

Charter of Rights

The charter of rights under Schedule 1 of the [Child Protection Act 1999](#) describes the core rights that apply to every child and young person who is subject to the custody or guardianship of the Department of Children, Youth Justice and Multicultural.

The Act establishes the following rights for children and young people in care:

- a) to be provided with a safe and stable living environment;
- b) to be treated fairly and with respect;
- c) to develop, maintain and enjoy a connection to the child's culture of origin;
- d) for an Aboriginal child – to develop, maintain and enjoy a connection to Aboriginal tradition;
- e) for a Torres Strait Islander child – to develop, maintain and enjoy a connection to Island custom;
- f) to develop, maintain and enjoy the child's identity, including, for example, the child's sexual orientation or gender identity;
- g) to choose and practice 1 or more languages;
- h) to choose and practice 1 or more religions;
- i) to keep, and have a safe space to store, personal belongings;
- j) to engage in play, and other recreational activities, appropriate for the child;
- k) to make a complaint to the chief executive if the child considers that the charter of rights is not being complied with in relation to the child;
- l) to be placed in care that best meets the child's needs and is most culturally appropriate;
- m) to maintain relationships with the child's family and community;
- n) to be consulted about, and to take part in making, decisions affecting the child's life (having regard to the child's age or ability to understand), particularly decisions about where the child is living, contact with the child's family and the child's health and schooling;
- o) to be given information about decisions and plans concerning the child's future and personal history, having regard to the child's age or ability to understand;
- p) to privacy, including, for example, in relation to the child's personal information;
- q) if the child is under the long-term guardianship of the Chief Executive, to regular review of the child's care arrangements;
- r) to have access to dental, medical, and therapeutic services, necessary to meet the child's needs;
- s) to have access to education appropriate to the child's age and development;
- t) to have access to job training opportunities and help in finding appropriate employment;
- u) to receive appropriate help with the transition from being a child in care to independence, including, for example, help about housing, access to income support and training and education;

Child Safety must advise a child or young person of their rights.

All children and young people have a right to participate in decision making about their own life.

Children and young people's participation is a right, not an option.