy Relationships and Consent](#). A Scottish Government Resource for Professionals Working with young people,
- <https://learning.nspcc.org.uk/safeguarding-child-protection/safeguarding-concerns-practice-examples#sexting>
- Scottish Government Legislation
- Civic Government (Scotland) Act 1982
- Sexual Offences (Scotland) Act 2009
- Abusive Behaviour and Sexual Harm (Scotland) Act 2016

## **APPENDIX 2**



# A SUMMARY OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD

## ARTICLE 1 (definition of the child)

Everyone under the age of 18 has all the rights in the Convention.

## ARTICLE 2 (non-discrimination)

The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

## ARTICLE 3 (best interests of the child)

The best interests of the child must be a top priority in all decisions and actions that affect children.

## ARTICLE 4 (implementation of the Convention)

Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.

## ARTICLE 5 (parental guidance and a child's evolving capacities)

Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.

## ARTICLE 6 (life, survival and development)

Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

## ARTICLE 7 (birth registration, name, nationality, care)

Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.

## ARTICLE 8 (protection and preservation of identity)

Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully.

## ARTICLE 9 (separation from parents)

Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.

## ARTICLE 10 (family reunification)

Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.

## ARTICLE 11 (abduction and non-return of children)

Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.

## ARTICLE 12 (respect for the views of the child)

Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

## ARTICLE 13 (freedom of expression)

Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

## ARTICLE 14 (freedom of thought, belief and religion)

Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.

## ARTICLE 15 (freedom of association)

Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

## ARTICLE 16 (right to privacy)

The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.

## ARTICLE 17 (access to information from the media)

Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.

## ARTICLE 18 (parental responsibilities and state assistance)

Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.

## ARTICLE 19 (protection from violence, abuse and neglect)

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

## ARTICLE 20 (children unable to live with their family)

If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion.

## ARTICLE 21 (adoption)

Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.

## ARTICLE 22 (refugee children)

If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

## ARTICLE 23 (children with a disability)

A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

## ARTICLE 24 (health and health services)

Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this.

## ARTICLE 25 (review of treatment in care)

If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

## ARTICLE 26 (social security)

Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.

## ARTICLE 27 (adequate standard of living)

Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

## ARTICLE 28 (right to education)

Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.

## ARTICLE 29 (goals of education)

Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

## ARTICLE 30 (children from minority or indigenous groups)

Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.

## ARTICLE 31 (leisure, play and culture)

Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.

## ARTICLE 32 (child labour)

Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.

## ARTICLE 33 (drug abuse)

Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.

## ARTICLE 34 (sexual exploitation)

Governments must protect children from all forms of sexual abuse and exploitation.

## ARTICLE 35 (abduction, sale and trafficking)

Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation.

## ARTICLE 36 (other forms of exploitation)

Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

## ARTICLE 37 (inhumane treatment and detention)

Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.

## ARTICLE 38 (war and armed conflicts)

Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.

## ARTICLE 39 (recovery from trauma and reintegration)

Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

## ARTICLE 40 (juvenile justice)

A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.

## ARTICLE 41 (respect for higher national standards)

If a country has laws and standards that go further than the present Convention, then the country must keep these laws.

## ARTICLE 42 (knowledge of rights)

Governments must actively work to make sure children and adults know about the Convention.

The Convention has 54 articles in total. Articles 43–54 are about how adults and governments must work together to make sure all children can enjoy all their rights, including:

## ARTICLE 45

Unicef can provide expert advice and assistance on children's rights.

## OPTIONAL PROTOCOLS

There are three agreements, called Optional Protocols, that strengthen the Convention and add further unique rights for children. They are optional because governments that ratify the Convention can decide whether or not to sign up to these Optional Protocols. They are: the Optional Protocol on the sale of children, child prostitution and child pornography, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on a complaints mechanism for children (called Communications Procedure).

For more information go to [unicef.org.uk/crc/op](https://unicef.org.uk/crc/op)