Kacper and Oliwia: *"We will continue studying in Scotland. We will realise our dreams of becoming a chef and a pilot"*

Without the protection guaranteed by the Human Rights Act, Kacper and Oliwia could have been left with a precarious immigration status in the UK. Their applications for citizenship were supported by Article 8 of the European Convention on Human Rights.

Kacper* and Oliwia* left Poland with their parents and arrived in Scotland when they were 6 and 2 years old.

Soon after arriving in their new home, their father's abusive behaviour towards them and their mother started. He had issues with drug misuse. Due to this difficult situation, Kacper and Oliwia came to the attention of social work services who were heavily involved in supporting the family.

After their parents divorced, their mother become a lone parent. However, their mother was suffering from severe mental health issues as a result of the abuse she endured and she was unable to look after her children. Kacper and Oliwia were taken into the care of social work services and placed with a foster family.
Following Brexit, their social worker contacted JustRight Scotland to request legal advice to help Kacper and Oliwia with their right to remain in UK.

We assisted them to apply for Settled Status. The children's passports had expired since coming to the UK. It was not possible to renew the passports as the Polish authorities required parental consent for this process. This was complicated due to their father's absence. In the end, the children's Settled Status applications were submitted with alternative evidence of their identity, including evidence from social work services.
Both applications were successful, and they were granted Indefinite Leave to Remain in the UK. Unfortunately, Kacper and Oliwia continued to face difficulties in the UK because they could not access any national ID documents until they turned 18.
Our legal staff agreed to intervene for a second time. We provided advice to the children and their foster parents and social work team. We helped them apply for British Citizenship on the basis that they had lived in the UK from a young age and were living with a permanent foster family.
We argued that their future was in Scotland. We used the Human Rights Act to support their applications as a failure to grant the children citizenship would have breached their fundamental right to have their private and family life in the UK respected.

Both Kacper and Oliwia were granted their British Citizenship.
They are still living with their foster family and continue to thrive in their studies.
Kacper is hoping to become a chef one day and Oliwia would like to be a pilot.

The Human Rights Act protects our Right to respect for private and family life and ensures that we access justice for #AllOurRights when people are not treated fairly.
Read more about your Right to respect for private and family life, home and correspondence here.

Share your story or read other stories in the "Our Stories, Our Rights" campaign here.

*To protect the confidentiality of the people involved, identifying information has been changed.