



UN

Article 31 Action Pack

*Children's Rights
and
Children's Play*

Resources for action to
implement Article 31 of the
United Nations Convention
on the Rights of the Child

PLAY-TRAIN

TRAINING & DEVELOPMENT
FOR CREATIVE PLAYWORK

Article 31 Action Pack

Compiled and edited by Harry Shier

Published by: **PLAY-TRAIN**

31 Farm Road
Birmingham
B11 1LS

☎ 0121-766 8446

Fax: 0121-766 8889

© PLAY-TRAIN 1995

Chapter 5 © Roger Hart

Chapter 13 and Appendix C © CRDU

This pack is intended as a resource for use in training and education, campaigning, planning and development. *Provided you have bought an original copy of the pack*, you are licensed to photocopy any material in the pack for such use. All other rights are reserved. You must *not* make copies of the complete pack, or sell any material copied from the pack.

Design and lay-out by Harry Shier

Cover design by Balsall Heath Park Play Centre

Printed by Solith, Birmingham

Distributed by the National Play Information Centre,
359 Euston Road, London NW1 3AL

☎ 0171-383 5455 Fax 0171-387 3152

ISBN 0 9519013 1 1

Welcome to the 2018 re-issue of the
Article 31 Action Pack.

This is an exact facsimile of the original 1995 publication which has long been out of print and hard to find.

A lot of it is of mainly historical interest, but it is surprising how much of it is just as relevant today as it was back then.

It also includes Roger Hart's conference paper, "*The right to play and children's participation*" which is not available elsewhere.

The original publisher, PLAY-TRAIN, is no longer in business, but you can contact the editor, Harry Shier, at harry@cesesma.org



Contents

	Page
Acknowledgements	4
Foreword, by Robert D. Smith, UK Committee for UNICEF	5
The United Nations Convention on the Rights of the Child: Article 31	6
1 Introduction	7
How to use the Article 31 Action Pack	7
About the Article 31 conference	8
Feedback	9
The Play Tree	10
2 Introducing the UN Convention on the Rights of the Child	11
The UK's response	11
The UN Committee's report on children's rights in the UK	12
The end of the story?	12
3 The United Nations Convention on the Rights of the Child: a summary	13
Basic principles	13
Civil and political rights	13
Economic, social, cultural and protective rights	14
What the Government must do	15
4 Why is Article 31 so important?	16
The meaning of Article 31	16
How Article 31 and the right to play are supported by other Articles of the Convention	17
Current issues in relation to implementation of Article 31	18
Summary of main recommendations of the "UK Agenda for Children"	18
Article 31 as a practical resource for action	19
The underlying principle that the child has a right to be consulted	19
5 The right to play and children's participation: Roger Hart	21
"Play" and "work" in the UN Convention on the Rights of the Child	21
Playworkers as children's rights advocates	24
The ladder of participation	25
6 Quality playwork: children's rights and playworkers' rights: Haki Kapasi	30
7 Case studies in children's participation	32
Case study 1: Participation in Southwark	32
Case study 2: The Balsall Heath Project	33
Case study 3: Liverpool 8 Children's research Group	34
Case study 4: Islington: a child's eye view of adventure playgrounds	35
Case study 5: Talking about play	36
Case study 6: Using video to find a voice: the Bognor Fun Bus experience	37
Case study 7: Children's participation in recruitment and selection: Langley Children's Forum	38
Case study 8: Nunsthorpe School Playground Project	39



Article 31 Action Pack

8	Issues in children's participation	40
	Why do you want children's participation in decision-making?	40
	The crucial questions	41
	The barriers to participation	42
	Tokenism	43
	Age and maturity	43
	Exclusion	43
	Training for children's participation	44
9	Guidelines for effective participation	45
	A. Essential guidelines for all participation initiatives	45
	B. Surveys	46
	C. Consultation exercises	47
	D. Planning together	48
	E. Meetings and committees: children in management	49
	F. Day to day playwork	50
	G. Special events	51
	H. Involving children in evaluating provision	52
	I. Evaluating participation	53
10	Using Article 31: Case studies from national organisations	54
	The International Association for the Child's Right to Play	54
	The Children's Rights Development Unit	55
	PLAY-TRAIN	56
	Playday	57
	The Charter for Children's Play and Article 31	58
	Fair Play for Children and Article 31	59
11	Article 31: the role of the arts and culture in children's play	60
	Using the arts in play settings to promote self-expression: guidelines for playworkers	61
	Promoting arts in the play setting: guidelines for playwork managers	62
12	Action on Article 31	63
	A. How to get local authorities and voluntary agencies to adopt the Convention	63
	B. How to get local authorities and others to implement the Convention	64
	C. How to get involved in using the Convention to campaign for play at national level	65
13	Implementing Article 31: Guidelines for Local Authorities	66
	Using the UN Convention on the Rights of the Child	66
	Auditing local policy and practice	67
	Implementing the Convention	67
	Corporate planning	68
	Corporate planning: checklist for implementation	70
	Providing play, leisure and out-of-school activities	72
	Planning for play, leisure and out-of-school provision: checklist for implementation	77
	Model child impact checklist	80
	Afterword	82
	Appendices	
	A Participants at the Article 31 Conference, Birmingham, 22 June 1994	84
	B The United Nations Convention on the Rights of the Child: full text	86
	C The UK Agenda for Children, Report 8: Play and Leisure: Summary of action required	96
	D A Charter for Children's Play: National Voluntary Council for Children's Play	100
	E Further reading and resources	103
	F Useful addresses	105
	G Glossary of abbreviations	106



We're on a Journey

We're on a journey,
A journey of discovery.
We have our own minds.
We are responsible.

To speak out,
To be taken seriously.
To speak out,
To be taken seriously.

Rights! Children's rights!
Adults listening,
Children speaking;
We'll have to wait and see
What our future gonna be.

We're here to say
What our feelings are about,
So come on everybody,
Let's all shout it out.

To speak out,
To be taken seriously.
To speak out,
To be taken seriously.

Rights! Children's rights!
Rights! Children's rights!

The song, "We're on a journey", music and lyrics by children of Balsall Heath Park Play Centre, Birmingham, was performed by the children as part of their keynote presentation at the Article 31 Conference on 22 June 1994. At the end of the day, the whole conference joined the children in a repeat performance of the song.

(Photo: Kompan/Post Studios)



Acknowledgements

PLAY-TRAIN would like to thank:

- the children and staff of Balsall Heath Park Play Centre: Rohim Abdul, Rashida Begum, Shelly Begum, Solma Begum, Graham Brayson, Claudette Chambers, Samia Day, Kelly Edwards, Michelle Edwards, Laura Houston, Emma Harwood, Urfan Khaliq, Marlon Knight, Huw Myhill, Debbie Tracey, Rina Vaghji; and very special thanks to Shashi Bhana;
- the conference steering group:

Issy Cole Hamilton	Children's Rights Development Unit
Jan Cosgrove	Fair Play for Children
Anna Lubelska	National Voluntary Council for Children's Play
Sandra Melville	PLAYLINK
Harry Shier	PLAY-TRAIN
Chris Taylor	Islington Play Training Unit
Maggie Walker	International Association for the Child's Right to Play and Kids' Clubs Network
Rob Wheway	International Association for the Child's Right to Play and Fair Play for Children;
- Professor Roger Hart, conference chair and main speaker;
- the workshop leaders: Marc Armitage, Paul Bonel, Issy Cole Hamilton, Jan Cosgrove, Matthew Cosgrove, Paul Eyre, Peter Heseltine, Kim Holdaway, Haki Kapasi, Mike Jones, Tola Lee, Vicki Loki, Sue Platt, Chris Taylor, Maggie Walker, Grace Welch, Rob Wheway;
- Robert Smith of the UK Committee for UNICEF;
- Tim Gill and Stephen McGlinchey for additional case studies;
- Birmingham City Council Department of Leisure and Community Services;
- the management and staff of Ladywood Arts and Leisure Centre;
- the Children's Rights Development Unit (now the Children's Rights Office) for continued support and advice, and for permission to re-print extracts from the UK Agenda for Children and the Implementation Guidelines;
- the National Voluntary Council for Children's Play for permission to re-print the "Charter for Children's Play";
- the National Play Information Centre for help with the bibliography;
- Kompan Ltd. for sponsorship of conference bursaries;
- the Calouste Gulbenkian Foundation for financial support without which this pack could not have been produced.



Foreword

by Robert D. Smith, Executive Director, UK Committee for UNICEF

The right to rest and leisure, to engage in play is usually missing from any discussions of children's rights. It is all too easy to fall into the trap of thinking only of those rights which are about *protection*; from poverty, from war and from abuse of every kind. This view will tend to see children as victims. The Article 31 Action Pack focuses on those articles which are about *participation*.

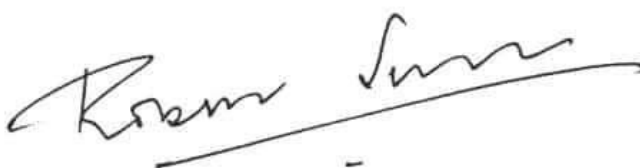
Participation in the context of the Convention on the Rights of the Child means the right of the child or young person to participate in decision-making affecting them. As Roger Hart says in the Action Pack, "children's participation in public life is an area that people are really struggling with".

We do struggle, but we are beginning to understand *why* children's participation is essential to the growth of healthy societies. The next challenge is *how* we can ensure that participation becomes a reality. The Article 31 Action Pack gives the legal framework and grass roots examples of that "*how*".

The Pack focuses on the article on play, art and culture, but its relevance is not confined to those who are involved with play. As well as including useful sections on the Convention itself, it provides case studies showing young people taking part in a range of decisions, including how best their needs can be met, what they want in a play environment and recruitment of adult staff. These are supported by guidelines for participation and a specific section on local authorities.

The UN Convention on the Rights of the Child has been adopted more rapidly than any other international convention. As I write this in early July 1995, 177 countries have ratified in less than six years, the most recent being Swaziland and South Africa. We are on course for the Convention to be the first ever international treaty to be universally ratified.

The UN Convention on the Rights of the Child has turned those things which young people need into things to which they have a right. Turning those rights into reality requires us all to be involved. The Article 31 Action Pack is a welcome contribution to that work.



The United Nations Convention on the Rights of the Child

Article 31

1. States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.



1 Introduction

How to use the Article 31 Action Pack

Welcome to the Article 31 Action Pack.

The pack has been produced as a resource to increase awareness and understanding of Article 31 of the United Nations Convention on the Rights of the Child, and to promote its use as a practical tool for the development of play, arts and cultural opportunities for all children.

This pack contains a range of case studies, practical action guidelines, useful information and background reading. Whatever your area of interest, there should be something in the pack that is relevant to your needs. If you are already planning action around Article 31 or children's participation, you will find practical advice and guidance. If you want to explore

the issues in depth you will find a range of background papers and extensive references. If you are still not sure, you will find plenty to inspire you.

The UN Convention on the Rights of the Child covers all children and young people up to the age of 18. The issues and guidelines in this pack are relevant to all ages. However, you will find much of the material in the pack focuses on the rights of school-age children, that is 5-15, and in particular on their right to *play*. For the project steering group this is a priority area. It is also where we have most knowledge and expertise, and where alternative resources are most obviously lacking. In this context we have often used the term "children", rather than the more accurate, but less manageable "children and young people". We want to emphasise the fact that younger children, as well as adolescents and young adults, can be empowered through consultation and participation.

Children from Balsall Heath, Birmingham, use drama to put across their views on children's rights at the Article 31 Conference.

(Photo: Kompan/Post Studios)



Article 31 Action Pack



Children at the Article 31 Conference working on the "Play Tree" project (see page 10).

(Photo: PLAY-TRAIN)

We have called this an Action Pack, because it brings together a wide range of material, all with the aim of encouraging and supporting action for change. We have kept it as jargon-free as possible and have included a glossary of abbreviations as Appendix G. We have bound the Action Pack as a book to keep everything together, but the idea is that you select and make copies of whatever will be useful. Use the materials for training courses, workshops and seminars, for planning meetings and discussions, or for publicity and campaigns. Blow pages up into posters or use them to make transparencies.

Don't just read it...take action.

About the Article 31 conference

The Article 31 Action Pack has grown out of the conference, *"Article 31: the child's right to play"*, held in Birmingham on 22 June 1994. To develop this project and ensure the widest possible support from the playwork field, PLAY-TRAIN brought together a number of different organisations in partnership to form a steering group. These were:

- Children's Rights Development Unit
- Fair Play for Children
- International Association for the Child's Right to Play

- Islington Play Training Unit
- Kids' Clubs Network
- National Voluntary Council for Children's Play
- PLAYLINK
- PLAY-TRAIN

The United Nations Convention on the Rights of the Child establishes every child's right to be consulted on all decisions that affect their lives. Recognising the central importance of this right, the organising group decided that the keynote presentation at this conference should come, not from adult "experts", but from the children themselves. We asked a group of children who are regular users of Balsall Heath Park Play Centre in Birmingham what they would like to say to adults about the child's right to play, and how they would like to say it. The children were given freedom of choice about the content, format and timing of their input, and whatever resources they needed to prepare it.

The children from Balsall Heath did not claim to represent all children, or to speak for anyone except themselves. However, by taking up this challenge, they effectively reminded delegates that children have plenty to say, and all of us have a duty to listen. The children used drama, music, video, posters, banners and circus skills to express their views about children's rights and Article 31, and presented each delegate with a specially produced souvenir booklet.

Article 31 Action Pack

140 people attended the Article 31 Conference. Considering there was a national rail strike on the day, this was a remarkable achievement. Participants' evaluation reflected the success of the conference, with comments such as:

- "Good to get back to what play is all about";
- "A really good day; interesting and inspiring, and good to have children with us taking an active role in the day";
- "Children's input and presence was absolutely right";
- "Challenging and inspiring";
- "The new direction in playwork will be children's rights";
- "Helped me do a total re-think of "play provision" issues";
- "I now want to involve children in a real way, not a token way";
- "It has helped by opening my eyes to children's needs";
- "I thoroughly enjoyed speakers and workshops, but most of all seeing and listening to the children".

The Article 31 Action Pack serves as the conference report. It contains transcripts of the main conference presentations, and incorporates the main conclusions of all the workshops. The conference material has been edited and re-arranged to make it more useful and more readable.

Feedback

An important part of the Article 31 Action Pack project is an evaluation of its impact on the playwork field. We want to find out whether the effort that went into producing this pack has any effect on playwork practice or on children's access to play, recreation, culture and the arts.

We would ask you to help us with this in three ways:

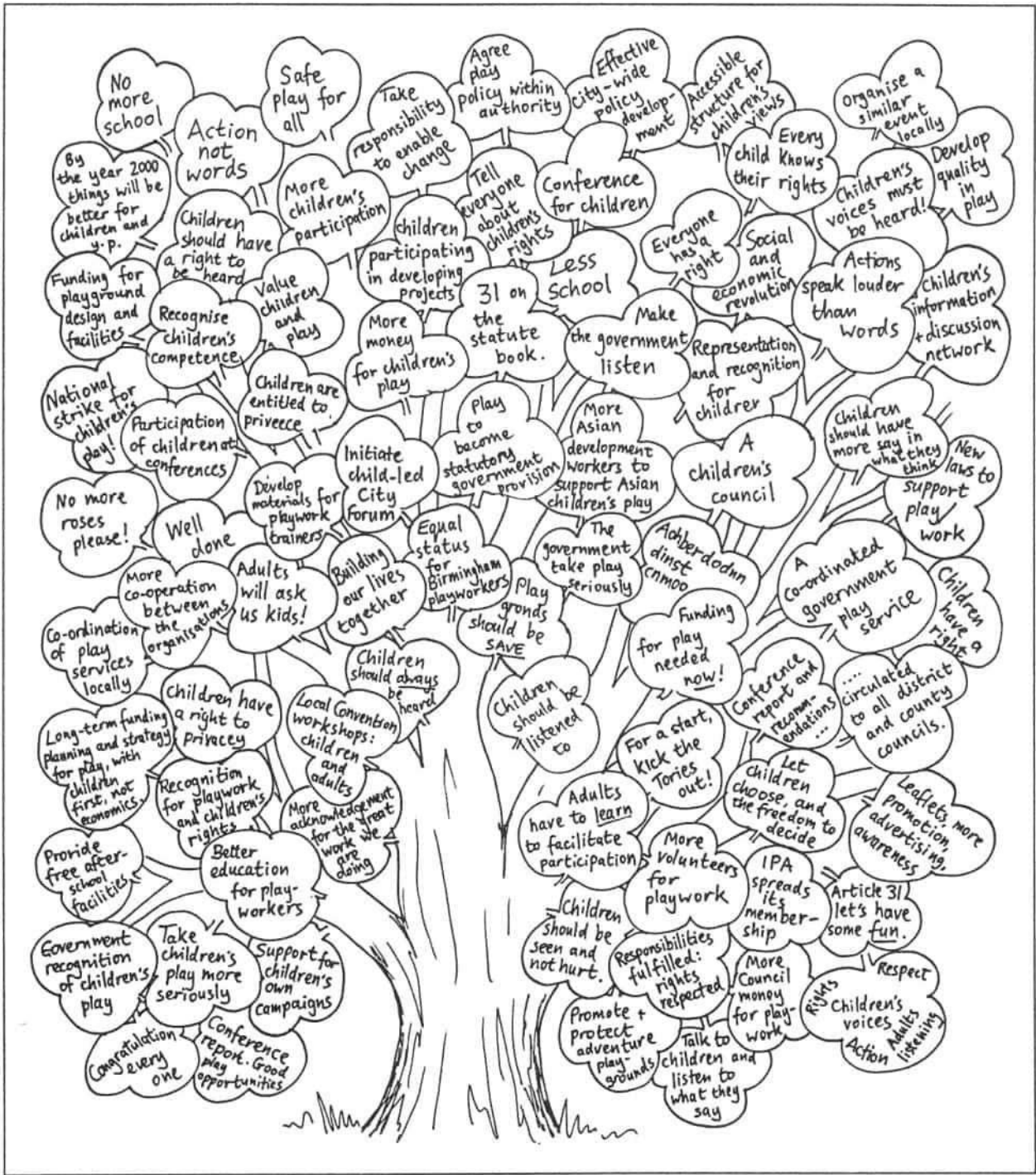
1. There is a user's evaluation form at the back of this pack. Please fill it in and return it to PLAY-TRAIN (photocopy the form if possible, then others who read the pack can also send their feedback).
2. Please let PLAY-TRAIN have feedback on how you are using the pack, and what the results are. We will be happy to hear from you any time by letter, phone or fax.
3. After a year or so we will carry out a postal survey of a sample of mail order purchasers to find out if they have used the pack and, if so, what happened. If you would find it inconvenient to be contacted in this way, just let us know and we won't bother you.

The giant "Play Tree" posters taking shape at the Article 31 Conference.

(Photo: PLAY-TRAIN)



The Play Tree



As part of the Article 31 conference each participant, adults and children alike, was asked to create a leaf for the Play Tree by writing on a cut-out leaf (in not more than five words) what they most wanted for children's play. The children collected all the leaves and turned them into a giant wall-poster in the conference hall. The Play Tree was conceived and facilitated by Peter Heseltine.

2

Introducing the UN Convention on the Rights of the Child

"The way a society treats children reflects not only its qualities of compassion and protective caring but also its sense of justice, its commitment to the future and its urge to enhance the human condition for coming generations".

(Javier Perez de Cuellar, former UN Secretary- General, 1987).

Nearly four years have passed since the UK Government ratified the United Nations Convention on the Rights of the Child. The Convention, article by article, sets out principles and detailed standards for our treatment of children, for laws, policies and practice which affect children, and for both formal and informal relationships with children.

World-wide, the Convention has been ratified (fully accepted) by 177 countries, leaving only ten countries in membership of the UN which have neither signed nor ratified it. It has been accepted more quickly and more comprehensively than any other international convention and UNICEF is seeking universal ratification by the turn of the millennium. In September 1990, 71 heads of state and government, including UK Premier Margaret Thatcher, came together for the World Summit on Children in New York, the largest gathering of world leaders in history. They pledged:

"The well-being of children requires political action at the highest level. We are determined to take that action. We ourselves make a solemn commitment to give high priority to the rights of children".

If consistent action follows signatures and good intentions, then the lives of the world's children and thus the future of the world, no less, could be transformed. The stakes could hardly be higher.

The UK's response

It would be good to be able to report that in the UK the obligations of ratification were being taken seriously, that there was an open commitment to giving a high priority to the best interests of children throughout the political agenda. Such a priority would require a careful audit of the state of UK children and the law, policy and practice which affects them, and energetic implementation of the duty, placed on the

government by the Convention, to make its contents widely known, "by appropriate and active means", to adults and children alike. Discrimination in children's access to basic social, economic, health and education rights would be openly acknowledged and actively challenged. There would be a new recognition that children's views must be heard and properly considered when decisions that affect them are made.

Sadly, none of this has happened. While the decision to ratify is of course welcome, from the perspective of children the continuing lack of any serious attempt at implementation must be deplored. The Department of Health was named as the department with lead responsibility for implementation and for preparation of the initial report to the UN Committee on the Rights of the Child on progress towards implementation, due in January 1994, two years after ratification.

During Parliamentary sessions since ratification, the Government has on several occasions declined to consider the implications of the Convention for new legislation. In debates on what is now the Education Act 1993, for example, ministers dismissed the idea of legal duties to consult pupils to fulfil Article 12 of the Convention. The 1994 Criminal Justice Act and proposals to remove rights to permanent housing for homeless parents and their children both appear to breach the Convention.

There has been no attempt to place Government policy as it affects children (and most of it does) within the context of the Convention. In a growing number of countries, governments have moved logically to appoint ministers for children and independent ombudspersons or commissioners with statutory powers. The UK government has made it clear that it considers such proposals entirely unnecessary.

The British government submitted its initial progress report as required in January 1994. The UN



Committee on the Rights of the Child considered the British government's initial progress report, in the light of submissions from a number of UK non-governmental organisations, at its session in Geneva in January 1995.

The UN Committee's report on children's rights in the UK

The UN Committee published its conclusions on 27 January 1995, and the following day, in a front page story, the *Guardian* newspaper summed up the conclusions as follows:

"Britain has reneged on a solemn undertaking given by Lady Thatcher to give a high priority to the rights of children in almost every area of social policy, according to a United Nations report. The first international audit of children's rights in Britain accuses ministers of repeatedly violating the UN Convention on the Rights of the Child, which the government signed up to four years ago."

"The concluding observations of the UN committee set up to monitor progress on the convention, which has been ratified by over 170 countries, says the British government is failing children in nearly every aspect of their lives"

The UN Committee's report contained four paragraphs noting positive aspects, such as the introduction of the 1989 Children Act, followed by six pages of detailed criticisms and recommendations for change. Among the Committee's principal concerns were the proposed introduction of secure detention centres for twelve to fourteen year-olds, the effects of immigration controls on children, continuing corporal punishment (legal now for child-minders as well as parents and private schools), detention of young children under anti-terrorist legislation in Northern Ireland, the increasing number of children living in poverty, and especially the growing numbers of young people begging and sleeping rough as a result of changes to benefit regulations. The committee cited the differences in standards of health between rich and poor and between different ethnic groups.

The committee also expressed broader concerns: there is no independent mechanism for monitoring children's rights issues and inadequate social expenditure to ensure children's economic, social and cultural rights. In its recommendations it calls for a children's ombudsperson and an independent mechanism to monitor the implementation of the Convention. It calls for the principles of the Convention to be used to guide policy-making at national and local level, for

education about children's rights to be introduced to the national curriculum and for training in children's rights for all professionals who work with children in health services, child-care, education and the legal system.

In its response to the report, the government maintained its tradition of complacency. Health minister John Bowis said, "Britain can hold its head up high on child welfare and every parent knows that. I am rather surprised at some of the criticisms". There have been no moves to implement, or even debate, the Committee's recommendations. After making headlines for a day or two, the story disappeared from the news just as quickly as it had appeared.

In England and Wales, it is often suggested by ministers that the Children Act 1989 does all that is needed to fulfil the Convention. The Act was certainly a major and welcome reform of aspects of the law affecting children, and much of it reflects (and in some cases even exceeds) principles and standards in the Convention. But it does so only in relation to relatively small numbers of defined children, to particular services, child care and child protection in particular, and to particular court hearings. It has no influence at all on many services and many aspects of most children's lives. It can be seen as a staging post, but no more, on the journey towards adequate legal recognition of children's rights.

The end of the story?

The parties to the UN Convention on the Rights of the Child are national governments, not local authorities or voluntary service providers. The primary responsibility to ensure the convention is implemented will always remain with national government and the UK government needs to be reminded of this as often and as forcefully as possible. However, if the government is not going to act, can that be the end of the story?

Fortunately local authorities and voluntary agencies don't have to wait for government orders before taking action where action is needed. There is a lot of work to be done at all levels to implement the convention and protect children's rights. To help us achieve this, the convention provides us with three important things: a set of fundamental principles that we can build into the value base of the work, a set of standards against which we can evaluate our work and plan for change and, above all, a sense of participation in the world community which can provide new inspiration even in the toughest of times.



3 The United Nations Convention on the Rights of the Child: a summary

This summary aims to show the range of rights and issues covered by the Convention and highlight important principles in straightforward language. It does not provide a complete summary of all the 54 Articles in the Convention. The complete wording of the Convention is in Appendix B to the Article 31 Action Pack.

The Convention is made up of more than fifty sections which are known as "Articles". These cover a wide range of issues affecting children which can be broken down into three broad groups:

- basic principles which apply to all the rights in the Convention;
- civil and political rights
- economic, social, cultural and protective rights.

The Convention defines children as all people under 18.

Basic principles

These principles are important when looking at all the other rights in the Convention. They are the basic rights which must always be considered when any action is taken or decision is being made about or by a child.

■ *Non-discrimination*

All the rights in the Convention must apply to *all* children without discrimination of any kind. All children have the same rights whether they are rich or poor, boys or girls, whatever their, or their parents', skin colour, religion, language, opinions or type of family, where they or their parents live or come from and whether or not they have a disability (Article 2).

■ *Best interests*

What will be best for the child must always be considered when adults are making decisions about

children. This means that when courts, the Government, local authorities or other organisations are doing anything which may affect children, they must give priority to considering what is best for those children; their first responsibility is to think about the needs of the child (Article 3).

■ *The child's views*

Children have a right to be consulted on all matters which concern them and their views should be taken seriously. They must also be given the opportunity to be heard in any court or other official proceedings which affect them (Article 12).

Civil and political rights

These are the rights which concern a child's identity and involvement in the wider society. They describe children's rights to be active members of society and to be involved in matters of importance to them.

■ *Name and nationality at birth*

All children are entitled to a name when they are born. They also have a right to acquire a nationality. No child must be left stateless because she or he cannot take a parent's nationality (Article 7).

■ *Freedom of expression*

Children have the right to express what they think through speech, writing, art, dress or style, as long as they are not affecting other people's rights by doing so. Children must also be able to get information about issues of interest to them (Article 13).



Article 31 Action Pack

■ *Freedom of thought, conscience and religion*

Children have the right to choose their own religion and to hold their own beliefs and opinions. Parents have a role in providing guidance to children, but the Convention emphasises that as children become capable of making choices, their rights to do so must be respected (Article 14).

■ *Meeting with others*

Children have a right to join organisations and to take part in meetings, peaceful marches or demonstrations as long as by doing so, they are not affecting other people's rights (Article 13).

■ *Protection of privacy*

Children are entitled to privacy. The right to private letters and phone calls should be respected as well as personal privacy. This right is particularly important for children living in boarding schools, residential homes or hospitals where, at present, there may be very little opportunity for privacy (Article 16).

■ *Access to information*

Children must be able to get information from a wide range of national and international sources. The Government should encourage the mass media to produce information which is interesting and useful to children, making sure that they take account of the language needs of children whose first language is not English. They should also encourage widespread availability of children's books (Article 17).

■ *Protection from abuse, neglect, torture or deprivation of liberty*

All forms of physical and mental violence towards children are unacceptable. Active steps must be taken to protect them from violence, including all forms of abuse, ill-treatment, neglect and exploitation (Article 19).

Children have a right not to be punished unjustly. They must not be locked up unlawfully, and if they are locked up, they must be treated with respect and dignity and have access as quickly as possible to legal help and a fair hearing (Article 37).

If a child has been abused, tortured, neglected or exploited, they must be provided with all the necessary support to help them recover (Article 39).

■ *Breaking the law*

Whenever a young person is in conflict with the law they have a right to be treated in a way which takes account of their age and is not humiliating or degrading. They should be presumed innocent until found guilty and have access to legal advice and representation. Court proceedings should be avoided whenever possible. Arrests, detention and imprisonment of children must only be used as a last resort and for as short a time as possible (Articles 37 and 40).

Economic, social, cultural and protective rights

These Articles are concerned with children's rights to proper standards of physical care, education and health. They also recognise that children need protection from people or situations which might be harmful to them.

■ *Rights to life*

Children have a right to life and to the best possible opportunities to develop fully (Article 6).

■ *Standard of living*

All children have the right to a decent standard of living and the Government must help parents to achieve this. Children must be fed, clothed and housed adequately (Article 27) and they have a right to benefit from social security (Article 26).

■ *Day to day care of children*

The Convention stresses the importance of providing adequately for the day to day care of children:

- parents have the main responsibility for the care of children but they need support in carrying out those responsibilities, such as child care services (Article 18);
- if children cannot live with their family, they must be given proper care - either in another family or a home. When a new family or home is being chosen for a child, the need for stability and the child's race, religion, culture and language must be taken into account (Article 20);
- children who are looked after outside their homes, in residential schools, long-stay institutions or hospital, must be properly cared for (Article 3);



Article 31 Action Pack

- if a child is being adopted into a new family, either from the same or another country, there must be strict procedures laid down in the law, which make sure that what happens is what is best for the child (Article 21);
- children should not be separated from their parents against their will. If, for some reason, this has to happen, there must be a right to go to court, with parents and the child and anyone else with an interest having a right to be heard. If separated, the child should still be able to have regular contact with both parents unless it is better for the child not to do so (Article 9);
- governments must try to protect children from being taken out of a country illegally (Article 11).

■ *Health and health care*

In order for children to grow and develop they must have high quality health and health care. The Government must take steps to reduce the number of deaths amongst babies and children and must provide the best possible care for mothers having babies. They must also provide community health services for all children and health education for everyone (Article 24).

■ *Disabled children*

Disabled children must be helped to be as independent as possible and to be able to take an active part in everyday life (Article 23).

■ *A safe, healthy environment*

Children have a right to a safe and healthy environment and to be made aware of the dangers of environmental pollution. They should be informed about the importance of hygiene and how to prevent accidents (Article 24).

■ *Education*

Every child has the right to free and compulsory education to at least primary school level. Various forms of secondary education should also be available to all and higher education must be available on the basis of ability (Article 28).

Schools should try to develop each child's personality and abilities to the full. Children in schools should all discuss the importance of human rights and their own rights laid down in the Convention. When they leave school young people should be well prepared for living a "responsible life" in a free, mixed society (Article 29).

■ *Play, culture and leisure activities*

Children have a right to rest, play and leisure activities appropriate to their age. They should have opportunities to take part in a wide range of cultural and artistic activities (Article 31).

■ *Protection from exploitation*

The Government must protect children from :

- doing work which may be harmful to them or interfere with their education (Article 32);
- dangerous drugs (Article 33);
- sexual abuse (Article 34);
- being abducted or sold (Article 35).

■ *Armed conflict*

Children under 15 must not be recruited into the armed forces, and when recruiting under 18s governments must give priority to older recruits. No-one under 15 should be directly involved in armed conflict (Article 38).

What the Government must do

By agreeing to support the Convention on the Rights of the Child, the UK Government has agreed to:

- make sure that the lives of children in the UK, and the way in which they are treated under the law, meet the standards set by the Convention;
- take active steps to make sure that the public, adults and children, know about the Convention and what is in it;
- report to the UN Committee on the Rights of the Child, by January 1994, and then every five years, on how they are putting the Convention into effect. These reports must be made public.

The Convention also stresses the need for the richer countries of the world to provide support to developing countries. For many children in developing countries, life is a daily struggle against hunger and disease. Many are denied the basic right to an adequate standard of living, health care and education. The UK, one of the world's richest countries, is expected to co-operate with poorer countries to help them improve standards for their children.



4 Why is Article 31 so important?

Article 31

1. *States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.*
2. *States parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.*

This chapter will look at:

- the meaning of Article 31;
- how Article 31 and the right to play are supported by other Articles of the Convention;
- current issues in relation to implementation of Article 31;
- the recommendations of the *UK Agenda for Children*;
- Article 31 as a practical resource for action;
- the underlying principle that the child has a right to be consulted.

Its two clauses seem similar, but each is important in a different way. The first clause is a statement of principle: it is the formal recognition by government of certain rights that belong to every child and cannot be denied. The second clause requires the government to take a variety of *actions* as a result:

- to *promote* the rights to play, leisure, arts and culture;
- to *encourage the provision* of appropriate and equal opportunities.

Implementation of Article 31 therefore requires specific *actions* as well as recognition of rights in principle.

The meaning of Article 31

A commitment to action

Article 31 of the UN Convention on the Rights of the Child covers the child's right to play, to rest and leisure, and to be involved in artistic and cultural life.

The right to play

The Convention refers specifically to the right to *play* and, in the wording of Article 31.1, distinguishes this from other recreational activities. Play is the developmental process where learning occurs as a result of the child's *freely-chosen* and *self-determined* activity. Pre-school or after-school provision where children follow



an adult-determined or standardised programme of activities may be of value to the child, but does not constitute play opportunities. Implementation of the Convention therefore requires provision of genuine play opportunities alongside other types of leisure and recreation.

Participation in cultural life and the arts

Both clauses refer to the child's participation in cultural life and the arts. The child has a right to participate *freely* (Article 31.1) and *fully* (Article 31.2). The specific references to *cultural and artistic life* make it clear that this does not just mean arts activities at school or playgroup. Children have the right to take a full and equal part in the artistic and cultural life of the community in which they live. This means that the needs of children, as members of the community, must be given full consideration in the policies and programmes of *all* artistic and cultural agencies, including theatres, galleries, radio and television, publishing, community arts projects, performance groups and festivals. In some cases there may be special provision targeted at children only, but this does not take away their right under the Convention to participate fully and freely in the artistic and cultural life of the community as a whole.

Appropriate and equal opportunities

The provision for children's participation in cultural life and the arts must ensure *appropriate and equal opportunities* for all children. This phrase takes account of the fact that children have different needs and preferences, depending on their age, ability, cultural background and, of course, their own personal tastes. A wide range of different provision will be needed, with effective measures to eliminate discrimination and ensure no children are excluded from full participation.

The wording also suggests that provision to meet the needs of children should be equal to that provided for adults - and equally appropriate to their needs. There is a clear implication that the *resourcing* of opportunities for children to participate in artistic and cultural life should be broadly equivalent to that for adults. The most obvious measure of this would be equivalent per capita public spending on arts and cultural provision for children and adults.

How Article 31 and the right to play are supported by other Articles of the Convention

It is often said, quite rightly, that it is unwise to focus narrowly on a single Article of the Convention, for many different Articles can affect a single policy area, and children's play is no exception.

We have placed Article 31 at the centre of our work, and called this the "*Article 31 Action Pack*", because the recognition of the right to *play* in an international convention at this level is a momentous advance for the world of children's play and we want to draw as much attention to it as possible. It provides a simple slogan around which we can assemble a much more complex picture.

So while we continue to fly the Article 31 flag at the masthead, we have to consider how it is supported and expanded by many other aspects of the Convention. The most fundamental of these are the three underlying principles:

- *Article 2*: the guarantee of rights to all children without discrimination;
- *Article 3*: the principle that all actions and decisions must be made in the best interests of the child;
- *Article 12*: the right of all children to have a say in all decisions that affect them.

Other important rights that link with Article 31 are:

- *Article 4*: the state's obligation to take all appropriate legislative, administrative and other measures to translate the rights in the Convention into reality;
- *Article 5*: respect for the rights and responsibilities of parents and carers;
- *Article 13*: free access to information and freedom of self-expression;
- *Article 15*: freedom of association: the right to meet with others and join or form associations;
- *Article 16*: protection of privacy;
- *Article 18*: support and assistance to parents: in particular appropriate measures to ensure adequate child-care services for children of working parents;
- *Article 19*: protection from abuse and neglect;



Article 31 Action Pack

- *Article 22:* special protection and assistance for refugee children;
- *Article 23:* the right of disabled children to enjoy a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate active participation in the community; the right to special care and assistance as required, provided free of charge wherever possible; the right of effective access to recreation opportunities, conducive to achieving the fullest possible social integration and individual development, including cultural and spiritual development;
- *Article 30:* the right of children of minority communities to enjoy their own culture and to practice their own religion and language.

Any or all of these rights may be drawn on at different times by those working in play or the arts, to support improved provision and equal opportunities for all children.

Current issues in relation to implementation of Article 31

In producing the "*UK Agenda for Children*", the Children's Rights Development Unit (CRDU) undertook a thorough investigation of law, policy and practice throughout the UK to establish where the Convention was being breached, the principal areas of concern and those areas where further information is needed to monitor implementation of the Convention. The following is a summary of its main findings and recommendations:

In the UK the responsibility for ensuring the provision of facilities and services for play, leisure, arts and culture is, in general, delegated by the government to other bodies including Arts Councils, Sports Councils, play bodies and local authorities. Much provision also comes through the voluntary sector. CRDU's investigation shows that the government has no co-ordinated policies or strategies aimed at encouraging the provision of services and facilities. Article 31 states that children have the right to "engage in play and recreational activity appropriate to the age of the child", but in the UK there is no recognition of the need for continuity and progression of services from early childhood through to adulthood. Most providers of leisure and recreational services for children and young people maintain rigid structural and professional divisions between services for pre-school, school-age and youth provision.

Despite the need to promote "equal opportunities" in leisure activity, it is clear that, for many children and young people, access to facilities and services is severely limited. Specific groups of children and young people affected include children and young people with disabilities and learning difficulties, children from 8-12 years old, young carers, children and young people from black and minority ethnic groups, those in low income families, those living in rural areas and young lesbians and gay men.

Children and young people with disabilities rarely have accessible, safe or supportive leisure facilities within their own neighbourhoods and transporting them to "special needs" activities some distance from home can be the starting point of a long cycle of segregation.

Racism and sectarianism stop children from being given the opportunity to develop to their full potential. All those involved in play and leisure activities must take positive steps to counter-balance the effect of societal racism and sectarianism by valuing all cultures equally through the resources used with young children.

Summary of main recommendations of the "UK Agenda for Children"

In order to promote the full implementation of Article 31 and promote and encourage play and leisure opportunities for all:

at national level:

- the Department of National Heritage (DNH) should take responsibility for implementation of Article 31;
- there should be charters covering the rights to play and leisure;
- there should be legislation to ensure adequate play and recreation space;
- there should be a research panel to commission and fund research into play provision;
- the DNH should identify named officers to advise on children's and young people's play and leisure provision;
- there should be a change in unequal resourcing of facilities for adults and children;
- there should be minimum standards for play and leisure areas to ensure integrated play for those with disabilities and learning difficulties;



Article 31 Action Pack

- all managing and governing bodies of sports, arts, cultural and recreational pursuits should have equal opportunity policies relating to Article 31.

at local level:

- corporate strategies must recognise the importance of play and leisure activities for all;
- every local authority should develop and publish a co-ordinated, comprehensive child and youth policy relating to the provision of play and leisure activities;
- children and young people should be actively consulted and involved in planning;
- policy for young people should look at ways of encouraging and developing self-selected leisure activities;
- youth services should develop regional arts plans and youth arts budgets;
- Regional Arts Boards should have specific youth officer posts, have a youth arts policy and make youth arts a budgetary priority;
- structured play and leisure opportunities must be sufficiently resourced;
- play and leisure service providers must show a commitment to equal opportunities;
- partnerships should be set up between local education authorities, schools, play and recreation units and departments, social services, health services and community organisations;
- decisions about the use and sale of school land, the use of premises and equipment should consider the best interests of the students and also the need to encourage recreational activities;
- in both rural and urban areas opportunities to purchase common land for play should be pursued;
- existing play space should be protected in local plans and up-graded as part of a district play policy;
- links between playworkers and artists and sports workers should be encouraged.

(The full statement of the actions required for compliance, taken from Report 8 of the "UK Agenda for Children", is included as Appendix C to the Article 31 Action Pack).

Article 31 as a practical resource for action

The complacent attitude of the UK government makes it clear that the existence of the Convention in itself is no guarantee of action. However, the international status and credibility of the Convention makes it a powerful resource in all campaigning, consultation and policy-making around play, leisure, culture and the arts. Most responsibility in these areas is delegated by the government to local authorities, sports and arts councils and boards, and part of that responsibility is therefore to ensure the Convention is implemented at local and regional levels. These local and regional bodies are not directly accountable to the United Nations as the government is, so they must be held accountable by the community as a whole, led by those in the community, adults and children, with a determination to see the Convention implemented.

In many cases, simply informing decision-making agencies about the requirements of the Convention is enough to trigger off a change in policy or a new strategy for children. In other cases, the Convention serves as a rallying point around which those working for change can take a stand and push for action.

To help you do this effectively, this *Action Pack* contains a number of case studies of how different organisations have used the Convention (chapter 10) and a "User's Guide" to Article 31 (chapter 12).

The underlying principle that the child has a right to be consulted

The very nature of play is self-determination. As soon as you are doing something because someone else is making you do it, you aren't playing any more. Play is essentially where children themselves take control. So at the deepest level, the right to play and the right to have a say in your own life are inextricably bound together. Whilst the Convention, in Article 12, calls for children to have a say in *all* decisions that affect them, play and arts workers should be taking the lead in children's participation. Playworkers and children together are in an ideal position to experiment and push back the boundaries.

Although there is growing interest in consulting children and enabling them to take part in decision-



Article 31 Action Pack

making, what is most striking is how little we know about this area of work: how few are the examples of good practice (or to be fair, how poorly we document and share the good practice we have), how often participation is tokenistic, or is manipulated by adults, how often inappropriate methods are used and how often only older children and young adults are able to participate effectively. Playworkers are not usually trained in facilitating participation, and children's rights are not mentioned at all in the playwork NVQ standards.

So an important challenge facing the playwork world is to start building up a recognised good practice in children's participation, and a body of skills to implement it effectively in all play, recreation and arts settings.

Chapters 7, 8 and 9 of this *Action Pack* aim to contribute to this process, presenting case studies of good practice, analysis of the key issues and a series of practical guidelines for participation at all levels. The message is that the child's right to play, the right to artistic and cultural self-expression and the right to have a say in their life go hand in hand.



5 The right to play and children's participation

by Roger Hart, Children's Environments Research Group

This is an edited version of a presentation given by Professor Hart at the conference, "Article 31: the child's right to play", held in Birmingham, England on 22 June 1994.

"Play" and "work" in the UN Convention on the Rights of the Child

The references to play in the United Nations Convention on the Rights of the Child have very different implications for children in different countries. The play articles are a particularly important provision for children in those countries we now call "The South" or the "Third World", where many children are engaged in exploitative work for extremely long hours with no opportunity for play. For industrially advanced countries, like the United Kingdom, where exploitative work has long been banished for all but a small minority of children, most children do have opportunities to play. The question is, what kind of play. For clues to this we have to look beyond Articles 7 and 31, the specific sections dealing with play, to the Convention as a whole. It emphasises strongly a child's right to grow into meaningful roles in society as full, democratic, participating citizens.

Too much play theory and research emphasises the individual and particularly individual children's learning and creativity through play, rather than a child's relationship with others, particularly their peers. This psychological emphasis on the individual has found its way solidly into the popular media and the language of parents and schools. We need a re-

emphasis on play as a place where children build friendships and indeed build culture and community.

Most parents in the industrialised countries also seem to have forgotten the value of work in a child's development. Removal of work from children's lives began in the early 19th century with the honourable goal of protecting children from exploitation. Then we gradually extended childhood by increasing the school learning age. Now, many never get to experience the pleasure of meaningful work during their childhoods. It is a missed opportunity to not offer children work as an informal training ground to develop their competence and sense of ability to make a meaningful contribution. There is little chance for children to learn that work can, and should, be more than just earning money. Children are thirsting to exercise their work competence. Anyone who has observed a group of eight-year-olds trying to dam a stream knows that what is called "play" often looks more like work: defining goals for themselves, planning with one another and busily carrying them out.

The only time playgrounds in the USA are really exciting for children seems to be when they are being built, for there are lots of materials for them to work with. Once they are finished the playgrounds quickly become boring. It is difficult to say where work ends and play begins sometimes but central to the distinction are the words "voluntary" and "pleasurable". People who love their jobs, you could say, are playing.



Article 31 Action Pack



Figure 1:

The favourite play place of children in Piquatuba in the Brazilian Amazon.

(Photo: Roger Hart)

In the industrialised countries, opportunities for meaningful work should be fostered more, for in these activities children learn how to be competent, co-operative, resourceful and discover the joys of getting a job done; the growth areas of play provision today are, by contrast, in play as entertainment.

Last year I spent some time with a group of children in the Brazilian Amazon. They are struggling with the same desires for competence and to engage in meaningful activities as children in this country, but in a very different environment. Certainly they do a lot of what people usually think of as play. They took me to their favourite play place in the forest and showed me how to swing from gigantic lianas hanging from the trees.

But, like most children throughout the Third World a large proportion of young children are engaged in work most of the time, particularly the girls. Play is something that is snatched now and then between work activities. However, for many children this is not exploitative work. One of the problems the international children's agencies and the International Labour Union is going to have in interpreting the UN Convention on the Rights of the Child is when work is acceptable and when work is not.

Figure 2

Much of children's play looks like work. Children can be seen here building a complex dam system in Vermont, USA. Not surprisingly this was not a playground but a place discovered by children.

(Photo: Roger Hart)



Article 31 Action Pack

Figure 3

Exploitative work: boy working on a cotton plantation in Nicaragua

(Photo: Maria Morrison/UNICEF)



Even today in the United Kingdom new immigrant groups still struggle to establish an economic footing in the country by employing their children with the whole family. This often brings them into conflict with the law but it is hard for me to think of this as more damaging to children than preparing them through years of not so relevant schooling for a world of unemployment!

In summary, there is need for debate in the playwork community about play and work in relation to the

UN Convention on the Rights of the Child. It is a mistake to pull out "play" and "work" and declare one as the desirable and the other as undesirable. In this country, like the United States, I feel there is a growing loss of understanding of what kind of society we are preparing children for. We need more debate on the place of play and work together in children's development and indeed in development throughout the life cycle.



Figure 4

Child labour is exploitative and unacceptable, but opportunities for meaningful work can be extremely important for a child's developing sense of competence and self worth. This girl is trading in a street market in Ecuador.

(Photo: J. Horner/UNICEF)



Playworkers as children's rights advocates

Adults generally participate too *much* in creating children's play settings. Much of play theory tells us that it is beneficial for children to be able to create and transform the environment themselves. I believe that one of the key roles of playworkers is to confront the trend toward the programming of children's space and time; to act as advocates for children's free play and to educate parents and others about this (see Hart 1976; 1983; Children's Environments, 1992). Playworkers understand the need to set the stage for play and to allow children to write their own scripts.

While I believe that what we really need is an un-planning of the environment for children's play, the realities of the contemporary urban landscape tells us that we do have to create special preserves for children to play (See Hart 1976 and 1983 for a discussion of un-planning the British landscape for children). We should at least involve children in the planning and design of play settings. The Convention on the Rights of the Child calls for children to express their views "freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child". What more obvious than for children to have a say with adults in the planning and design of play facilities, and in the day-to-day running of them. The reason why I like adventure playgrounds so much is that this idea is built right into the concept; at least the concept of what adventure playgrounds were originally supposed to be (Benjamin, 1976).

The so-called "participation articles" are proving to be the most difficult for people in the industrialised countries to interpret. Whether children should have a voice, and when they should have a voice is a very controversial subject, and children's participation in public life is an area that people are really struggling with. The "ladder" metaphor for children's participation has proved useful in helping people think about children's developing capacity to participate so I will borrow from it again here (see page 25) (Hart, 1992).

1. Manipulation

The classic example of manipulation is when one sees children in a parade where they have been given signs to carry but they have had nothing to do with writing the signs and they do not even know why they are in the parade or what the signs say. They may be used for example in a demonstration to prevent a new highway from being built, arguing that it is dangerous to children when the real reason is to maintain local real estate values.

It is common in playground design for adults to ask children to do drawings of what they would like in their playground. The designers take these away, select what they wish and do not feed back the results to the children. They come up with a finished design and pretend that the children designed it.

2. Decoration.

An example of decoration is where you have a conference and the children are dressed up in relation to theme, but again do not really understand what the theme is: another missed opportunity for children.

3. Tokenism

It is very common at conferences for children to be given a voice, perhaps on a panel, but nobody really takes seriously what they say. The children are given little opportunity to prepare for their role and may be dressed up to look cute. People will certainly clap, photographs will be taken, there may even be some tears, but nobody will really take much notice of what the children say.

Each of these examples from the lower rungs of the ladder can have a negative effect on children's democratisation, because the children soon come to see their involvement as a sham.

4. Assigned but informed

This rung of the ladder just achieves what I would call valid participation. This is a very common way that children's advocacy organisations get children to play a role in broadcasting an awareness of the Convention on the Rights of the Child. I have seen thousands of children in the Philippines, Brazil and elsewhere demonstrating for the rights of children and understand that that is what they are doing, even though the whole thing might have been designed by adults. Another example is the hundreds of working children who were organised to bang on doors in the poorer areas of Bombay in order to remind mothers to get their children immunised. This use of children as "social mobilisers", especially for health initiatives, is tricky because it can easily become a cheap way for adults to achieve some social agenda without much thinking about its impact on the acting children themselves. If done well however it can be a valuable first step in getting children to understand their right to have a voice. Although their own voice is not used, it can help them to see that children can play a valuable social role. To be successful in this way, however, it needs to be followed up with opportunities from higher rungs of the ladder.



The ladder of participation

(Taken from "Children's Participation: from Tokenism to Citizenship", by Roger Hart, published by UNICEF, 1992)

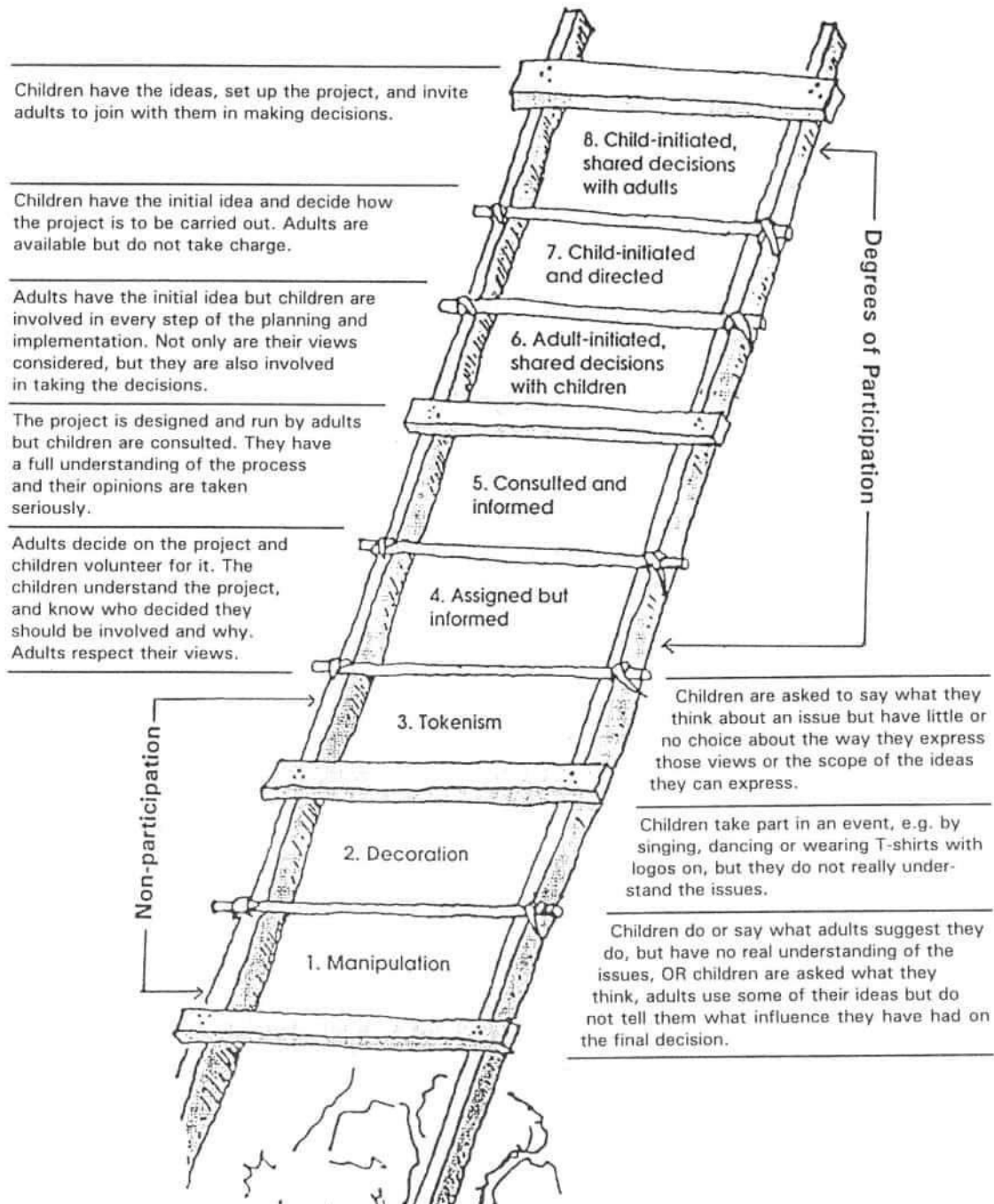


Figure 5

Three dimensional models, like these built on a sidewalk in Harlem, New York, are a particularly effective way for children to articulate their designs for play places.

(Photo: Roger Hart)



5. Consulted and informed

There are many ways for children to be authentically consulted in the design of play environments (Iltus & Hart, 1995) Children should not just be interviewed or asked to make drawings, leaving the designer to disappear and magically produce a play environment which claims to have been designed "with" children. At a minimum, the design process must be made transparent, revealing how children's ideas were used. When there is feedback and the children are involved in negotiation over the design, it can then be claimed to be participatory design.

6. Adult designed: shared decisions with children

This is what we should be doing almost all of the time in our projects. Adults may initiate a project but should set up a frame for collaborative decision-making. We have found that it is particularly effective to use three-dimensional models because it maximises involvement with all ages of participants and increases the degree of negotiation well beyond that possible with drawing (Iltus & Hart, 1995).

7. Child-initiated and directed

Children's "free play" is child-initiated and directed. When the stage is set and there is a rich play environment, free play offers an opportunity for children to collaborate with one another and to design their own activities with a flow of play that works for

them. A few years ago a member of our research group studied the play of emotionally disturbed and intellectually disabled children (Schwartzman, 1988) He found that the teachers of these children, even when they were really trying, invariably interrupted the children's play just when they were about to complete an episode. It is very hard to be a playworker and intervene in children's play without interrupting the flow of that play. The reason I respect the playwork profession so much is the way it tries to often set the scene for child-directed play, responding to children rather than directing them.

8. Child-initiated: shared decisions with adults

The International Journal of Children's Rights reviewed my essay on children's participation and criticised this part of it. The reviewer asks how could I possibly have "shared decisions with adults" at the top of the ladder. My answer is that I do not want children as a separate society. We are trying to prepare children to be participating members of society. There is a naïve wing to the children's rights movement that talks about children's power, and the child's world as separate. This is nonsense. The movement should be about children's rights to have a voice with adults. So often in newspapers one sees pictures of children carrying out some project in the community with a headline like "New Park Built By Children" and the adults pretend that they had nothing to do with it. It is, of course, often patently obvious that it was an



adult-controlled project, thereby making a mockery out of the idea of children's participation. We need to make adults, including journalists, more honest about the different and important roles of both adults and children.

All too often, the most crucial phase of problem identification does not involve children. One very effective way for children to identify problems which they can act on is through acting out scenes from everyday life. I have seen Filipino street and working children use skits with one another as a way of articulating problems in their lives in meetings at the local level and then taking these to regional congresses of street and working children, and finally at the national meeting, to agree upon extremely important issues to present to the Philippine National Congress.

Enabling children to take the lead in transforming the physical environment is a particularly effective way of introducing them to the idea of their taking more initiatives in their lives; for example creating murals on a community building as a way of making it their own is a very simple but concrete, and hence powerful, way to give children more control over their lives. Yet, in the dozens of programs I have seen with street children around the world I only remember one where children had been allowed to take control over a facility in this way, even though "streetworkers" are next to playworkers in their recognition of children's capacities.

In the Bronx where we have worked for the last five years we have some neighbourhoods so dangerous that play has disappeared. This is true of many urban areas in the USA. Many playgrounds are used as drug locations. In many parts of New York, it has to do with the movements of drug dealers and crime. In the West Farms neighbourhood where we have been working for many years the situation became so bad that there were no spaces left for play at all. Only teenage boys, who rigged up milk crates on traffic lights to serve as basketball hoops, had any play space at all. In this area we are helping some fine people take back spaces for their children. We engage with the community to both plan and design these playgrounds.

It has become easier to convince the city government of New York to support this approach, not because of a deep ideological shift in their belief in public participation, but because they have concluded that community participation is necessary to create workable community open spaces.

In the planning phase templates of many kinds are moved about on large neighbourhood maps by parents, teenagers and children in community meetings. These templates express dangers, valued places, possible safe locations and so on. This flexible medium enables a rich discourse between all age groups (Iltus & Hart, 1995). In the design phase, models are built, again by all age groups, and these are shared at the community meetings or on the street or at the site itself in order to maximise the involvement of all age groups in the community. Through debate between the different age groups we gradually arrive at a consensus.

Community gardens are valuable as safe places to build areas for children because adult males are there all day long. The best way to design for children within these community gardens is in model form, in the garden (see figure 6). Children enjoy designing inside the space itself, using natural elements from the space.



Figure 6

Play area design in a community garden in Long Island City, New York.

(Photo: Roger Hart)



Article 31 Action Pack

In some parts of the world, the United Nations Convention on the Rights of the Child is being used as a very effective tool to increase children's involvement in society. In the new democracy of South America for example there are some impressive examples. One of the biggest programs is El Programa Muchacho Trabajador (The Program of Street and Working Children). This is a national movement involving 55,000 children. These children meet in "Alternative Spaces" because the school system is too formal to carry out the program and because many children do not go to school. There they design mini-projects which they then carry out and evaluate. It is a very effective action research program.

Unlike most "environmental" programs with children this is not limited to the same set of "ecological" problems defined by the environmental movement. Children are concerned with many other aspects of their environment and this program empowers them to identify and act upon problems which concern them. For example, I visited children living in San Vicente, a very poor area outside Quito. Because many of the children had to walk an hour and a half to get to their recreation centre, they designed a bridge that would shorten the journey. They then worked with adult members of the community to build the bridge.

In calling for the increased participation of children in community projects be ready for those who will argue that children are losing their childhoods and that we need to protect this by guaranteeing the right to a play world separate from adults and the adult world of planning and decision-making. I am sympathetic to this perspective but I do not see the protection of childhood as antithetical to an improved recognition of the developing competencies of children. I believe that it is in all of our interests to enable children to gradually increase their participation in the communities in which they live. Playwork is more important than just creating opportunities for children's individual development. It is also about enabling children to play a role as competent and responsible participants in the community and larger society. The profession needs more discussion on these big questions. What, for example, are the relative merits of adventure playgrounds versus theme parks, not only in terms of their impact on children but also for the society we are creating? How we answer such questions is, I believe, of great significance for democracy and community in the twenty-first century.

Figure 7

A model of the San Vicente community in Quito, Ecuador and the bridge they built to enable children to use the recreation centre.

(Photo: Roger Hart)



Article 31 Action Pack

References

- Benjamin, J. (1976). *Grounds for Play*. London: Bedford Square Press. The National Council for Social Service.
- Children's Environments. (1992). Special Issue on "Children's Changing Access to Public Places". New York: Children's Environments Research Group, City University of New York. Vol. 9, No. 2.
- Hart, R. (forthcoming). *The Children's Community Participation Handbook: Methods for Involving Citizens Aged Four to Fourteen in Sustainable Development of the Environment*. New York: UNICEF.
- Hart, R. (1983). *Wildlands for Children: A consideration of the values of natural environments in landscape planning*. London: Town and Country Planning Association, Bulletin of Environmental Education. No. 14, Feb. 1983.
- Hart, R. (1976). *Place and play: Transforming Environments*. Milton Keynes: BBC/Open University. Film and programme notes of the same title.
- Hart, R. (1987). *Children's Participation in Planning and Design: Theory, Research and Practice*. In C. Weinstein & T. David (Eds.), *Spaces for Children*. New York: Plenum.
- Hart, R. (1992). *Children's Participation: From Tokenism to Citizenship*. Florence: UNICEF/International Child Development Centre.
- Iltus, S. and Hart, R. (1995). *Participatory Planning and Design of Recreational Spaces With Children*. *Architecture & Behaviour*, 10:4. pp 361-370.
- Katz, C., Hart, R. & Iltus, S. (1990). *The Participatory Design of Two Elementary Schoolyards in Harlem, PS 185 and PS 208*. New York: Children's Environments Research Group.
- Hart, R., Iltus, S. & Mora, R. (1991) *Safe Play for West Farms: Play and Recreation Proposals for the West Farms Area of the Bronx Based Upon the Residents' Perceptions and Preferences*. New York: Children's Environments Research Group.
- Schwartzman, J. (1988). *A comparison of teacher-child play interactions in mentally retarded and non-disabled groups*. New York: Children's Environments Research Group Monograph.

Author's Address:

Roger Hart
Children's Environments Research Group
Graduate School and University Center
City University of New York
33 West 42nd Street
New York, NY 10036 USA



6

Quality playwork: children's rights and playworkers' rights

by Haki Kapasi, PLAY-TRAIN

This is a transcript of a presentation by Haki Kapasi at the at the conference, "Article 31: the child's right to play", held in Birmingham, England on 22 June 1994.

Two weeks ago I was talking to an Asian Playworker who was telling me about her work. She works in a playcentre which is located in a mainly white community. She was telling me about how she has to continually deal with racism in her play project. She is constantly abused by the children and has even been hit by a parent.

She told me that she asks her family to call her a Paki so that she can make herself immune to this word which is frequently used by the children and some parents for her.

Once a five year old white child called her a Paki and she asked him why he had called her that. He replied, "Because I'm not".

From what I saw, this playworker had very little support from her colleagues.

I have talked to playworkers who have been working on temporary contract for up to four years. This means they may do all the same jobs as a Deputy Playworker, for example, but have no rights to maternity leave, sick leave, or holiday entitlement. If they want to take a Bank Holiday they have to accrue time off in lieu so that they don't lose a day's wage.

It is important to be aware of the working conditions in which playworkers operate, and their levels of

awareness and understanding because this will inform the type of play service they provide for the children.

Working conditions

So how do playworkers' work conditions affect children's rights and the quality of play?

A playworker who is unwilling to challenge racism in his or her play project will perpetuate racist language, behaviour and ideas within the children they are working with. So the white five year old boy separates himself from Asian people and already considers he has the right to abuse Asian people because he is white and therefore not a Paki.

A Black playworker who is isolated, and at the brunt of racist remarks and behaviour, either from the children, adults or colleagues, will not be able to utilise his or her full potential when working in a play project.

Playworkers who have never experienced working in a supportive atmosphere will find it harder to be supportive to the children they work with.

Providing a quality play service requires playworkers to have enthusiasm, intelligence, willingness to be exposed to new ideas and to learning about the world and about themselves. Children must also be exposed



Article 31 Action Pack

to new ideas and have the opportunity to learn about the world around them and about themselves.

If opportunities to develop and grow are not available to the playworkers, the service they provide will be limited.

So, as you can see, there is a direct link with the way playworkers are treated and the way children are treated:

- both need encouragement;
- both need room to express themselves;
- both need their rights to be acknowledged and fought for.

If those responsible for the play services are serious about the rights of the children and about encouraging provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity, they must also consider the rights of the playworkers.

No playworker should be in a situation where they have to work extra hours so that they can have a Bank Holiday off. Playworkers who work an equivalent to a full-time job should have paid sick leave and maternity leave.

How can a playworker understand the meaning of children's rights when they themselves have their basic rights denied to them?

Playworkers have the right:

- to be treated equally;
- to be treated with respect and consideration;
- to be encouraged to develop;
- to be given support.

Many roles

Playworkers have many roles. One of their roles is to provide an alternative view of the world. For example to encourage co-operation in the face of a highly competitive society. To encourage anti-racism and anti-sexism in a racist and sexist society.

A playworker who is not aware of these issues, who does not understand their responsibilities, who is not willing to co-operate with other staff members, is a poor example to the children they work with.

Quality play depends on a variety of things.

- It depends on having adequate resources and facilities for challenging play to take place.

- It depends on training opportunities for playworkers.
- It depends on playworkers' basic rights being respected and, where necessary, fought for.
- It depends on the interface between the experiences playworkers have undergone themselves, and the children's own experiences.

Providers, funders and managers of play services need to consider all these things when they consider the child's right to play. Here is another example. Many play services rely heavily on committed volunteers and playworkers working far more than their contracted hours.

Assumptions

This is because managers make assumptions about playworkers;

- they assume that playworkers love their work so much and are so dedicated that they don't mind regularly working twice as much as they are paid to.
- They assume that playworkers don't mind not having a recognised status similar to youth and community workers, teachers, and social workers.
- They assume that playworkers are an extension of the children's carers and will look after children and keep them off the streets.

And unfortunately, many playworkers themselves internalise these assumptions about themselves. Many continue to work over their contracted hours and don't value the work they do.

Playworkers and play managers need to understand that if they continue to make these assumptions, quality play will continue to be a token phrase.

We adults create the world in which children are brought up. We can ensure a quality play experience for children, we can provide an environment in which children learn to express themselves positively. We can enable children to develop and grow up with certain values of creativity, caring, co-operation and equality.

However this can only happen when we recognise the importance of children's play, when we fight for the child's right to play, and enable adults working with children to provide a quality play service.



7 Case studies in children's participation

The following pages contain eight case studies of good practice in children's participation. They cover a wide range of different types and levels of participation, from surveys of play preferences to the selection of play staff.

Case study 1: Participation in Southwark

In play centres run by the London Borough of Southwark's Youth and After School Service children have formed committees, developed complaints procedures and taken part in open discussions with staff in a bid to make play services more responsive to their needs. In an unusual initiative to enable the children's voice to be heard more widely, children from one of these projects, Bessemer Grange Play Centre, were invited to talk about their experiences at a seminar for playworkers held in April 1995 at the National Centre for Playwork Education, London.

At Bessemer Grange, the children's committee is made up of an elected group of older children; it meets with senior play staff once a month. The committee was originally set up in 1992 as part of a campaign against cuts to the play service, but has since taken on a wider consultative role. At the playworkers' seminar, children from the committee stated confidently that their meetings do make a difference. They highlighted improved relationships with playworkers, and also said that the meetings have helped all the children to understand why rules are needed at the play centre. Indeed the children were even allowed to decide how to spend £200 that had been made available for play equipment (they chose a computer). However, in response to a question at the seminar, the children said that they have not (yet) been involved in selection interviewing of playworkers.

Other Southwark play projects have adopted different mechanisms, including termly "talkback" sessions for staff and children and "speakeasies" (anonymous complaints procedures modelled on those used at IBM). In each case, children expect that their views will be heard and responded to. There will be an evaluation of each of the approaches, but one problem is already apparent: how to involve younger or under-confident children. One solution being considered by the After School Service is to recruit representatives from older children, akin to union representatives or advocates, who would speak to staff on behalf of others.

So children in Southwark play centres, as well as exercising their right to play under Article 31 of the UN Convention, are also making use of their right under Article 12 "to express... views freely on all matters affecting them" and for their views "to be given due weight in accordance with the age and maturity of the child."

Giving children a leading role in a prestigious seminar for playworkers shows how playworkers can and should listen to and learn from children, and starts to open up many possibilities for the inclusion of the child's voice in the training of playworkers.

Further information from Yousiff Meah, London Borough of Southwark Youth Service, 1 Bradenham Close, London SE17 2QA. ☎ 0171-525 5229.



Case study 2: The Balsall Heath Project

Background

PLAY-TRAIN invited a group of children from Balsall Heath Park Play Centre in Birmingham to make a keynote presentation at a national conference on Article 31 and the child's right to play. When the conference took place in June 1994, the children's input was acclaimed by delegates as inspiring, ground-breaking and thought-provoking.

Outline of the project

First phase: January-February 1994: Awareness-raising with the children, starting with children's rights in general, then looking at the UN Convention and finally introducing the opportunity for the children to have their say at an important national conference. The children were encouraged to discuss this and make a collective decision on how to tackle the project.

Second phase: March-April 1994: This led to an intensive programme of activities during the Easter playscheme. Activities on the children's rights theme included drama, circus skills, poster design, banner-making, designing work-sheets, card making, badge-making, song-writing and print-making. The children also made a documentary video showing all these activities, and produced their own book on Article 31, including examples of the above work and their own views in poetry and prose. Throughout this period, the playworkers' input was used to stimulate the children and promote discussion, but never to impose views about what the children should be saying.

Third phase: May-June 1994: In May and June the project changed gear as it became necessary to prepare for the conference. This meant increasingly time-tabled and structured activity, and liaison with the conference steering group to build the children's proposed activities into the conference programme.

Fourth phase: the Conference, 22 June 1994: On the day of the conference twelve children aged eight to fifteen participated. Their input consisted of:

- two large banners welcoming delegates to the conference;
- exhibition of art-work on the theme of Article 31;
- a stall where cards, posters, badges and jewellery were sold to raise funds for the play centre;
- presenting each delegate on arrival with a copy of the children's Article 31 souvenir booklet in a hand-printed souvenir carrier bag;
- presentation of a short drama, exploring children's rights in a family situation;
- a demonstration of circus skills;
- a song written and performed by the children;
- a participatory workshop, "the Play Tree";
- a participatory circus skills workshop;
- presentation of the video showing the range of project activities at the play centre over the previous three months;
- meeting and talking informally with adult delegates throughout the day.

In their post conference evaluation, all the children felt it had been a worthwhile project, and that their participation was genuinely valued.

Playworkers' evaluation: What did the children gain from the experience?

They learned about rights, their own and others'. They learned to care more about each other, and to have a better understanding of each other's identity. Also, they gained in confidence, and raised nearly £100 for the play centre from their stall. Most of the work was done with basic arts and craft materials used in normal day-to-day playwork.

Further information from Shashi Bhana, Balsall Heath Park Play Centre, c/o Sparkhill Centre, 477 Stratford Road, Sparkhill, Birmingham B11 4LE. ☎ 0121-449 0706.



Case study 3: Liverpool 8 Children's research Group

The Liverpool 8 Children's Research Group was set up in 1993 to carry out a survey of children's needs in Liverpool 8. The group adopted three key principles:

- children must have a right to participate in the decision-making processes that shape their communities;
- the work would be done in partnership with local community organisations;
- the research must not be merely an academic exercise, but must be linked to positive change for children.

In July 1993, a pilot survey was carried out involving 129 children from Granby and Beaufort Street schools in Liverpool 8, using a survey method called "Priority Search". Priority Search was chosen because it allows the children themselves to decide what issues should form the basis of the survey.

The survey involved five stages:

1. *Planning:* The first stage was to plan the survey process and to decide an "open" question to sum up the aim of the survey. This was, "If we wanted to make a better place for children to live in, what would you like us to do?"
2. *The focus group:* This is a representative sample of the people to be surveyed, who meet to discuss their ideas or solutions to the main question. In this case the focus group consisted of twelve children from each school. The children came up with 38 ideas, which were then used to create the main questionnaire.
3. *The questionnaire:* The children's ideas were all fed into a computer. The Priority Search computer programme produces a special type of questionnaire, in which each idea is randomly paired up with another one three times.
4. *Completing the questionnaire:* The questionnaire was taken to the children being surveyed at the two selected schools. For each pair of ideas on the questionnaire, the children were asked to put a dot on a line between the two to show their preference between them. They also filled in details about themselves to help with analysing the results.
5. *Analysing the results:* Again all results were fed into the computer. The computer programme was able to produce a wide range of information, including overall preferences and the differences, common

themes and similarities between different groups of children (by age, gender, school etc.).

The results

Overall the children's top ten choices were:

1. Camelot/Pleasure Island
2. less pollution
3. more computers
4. roller dome
5. free cinemas
6. no more smoking
7. people to be nice
8. more houses
9. more jobs
10. more school outings

These fall into two main categories: entertainment and leisure facilities (Camelot, roller dome etc.) and social issues (less pollution, more houses and jobs etc.). Comparing the responses of different groups also revealed some different preferences. There were marked differences between boys and girls, and also differences between age groups. Most noticeably the youngest children (7-8 year-olds) chose "more zebra crossings" as their top preference.

Evaluating the pilot

The main strength of Priority Search is that it is a participatory process, where children are involved in deciding the issues and the questions to be asked as well as providing the answers. There are several problems in adapting it for younger children. It proved hard for them to understand the concept of expressing a degree of preference rather than a straight choice between options. The questionnaire may also have been too long for their concentration. Many factors can bias children's choices, such as peer influence, carrying out the survey in school and the children's recent experiences (for example many children had just been on a school trip to Camelot).

The Research Group has learnt a lot from this pilot survey and is now planning a much larger piece of research to promote the voice of children in the decision-making processes that affect their lives and their communities.

Further information from Paul Eyre, Play Officer, Liverpool City Council, 14 Sir Thomas Street, Liverpool L1 6BJ. ☎ 0151-225 2842.



Case study 4: Islington: a child's eye view of adventure playgrounds

Child's eye view 1985

In the summer of 1985, the Play Training Unit made a tape-slide presentation of children talking about their adventure playgrounds, called "*A Kids' Eye View of Adventure Playgrounds*". The aim of the project was to provide:

- an opportunity for children to talk about adventure playgrounds;
- an enjoyable activity for the summer holiday play schemes;
- a learning resource for Islington's *Introduction to Playwork* course and other training events;
- a promotional tool, to promote adventure playgrounds with local councillors and the public;
- an opportunity for Training Unit staff to have direct contact with children and playwork.

Topics

The topics that children were asked about, which formed the structure of the presentation were:

- why we go there;
- what we think of our playworkers;
- things we do and places we go;
- rules and punishments;
- what our parents think;
- how we get on with each other;
- what we wish for our playgrounds.

Method

First we contacted the adventure playgrounds with information about the project and arranged to visit interested playgrounds. The playworkers gave the children information in advance about the visit and its purpose. On the agreed day Play Training Unit staff arrived at the playground with a tape recorder and photographic equipment. The Training Unit staff mingled informally with the children and talked to those who were willing to listen, individually or in groups, about what we were doing there. There were

always other activities going on at the same time, both programmed and free play. We would then interview those children who were interested wherever we were at the time, either inside the hut or outside on the structures.

All children who wanted to be interviewed. In a few cases children asked to use the microphone and camera, and interviewed each other and took photographs. In the editing we tried to ensure inclusion of the different age groups, gender, abilities, race and cultural backgrounds of children using the playgrounds. The tape slide was also converted into a VHS video and has been used on training courses and play events over the years. It has provided a valuable children's perspective on different aspects of adventure playgrounds. Sections of the video were shown at the Article 31 Conference in Birmingham in June 1994.

Child's eye view 1994

In the summer of 1994 the *Child's Eye View* project was repeated on Islington adventure playgrounds. This time we tried to involve children more in the running of the project on their sites. They chose where they were interviewed and photographed, and some conducted their own interviews and took their own photographs. We have already used the tape-slide of this project to promote and argue the case for adventure play to local councillors.

An important aspect of these projects is direct discussion and listening to children on issues of shared importance. Whilst adventure playgrounds provide a unique play experience for children, there are many other types of play provision, so in spring 1995 we will be piloting a similar project at two Islington play centres to produce "*A Child's Eye View of Play Centre 1995*", again involving children in the project and reaffirming Article 31.

Further information from Chris Taylor or Sue Platt, Islington Play Training Unit, Barnsbury Park Complex, Offord Road, London N1 1QG. ☎ 0171-457 5594.



Case study 5: Talking about play

"Talking About Play" is the report of a survey conducted with 176 children (90 boys, 86 girls) in Humberside villages. The survey was carried out by Play Development Workers employed by the Humberside Playing Fields Association.

The aims of the survey were to learn about children's preferences for outdoor play spaces and to do this by recognising children as thoughtful consumers, even "experts" on what they want. We believed that this would reveal more than theoretical interpretations of their needs by adults.

At the pilot stage, children were interviewed in groups, but we found they tended to give either repetitive or competitive responses, and groups could be dominated by individual children. We therefore decided to interview the children individually. All the children were final year juniors from nine different schools. We selected this age group because we thought they would be able to articulate their thoughts clearly yet would not be put off by seemingly "childish" questions. We chose this approach because our aim was not to find the views of children in a specific locality, but to inform the Playing Fields Association, so that they could give better-informed advice on play opportunities in future.

We decided to ask open questions, encouraging the children to speak freely about what they wanted, rather than restricting them to pre-determined choices. The questions asked were:

- When you play outside with your friends, where do you like to play best? (prompt: why?);
- I want you to use your imagination: if you could choose anything you liked, what would be a really nice place for children to play? (prompt: why?);
- What places would you like to play in but aren't allowed? (prompt: what about farmers' fields?);
- Do you have a park or playground near you to play in? Do you go there? (prompt: why?).

Each interviewer explained that the children were being asked the same questions and that they were writing down the answers so that they wouldn't be forgotten. The child's name was not being recorded, merely whether boy or girl. The interviewer and interviewee sat side by side so that the child could see the notes as they were being written. This explanation and an assurance of confidentiality were thought to be important to build up their trust and elicit honest rather than "right" answers.

The answers were analysed by typing up the notes and then looking for trends and checking numerically by putting the interview sheets into piles. This was repeated for each potential trend identified.

Although there were some interesting differences in the answers given by boys and girls, it was found that the similarities were greater than the differences. For example, although no question was specifically asked about trees, they were mentioned spontaneously by 53% of girls and 76% of boys (65% total). The similarity is that the majority of both boys and girls mentioned trees without prompting.

The results showed that the children's preferences were first for trees and bushes, and then for other natural landscape features such as long grass, hilly ground, streams and muddy ground. This was followed by a flat area, usually referred to as grass. Playground equipment came next, but was still important. The manufactured swing was mentioned 27 times, whereas the home-made rope swing was mentioned 35 times.

The team who carried out the work all felt they had benefited from taking part, both professionally in assisting them in their future work, and personally in that those who were parents felt it helped to increase their understanding of their own children.

Reference: Akehurst, A. and Wheway, R., "Talking About Play" (National Playing Fields Association, 1982).

Further information from Rob Wheway, Wheway Consultancy, 59 Craven Street, Coventry CV5 8DS. ☎ 01203 714784.



Case study 6: Using video to find a voice: the Bognor Fun Bus experience

The impetus for the Bognor Fun Bus's involvement with video as a means of young people communicating their concerns was a request by a group of skateboarders for the project's intervention in a local issue. The skaters (ages 13-21) had been attending a local youth centre where they and some of their parents had successfully campaigned for a skateboard facility. They had located sponsorship and materials and had planned and built the ramps.

The Fun Bus had prior connection with the skater group pre-dating the youth club initiative. From our early days we had familiarised children with using video as a normal part of our play activities, so that it was common for them to be using a video camera from age seven or eight upwards.

Skater group involvement came about through their own initiative in accosting a Fun Bus worker in the town and asking for use of the video camera to record their "tricks". After several weeks, further discussion led to a their requesting the use of the bus on Sunday afternoons. This resulted in a regular Sunday afternoon session in the town centre area, with numbers ranging from 8 to 45. They used the bus's facilities, including computer and badge-maker, as well as more traditional play equipment. There was much discussion and continued use of the video by all attending.

Thus video had been not so much a project in itself but a regular and integral aspect of the work. It was the move into the youth centre that gave rise to a specific use of video which the skaters determined as their chosen medium to convey their concerns.

After about six months of involvement with the youth centre, the skaters had begun to articulate grumbles. They felt their use of the club was being exploited. They had to pay more than the regular users just to use an outside area equipped with ramps *they* had built with materials largely provided by their initiative and fund-raising. There was an issue of accountability.

The youth worker in turn found the skaters to be "lippy", unco-operative, challenging of authority, and unmanageable. Being also involved with the group, we at the Fun Bus became repositories of their complaints, and matters came to a head with the banning of one skater, followed by a reported threat to close the facility and sell the skateboarding equipment.

It was then we decided to discuss with the skaters how they should articulate their concerns to the management of the youth centre. They considered various ways of communicating their concerns and decided on a video presentation as a principal means. The reasons were, firstly, their familiarity with the medium as a natural means of expression and, secondly, the need to gain the views of as many of their number as possible and to transmit these to a targeted audience. Video offered a better prospect than committing ideas to paper, or trying to get the management into a meaningful discussion.

The skaters met on the Bus to discuss tactics. They then met to record a discussion about the issues, where as many as wished to attend could be part of the proceedings. This footage was then added to footage taken of the youth centre (now closed to skating) with shots of the items they had built, of lack of maintenance they felt was occurring, and more general footage of skating issues in the town.

From the meeting footage a sub-group nominated by them extracted the main issues which they set down on paper. They then asked us to deliver both video and "points" to the chair of the youth centre management committee, with a request that the management viewed the footage and also allowed two skaters to attend a meeting to state their case and negotiate. We delivered an additional copy to the youth and community service to help overcome initial resistance, and the video therefore played a direct role in enabling the skaters achieve their wish to be heard. This in turn led to an eventual solution including re-opening of the skateboard site, same price entry and access to the general facilities of the youth centre.

Through this experience video emerged as a tool to express and redress grievance by young people. This was possible because Bognor Fun Bus had always treated video as something to be used initially as a play resource. From that informal learning basis, it had been easy for the young people to identify and use video for mature communication.

Further information from Bognor Fun Bus Company Limited, 5 York Road, Bognor Regis PO21 1LW. ☎ 01243 869922.



Case study 7: Children's participation in recruitment and selection: Langley Children's Forum

For children to acquire skills that will enable them to vocalise their needs and wants, we need mechanisms to help them participate and influence how children's services are managed and administered. To help achieve this, Langley Children's Project in Middleton, near Rochdale provides an opportunity for children to get together to discuss, participate and influence services through the Langley Children's Forum (LCF).

The LCF is developing into a confident and articulate group. They have been involved in influencing play and care services on Langley estate and have also started to develop contacts with other children's groups in the region.

To develop the level of children's participation, Children's Forum members have been encouraged to become involved in the recruitment of sessional workers. For a recruitment process in October 1993, two forum members were nominated to the short-listing and interviewing panel. Having obtained permission for them to take part from parents and head teachers, we arranged a training session on Save the Children's equal opportunities recruitment procedure. At this stage the children decided on the questions they would ask at the interviews. They were aware that the questions had to relate directly to the person specification for the job.

On the day of the short-listing the Children's Forum members were introduced to the rest of the selection panel. The adult members had previously been informed of the children's participation. The short-listing procedure was reviewed to ensure everyone on the panel remembered it.

Experience shows that when children's views and opinions are respected and they are given the opportunity to work with adults in a positive way, they will surprise even the most cynical adult. At first it was felt that the Children's Forum representatives might need some assistance, but this patronising thought proved unfounded. They were very much aware of what was required and so it was not surprising that they performed the task better than many adults could have done. They were very conscientious in ensuring the information on the application forms was related to the person specification, and marking the short-listing form accordingly.

On the day of the interviews the children's representatives were confident and calm in their approach. Once again they applied themselves conscientiously to their

role and helped to create a balanced team. The recruitment procedure enabled the panel to conduct the short-listing and interviewing within an equal opportunities framework, so it was not surprising that all panel members agreed on the successful applicants.

This process has now become part of the project's recognised recruitment policy. This is important, not only in developing children's participation in the project, but in developing their self-esteem, social and management skills. Also it is important in enabling adults to work with children in what is seen as an adult activity. Initiatives like this increase awareness of the contribution children can make to their own lives and to their community. The involvement of the Children's Forum in the selection process has helped them see how important they are to the project. It has shown them that the project is not just paying lip service to children's participation and they are not being consulted as a token gesture. By involving the children fully in the project and showing them how important their views are, we hope they will also become involved in other aspects of the estate, as well as getting involved with children's issues locally and nationally.

Children's Forum representative Darryl Herbert adds:

I thought the interviewing was good as you could pick someone you liked. It made me feel that I had my own opinions. I said that a girl as well as a boy should be part of it.

On the day of the short-listing I felt nervous at first, but once I got going it was OK. I felt a bit special because usually other people treat me like a kid, but I was treated as I should have my own opinion. My question was, "How would you react to children fighting?"

On the day of interviewing I felt nervous because I did not know some of the people we were interviewing, but I also felt nervous because I *did* know two of them. I think the right people got the jobs because they could tell us what they would do in different situations and we can trust them. I was glad to be part of the interviewing and glad to be part of the Children's Forum because we can make things happen for children in Langley.

Further information from Stephen McGlinchey, Langley Children's Project, Bowness Road, Langley, Middleton M24 4NU. ☎ 0161-654 7294.



Case study 8: Nunsthorpe School Playground Project

It is often said that children live in a sub-culture of our adult world. The school playground, however, is a place that has its own language and terminology, its own hierarchy, its own systems of justice, punishment and fair play and, more importantly, its own history and sense of continuity. It is totally alien to most adults. Children on school playgrounds do not, therefore, live in a sub-culture of the adult world, but have a rich and diverse culture all of their own. This is something that must be taken into account and respected at all stages of playground enhancement and development.

The Nunsthorpe Infant School Playground Development Project was designed to reflect this belief. The project, which took place in Grimsby in 1994, had four aims:

1. to identify how the children presently use their available space;
2. to promote an understanding of children's play during playtime/lunch-time and identify the play opportunities lacking in the available play space;
3. to prepare an action plan to improve and enhance the outdoor play environment;
4. to prepare a draft playtime policy document.

1. *Playground survey session*

The school playground survey was the first stage in the process of enhancing and developing the children's available play-space. The most significant feature of the project was that the children carried out the first stage of the work, before the staff were involved. A small group of mixed years children with an equal number of girls and boys took part in a survey of their presently available play-space and explored the way they make use of it. The survey was designed not only to identify what kind of games and activities were popular on their playground but, more importantly, where they took place and what they were called.

2. *Staff training session*

Following the children's playground survey, an INSET session was held, attended by all the teaching staff,

supervisory staff and the caretaker. The session looked at the necessity of planning enhancements to the available play-space in the context of the existing playground culture. As with many school staff, the group was surprised to see just how many positive things were happening on their playground that they had not seen before or had not fully understood.

3. *Action planning session*

A working group was then set up, consisting of some of the teaching and supervisory staff, the caretaker and the children who had taken part in the initial playground survey. This group prepared an action plan setting out what they wanted to see in the future, the resources they would need and where they could find them. The group also looked at the causes of playground problems:

- domination of space by one group or activity;
- lack of clear boundaries between activities;
- lack of choice in available activities.

To avoid problems on the playground a method must be found to increase choice, provide recognisable boundaries and prevent domination of a large amount of space. The children showed how they already do this by defining the way they use the available space into natural zones. By identifying these and enhancing them by adding other activity zones, all three problems can be addressed at once.

4. *Playtime policy session*

Finally the same working group met again and prepared a draft playtime policy for the school that would be much more than just a code of conduct. However, this was only a starting point and there is more work to be done in completing and implementing the new policy.

Further information from Marc Armitage, Playpeople, 175 Bristol Road, Wold Road, Hull, Humberside, HU5 5XP. ☎ 01482 563771.



8 Issues in children's participation

Note on terminology: In this discussion the term "participation" is used as short-hand for "participation in decision-making". This is the term used by UNICEF and in Roger Hart's "ladder of participation" (see page 25). This is a different use of the term from the normal sense in which children "participate" in play projects simply as "consumers" or "users".

Why do you want children's participation in decision-making?

Children's participation is often talked about, but seldom effectively implemented. One reason for this may be a lack of clarity about what we are trying to achieve and *why*. Before we look at *how* to promote participation, it is important to understand the reasons why we want to enable children to participate.

1. *The child's right to be consulted and to have their views taken into account*

The starting point must be the child's right, as set out in Article 12 of the UN Convention, to "express his or her own views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child". Securing and protecting this right for the children we work with is the fundamental reason for working towards children's participation in decision-making.

2. *Understanding the child's wants and needs*

Being consulted and participating in decision-making helps children gain a better understanding of their own wants and needs, and how these can be expressed to adults.

3. *Making your provision more responsive to its users*

Children's participation enables whatever service you are providing to meet changing needs, interests and preferences as defined by its users.

4. *Developmental needs*

The developmental needs of children and young people, particularly the need for responsibility, respect and recognition, and for new experiences, can be met in participation activities.

5. *Social and political education*

Participation provides opportunities to acquire and practise the skills of debate, communication, negotiation, individual and group decision-making. It contains within itself the first steps of the political process.

6. *Children as creators not consumers*

Through participation children are encouraged to be active creators rather than passive consumers. Provision of services for children can thus become the agent of social change rather than one of social control.

7. *Participation in the wider society*

Participation in decision-making at the level of a local play or arts project offers the ideal starting point in preparation for participation in all the institutions of the wider society.

8. *Democracy*

Participation in decision-making and in the management of a local project, seen to be open and accountable to its users, encourages democratic procedures and respect for the principles and ideals of democratic life.



The crucial questions

Many attempts at empowering children end in failure and frustration for organisations, workers, and children alike. The most common cause is a failure to think through the process or consider basic issues. In the forthcoming *"Guidelines on Promoting Participation by Children and Young People"* (Children's Rights Office 1995), Phil Treseder identifies twelve crucial questions that need to be addressed and answered truthfully before you start planning for children's participation (these are not in any order of priority):

1. *Where are you now and what are you aiming to achieve?*

To find out children's views, to empower children, or to manipulate or control?

2. *Why do you want empowerment?*

Are you doing it for the right reasons?

3. *What will the children and young people get out of it?*

Will it be relevant to *their* needs? Will it be enjoyable; a positive experience for them?

4. *Are you prepared for the resource implications?*

Do you have the staff time and other resources you will need to undertake the exercise and follow it through?

5. *Why have you not done it before?*

Considering this question will help you recognise the barriers.

6. *Are you prepared to involve children and young people from the start?*

Or will the adults set things up their way and then expect the children to join in when asked?

7. *Are you being honest with children and young people?*

Are there any hidden agendas? Are you being upfront about what you and they can expect from the experience? Is it clear what can and can't be changed?

8. *What are your expectations?*

Are they realistic? If the children have no previous experience of participation, or have experience of being manipulated in the past, have you taken this into account?

9. *Are you prepared to give up some power?*

Are you willing to move from the safety of being in charge to a new, less predictable, situation where you share power with the children?

10. *Are you prepared to take some criticism?*

What if you go for openness and honesty, and all you get is the criticism and complaints the children have previously suppressed?

11. *Do you recognise this is a long term commitment?*

Are you using the exercise as a quick fix to solve a current problem, or does it signal a permanent change in your project's ethos?

12. *Are you prepared to institutionalise the change?*

If it is to be a permanent change, are you prepared to make it a policy issue and write it into your project's rules or constitution?



The barriers to participation

1. *Pre-conceived attitudes*

The first, and often decisive barrier, is the attitudes most of us have towards children. These are expressed in many ways: "They don't have enough experience to make decisions", "They won't behave responsibly", "They can't be bothered anyway", and so on. Those who have worked successfully on participation projects make three main responses to these attitudes:

- we are repeatedly surprised and impressed at children's commitment and responsibility, when genuine participation opportunities are offered;
- while there are some failures, these are more often the failure of the adults involved to structure and support the participation process effectively, rather than the children's failure to participate;
- it is unfair to assume that children should have innate participation skills. They will need ongoing opportunities to develop and practice the skills of responsible decision-making. Every genuine participation initiative is a learning experience for everyone involved.

2. *Old habits*

Organisations usually have a tradition of being run in a certain way. Decisions are made at meetings at a regular time and place. Procedures follow an established pattern that people are familiar with. This pattern forms part of the "culture of the organisation", and this is not easy to change. New ways of reaching decisions may have to be developed, and old power-structures may have to be challenged.

3. *Laziness*

Any move towards children's participation, if it is to be more than a token gesture, is bound to make demands on project staff. It is a lot easier not to bother (and it is always easy to think up a plausible excuse).

4. *Jargon*

Every organisation adopts short-cuts and abbreviations, and uses specialist terms to discuss the details of its work. This use of jargon is a problem for all newcomers, but can be particularly off-putting for children, especially if they lack confidence or are unsure about your commitment to participation. In order to involve children in decision-making you will have to find a language that everyone is comfortable with.

5. *Time and pressure*

Many workers in play and the arts are already stretched to the limit by the demands of their work. Typically they are dealing with increasing financial stringency and budget cutbacks, new legislation such as the Children Act, and conflicting pressures from parents, management and children. There is never a good time to take on a major new commitment.

6. *Short-termism*

Introducing effective participation is likely to take time. It will take a strategic approach over several years to change the established culture of an organisation, and maybe just as long for the staff and children to gain the awareness and skills they need to handle participation confidently. This means there may be slow progress, or even apparent failures in the early stages. If your commitment to participation is at all half-hearted, this may be the excuse to give up.

7. *Parent-power*

Many play projects (especially after-school clubs) are set up to meet the needs of parents, and staff are encouraged to think of parents as their "customers". In some cases they need the fees paid by the parents in order to survive. It may be seen as too risky to take on a new set of demands by starting to empower the children.

8. *Fear*

Involving children in the running of a play project can seem like a step into the unknown. It is hard to predict what will happen. There may be problems or conflicts ahead, and no ready-made guidelines to tell you what to do. It may seem safer to leave things as they are, with a "responsible" adult making the decisions.

9. *Lack of training*

Making participation work certainly requires commitment and initiative. However it also requires a range of specific skills and a proper understanding of the issues involved. Training in participation skills is seldom available, and without adequate training it is no surprise that many are reluctant to tackle such a big challenge.

10. *Lack of vision*

A world in which children are valued as equal members of the community, and where their views are recognised and respected in society, will be a very different world from that in which we now live, and getting there will require tremendous changes. Without a vision of how things can be different, it is easy to lose your way and give up in the face of adversity or opposition.



Tokenism

"Tokenism" is one of the biggest pitfalls facing all participation initiatives. Tokenism covers all those situations where there is some appearance of participation, but it is limited, false or patronising. Common examples of tokenism are:

- holding a consultation exercise, but not giving feedback or discussing the results with the children who participated;
- inviting children to speak at a meeting or conference, but not taking their views seriously;
- setting up a children's committee, but making sure all the important decisions are made elsewhere.

Research by the Children's Rights Development Unit (CRDU) shows that it is tokenism and being patronised above all else that put children off participation.

In planning and evaluating any participation initiative it is important to look, not at the surface show or the public relations advantage, but at whether there is any *actual transfer of power* from adults to children. If the actual transfer of power falls short of the superficial appearance, then the exercise is tokenism. Children will know whether they are being empowered or simply patronised. It will be obvious to them whether the outcomes reflect their wishes or not.

An example of this is where children using a play centre are invited to discuss what the rules should be. This is often done, as it is accepted that people are more likely to abide by rules if they have had a say in making them. However, if the "agreed" rules at the end of the day are the ones the adults want, and the suggestions made by the children have been rejected (or quietly set aside), the children will know straight away that the whole exercise was at best a token gesture, and at worst a confidence trick. It should be no surprise to the workers when they find that the new rules work no better than the old ones.

Age and maturity

Children's intellectual capacity and awareness of others increases as they get older, and so their ability to participate effectively in collective decision-making also increases. The older the group, the more likely it is that they will be offered a chance to participate in decision-making. In the youth service, it is quite common for young people aged fourteen plus to participate in planning and running projects. However in playwork and other work with younger children it

is often assumed that, at this age, children have neither the interest nor the ability to participate, and so no efforts are made to facilitate participation.

This is a harmful assumption, and it needs to be re-examined. Eight reasons for encouraging participation are listed at the beginning of this chapter, and each one of them applies just as much to young children as to adolescents and young adults. Involving younger children in participation initiatives is seen as a problem because it is more demanding on the adults who are facilitating the process. When working with adolescents, it is fairly straightforward to consider them as honorary adults and let them take on existing adult roles (committee member, voter, elected representative etc.). Young people in their teens will have no difficulty in understanding these roles and fitting into them. For younger children, however, these adult-oriented structures will be completely alien at first. To make participation work well for young children, you will have to start from scratch, setting up new structures and processes relevant to their interests and abilities.

Some advocates of children's rights propose that children should have complete self-determination and that projects should be run entirely by children. Others, however, see the ultimate aim as adults and children sharing decisions (see, for example Roger Hart's *"Ladder of Participation"*, page 25). The UN Convention itself says that children's views should be given due weight *"in accordance with the age and maturity of the child"*. While this is a call for all children to have more say in important decisions, it is clearly not calling for full self-determination for younger children. For most of us, therefore, the most practical approach is to look at those aspects of our work where children *should* have more of a say, and set in train the process of making it happen, taking account of the age and maturity of the children involved. We should also look for all kinds of opportunities for children to learn and practice the *skills* of participation and decision-making with appropriate adult support. As the children gain more experience and their confidence grows, their ability to participate in making decisions will grow too. With good support over a period of time, children of *all* ages will surprise us with their ability to participate.

Exclusion

Participation must promote equality of opportunity, and participation initiatives must never *exclude* individuals or groups of children. One of the basic rules for planning any kind of participation is to



ensure that it will *include* all the children who are entitled to have a voice.

The first question is which children have a right to be consulted. For example, does a play project exist to meet the needs of all children in the local community, or does it exist solely for the current user group, to the exclusion of all others? It is all too common for playworkers to identify the *current* users as the ones who should have a say. This can lead to a project becoming more and more identified with one particular group of children, and others finding themselves more and more excluded. For example, if a project is used mainly by boys, consultation with the users will lead to a programme geared more to boys' preferences, and nothing will be done to attract more girls. This will lead to boys increasingly dominating the centre and thus becomes a vicious circle.

On the other hand, if the aim of the project is to provide play opportunities for *all* the children in the community, it is necessary to find a way to consult those who *don't* use the project about why they don't come, and how they would like to see the project change to meet their needs. This requires a different kind of participation initiative.

One group who are very often excluded in this way are disabled children. Disabled children form a part of every community, but often do not attend mainstream play projects. Thus they are never consulted about their needs, and there is never any incentive for projects to change existing policies. Enabling disabled children to have an equal voice should be a priority for every participation initiative.

Even where children are already attending a project, there are many ways in which they can find themselves excluded from participation. One of the most obvious is where only the voices of the most confident (or loudest) children get heard. Unless care has been taken to ensure everyone is included, it is all too easy for the older children's views to be listened to and the younger

children's ignored. Similarly it is all too common that boys will be louder in their demands than girls and, as a result, their needs are the ones that will be met.

Children who belong to minority groups are often ignored. Even where a special effort is made to find out their views, this often takes place in a mixed setting where they feel under pressure to fit in with the majority, and so cannot express their real needs. Most adults will recognise from their own experience that simply being present at a meeting or conference does not imply equal participation if one does not feel secure and confident to express one's true opinions. All children need to feel *secure* and *respected* in order to express themselves openly and honestly, and unless these needs are met they will be effectively excluded from the participation process.

Training for children's participation

The above discussion makes it clear that participation needs to be taken seriously, and that it will place many demands on even the most experienced worker. Participation rushed into thoughtlessly or managed badly can lead to frustration and failure. Many workers who would like to encourage participation are unsure where they should start and where they can get support. Because of this lack of awareness, participation is often left for another day. Facilitating children's participation needs to be seen as a key skill for all those who work with children. Like all professional skills, workers need opportunities to develop their skills in children's participation and, in particular, they need good quality training.

The skills of facilitating children's participation should be introduced as part of the basic training curriculum for all those who work with children in play, recreation, culture and the arts.



9 Guidelines for effective participation

This chapter contains practical guidelines for effective participation. Use these to help plan your own participation initiatives and you should avoid many of the pitfalls. On this page are some suggestions that apply to all forms of participation. The following pages offer additional guidelines for a range of different approaches.

A. Essential guidelines for all participation initiatives

- ☐ **Don't patronise children.** They will always recognise and resent it.
- ☐ Consider the twelve crucial questions before you start (page 41).
- ☐ Watch out for tokenism. Aim for genuine participation.
- ☐ Plan the initiative carefully and allow enough time to carry it through.
- ☐ Aim for a real outcome: a worthwhile change in policy or practice.
- ☐ Give the children clear information on the purpose of the exercise.
- ☐ Participation should be voluntary, not compulsory. Make sure this is made clear to everyone.
- ☐ Keep parents and carers informed of what you are doing and why. Encourage them to discuss it with you.
- ☐ Ensure the language you use is accessible to all participants. Avoid jargon.
- ☐ Ensure no individual or group is excluded.
- ☐ Ensure disabled children can be involved and that appropriate support is available if needed.
- ☐ Ensure the methods and processes you use are appropriate for the age groups you are working with.
- ☐ Give children proper recognition and thanks for their contribution.
- ☐ Always evaluate your participation initiative.
- ☐ Share your ideas and examples of good practice with other workers and projects.



B. Surveys

This section covers initiatives which aim solely to gather information about children's opinions or preferences. This is a limited form of participation, but it is better than none. Surveys are essential to good practice, as all decision-making should be informed by accurate information rather than guesswork, and survey data provide a useful input for other forms of participation.

- ☐ Recognise the importance of accurate information as an essential tool for planning and management.
- ☐ If it is important to get a representative sample of children in a neighbourhood, it is better to go to the schools, which almost all children attend, rather than to rely on attendance at play or youth projects where you will get a self-selected, and generally unrepresentative, sample.
- ☐ However, if you are working in schools, remember that the school environment affects children's behaviour. In school most children work on the principle that you try to say what the teacher wants to hear, rather than what you really feel. Make it clear that your survey is not a school test and you want to hear the children's real views.
- ☐ Also, if you contact children through local schools, remember that many disabled children go to special schools, which may be some distance away. Make sure they are included in your sample.
- ☐ If you don't need a representative group, it may be preferable to contact children through a play project.
- ☐ Give children accurate information on why you are doing the survey and what will happen to the answers they give you. Where appropriate, assure the children of confidentiality.
- ☐ Drawing up questionnaires suitable for children requires careful thought and preparation. Take account of the age, level of awareness and standard of literacy of your target group.
- ☐ Test any questionnaire with a small pilot group, and see if you can improve it before starting your main survey. Better still do two pilots to be sure you've got the questionnaire right.
- ☐ Think carefully about whether you will give children the questionnaire to fill in on their own, or interview them and have an adult interviewer record the results. Giving them a form to fill in is quicker as you can do a whole class at a time. Interviews are very time consuming, but are helpful in working with younger children with lower levels of literacy.
- ☐ Think carefully about what sort of questions you want to ask. Open questions, where children answer in their own words, tend to produce more interesting responses, but the results are harder to collate and analyse. "Yes/ no" questions or tick boxes give you more limited information, but make it easier to compile the results, especially if you want to produce statistics.



Consultation exercises

By consultation we mean a form of participation that goes beyond surveys in actively involving children in discussing the relevant issues. In setting up a consultation with children, getting the *process* right is at least as important as the end product.

- ☐ Children have to feel relaxed and comfortable to participate fully in a consultation process. If possible arrange to meet on their own ground. A play or youth project may be preferable to a school (however, if you feel it is important to get a representative group together, you may still need to work with the schools to set up a consultation group).
- ☐ Plan the process so that children are involved in setting the agenda and deciding what questions need to be asked, as well as providing the answers.
- ☐ Try to shed your preconceptions and listen closely to what the children actually say.
- ☐ Be prepared to accept criticism. Don't get defensive, but maintain the dialogue.
- ☐ Encourage discussion in groups. This enables children to explore different views on an issue.
- ☐ Consider using drawings, models, plans and all kinds of visual aids. These are especially useful when consulting children on the planning and design of play opportunities.
- ☐ Adult facilitators should be experienced in this type of work, good at communicating with children and sensitive to their needs and feelings. Choose your facilitators with care. Children can be involved in choosing suitable facilitators.
- ☐ Plan in advance how you will record the consultation. An accurate record is essential.
- ☐ Make sure you arrange for participants to get feedback on the results of the consultation. It must not be a "hit and run" affair.



D. Planning together

This section covers situations where adults and children work together to plan a project or event. This could be something small like a playscheme disco, or big like a new playcentre building.

- ☐ Involve children in planning right from the start. Establish a policy for your organisation that planning is a joint process involving adults and children together.
- ☐ Don't be afraid of conflicting opinions or different needs. Learning to negotiate and resolve conflicts is a valuable part of the process. The process is itself a learning experience for everyone.
- ☐ Be open and honest with the children about how much power they have. Be clear about what is negotiable and what isn't; what decisions have already been made by adults and cannot be changed. Be careful not to raise unrealistic expectations.
- ☐ The adults involved should be well prepared (and preferably trained) to work in partnership with children. In particular they should understand the implications of giving up some of their power.
- ☐ Be prepared for the process to take much longer than you anticipated.
- ☐ Take account of the attention span of the children who are involved. Don't expect them to participate effectively in long tedious meetings. Make the process fun.
- ☐ Involve children in setting the agenda. Base your planning agenda on the children's needs rather than the adults'.
- ☐ Empathise with the children: Why should they be involved? What's in it for them?
- ☐ Build a team. Incorporate activities that enable adults and children to get to know each other and understand each other better.
- ☐ Make sure you keep your agreements. Don't ever let people down.
- ☐ There must be *results*, otherwise the process will lead only to disillusionment.



E. Meetings and committees: children in management

Some projects encourage children to participate in the management of the project. In some cases children may be members of a regular management committee. They may also be involved in specific aspects of management such as selection of workers.

- ☐ Discuss with children what their role is and what is expected of them. Also ensure they are clear about the purpose of the meeting or committee, who else will be there and the roles of the adults involved.
- ☐ Empathise with the children: Why should they be involved? What's in it for them?
- ☐ Ensure that all the adults involved are fully committed to children's participation. It will only take one or two unconvinced adults to sabotage the whole process. The adults must be well prepared (and preferably trained) to work in partnership with children. They must use appropriate language and avoid jargon. They must listen carefully to what the children have to say.
- ☐ Check that the time and place of meetings does not exclude children from participation. For example it is difficult for children to participate in meetings held on week-days when they have to be at school.
- ☐ Involve children in setting the agenda. Ensure the issues that matter to them get a fair hearing as well as the things the adults want to discuss.
- ☐ Ensure meetings do not become boring.
- ☐ Review the style of formal papers, minutes, agendas etc. Eliminate those that are not necessary and make the essential ones as user-friendly as possible (adults will appreciate this as well as children).
- ☐ Consider how you will ensure the committee hears the views of minority groups, of disabled children, of both girls and boys and of different age groups.
- ☐ If you are setting up a new project, build in children's participation in management from the start.
- ☐ Make this part of your organisation's policy. Institutionalise it by writing it into your constitution.
- ☐ Think of children's participation in management as a long-term commitment. Don't give up if it is hard work at first. Don't expect miracles. Learn from your mistakes and keep trying to improve the process.
- ☐ Best of all, take a completely fresh look at how your project is managed. The processes and systems you are using have probably been set up to suit the way adults like to organise things. Explore the possibility of radical change in your management systems to facilitate children's participation.



F. Day to day playwork

The very nature of play is self-determination. Play is essentially where children themselves take control, so, at the deepest level, the right to play and the right to participate in decision-making are inextricably bound together. At play, children are always involved in making decisions, individually and collectively. It doesn't require special meetings or consultations for this to happen. However there are many things the playworker can do to empower children in their day-to-day play.

- ☐ Always be ready to listen to children's opinions, ideas and feelings. Make a point of listening carefully to the quieter, less assertive and younger children.
- ☐ Give children space to get on with doing their own thing, individually and in groups.
- ☐ Intervene as necessary to challenge children who are preventing others from getting on with their own thing.
- ☐ Encourage and facilitate informal discussion about the running of the play facility, the children's preferences and suggestions, whenever the opportunity comes up.
- ☐ When children make suggestions for events or activities, always respond positively and see what you can do to make them happen. If the children's ideas can't be realised, discuss why this is and see if together you can work out a good alternative.
- ☐ Make sure all the children know that you actively welcome their ideas and suggestions.
- ☐ Provide a suggestion box, graffiti wall or other method for children to pass on their comments and suggestions.
- ☐ Encourage children to evaluate events and activities and give you their considered feedback (learn to accept criticism and don't get defensive).
- ☐ Have an informal children's meeting from time to time. The children should be involved in setting the agenda. This can be a useful preparation for children to have more formal involvement in the management of the project.



G. Special events

Special events include conferences, seminars, lobbies, demonstrations and all kinds of one-off events where children can influence decision-making at different levels. Each event is different so it is hard to give firm guidance.

- ☐ Use the UN Convention on the Rights of the Child as a theme, an inspiration or a launch-pad for your event.
- ☐ Involve children in planning the event from the start.
- ☐ Create opportunities for children to do things their own way; that is to decide what message they want to communicate and how they want to communicate it. This does not mean you simply leave them to it, but that your support and facilitation are sensitive to their wishes. Your role should be to help make happen what the children want, rather than to get them to do what you want.
- ☐ Never use children as decorative pawns in campaigns they do not fully understand. Discuss political issues with children so they can determine their own involvement.
- ☐ Provide opportunities for children to use different media: video, drama, music, poetry, posters and banners, computer-generated audio-visuals etc. Allow for the resourcing and cost implications. For a large-scale event you may have to arrange hire of PA, video projector or other high-tech equipment.
- ☐ Allow plenty of planning and preparation time.
- ☐ Ensure the children have access to the resources and support they need. Where appropriate agree a budget for materials and equipment.
- ☐ Ensure the venue is fully accessible and offers a welcoming environment for the children who will be participating. Catering arrangements must take account of children's needs and preferences.
- ☐ Where appropriate provide expenses for the children involved (paid in cash as needed).
- ☐ If the event will affect school attendance or school work, liaise with the school(s) from the start and ensure all necessary permissions are obtained in good time. Children *can* miss school for an important event, especially if it will be a significant learning experience for them.
- ☐ Get parents' or carers' permission in advance. Ensure they know the nature of the event.
- ☐ Plan transport in advance.
- ☐ Ensure that adults involved in running the event are prepared for the children's participation.
- ☐ Ensure that children participating in an event get full and equal recognition to adults. For example, if contributors' names are listed on a programme or delegate list, this should include children and adults on the same basis.



H. Involving children in evaluating provision

Children, as the users of your provision, should take a lead role in evaluating it. The evaluations of staff and management are of little use without the views of the "customers". In any open access provision, children will tend to evaluate with their feet: that is, they won't turn up at all unless the provision is appropriate to their needs. However, they may not have a lot of alternatives in the neighbourhood, so a good attendance doesn't prove much. In any kind of care provision, where children have to attend, it is even more important to involve them in evaluation and take their views seriously.

- ☐ Be prepared to make changes to your provision in response to the children's evaluation; otherwise why should they bother to participate?
- ☐ Use methods of evaluation that are appropriate to the children's age and maturity. Make the evaluation itself playful. Active and visual methods often work well. Here are some suggestions:
 - Imagine a line running the length of your play space. One end is "absolutely right", the other end is "absolutely wrong", the middle is "not sure". Call out some statements about your provision and get the children to move along the line to the position that shows whether they agree with you or not (e.g. "The workers here always treat children fairly", "There's not much to do here", "no one is ever bullied here"). Make sure you count up the children in each position so you have an accurate record of the evaluation.
 - Work with a group of children to design and draw (or model) their ideal play centre. Make a list of all the ways in which your actual centre is like the ideal, and all the ways in which it isn't (you could do the same with the "ideal" playworker).
 - Set up a number of bottles or jars each labelled with a different aspect of your centre or project (e.g. "friendliness", "excitement", "helpful staff", "equal treatment"). Give each child a handful of beans and get them to put one to five beans in each jar according to how they rate your project.
 - Ask children to do a drawing or painting of "me at the playscheme/centre/club". Discuss these drawings with the children. Listen carefully and find out what is really important to them.
- ☐ Evaluation methods that give you a numerical score (like the jars of beans described above) are useful, not as a judgement of success or failure, but as a way of assessing how things have changed since last time you evaluated.
- ☐ Share the children's evaluation with your management and discuss the implications.



I. Evaluating participation

Every participation exercise or activity should be properly evaluated, so that we can learn from experience and improve practice in the future. The best method of evaluation will depend on the nature of the event or project.

- ☐ Involve children in evaluation. A brief informal discussion is often the most appropriate way to do this. Questions to ask the children might include:
 - did you enjoy being involved?
 - what have you got out of it?
 - what were the problems or hassles?
 - what effect do you think it has had, or will have in future?
 - what do you think of the way it was organised?
 - was it genuine participation or tokenism? (Why do you think so?)
 - what do you want to see happen next?
- ☐ Additional questions that workers may wish to consider are:
 - what has been the effect on the children who were involved?
 - where was the process on the "ladder of participation"? How could it have achieved a higher rung?
 - what effect has the children's participation had on your organisation? Will it influence policy and practice in future?
 - what lessons have been learnt?
 - what happens next?
- ☐ Keep a detailed record of your evaluation.
- ☐ If you agree that your participation initiative has been a model of good practice, make sure you document it and share your experience with others.



10 Using Article 31: Case studies from national organisations

This chapter looks at the work of six national organisations, all of which have been involved in work on Article 31 and the UN Convention.

The International Association for the Child's Right to Play

The International Association for the Child's Right to Play was founded in 1961 to bring together member countries around the world who had an interest in the child's right to play. Today there are members in 37 countries, each of which has a national representative who co-ordinates activities. The Association is still known by the initials "IPA" from its former name, the International Playgrounds Association.

Since Article 31 of the UN Convention on the Rights of the Child declares that every child has the right to play, IPA promotes Article 31 in all the member countries. In many countries there are "model projects" which demonstrate the principle of Article 31, for example:

- In **Hong Kong**, the organisation "Playrights" has developed playgrounds for Vietnamese boat children, to provide play opportunities in overcrowded camps.
- In **India**, schools have been encouraged to consider play as an integral part of the school day and to make better use of outdoor play space.
- In the **USA**, programmes have been produced for prime-time TV putting across the child's perspective on play space and play facilities.

Some interesting facts from other IPA member countries:

- Some **Portuguese** playgrounds are pink, as this stops vandalism by older children.
- **Japan** has playgrounds where junk is an integral part of play activities, but also has the highest child suicide rate of any developed country.
- **United Kingdom** policy-makers are looking to **Belgium** for the day-care model of the future.

- Many countries still look to the **UK** for its particular models of good practice, including well-developed playwork training. So, don't forget, we too should celebrate our achievements.

How IPA can help with implementing Article 31

- You can find information on implementation of Article 31 and on model projects in different member countries in IPA's magazine "Playrights".
- Every member country has a national representative. You may wish to write to them for further information about play projects in Japan, the USA, South America, Scandinavia, India and many other parts of the world.
- National representatives will always help visitors and are often the first point of contact for IPA members visiting another member country.
- "IPA Resources" maintains a stock of books and publications produced by IPA members around the world. IPA Resources is currently based in the UK, hosted by the National Play Information Centre in London.

To join IPA and receive the journal "Playrights", contact the Membership Secretary, Ted Beattie, 17 Ivy Street, Ipswich, Suffolk IP1 3QP.

For more information on the work of IPA in its member countries contact the UK National Representative, Maggie Walker at Kids' Clubs Network, Bellerive House, 3 Muirfield Crescent, London E14 9SZ.

For a catalogue of IPA Resources, contact the National Play Information Centre, 359 Euston Road, London NW1 3AL. ☎ 0171-383 5455.



The Children's Rights Development Unit

The Children's Rights Development Unit (CRDU) opened in March 1992 and has worked collaboratively with a wide range of individuals, organisations and young people to draw up the *UK Agenda for Children*. The Agenda covers the implications for law, policy and practice of all articles of the Convention, setting out changes needed and identifying gaps in current knowledge.

Creating a network of interested organisations and individuals

The Unit drafted a questionnaire which was circulated to all health authorities and trusts, local authorities, key national voluntary organisations, interested academics and professional associations. The questionnaire asked if they were interested in participating in a consultative process and, if so, with which articles of the Convention they were concerned. More than 1,000 questionnaires were distributed in England and Wales, and a further circulation was sent out in both Scotland and Northern Ireland. Several hundred were completed and returned, forming the basis of an extensive network.

Production of consultation papers

As a result of this consultation, fourteen principal themes were identified. The implications of the three underlying principles: non-discrimination, the best interests of the child, and the child's right to be consulted, were also considered in drafting each report.

Having established the central themes, initial research was undertaken to explore relevant law, policy and practice in each area and evaluate it against the standards and principles embodied in the Convention. In some policy areas, interested experts attended a seminar to identify current concerns. Consultation papers were then produced which identified key areas where there was either an explicit breach of the Convention or where there would need to be changes to legislation, its implementation or levels of resourcing if the UK was to achieve full compliance. Action necessary to achieve compliance was identified. The draft papers were then sent out for consultation to every organisation or individual who had expressed an interest in that policy area.

Involving children and young people

The Agenda needed to be informed as fully as possible by the views of children and young people. We approached this objective through two routes.

- With each policy paper that was drafted, we also produced a shorter document, setting out the key rights addressed in the paper and asking a number of questions about how far those rights were respected in practice. When we distributed the papers we asked every participant to use the document as a basis for discussion with any groups of young people with whom they were in touch and to send us details of the results.

- We set up over 40 consultation sessions with children and young people throughout the UK. These groups ranged in age from six to 18 and sought to reflect the wide disparities in life experience of children in different circumstances. For example, some discussions were based in schools or youth clubs, others with young people looked after by local authorities, or who were leaving care, others with young people who were caring for sick or disabled parents or who had been abused, or were homeless. The discussions were wide-ranging and produced a wealth of material which was able to inform and strengthen the analysis in the Agenda, and which is reflected by a selection of direct quotes in the text of the reports.

Support for the UK Agenda for Children

Before publication, each section of the UK Agenda for Children was circulated for consultation amongst key voluntary, statutory and professional organisations, and the final draft was amended to incorporate their comments. The final version of the Agenda was endorsed by 183 different organisations.

Following the publication of the UK Agenda, the CRDU has also produced detailed guidelines for local authorities and health authorities on implementing the Convention, and a training pack on children's participation.

The CRDU itself closed after completing its three years' work in March 1995. However it has been succeeded by the *Children's Rights Office*, with a new, more limited brief to work towards a UK Children's Rights Commissioner, and the *Article 12 Group*, run by children and young people themselves, to campaign for the child's right to participate in decision-making.

Further information from the Children's Rights Office, 235 Shaftesbury Avenue, London WC2H 8EL. ☎ 0171-240 4449.



PLAY-TRAIN

PLAY-TRAIN is an independent charity specialising in training and development for those working with children in out-of-school play settings. Over the last two years PLAY-TRAIN has taken the lead in a number of national initiatives concerned with raising awareness and pushing for implementation of the UN Convention on the Rights of the Child; in particular Article 31, which covers the rights to play, leisure, recreation, culture and the arts.

PLAY-TRAIN's interest in implementing the UN Convention has grown out of our involvement in the International Association for the Child's Right to Play (IPA), starting from our participation in the *World Play Summit* in Melbourne, Australia in February 1993. We saw in Article 31 a powerful tool for raising awareness of children's play and campaigning for better play opportunities. However, on returning to the UK, we soon realised that the level of awareness of the Convention was very low, and hardly anyone in playwork or the arts was actively implementing or promoting Article 31.

To try to change this situation we went on to set up and co-ordinate the *Article 31 Steering Group*, consisting of representatives of:

- Children's Rights Development Unit
- Fair Play for Children
- International Association for the Child's Right to Play (UK branch)
- Islington Play Training Unit
- Kids' Clubs Network
- National Voluntary Council for Children's Play
- PLAYLINK
- PLAY-TRAIN

Working with this steering group, PLAY-TRAIN took the lead in organising the national conference, *"Article 31: the child's right to play"*, held in Birmingham in June 1994. At this conference a group of children were given the opportunity to make the keynote presentation, and this was seen by delegates as a key factor making the conference a ground-breaking event in playwork in the UK.

After the conference, PLAY-TRAIN undertook to compile and edit an *"Article 31 Action Pack"*, which would be not just a conference report, but a practical resource to help everyone working in children's play use the Convention effectively.

The UN Convention is now gaining wider recognition in the world of children's play, but has not yet been given due regard in the mainstream arts world. To address this, PLAY-TRAIN organised a consultation programme involving a wide range of arts organisations and regional arts boards. This led to a consultative meeting in October 1994, followed by a further period of consultation in partnership with Save the Children Fund. This has served to demonstrate the general lack of awareness of children's rights issues in the arts world, and the consequent need for intensive awareness-raising and promotion of the Convention. Our original plan for a *"Manifesto for Children and the Arts"* project has therefore been shelved for the time being.

Our awareness-raising work has been ongoing, and we have written a number of articles on this theme for relevant journals. We have also been invited to present a paper on our Children's Rights work at a conference being organised by the American branch of IPA in Birmingham, Alabama in August 1995. The USA is one of the few countries in the world not to have ratified the UN Convention, and we will be supporting the campaign for US ratification.

PLAY-TRAIN has also undertaken work on children's rights for other agencies. We have carried out a number of training workshops and a research project on children's rights issues in playwork.

PLAY-TRAIN is currently developing a new project to promote national implementation of Article 31 through awareness-raising, networking, advice and information.

Further information from PLAY-TRAIN, 31 Farm Road, Sparkbrook, Birmingham B11 1LS. ☎ 0121-766 8446.



Playday

From its inception, Playday has been concerned with the child's right to play. The poster for the first all-London Playday advertised the draft UN Convention on the Rights of the Child, and pointed out that 1989 was a special year for children's rights as it was the thirtieth anniversary of the original United Nations declaration of the rights of the child, and the tenth anniversary of the International Year of the Child as well as the year of adoption of the Convention by the UN General assembly. The poster could also be used as a snakes-and-ladders game showing the rights gained and lost by children over the years. Whilst working this out we discovered that recently the gains were outnumbered by the losses.

UNICEF UK agreed to their name being associated with Playday because of our promotion of the Convention. Several Playday posters proudly proclaim "UNICEF UK: supporting the child's right to play". In 1990, when Playday raised money for education projects in Mozambique, UNICEF provided display materials for local Playdays, both to promote the Convention and to inform children in this country about the lives of children in Mozambique, including the games they play and the songs they sing.

Playday has sought to publicise not just the UN Convention, but other initiatives around the child's right to play. In 1992 and 93, the national Playday poster advertised the "Charter for Children's Play".

In 1994 the poster explained what Playday is: "A day of children's play events all over the country celebrating the child's right to play". The Playday steering group is clear that this is what Playday is about and, whilst different themes are emphasised each year and local Playdays promote issues of special interest in their own area, the child's right to play remains both the rationale behind Playday and the heart of Playday's message.

Around the country at different local Playdays, people have used the day for their own needs; for example celebrating Article 31 by the opening of a new play facility, or campaigning against cuts to children's play and leisure facilities.

At the Playday workshop at the Article 31 Conference in Birmingham, we asked three questions, and received the following answers:

1. *How can the rights of the child be interpreted through individual playday events?*
 - promote existing play facilities;
 - emphasise play as a right;

- raise awareness of the need for year-round provision;
 - lobby Councillors (and let children get involved in this);
 - give the child's right to play a high profile in Playday publicity.
2. *How can we keep Playday and what it stands for in high profile throughout the year?*
 - keep the theme running throughout the year and celebrate at the end;
 - keep in contact with local groups;
 - evaluate Playday events straight after;
 - organise around International Playweek;
 - seek recognition for an International Year of Play;
 - improve media and press coverage.
 3. *How do people ensure that their Playday events reflect children's needs and wishes?*
 - avoid making ill-informed assumptions;
 - involve children in the planning process;
 - get children's ideas on how to interpret the themes;
 - have a graffiti board for suggestions at Playday events;
 - talk to children - and listen to them;
 - give the children more responsibility.

We now need to consider how children can have their own voice at Playday, so that they themselves demand their rights under Article 31, instead of adults talking for them. An example of this would be for children to take councillors, MPs or funders around Playday events, instead of playworkers doing it.

At local Playdays organisers have used the space to promote children's rights in general and sometimes the UN Convention. Activities such as "the Tree of Rights", "What Children want from Adults" and "Our Playspace" have given children access to information about their rights, and given them a chance to get their views across.

By organising Playdays across the country, local Playday organisers are playing a leading role in implementing Article 31. More important, however, is what Playday is: a celebration of the child's right to play.

More information from Kim Holdaway, Playday Steering Group, Islington Play Association, West Library, Bridgeman Road, London N1 1BD. ☎ 0171-607 9637.



The Charter for Children's Play and Article 31

The "Charter for Children's Play", first published in 1992, bridges the gap between Article 31 and the policy statements of the members of the National Voluntary Council for Children's Play (NVCCP). The Charter sets out a shared vision for children's play and a programme of action spelling out who should be doing what to make the vision a reality. The Charter has ten sections:

- children
- parents
- play for all
- safety
- services
- neighbourhood play
- schools
- after school and holidays
- special situations
- education and training for playworkers.

The full text of the Charter is in Appendix D of the *Article 31 Action Pack*.

The Council is a strategic alliance of national voluntary organisations who have been working together to promote children's play since 1988. The voluntary sector is a major provider of play services, a powerful advocate on behalf of children and makes a vital contribution to the development of our communities.

The Charter for Children's Play has been endorsed by all thirty members of the Council. This makes it a powerful campaigning tool. The Charter has been used to back local campaigns for better play. Because the Charter sets out a clear vision for children's play it is also proving invaluable as a guide for policy development and for service provision.

The Charter has been adopted by over sixty local authorities in England and Wales who have used it as a framework for the development of their own tailor-made play policies. The National Voluntary Council for Children's Play want to see every local authority adopt the Charter: county, district, metropolitan and parish councils. Schools are beginning to adopt it too.

More and more play associations are also adopting the Charter.

For information about which local authorities have adopted the Charter, for advice on how to make the Charter for Children's Play work for you, and for copies of the Charter booklet and poster, contact the National Voluntary Council for Children's Play, 359 Euston Road, London NW1 3AL. ☎ 0171-383 0330.

The members of the National Voluntary Council for Children's Play are:

Action for Sick Children
British Association for Early Childhood Education
Child Accident Prevention Trust.
Children's House Society
The Children's Society
Fair Play for Children
HAPA
Hospital Play Staff Examination Board
Institute of Leisure and Amenity Management
International Association for the Child's Right to Play (IPA) UK
Joint National Committee on Training for Playwork
Kids' Clubs Network
Methodist Church Division of Youth and Education
National Association of Hospital Play Staff
National Children's Bureau
National Council for Voluntary Childcare Organisations
National Early Years Network
National Playbus Association
OMEP (World Organisation for Early Childhood Education)
Parents at Work
Play Matters (National Toy Libraries Association)
Play For Life
PLAYLINK
Pre-School Learning Alliance
Save the Children Fund
RoSPA
YMCA National Day Camps



Fair Play for Children and Article 31

Fair Play for Children was established in 1972 specifically to campaign for the child's right to play. That right has had various expressions including the *UN Declaration on the Rights of the Child*, and more recently in *Article 31* of the UN Convention.

Fair Play is therefore a campaigning body (with an allied charitable trust) whose membership broadly reflects a range of play activists, local play organisations, and others in support of its objective to campaign for the child's right to play.

Over the years it has provided advice, information and training in a range of play-related matters. It also has long-standing policy objectives:

1. The encouragement of inter-organisational liaison and co-operation on play issues amongst the national voluntary agencies with an interest in Play. Fair Play's initiative in 1986 led eventually to the establishment of *The National Voluntary Council for Children's Play* and that forum's initiatives such as *The Charter for Children's Play*.
2. Encouraging networking between activists and delivery organisations at local level. "Network coordinators" have been recruited to enable this, so that existing networks can be drawn into a nationwide nesting of networks, and new networks created where needed. Eventually, Fair Play hopes that, with the co-operation of bodies such as NVCCP and its membership, a national "PlayNet" can be developed.
3. Developing specific services such as its current "Child Protection in Playwork" initiative. The origins were in the needs of play organisations to ensure the protection from harm of children whilst in their care. A pack based on local good practice was published and is now being revised, and an information and advisory service is being established.

4. Fair Play has a commitment to equal opportunities for children in play and has published a model statement. This embraces equal opportunities, not only between all children, but also between children and adults. In particular, children should have equality of access to resources for culture, recreation and leisure. In the *"UK Agenda for Children"*, published by the Children's Rights Development Unit, Fair Play provided much of the background material on this issue.
5. We have also, over many years, called for greater liaison between the government and the play world on policy matters, and also for a lead officer to be identified in the Department for National Heritage (DNH), as the lead government department for children's play issues. Recent policy announcements from the DNH have set the scene for progress on both these objectives.

Fair Play for Children also has a wider concern for the child's play environment which it believes has been eroded in the past decades. A major contributory factor has been the encroachment of the car into community space which was formerly available to children. Another concern of parents is the fear of harm to their children, and the associated issue of alienation from community. Fair Play plans to develop a "Freedom to Play Campaign", with specific ideas such as a change in road traffic legislation to allow residents in certain streets to petition for a change in priority from vehicles to pedestrians.

A developing concern is the incidence of children being harassed at play by neighbours in their communities; a major cause of complaint to the police and local authorities. Issues such as the child's right to freedom of assembly and to expression of views are involved as well as the right to play.

Information from: Fair Play For Children, 5 York Road, Bognor Regis PO21 1LW. ☎ 01243 869922.



11

Article 31: the role of the arts and culture in children's play

This chapter is based on the workshop, "Article 31: Promoting the arts, culture and self-expression in play settings", led by Grace Welch and Haki Kapasi of PLAY-TRAIN at the Article 31 Conference in June 1994.

Article 31 establishes every child's right to participate freely in cultural life and the arts, and calls for the provision of appropriate and equal opportunities for cultural and artistic activity for all children. At a time when playwork is more often linked with the world of sport than with culture and the arts, it is important to promote the vital role of playwork in implementing these basic rights.

"Culture" in this context, can be understood as a set of *shared* values, norms, expressions, traditions, myths, history and language. The value attached to culture is often stronger in a minority group or community which experiences oppression within a dominant culture.

The right to participate freely in cultural life and the arts clearly means more than art classes in schools and

colleges. It means that children should be able to use all kinds of artistic media as creators, not consumers, in informal and community settings, and that these settings should recognise the range of different cultural backgrounds of Britain's children. Play projects offer a unique setting for children's artistic and cultural development to flourish, because they provide a child-centred environment, responsive to the child's need for self-expression and, at the same time, form a vital part of the community in which the child is growing up. Every out-of-school play project has the potential to become a community arts centre for local children.

To help achieve this aim, the "arts and culture" workshop group produced the guidelines on the following pages for both playworkers and play service managers.



Using the arts in play settings to promote self-expression: guidelines for playworkers

Self-expression implies control of what you want to express, self-exploration and getting in touch with feelings, both negative and positive. To promote self-expression, playworkers can:

- ☐ recognise and show appreciation of the *effort* involved in creative activity for its own sake;
- ☐ break down boundaries and pre-conceptions about what "art" activity might be: drama, music, painting, den-building, re-creating the environment, dance, tactile experiences etc.;
- ☐ encourage children to break down stereotypes through understanding of each other's cultures;
- ☐ help children use role-play as a form of drama to explore issues and feelings;
- ☐ introduce *themes* to inspire and motivate children;
- ☐ organise creative activities in celebration of community festivals;
- ☐ promote and encourage song-writing, chants, rap and poems, action songs and dance; all of which can be powerful vehicles for children to express themselves and explore both issues and emotions.
- ☐ In summary, the role of the playworker encompasses many things. To promote the arts in play settings the playworker should:
 - listen to children;
 - believe in the children;
 - provide opportunities;
 - provide resources;
 - enable;
 - encourage;
 - support;
 - share enthusiasm;
 - communicate;
 - facilitate;
 - *be* with children.



Promoting arts in the play setting: guidelines for playwork managers

Too often it is left to playworkers to set the direction for what happens in play projects. Managers and play organisers can play a more active role in promoting the arts and cultural expression. For example they can:

- ☐ provide funds and help projects to access new sources of funds;
- ☐ provide materials and equipment, possibly using a central resource centre or depot for local play projects;
- ☐ organise training, not just in arts and craft skills, but in planning, developing ideas, cross-disciplinary and multi-cultural work;
- ☐ organise arts training for volunteers as well as paid staff;
- ☐ organise consultation and networking around the development of arts programmes in play services;
- ☐ develop organisational *policy* to include arts programmes in play services;
- ☐ ensure children are included as a priority group in local authority arts funding criteria;
- ☐ write job descriptions and personnel specifications that recognise the importance of arts skills and arts awareness, so that this can be given priority in the recruitment and selection of playworkers;
- ☐ develop equal opportunity action plans that commit play projects to promote and celebrate cultural diversity, and allow for the implications of change;
- ☐ improve the facilities and accessibility of play projects, enabling them to function effectively as arts centres for local children;
- ☐ organise tours, residencies and other involvement of professional artists in play settings;
- ☐ improve communication channels with play projects, parents and communities;
- ☐ build links and partnerships between play services and other statutory and voluntary arts agencies including libraries, theatre and dance companies, galleries, arts centres, community arts projects and regional arts boards;
- ☐ take a creative approach to issues arising from differing cultural values and beliefs;
- ☐ document and circulate examples of good practice.



12 Action on Article 31

This chapter contains guidelines on using Article 31 as a tool for play development and a resource for campaigning on the right to play. The following chapter contains detailed guidelines for local authorities on implementing Article 31 in policy and practice.

A. How to get local authorities and voluntary agencies to adopt the Convention

- ☐ First of all, find out if your local authority has already adopted the Convention. Keep making enquiries until you get someone to give you a definite answer. You can also check with the Children's Rights Office (formerly the Children's Rights Development Unit) to see if your authority has registered its adoption of the Convention (see Appendix F: Useful addresses).
- ☐ If your local authority *has* adopted the Convention, find out what they have done about it and move on to section B.
- ☐ Talk to the local authority officer responsible for play, recreation or the arts in your area. Find out if the authority is aware of the Convention and whether the officer is willing to take up the adoption issue within the Council.
- ☐ Contact the Children's Rights Office for information on the Convention Adoption Campaign. They have already written to all local authorities several times over the past three years, but some have continued to ignore the Convention (see Appendix F: Useful addresses).
- ☐ If you can't get anyone in the Council to take up the issue seriously, form an action group and organise a campaign. Be sure to give children and young people the chance to take a leading role in the campaign.
- ☐ Introduce the UN Convention and the child's right to play as a theme for creative work in your play project. In this way children will gain a better understanding of the issues and will be able to make their own minds up, avoid being manipulated and take a more informed role in the campaign.
- ☐ Join up with groups and individuals concerned with other aspects of children's rights, e.g. in health, education, residential care and juvenile justice.
- ☐ Stage events and demonstrations that will draw attention to the authority's failure to adopt the Convention. Send press releases to local papers, radio and TV about your campaign. Ask questions like "what have they got to hide?".
- ☐ Write to local Councillors or, better still, go along to their surgeries to make your case.
- ☐ Once you have a sympathetic contact in the Council, keep phoning or writing to ask how things are progressing. Don't let them drop it till you get a result.



B. How to get local authorities and others to implement the Convention

- ☐ First try to get your local authority, or any voluntary organisation you work with, formally to adopt the Convention (see section A). This greatly strengthens your case in pressing for implementation.
- ☐ Involve children and young people in a survey of local play and youth facilities. Carry out your own audit of local facilities to see if they meet the requirements of the Convention. For more detailed guidance on this see Chapter 13: "Implementing Article 31, Guidelines for Local Authorities", and also Appendix C.
- ☐ Draw up a list of the instances where your authority has breached the Convention or failed to achieve the minimum standards required. Also identify any areas where you are unable to get enough information to determine whether the Convention has been breached.
- ☐ Depending on local circumstances, there are broadly two ways to challenge inadequate provision. One way is to organise a campaign around your full list of breaches and failures, and call for a comprehensive review of your local authority's policy on the child's right to play. This means embarking on a long-term campaign, but it can eventually lead to major policy changes and improvements in local provision.
- ☐ Another approach is to identify one or more priority areas where you want to see immediate change. Use the Convention as a lever to press for action on your priority issues. If you can get the authority to take action on one issue, this will strengthen you in pushing for further and more far-reaching changes in future.
- ☐ Whatever approach you take, use all the lobbying and campaigning methods described in section A above:
 - form alliances;
 - organise events;
 - write to the papers;
 - lobby Councillors,;
 - try to win over council officers;
 - involve children and young people;
 - *keep up the pressure.*



C. How to get involved in using the Convention to campaign for play at national level

- ☐ Write to the Department of Health for free copies of their excellent "Guide to the UN Convention" (see Appendix F: Useful addresses).
- ☐ Write to your MP expressing your grave concern at continuing failure to implement the Convention. Give specific examples from your own area. Better still organise a day trip to London for your project (staff, parents and children) and make an appointment to see your MP at the House of Commons to discuss the issue of implementing the UN Convention.
- ☐ Join the International Association for the Child's Right to Play (see Appendix F: Useful addresses).
- ☐ Write to the Children's Rights Office and find out how you can support the campaign for a Children's Rights Commissioner (see Appendix F: Useful addresses).
- ☐ Write to the National Voluntary Council for Children's Play and find out how you can endorse the "*Charter for Children's Play*" (see Appendix F: Useful addresses).
- ☐ Join your local "*Playday*" group (or if there isn't one in your area, start one up). Organise a Playday in your area, and link up with Playday throughout the country (see Appendix F: Useful addresses).
- ☐ Get yourself on the PLAY-TRAIN free mailing list for regular updates and information-sharing on action and events around Article 31 (see Appendix F: Useful addresses).
- ☐ Involve children and young people in all these initiatives.



13

Implementing Article 31: Guidelines for Local Authorities

These guidelines are based on relevant chapters of "Implementing the UN Convention on the Rights of the Child: Developing Local Authority Policy and Practice", available from the Children's Rights Office.

Using the UN Convention on the Rights of the Child

Why use the Convention as a basis for local policy and practice?

- Rights promote a positive self image for children and young people;
- Rights are universal and non-stigmatising;
- The Convention is all encompassing and relevant to all service provision;
- The principles and standards in the Convention are internationally agreed, ratified by the Government and incontrovertible;
- Widespread use of the Convention's principles and standards promotes consistency, continuity and better inter-agency working;
- Planning and providing on the basis of rights results in equitable targeting of resources;
- Respecting the right of participation and consultation leads to more effective service provision;
- Ratification by the Government has obliged it to work towards full implementation.

Local authorities provide a wide range of services and facilities which affect children and young people. They are responsible for ensuring a safe, healthy environment in which children can live and grow; supporting children and their families; caring for those unable to live with their families; providing and supporting education; providing leisure and out-of-school

activities; supporting children in trouble with the law and ensuring protection for all those who need it. They have to plan and provide services taking into account the often conflicting demands of statutory responsibilities, government guidance, the needs of the local people, limited resources, commercial development and an uncertain future.

Ensuring that all children and young people have access to the services they need requires that authorities have a co-ordinated approach to planning and development. But, in general, no specific department has responsibility for overseeing all services for children and young people. Different needs are addressed by different departments and as more services are contracted out to a variety of service providers there is more fragmentation and even less opportunity for a holistic approach. Many local authorities find regular communication between departments difficult to instigate. Inter-agency communication can be even more problematic. As a result policies affecting children and young people are often uncoordinated and unable to meet real need.

Whilst much provision is governed by statute local authorities still have considerable discretion in the scope and nature of services they provide. Effective local planning needs to be based on a consistent, comprehensive set of principles and standards. These standards need to be universally applicable and relevant to all those who may be involved in decisions or actions which might affect children and young people. The UN Convention on the Rights of the Child provides such a set of principles and standards.

Children are the most vulnerable group in society. They have no voting rights and therefore no formal avenues to exercise power. They can only experience



change through the actions of adults. Adults in positions of responsibility and authority therefore have a duty to ensure that the rights of children and young people are respected.

Auditing local policy and practice

Annual Implementation Report

This might require each local authority department to:

1. State target indicators to have been achieved in previous twelve months in each local authority department.
2. Give brief description of how monitoring has been undertaken.
3. Describe progress in reaching targets.
4. Describe benefits to children and young people.
5. State targets for increasing implementation over next twelve months.
6. Outline longer term goals and proposals.
7. Make the Annual Implementation Report accessible and available to children and young people:

Local authorities are increasingly required to account for their actions both to local residents and to the Government. In relation to services for children and young people they are expected to produce Children's Service Plans, Children Act Reviews, Community Care Plans and disability registers. Many local authorities also produce annual reports. In order for these plans and reviews to be realistic, careful auditing of current provision and local need must be undertaken. A commitment to children and young people could be illustrated through an annual progress report on local implementation of the Convention which can act also as a common framework on which to base other reports required by law.

Successful auditing relies on the existence of measurable targets, indicators and standards. Developing standards based on the Convention serves the dual aims of supporting and promoting the rights of local children and young people and providing service to standards which not only implement but often exceed those required by legislation. Implementing the Convention at local level does not necessarily require extra money but can result in better use of existing resources.

As the standards in the Convention are so wide-ranging, full implementation should be seen as an ongoing process with regular reviews and monitoring. This section offers some suggestions on which to base local targets and development strategies. Some of these can be achieved quickly and without major changes. Others will require greater planning and re-organisation. Local authorities will need to set their own priorities and specific targets. These could be based on the *checklists for implementation* provided here.

Implementing the Convention

Priorities for implementing the Convention

1. Designate a Corporate Children's Services Officer.
2. Designate departmental Children's Service Officers.
3. Develop local structures for consulting with children and young people.
4. Develop training programmes, advice and support for local authority staff.

Many local authorities are now using the Convention to inform their policy and practice. Some are nominating designated officers, located in the Chief Executives Office or in the social services department, to oversee and advocate for children and young people in all local authority policy development. Some are requiring each department to designate a named officer with responsibility for liaising with other departments and overseeing the interests of children and young people in policy development.

Crucial to the implementation of the Convention is consultation with children and young people. If this is to be successful some time and energy needs to be put into creating suitable local structures and locating suitable people and organisations to conduct consultations. For example it may be necessary to work with local youth groups, schools, playschemes and other children and young people's organisations and to employ people who are skilled at communicating with children and young people in different circumstances. Sometimes it may be more appropriate to work with people not directly employed by the authority.

The whole concept of rights-based services is new to many people and local authority staff in all departments may need training, advice and support in order to give their work a more child centred focus. Preparing now for the future, by allowing staff the time and support to embrace the concepts in the

Convention, and allowing time for policy makers, planners and practitioners to develop their own targets and strategies, in conjunction with children and young people, will have long term benefits as well as ensure better, more efficient service provision.

Corporate planning

■ All corporate planning needs to take account of the rights of children and young people to be free from discrimination; to always have their best interests considered; to services of agreed standards; to have their views taken into account; to special provision if they are disabled and to practice their own language, culture and religion (Articles 2, 3, 12, 23 and 30).

Local authority planning effects children and young people in many ways. There are specific requirements to publish Children's Service Plans, Children Act Reviews and Community Care Plans and general requirements to develop corporate strategies for the whole population. Although social service departments have the lead role in developing plans specifically relating to children, if the standards in the Convention are to be met, these plans and reviews need to involve all local authority departments as well as local health services and voluntary organisations. For example comprehensive Children's Service Plans can involve planning departments, town planners, technical services, transport planners, education authorities, schools, play and recreation departments, social services, health services and community organisations.

Corporate strategies must also address the specific needs of disabled children including, for example, physical access, availability of different forms of communication and transport and the need for adequate resourcing for supervised day care, play, leisure and after-school facilities. There must also be adequate levels of support and funding for voluntary organisations to ensure that they are able to develop effective child-centred policies which are both monitored and evaluated.

In order to meet the standards in the Convention and ensure that planning takes account of the needs of all children and young people, Children's Services Plans, Children Act Reviews and Community Care Plans need to be based on joint service planning between all local authority directorates outside agencies. Other corporate strategies need to be cross referenced to these plans and reviews.

■ The rights in the Convention to participation, provision and protection are the rights of *all* children and young people (Article 2).

Local authorities have a duty to respect and ensure all rights in the Convention, for which they have a responsibility, for all children and young people without discrimination on any grounds. At present, however, there are children and young people who are unable to exercise their rights fully. Local authority policy and planning must, therefore, aim to ensure that those children who are most disadvantaged, for example because of poverty, racism, disability, sexuality, immigration status or family situation are able to enjoy all the fundamental rights in the Convention.

At present children in families with low incomes, living in deprived areas are more likely to have poorer health, a poorer educational record, fewer opportunities for play and leisure activities, a poorer crime record and a greater likelihood of being taken into care. Children from black and minority ethnic groups are more likely to have parents who are unemployed or low paid and to experience homelessness or poor quality housing. The services that they do receive will often fail to address their cultural and religious needs. Children in Gypsy and Traveller families are more likely to have trouble gaining access to health, education, leisure and social services. Disabled children are often excluded from mainstream schools, mainstream play opportunities, integrated day care, and cultural opportunities available to other children. Children caring for sick or disabled adults often have difficulty obtaining services and exercising their rights to education and leisure activities.

Promoting rights for all can be facilitated through effective, adequately monitored equal opportunities policies which expressly consider the needs and rights of children and young people from different social and economic groups in all local authority planning and strategy development.

■ Local authorities have a duty to consider the best interests of children and young people in all policy development and planning (Article 3.1).

The importance of a best interest principle is widely recognised in child welfare and the Children Act 1989 ensures that the welfare of the child is the paramount consideration when decisions about day-to-day care are being made. However there is no such provision in other legislation and local authorities frequently make decisions which have a major impact on the lives of children and young people with little or no reference to their needs or welfare. Given that the vast majority



Article 31 Action Pack

of decisions taken by local authorities will affect children and young people in some way, it should become standard practice to consider the effects on them and their rights.

Ensuring the best interests of children are a primary consideration in all decisions which might affect them could be achieved through high profile, children's rights impact statements as an integral part of all local authority policy documents.

■ **Local authorities must ensure that all services and facilities are provided to agreed standards of safety, health, staffing and supervision (Article 3.3).**

There are standards agreed by competent authorities for almost all areas of service provision affecting children and young people. Some are published by the Government in the form of guidance, some by professional bodies and others by voluntary organisations. However, there is often little or no monitoring of the use of these standards and sometimes disagreement between service providers and planners as to their status. As a result services and facilities are often inconsistent and staff inadequately trained.

Ensuring that all services and facilities for children and young people conform with standards agreed by competent authorities requires corporate planners to have a wide-ranging knowledge of standards that exist, agreement as to which are to be enforced and clear statements of how they are to be applied and monitored.

■ **Children and young people have the right to express their opinions and to have them taken into account in any matter or procedure affecting them (Article 12).**

The Children Act 1989 places an obligation on local authorities to consider the views of children when making decisions concerning their welfare. However, the principle is absent from all other legislation, much of which directly affects children. Local authorities in England and Wales are now required, under the NHS and Community Care Act, to consult with local communities, users and service providers about plans for future services. Although this requirement does not explicitly include children, implementing the Convention means consultation should be extended to them.

Ensuring the right of children and young people to express their views on matters which affect them requires that

there are formal systems in place for seeking and considering those views.

■ **Disabled children and young people have the right to appropriate care and support and to facilities and services which enable their fullest possible social integration (Article 23).**

In order to ensure the best possible services for children and young people with disabilities and learning difficulties, co-ordinated planning between different local authority departments and outside agencies is crucial. Without it there is a danger of even greater fragmentation of service provision, as direct local authority provision is reduced. Also all policies and plans must be scrutinised for their ability to enhance the possibilities for these children and young people to take an active part in local community life.

In order to ensure that the rights and needs of children and young people with disabilities and learning difficulties are adequately met, equal opportunities policies and child impact statements must recognise that the needs of children with different disabilities and of different ages are different from each other and from adults. They must also recognise the right of disabled children to participate in integrated social, recreational, cultural and educational activities.

■ **Children and young people from indigenous and minority communities have the right to enjoy their own culture and practice their own religion and language (Article 30).**

This Article is of particular significance in the UK where there are many different minority ethnic communities each with their own language, religion and culture. In Wales it is particularly important for those whose first language is Welsh. Language and culture are an integral part of everyday life and must be acknowledged and recognised at home, school and in the community. In the provision and development of services consideration must always be given to the language, cultural and religious needs of all local children and young people.

Ensuring that children and young people from indigenous and minority communities are able to practice the language, culture and religion of their choice requires that corporate planners have an in-depth knowledge of their local communities.



Corporate planning: checklist for implementation

How can you ensure that your authority's equal opportunities policy specifically address the rights of children not to be discriminated against, in line with Articles 2 and 23? For example you could:

- ☐ regularly monitor the effect of your equal opportunities policy on children, in particular with respect to disability, ethnicity, culture, religion and gender;
- ☐ set targets for service provision which ensure that sufficient resources are available to guarantee that no children are discriminated against in their access to services and facilities;
- ☐ undertake ethnic monitoring to ensure non-discrimination in service provision. Monitor, for example, languages spoken in schools, numbers of refugee children requiring services, children from different social, economic and ethnic groups attending play-groups and participation in recreational activities and youth services;
- ☐ monitor the experience of disabled children and their families in relation to the quality and availability of the help and support you offer.

What structures and procedures are you introducing to ensure that the best interests of children and young people are always considered in policy and planning, in line with Article 3.1? For example you could:

- ☐ designate a senior officer to take responsibility for overseeing all local authority policy and planning and monitoring its effects on children and young people;
- ☐ have a named officer in each department who has responsibility for representing children's interests in all discussions and decisions;
- ☐ require all directorates to produce a child impact statement on all reports submitted to members. Ensure that there is a detailed analysis of benefits for and disadvantages to children and young people of different age groups, different social and cultural groups as well as the most vulnerable children and young people;
- ☐ make public statements on how the best interests of children and young people are considered and met.



Article 31 Action Pack

What systems do you have for a) monitoring the implementation of Government guidance and other agreed standards and b) ensuring that appropriate standards are known to and applied by all your staff, in line with Article 3.3? For example you could:

- ☐ ensure that recognised, appropriate training and registration are available for all staff and volunteers working with children;
- ☐ publicise standards which children and carers ought to expect;
- ☐ provide an independent process for receiving and reviewing comments on the implementation of standards.

What systems do you have for ensuring that children and young people are consulted and taken seriously in relation to corporate policy and planning, in line with Article 12? For example you could:

- ☐ support the development of local child and youth forums;
- ☐ develop working relationships with children and young people in schools, play schemes and youth groups with a view to establishing a variety of channels through which views can be expressed;
- ☐ offer staff training and support to ensure that they are using appropriate methods to seek views of children of different ages and in different circumstances.

If you do consult with children and young people what systems exist to monitor and evaluate procedures for consultation? For example you could:

- ☐ develop formal complaints or appeals procedures which are publicised and accessible. Make these procedures available to all local children and young people and monitor them regularly;
- ☐ make sure that corporate complaints procedures allow for children to make complaints and that appropriate representation is available;
- ☐ fund an independent child advocacy service;
- ☐ ask young people how consultation procedures can be improved.

What steps do you take to ensure that children and young people from minority groups are able to enjoy and practice their own language and culture, in line with Article 30? For example you could:

- ☐ gather detailed information about the local community from sources including the census and the local NHS public health department;
- ☐ make sure that staff training and appraisal ensure that those involved in developing and providing services recognise the importance of understanding the cultural backgrounds of local children and young people;
- ☐ develop structures which ensure services are developed in consultation with representatives of local communities and meet the expressed needs of those for whom they are intended.



Providing play, leisure and out-of-school activities

The importance of play, leisure and out-of-school activities

Local authorities provide a variety of out-of-school and leisure services and facilities including:

- supervised play-schemes and playgrounds;
- youth services;
- leisure and recreation centres;
- arts centres and museums;
- libraries.

Responsibility for providing services and facilities for play, leisure, art and culture lies with a range of organisations including regional Arts Councils, Sports Councils, play bodies and local authorities. Much provision also comes through the voluntary and private sector. Local authorities have one of the most important roles to play in overseeing the range and quality of provision and ensuring there is age-appropriate provision for all. Current restructuring provides an important opportunity for the development of co-ordinated services throughout newly formed, unitary authorities.

■ **Children and young people must be provided with opportunities for optimum development and the highest attainable standard of health (Articles 6.2 and 24.1).**

Play and recreational activities are fundamental to development. Play is an important way in which children and young people explore and learn about their physical, social, cultural, creative and spiritual environment. It is also important for the development of educational, social, physical and creative abilities in later life. Play is frequently created and organised by children themselves. It is different from formal education, organised recreation and leisure activities which tend to be adult-initiated and lead.

Many play and leisure activities involve communicating and co-operating with others. Through them children and young people learn to act together and with adults in the neighbourhoods where they live. Many organisations which are controlled by adults and work on behalf of children can contribute to this educative process but the scope for child-led initiatives is enormous. Encouraging an interest and participation in different types of arts brings benefits in terms of children's development and learning.

Play and recreational activities are also important in promoting physical health and fitness. The enjoyment of physical activity develops from an early age through play and leisure activities. Those who take up exercise and sports in childhood are more likely to carry on in adulthood.

Community and school-based arts projects can offer opportunities for children and young people to develop skills they may not even know they have and for those who do have talent, but little access to mainstream provision, the chance to develop and advertise their skills.

■ **Children and young people need to learn the skills necessary for self expression (Articles 12 and 13).**

For many young people being involved in artistic and cultural activities gives them the opportunity and means to express themselves and communicate a wide range of thoughts, feelings and emotions arising from their own experience. For example, theatre companies involved in successful youth work can offer opportunities for young people to question and explore ideas of interest including subjects which are difficult to discuss in more formal settings. These may include discussions about racism, gender, sexuality, disability and class. For those who experience discrimination and alienation, involvement in the arts offers opportunities to express themselves fully without the fear and restrictions they often face, and provides a creative way of teaching and learning about the importance of respecting the individual beliefs and behaviours of others.

In order for children and young people to be able to express their views, much depends on the attitudes of the adults they are involved with. Often a supportive adult can help a child or young person to think through what it is they want and how they could go about making their views known to adults.

Local authorities need to create appropriate structures and opportunities for cultural, recreational and artistic activities through which children and young people can learn to have confidence in expressing their own views.

Allocating resources for leisure and out-of-school activities

■ **In any decisions about resource allocation the best interests of children and young people must be one of the primary considerations (Article 3.1)**

Responsibility for ensuring play opportunities, whether through provision of facilities and services or through creating safe environments for free play, are



Article 31 Action Pack

spread between local authority departments, often with none taking a lead role or responsibility for policy co-ordination and development. As a result, provision is ad hoc and under-funded. There are many activities and resources devoted to adult leisure, recreation, culture and the arts, in which young people have the right to be involved and which exist on public subsidies. In the past, the absence of young people in subsidised arts projects has been interpreted as lack of interest in the arts generally, but discussions with young people have shown that the problem is as likely to be lack of appropriate provision.

Local government collects and spends hundreds of millions of pounds on leisure each year but there are no reliable statistics to show what proportion of this benefits children and young people. If resource allocation is to be equitable, information on local authority services and local voluntary sector projects receiving funding needs to be collected and analysed. Making sure that the "best interests" of children and young people are a primary consideration when budgets are being drawn up will lead to a more equitable distribution of resources between services and facilities for adults and for children and young people.

The City Challenge and other funding schemes provide opportunities for raising new money for local co-ordinated development and for ensuring the needs of children and young people of different age groups are considered and met.

Making the interests of children and young people one of the primary considerations in drawing up all funding applications for regeneration and development grants can help ensure that money is available for developing appropriate and adequate services and facilities.

■ **Services and facilities should be available for all children and young people up to 18 years old, to provide equal opportunities for cultural, artistic, recreational and leisure activity (Articles 1, 2 and 31).**

Over recent years resources for local youth services, arts projects and recreational activities have suffered major cuts. To ensure the best use of available resources on leisure and out-of-school provision for children and young people, there needs to be co-ordination of planning and resource allocation between the different sections of local authorities responsible for provision. Allocating resources between different services and facilities should take account of the needs and aspirations of children and young people from different age groups and with different interests.

In order to ensure the provision of suitable leisure activities local authorities need clear funding structures both for their own services and for money they give to local voluntary sector projects. Funding policies should enable worthwhile projects to succeed and find ways of providing a sense of security by ensuring that minimum time is spent on securing future funding and maximum on service delivery.

Ensuring that all children and young people have equal opportunities for leisure activities will require that greater resources are directed to meeting the needs of those currently most disadvantaged.

Planning and providing services and facilities

■ **Children and young people are entitled to appropriate provision of cultural, artistic, recreational and leisure activities (Article 31.2).**

Within local government there is often no consistent approach to play and leisure policy. Some local authorities approach provision on an ad hoc basis, whilst others develop policies through a community development approach involving parents and organisations. A few involve children and young people.

Policy on school-age play and care provision has been, and remains, without clear government guidelines or legislation. For the youth service, the major provider for leisure activities for young people, a national curriculum was proposed in 1990 drawn up by the National Youth Bureau. However, since this was discussed there have been massive cuts to the youth services and its proposals have not been given realistic support.

The provision of arts facilities for young people shows wide variations from county to county, depending on local structures, history and politics. Amongst adults responsible for providing services for young people there are often low expectations about what is possible, lack of confidence, inexperience and inadequate training.

Ensuring appropriate provision of leisure activities and listening to what children and young people have to say must involve recognising activities in which they themselves choose to become involved. For a majority of young people the institutionalised arts have no place in their lives. Many have a negative view and the arts are seen as remote and the preserve of art galleries, museums and concert halls and of little interest or relevance to them. At the same time many traditional



Article 31 Action Pack

sports clubs are closing as fewer young people have the interest and skills needed to join.

In order to ensure appropriate provision of out-of-school and leisure activities, strategies must acknowledge the multi-disciplinary nature of play and leisure. They must also reflect the importance of access for disabled children including, for example, physical access, and availability of different forms of communication and transport.

■ Services and facilities should provide equal opportunities for cultural, artistic, recreational and leisure activity for all children and young people up to 18 years old (Articles 1, 2, 23 and 31).

Local authorities have a duty to ensure that all children and young people, especially those whose access might otherwise be limited, have access to a wide variety of play, recreational, artistic and cultural activities. Groups of children and young people who may need extra support include:

- children from 8-12 years old who are excluded from both the legal framework for the provision which exists under the Children Act 1989 from youth services which tend to be directed towards the needs of young people over 13;
- disabled children for whom there is often little or no attempt to develop resources to enable them to take part in mainstream play and leisure activities;
- young carers, an estimated 10,000 of whom are the main carers in homes where parents are disabled or ill;
- children and young people from minority ethnic and cultural groups whose toys and play materials often reflect the inherent racism in white British society;
- those in low-income families who may be excluded from play and leisure activities they have to pay for;
- those living in rural areas where rural isolation and lack of transport is a problem.

In rural areas mobile resource centres can be an important way of supporting local communities. They enable rural people to know who can help them, and they can bring information of direct benefit to children including, for example, facilities such as junior youth clubs and holiday play opportunities. In addition they can act as a meeting point for children living on isolated farms and settlements, and a regular opportunity to talk and play.

As children and young people mature, it is more likely that they themselves will want to participate in

activities which are increasingly 'adult' in their structures, rules and skills requirements. But the attitude that young people do not need to indulge in free play is misguided and results in inappropriate play provision. Children and young people of all ages, pre-school, in school or in work training, have the right to activities appropriate to their ages, and this should be a part of the infrastructure in each community setting. In the UK there is no recognition of the need for continuity and progression in services from early childhood through to adulthood. Most providers of recreational and leisure services for children and young people maintain rigid structural and professional divisions between services for pre-school, school-age and youth provision.

Ensuring the provision of appropriate cultural and artistic activity for all young people requires the workers in the field to find ways of identifying young people who have had no previous interest in the arts and developing imaginative ways of showing them the possibilities for enjoyment and expression which could exist for them. A range of work needs to tap into young people's interests and to offer them possibilities they never imagined.

■ Children and young people are entitled to express their own views on the provision of play and leisure facilities and services (Article 12).

The participation of children and young people in the provision and development of play opportunities and environments is an important part of their empowerment. When consulting with children and young people over planning and provision of facilities and services, the purpose and scope of the consultation must be clearly defined and the use made of the findings openly discussed. At the same time evaluation of projects and services should automatically include the views of children and young people who are users and also of those who do not use the facilities to establish why they do not. All children and young people should be able to get up-to-date information about services and play facilities.

Although they may not be interested in mainstream adult arts, many young people are involved in a wide variety of pursuits. Much of their cultural activity is not organised and controlled by institutions but develops in an organic way from the lives and influences of the current generation. Often, young people's own chosen cultural activities are disliked and prohibited by adults and few projects provide suitable facilities. There is a need for both more opportunities for young people to make their own art and for greater adult assistance.



Article 31 Action Pack

Soliciting and taking account of the views of children on the planning, availability, design, content, structure, organisation and running of play and leisure facilities should form an integral part of all facilities. It should be standard practice that children and young people are consulted about both facilities and opportunities and to ensure that appropriate expertise and facilities are available.

■ Disabled children and young people should have access to services which best suit their needs and offer maximum possibilities for integration (Article 23).

Disabled children and young people should not be excluded from mainstream play and leisure facilities and local authorities have an important role to play in ensuring the availability of suitable premises and amenities, access, suitable equipment and additional trained help. The need for integrated activities for children with disabilities and learning difficulties is of particular importance as there are so few opportunities for them to play and associate with their peers in groups, clubs and integrated schools.

Promoting integration can take different forms. For example, the expansion, adaptation and integration of mainstream provision into specialist schemes and increasing outreach work and development. It is also useful to use a variety of art forms, especially drama and performance, to highlight the importance and possibilities for integration.

■ Services and facilities should consider the best interests of children and young people and be provided to standards of safety, staffing and supervision agreed by competent authorities (Articles 3.1 and 3.3).

Considering the best interests of children and young people in relation to leisure and out-of-school activities may also affect not only the siting of services and facilities but also their opening times. They can only be a useful resource if they are open at times when children and young people can use them. This might mean opening in the late afternoon and on Saturdays.

Safety standards must also be seen as a priority. Despite reductions in recent years accident rates amongst children and young people are still high and most happen during play and leisure activities. The most widespread form of recreational provision is constructed unsupervised playgrounds and play areas. Over the past 20 years there have been advances in the safety of these play areas and concern for standards has led to partial adoption of British Standards but neither these nor Government guidelines on safety are legally

enforceable. Standards of both equipment and maintenance often fall short of the safety needs of children. Outdoor play facilities in both urban and rural areas are often badly maintained, vandalised, in poor condition and sometimes dangerous. They often suffer from poor maintenance, litter and dog fouling, close proximity to roads and lack of danger warning signs.

Despite the formal protection of legislation and Government guidelines for safety many accidents occur in parks and playgrounds and during sporting and other leisure activities. Legislation includes the Health and Safety at Work Act 1974, Sections 3 and 4 place a clear duty on playground providers to ensure, as far as reasonably practicable the health and safety of those using the facilities. The Occupiers' Liability Acts 1957 and 1984 allows damages to be paid to people injured using the facilities. Section 2(3)a emphasises the special care required to ensure the safety of children. There is also a limited duty to ensure the safety of trespassers. For example, if something on site is likely to attract children and then be a danger to them e.g. broken glass hidden under sand, the owner is responsible.

Standards for the provision of children's play also exist. The National Voluntary Council for Children's Play published a Charter for Children's Play in 1992. In Scotland, Children in Scotland has also published a Charter for Play, as have play organisations in Northern Ireland and Wales. These Charters are based on the UN Convention, setting out broad objectives and standards. Standards for local authority youth provision also exist in form of the youth service curriculum which was published in the late 1980s.

In 1991 the Government published guidelines for library services which said they should be tailored to the needs of local groups, should support local education provision, ensure physical access for all and act as a focal point for cultural activities. The Libraries Association has also produced two sets of guidelines setting out good practice for children's services within public libraries and for school libraries. Full implementation of these guidelines would make a significant contribution to meeting the standards required by a number of the Articles in the Convention relating to information and cultural activities.

A variety of guidance and standards relating to play and leisure activities exist and although much of it is not mandatory local authorities should use them as a basis on which to provide services and facilities.

■ Children and young people should have access to information of social and cultural benefit from a



diversity of sources including a wide selection of children's books and to information which provides for the linguistic needs of those children belonging to minority groups (Article 17).

Public libraries provide a unique source of information for children and young people, enabling them to discover the power of access that information skills can provide. Books and stories make a significant contribution to the intellectual and emotional development of the child. They are important in supporting language development especially in the pre-school years. Reading plays a part in shaping children's attitudes to each other and books are essential to educational development.

Library services are an important local authority resource which should aim to meet the information needs and rights of all children and young people. Not only should they be accessible to all but they should also aim to meet the different linguistic and culture needs of their local population and offer resources which promote inter-cultural respect. In order to promote anti-racist commitment within the provision of leisure and out-of school activities, leisure departments should ensure that every unit and facility has one named person who is trained and has responsibility for monitoring the impact on racism of all resources.

For the many children with visual or hearing impairments who may be unable to use written materials appropriate resources need also to be available.

Local authority libraries are an important source of information for children and young people and should be included in overall planning strategies for leisure facilities.

■ **Opportunities must exist for those from indigenous and minority groups to enjoy their own culture, religion and language (Article 30).**

In the UK this has significance for children and young people arriving from other countries who do not speak or have English as a first language, those in Wales and Northern Ireland who speak or read Welsh and Irish and for those unable to read because of poor or no sight. For those whose first language is not English there should be the provision of mother-tongue literature and leisure activities. This should form part of Government guidelines on public service broadcasting.

Case studies:

■ *Edinburgh*

The City of Edinburgh District Council consulted widely with local children and young people to develop their strategy for recreation services. Proposals were based firmly on the views of the children and young people (September 1993).

■ *Clydesdale*

In December 1993, Clydesdale District Council adopted a new play policy which states:

"Article 31 of the Convention requires that all children should have equal opportunities to participate in play and leisure activities appropriate to their ages. In order to assess to what extent Article 31 is being complied with, it is necessary for those responsible for play and recreation to review their existing services. ... The review which Leisure Services will undertake will consider to what extent a range of services is available to meet the needs of different children in terms of age, ability etc.

"Article 23 of the Convention stresses the importance of facilities for children with special needs, and this is an area which will require further investigation within the district.

"One of the fundamental principles of the Convention is Article 12, which states that all children are capable of forming views and have the right to express those views freely on all matters affecting them. The aim of the Council is to ensure that mechanisms are put in place for obtaining the views of a wide range of children of different ages and different needs when deciding what play and leisure facilities should be developed in a particular area. There will also be mechanisms for children and young people to complain about existing facilities and to make suggestions about improvements".



Planning for play, leisure and out-of-school provision: checklist for implementation

What attempts are you making to ensure that structured play and leisure opportunities must be sufficiently resourced to ensure that there is age-appropriate provision, equality of access for children and young people from rural areas, those with disabilities and learning difficulties, those who do not speak English and those from all ethnic and cultural groups, in line with Article 31.2? For example you could:

- ☐ audit current expenditure on leisure activities and compare resource allocation between adult and child facilities and analyse how the distribution of resources compare with the population distribution;
- ☐ monitor local provision from other organisations including local arts and sports councils, cultural, recreational, youth and play bodies;
- ☐ consult widely with children and young people about how resources allocated to facilities for children and young people could be distributed;
- ☐ set targets for increasing resources through planning gain and reallocating resources equitably between adult and child facilities;
- ☐ develop purchasing policies for resources in libraries and other centres which promote equity in access to resources by explicitly considering the needs of children and young people in the allocation of, for example, book funds.

What steps are you taking to promote opportunities for cultural, leisure and artistic activities for those least likely to have access to current provision, in line with Articles 2 and 31? For example you could:

- ☐ appoint a designated team in the leisure and amenities department to oversee the provision of services for children and young people throughout the authority's responsibilities;
- ☐ develop and publish a co-ordinated, comprehensive child and youth policy relating to the provision of play and leisure activities;
- ☐ work closely with advisory groups and networks drawn from the local population of children and young people;
- ☐ monitor current provision for 8-12 year olds and set targets for ensuring that provision closely reflects need;
- ☐ train all staff working with children to monitor toys and other playthings to ensure they foster the intellectual, social, physical and emotional development of all children with positive images of themselves and their communities as well as others different from themselves;
- ☐ ensure there is adequate provision of free or subsidised art and leisure facilities to ensure that those in families with low incomes are not denied opportunities to take an active part;



Article 31 Action Pack

- ☐ in rural areas and villages where there is no common public land for children to play on, ensure that facilities are sited on public transport and safe cycle routes.

What steps are you taking to ensure there is adequate access to integrated leisure facilities for disabled children and young people, in line with Article 23.3? For example you could:

- ☐ include the indicators of good practice for the provision of leisure facilities, published by the British Sports Association for the Disabled, in all relevant local authority contract specifications. Adequate funding should be available to ensure this;
- ☐ provide training to play workers in working with disabled children and those with special needs;
- ☐ develop a rolling programme to review all leisure and play provision with a view to promoting and developing integrated services.

How do you ensure that your local authority has an arts policy for all, which includes appropriate and equal opportunities for children and young people, in line with Article 31.2? For example you could:

- ☐ liaise with other agencies to develop co-ordinated policies which promote easy access to properly funded youth arts projects;
- ☐ support opportunities for children and young people to attend performances in a wide variety of art forms in their neighbourhoods;
- ☐ support local arts centres which are accessible, reflect children and young people's experience and interest and are stretching and challenging;
- ☐ encourage children and young people to take part in the development and organisation of youth arts at every level;
- ☐ create links between youth and play workers and local artists, and help them recognise the important skills of advising, enabling and facilitating;
- ☐ encourage the youth service, through training and guidance, to see arts methods as an important part of practice, to initiate new arts projects and to help them flourish;
- ☐ encourage play and youth services to buy in the skills of freelance artists, set up indigenous youth arts projects and pressurise arts funders for better provision;
- ☐ in areas not well served with museums and galleries make arrangements for loans services to be developed in conjunction with schools and youth services;
- ☐ create links with education departments in museums and galleries which offer appropriate, peripatetic services and training for those using loaned materials.



Article 31 Action Pack

How do you ensure that existing standards for safety are fully implemented in all leisure facilities in your area? For example you could:

- ☐ monitor local implementation of Sections 3 and 4 of the Health and Safety at Work Act 1974 and the Occupiers' Liability Acts 1957 and 1984 to ensure that children and their carers know about their rights to protection in public play grounds under these Acts;
- ☐ undertake regular monitoring to ensure that the standards set in the Government backed Play ground Safety Guidelines are implemented locally;
- ☐ prioritise the inspection of play equipment in public places to ensure it reaches British Standards Institution standards;
- ☐ publish local standards and guidelines on the health and safety of children in the "outdoors" and on the training for staff;
- ☐ ensure, through training and supervision, that staff and volunteers working with children have appropriate training, knowledge and experience for the duties and responsibilities expected of them.

What steps do you take to challenge racism, sexism and discrimination against those with disabilities and learning difficulties throughout your play and leisure service provision in line with Article 2? For example you could:

- ☐ designate a named person in each leisure facility to monitor resources to ensure they do not promote racist and sectarian views and attitudes in any way and that they promote acceptance and understanding;
- ☐ give training and guidance to the named workers.

What steps are you taking to establish permanent monitoring machinery to advise and assess need amongst children and young people for leisure facilities, on the basis of "appropriate and equal opportunities" for cultural, artistic, and recreational activities, so that appropriate response to their needs can be formulated, in line with Articles 12 and 31? For example you could:

- ☐ set targets for establishing and increasing the involvement of children's and youth forums in policy and planning. Monitor these targets regularly;
- ☐ develop formal evaluation policies which involve consulting with children and young people for all services and facilities providing play and leisure activities;
- ☐ identify and consult with children and young people who could but do not use facilities and services to find out if more appropriate provision is possible;
- ☐ ensure that planners and policy makers recognise that supporting and encouraging young people's cultural choices may need new, indirect, less structured, democratic ways and they must set up the appropriate structures.



Model child impact checklist

From "Implementing the UN Convention on the Rights of the Child: Developing Local Authority Policy and Practice", Children's Rights Office 1995.

Answer the following questions in relation to all local authority policy and planning proposals. In answering the questions give specific examples, avoid general statements, do not answer only "yes" or "no" and if the question is not seen as relevant explain exactly why.

- 1 What input have children and young people of different ages had in the process of drawing up the proposals?
- 2 What provision is there for ensuring that the views of children and young people who might be affected are sought and taken into account at all stages of the implementation of the proposals?
- 3 In what way do the proposals tackle disadvantage and deprivation faced by children suffering the effects of:
 - ☐ poverty?
 - ☐ racism?
 - ☐ disability?
 - ☐ being unable to live with their own families?
 - ☐ homelessness?
 - ☐ refugee status?
 - ☐ rural isolation?
 - ☐ caring responsibilities?
 - ☐ family breakdown?
- 4 In what ways do the proposals promote and protect the health and welfare of children and young people of different ages, i.e.:
 - ☐ birth - 4 years old?
 - ☐ 5 - 7 years old?
 - ☐ 8 - 12 years old?
 - ☐ 13 - 15 years old?
 - ☐ 16 - 17 years old?
- 5 What standards are to be followed relating to safety, staffing and supervision? How are these standards to be implemented and monitored? The proposals should:
 - ☐ specify exactly which guidance and standards are being followed;
 - ☐ specify process through which standards will be monitored;
 - ☐ explain why, if guidance or other recognised standards exist but are not being followed, this is so.



Article 31 Action Pack

- 6 What support is being offered to parents to ensure they can provide their children with an adequate standard of living, help them bring-up their children and prevent the possibility of family breakdown including:**
- ☐ material support?
 - ☐ social support?
 - ☐ information and advice?
- 7 How do the proposals ensure that there are more opportunities for disabled children and young people to take an active part in local activities?**
- ☐ have children and their families been consulted about their specific needs?
 - ☐ are plans for integrated service provision included and properly resourced?
 - ☐ do proposals take into account the different needs of children and young people with different physical disabilities and learning difficulties?
 - ☐ do proposals take into account the different needs of disabled children of different ages?
- 8 In what way do the proposals offer support to children and young people in exercising their rights to:**
- ☐ freedom of expression?
 - ☐ freedom of thought, conscience and religion?
 - ☐ freedom of assembly and peaceful gatherings?
 - ☐ privacy and confidentiality?
 - ☐ practice their own culture, religion and language?
 - ☐ have access to information which enhances their education and development?
- 9 How do the proposals enhance the protection you offer children and young people of all ages against:**
- ☐ physical and mental harm and abuse?
 - ☐ sexual abuse or exploitation?
 - ☐ exploitation in employment?
 - ☐ drug abuse?
 - ☐ restriction of liberty?
- 10 In what ways do the proposals contribute to ensuring that all children and young people have access to:**
- ☐ good schools and education which meets their individual needs?
 - ☐ good quality, appropriate, accessible health care services?
 - ☐ play, leisure and cultural facilities which meet their own expressed needs?



Afterword

In July 1995, as I write these final words for the Article 31 Action Pack, it is strange to remember that it was only in February 1993 that I first heard the words "Article 31" at a meeting of the International Association for the Child's Right to Play. To those of us not already in the know, "Article 31" was nothing more than an obscure piece of jargon.

However, as I listened to the discussion and understood what Article 31 was, it became clear that this situation had to change. If you have read this far, you will already understand why Article 31 is important. It changes the whole status of the "play movement" throughout the world. As Robert Smith says in his foreword to this book, "The UN Convention on the Rights of the Child has turned those things which young people *need* into things to which they have a *right*". Article 31 establishes this for children's play. Play will still be a vital developmental need, it will still be a powerful form of learning and it will still be the essence of fun, but now it will be more than this; it will be recognised by the international community as a basic human right.

At PLAY-TRAIN we adopted Article 31 as a defining principle of our work, and went on to organise the Article 31 Conference in June 1994. Working in partnership with the Children's Rights Development Unit we gained a deeper understanding of the UN Convention on the Rights of the Child, and particularly the importance of Article 12, which states that every child has the right to be listened to. I remember I had to be persuaded to hand over the keynote presentation at the conference to a group of local children. I realise now that this was the most important step of all.

The child's right to have a say in decision-making lies at the heart of playwork. The adventure playground movement in particular was founded on the idea that

children should make their own decisions about what they want to do. This is reflected in the way adults gradually gave up the title of "play-leader" and became play-workers as we know them today. Now the pattern of play provision is changing and the child's right to make their own decisions is under threat. Article 31 and Article 12 work hand in hand to preserve this basic principle.

In working to promote Article 31, there are four things I would like to see happen:

■ I know "Article 31" is still a meaningless piece of jargon to most people, and some have even suggested we find a different title for this book: "something that people will understand". However, my first goal is to ensure that everyone in playwork *does* recognise and understand Article 31. That is the first task of this Action Pack.

■ The second thing I want to see is that those working in the mainstream arts and cultural sectors also recognise and understand Article 31. What it says about the child's right to participate in cultural life and the arts is just as important as what it says about play.

■ Our third goal, and here we have a long way to go, is to ensure that the whole population, both adults and children, recognise and understand Article 31. We must make the government recognise its duty under the Convention "to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike" (Article 42).

■ In his opening remarks at the Article 31 Conference, Roger Hart surprised many delegates when he told them, "You have a lot to learn from the South. In countries all over the southern hemisphere, in South America, Africa and Asia you will find street children who can quote to you from the UN Convention on the Rights of the Child, and you will



Article 31 Action Pack

find cultural workers and motivators using the Convention in their work for children's rights. ... In the UK the Convention hasn't been taken up in the same way and many workers are unaware of its importance. ... You should be building alliances with these workers from the South. The context of the work is different, but on the issues around consultation and children's participation you should be working together".

So the final thing I want to see is the building of these links and new partnerships between those working with children around the world. The oppression of children in the South is a direct result of economic

exploitation by the North. If the children we work with in the UK today learn to recognise this, it will surely be challenged and changed in the future.

Whatever your job or personal involvement in play, local government, leisure, recreation or the arts, the UN Convention on the Rights of the Child provides three important things: a set of fundamental principles that we can build into the value base of our work, a set of standards against which we can evaluate and plan for change and, above all, a sense of participation in the world community which can provide new inspiration even in the toughest of times.

Harry Shier

July 1995



Appendix A

People who attended the Article 31 conference

Speakers, presenters, workshop leaders and steering group

Rohim Abdul	Balsall Heath Park Play Centre
Marc Armitage	Playpeople Hull
Rashida Begum	Balsall Heath Park Play Centre
Shelly Begum	Balsall Heath Park Play Centre
Solma Begum	Balsall Heath Park Play Centre
Paul Bonel	National Centre for Playwork Education, London
Graham Brayson	Balsall Heath Park Play Centre
Claudette Chambers	Balsall Heath Park Play Centre
Issy Cole Hamilton	Children's Rights Development Unit
Jan Cosgrove	Fair Play for Children
Matthew Cosgrove	Bognor Regis Fun Bus Co.
Samia Day	Balsall Heath Park Play Centre
Kelly Edwards	Balsall Heath Park Play Centre
Michelle Edwards	Balsall Heath Park Play Centre
Paul Eyre	Liverpool City Council
Roger Hart	Children's Environments Research Group, New York City University
Emma Harwood	Balsall Heath Park Play Centre
Peter Heseltine	International Association for the Child's Right to Play
Kim Holdaway	Islington Play Association
Laura Houston	Balsall Heath Park Play Centre
Haki Kapasi	PLAY-TRAIN
Urfan Khaliq	Balsall Heath Park Play Centre
Marlon Knight	Balsall Heath Park Play Centre
Mike Jones	The Children's Society
Tola Lee	Liverpool City Council
Vicki Loki	Cornwallis Adv. Playground
Anna Lubelska	National Voluntary Council for Children's Play
Sandra Melville	PLAYLINK
Huw Myhill	Balsall Heath Park Play Centre
Sue Platt	Islington Play Training Unit
Chris Taylor	Islington Play Training Unit
Debbie Tracey	Balsall Heath Park Play Centre
Rina Vaghji	Balsall Heath Park Play Centre
Maggie Walker	International Association for the Child's Right to Play
Grace Welch	PLAY-TRAIN
Rob Wheway	Play Consultant

Delegates

Paul Dielhen	Bristol Association for Neighbourhood Daycare
Kath Bembridge	Bassetlaw Play Forum
Patrician Jenkins	Bassetlaw Play Forum
J. Salathiel	Bassetlaw Play Forum
Frances Zain	Birmingham City Council
Trish Stroud	Birmingham City Council
Jaqueline Eite	Birmingham City Council
Trevor Jones	Birmingham City Council
Lee Heritage	Birmingham City Council
Cllr Carl Rice	Birmingham City Council
Cllr Sandra Jenkinson	Birmingham City Council
Cllr Jane Harrison	Birmingham City Council
Cllr Anne Robbins	Birmingham City Council
John Freeman	Birmingham City Council: Handsworth Play Centre
Amanda Walker	Birmingham City Council: Kingstanding Play Centre
Debbie Moseley	Birmingham City Council: Chinnbrook Hall
Clair Meares	Birmingham City Council: Chinnbrook Hall
Mary Miles	Birmingham City Council: Stainsby Centre
Sheila Williams	Birmingham City Council: Coronation Rd.
Sean McCarthy	Birmingham City Council: Coronation Rd.
Ziarab Yassin	Birmingham City Council: Ward End Park Play Centre
Mike Anderson	Burnley Play Association
Gail Chandler	Bristol City Council
Susann Parchment	Bristol City Council
Lillian Britton	Broxtowe Play Forum
Peter Morrell	Broxtowe Play Forum
Hazel Clark	Coventry City Council/ Nottingham City Council
Barbara Rothon	Derby City Council
Jackie Kuehl	Edgeley Play Centre. Stockport
Lyn McLachlan	Falmouth After School Experience
Jo Gimmler	Groundwork, Gtr Nottingham
Gilmar Doyle	Hammersmith & Fulham Play Service



Article 31 Action Pack

Laáziza Russell	Hammersmith & Fulham Play Service	Jill Peacey	National Centre for Playwork Education, South West
Dianne Lister	Hammersmith & Fulham Play Service	Linda Antell	National Play Information Centre
Annette Moses	Hammersmith & Fulham Play Service	Donne James Buck	New Ark Play Association
Anne Swan	Hammersmith & Fulham Play Service	Patricia Durr	Newham Borough Council
Ray Cowell	HAPA	Sue Gibson	Nottingham County Council
Melissa Redfern	Humberside County Council	Manjit Sahota	Nottingham City Council
Janine Brady	Islington Play and Youth Service	Jayne Shenstone	Nottingham City Council
Betty Campbell	Islington Play and Youth Service	Tarlochan Kaur Birdi	Nottingham Play Forum
Jane Dixon	Islington Play and Youth Service	Helen Barnett	Nottingham Play Forum
Paul Durr	Islington Play and Youth Service	Rowena Naylor-Morrell	Nottingham Play Forum
Stephanie Hardy	Islington Play and Youth Service	Wendy Russell	Nottingham Play Forum
Clive Leach	Islington Play and Youth Service	Joe Footé	Nottingham Play Forum
Frances Thomas	Islington Play and Youth Service	Andrea Sharp	Nottingham Play Forum
Michelle Viridi	Islington Play and Youth Service	Sandra Bailey	Peterborough City Council
Andy Fell	Ipswich Borough Council	Larry Taynam	Peterborough City Council
Lynne Emmerson	Kids Family Centre	Kate Kirkpatrick	Rural Community Council, Staffordshire
Gillian Hodgson	Kids Family Centre	Val Hart	St. Paul's Venture
Julie Abbott	Kids Club Network, Leicester	Cathy Williams	Sandwell Adventure Play Assn.
Pete Middleton	Kids Club Network, Leicester	Jayne Ward	Save The Children, Birmingham
John Foulkes	Kompan (conference sponsor)	Kate Housden	Sheffield Out of School Network
Steve O'Connor	Kompan: " "	Vicki Taylor	Somerset County Council
Tina Sullivan	Kompan: " "	Jill Maguire	Somerset County Council
Tom Thomas	Kompan: " "	Tanya Evans	Somerset Play Forum
Chris Snell	Leeds Metropolitan University Dip. HE Playwork	Mike Curran	Somerset Play Forum
Patrick Candler	Leicester City Council	Susan Hackney	South Lakeland District Council
Hitesh Tanna	Play Resources Unit, Leicester City Council	Karen Harper	South Lakeland District Council
Steve Scott	Play Resources Unit, Leicester City Council	Ruth Webster	Surrey County Council
M Williams	Leicester City Council	David Davis	The Venture, Wrexham
Samantha Chidlaw	Mansfield District Council	Petra Lenander	The Venture, Wrexham
Bea Kirby	Mansfield District Council	Ann Moriarty	The Venture, Wrexham
Jean Elledge	National Centre for Playwork Education, W. Midlands	Martin Smith	The Venture, Wrexham
Jackie Martin	National Centre for Playwork Education, North East	Mary Roche	Wakefield TEC
		Deby Morgan	Westhill College
		Lisa Schrevel	West Midlands Arts
		Terence Moore	Westminster Play Association
		Angela Wall	Worcester Play Council
		Colleen Wickstead	Wrekin District Council
		Leona Lewis	Wrens Nest Community Centre, Walsall
		Felicity Sylvester	Play Consultant

PLAY-TRAIN team

Harry Shier	PLAY-TRAIN
Jacqueline Contré	PLAY-TRAIN
Sue Smith	PLAY-TRAIN
Dave Dale	PLAY-TRAIN: Audio-visual support



APPENDIX B

The United Nations Convention on the Rights of the Child

The full text of the Convention as adopted by the General Assembly of the United Nations on 20 November 1989.

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:



Article 31 Action Pack

Part I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of



Article 31 Action Pack

itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others; or
- (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.



Article 31 Action Pack

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, *Kafalah* of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions, which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.



Article 31 Action Pack

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- (a) To diminish infant and child mortality;
- (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
- (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
- (d) To ensure appropriate pre-natal and post-natal health care for mothers;
- (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.



Article 31 Action Pack

Article 28

1. States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals

and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- (a) Provide for a minimum age or minimum ages for admission to employment;
- (b) Provide for appropriate regulation of the hours and conditions of employment;
- (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:



Article 31 Action Pack

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of

eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

- (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
- (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;
 - (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
 - (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
 - (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;



Article 31 Action Pack

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

Part II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.



Article 31 Action Pack

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

- (a) Within two years of the entry into force of the Convention for the State Party concerned;
- (b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

Part III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been



Article 31 Action Pack

approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United

Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.



APPENDIX C

The UK Agenda for Children

The "UK Agenda for Children" is a systematic analysis of the extent to which law, policy and practice in the UK complies with the principles and standards contained in the UN Convention on the Rights of the Child. The Agenda was published by the Children's Rights Development Unit in 1994. This summary of action required to implement the Convention is taken Report 8 of the Agenda, dealing with play and leisure. Reprinted with permission.

Report 8: Play and Leisure: Action required for compliance

1. Article 31

Full implementation of Article 31, to ensure the rights of children and young people to rest and leisure, to engage in play and recreational activities appropriate to their age and to participate freely in cultural life and the arts, requires the following action;

1a. At government level:

Policy development

- ☐ The Department of National Heritage should formally be given the responsibility for ensuring the implementation of Article 31 throughout the UK and should liaise with relevant departments and organisations in each jurisdiction. It should initiate an urgent examination of children's and young people's leisure and play and consideration should be given to establishing a legislative duty on local government to provide children's and youth service encompassing all these aspects. In Northern Ireland, the Department of Education should assume a lead role in co-ordinating both policy and provision across agency boundaries.
- ☐ The Government should, after consultation, publish Charters covering the rights to play and to leisure facilities for all children and young people, describing

what children and young people and their parents have the right to expect by way of provision in their own localities, related to age.

- ☐ The Department of National Heritage should establish a research panel to commission and fund research which will identify, for example, the range, forms and distribution of play provision throughout the UK. It should also set up a Governmental inter-departmental forum to ensure that all Government programmes take account of the play and leisure needs of children and young people.
- ☐ The Department of National Heritage should appoint officers for children's play and leisure provision with designated responsibility and consider setting up an expert advisory group to advise ministers.
- ☐ The arts and sports councils in each jurisdiction should be requested to undertake, and publicise widely, detailed reviews of their policies and programmes with specific reference to Article 31 and develop targets for service provision and budget allocation which should be systematically monitored.
- ☐ The proposed Department of National Heritage review of museum education services and any other reviews of relevant services should seek the views of children and young people.

Article 31 Action Pack

- ☐ The Government should establish permanent monitoring machinery to advise and assess need amongst children and young people for leisure facilities, and to what extent they have access, on the basis of 'appropriate and equal opportunities', to cultural, artistic, and recreational activities, so that appropriate response to their needs can be formulated within various areas of Government policy.
- ☐ All governing bodies of sports, arts, cultural and recreational pursuits should be encouraged, through education, legislative requirements on statutory funding agencies etc to adopt or amend equal opportunity policies or statements in line with Article 31, and to keep them under constant review. Consideration should be given to adopting a policy on equal opportunities in whose formulation and monitoring all users, workers (paid and voluntary) and management should participate.

Resource allocation

- ☐ Urgent attention should be directed at the imbalance of resources between facilities for adults and those for children and young people. There should be consultation with all concerned, including local authorities, the arts and sports councils, cultural, recreational, youth and play bodies.
- ☐ In Northern Ireland, a funding framework for play should be established which recognises the Department of Education as having a lead responsibility.
- ☐ The Government should direct the National Lottery boards to include, within their objectives, the enhancement of the quality of life of children through improvements in facilities for play and leisure activities. Funding must cover not only initial costs but also those involved in running and maintaining programmes over a period of time; a specialist group should be responsible for disbursement.

Legislative change

- ☐ The principle of equal opportunities for cultural, artistic, recreational and leisure activities should be reflected in education legislation, in arrangements for the whole curriculum and in funding policies and practice both between and within institutions.
- ☐ The Government should legislate for the provision of adequate, appropriate and accessible play and recreation space for children of all ages in every neighbourhood.
- ☐ In Northern Ireland, parents of children under the age of five should have the right to choose whether or not their child enters formal schooling and play should form a major part of the early years curriculum.
- ☐ The Government should introduce legislation to enable residents of defined classes of residential road to petition

their local highways authorities, with appeal to the Secretary of State, for change of priority from road traffic to shared priority with pedestrians, with adequate resourcing of traffic-calming measures, and the legislative framework to empower local authorities to make and enforce the appropriate very low speed restrictions for such areas, to be known as "Home Streets" or "Home Zones".

1b. By regional bodies:

- ☐ Regional sports councils need to ensure they have a flexible approach to funding in areas where they have discretion and should foster good working relationships with local authorities and local groups for children and young people with disabilities and learning difficulties and their carers. The role of Sports Development Officer should be recognised and appropriately funded and Disability Officers, such as those in Leicestershire, Northamptonshire and Nottinghamshire should be appointed.
- ☐ All regional arts boards should have specific youth officer posts, have a youth arts policy and make youth arts a budgetary priority.

1c. By local authorities:

Policy development

- ☐ Corporate strategies by local authorities must recognise play and leisure activities as crucial in the development of children. Plans must be explicit in all children's services and a multi-disciplinary understanding of the many elements of play and leisure must be achieved. They must also reflect the importance of access for disabled children including, for example, physical access, availability of different forms of communication and transport.
- ☐ Every local authority leisure and amenities department should appoint designated teams to oversee the provision of services for children and young people throughout the authority's responsibilities. These teams should develop and publish a co-ordinated, comprehensive child and youth policy, relating to the provision of play and leisure activities. The teams should have advisory groups and networks drawn from the local population of children and young people.
- ☐ Partnerships should be set up between local education authorities, schools, play and recreation units and departments, social services, health services and community organisations. New strategies and ventures can be initiated within each agency to ensure co-ordinated provision for children and young people.
- ☐ All services and facilities providing play and leisure activities should have formal evaluation policies which involve consulting with children and young people who

Article 31 Action Pack

use their services and, where appropriate, those who do not but could be expected to.

- ❑ Policy for young people should consider ways of encouraging and developing self selected leisure activities which tend to be based on informality, privacy, personal choice and power over and access to usable cultural commodities and resources. This means working closely with young people in a way that gives them some control over the use and availability of resources.
- ❑ Planners and policy makers must recognise that supporting and encouraging young people's cultural choices may need new, indirect, less structured, democratic ways and set up appropriate structures. Although some expertise is useful and links should be made between youth workers and local artists the most important skills are advising, enabling and facilitating.
- ❑ Local planners should look at ways of developing age-appropriate services and continuity between services.
- ❑ Young carers should be included in the "in need" definition adopted by all local authorities under the Children Act 1989. Steps must be taken to collect information about young carers and offer appropriate action to support them in line with their wishes and feelings.
- ❑ Local authorities need to ensure procedures adopted by social services departments for registering and inspecting are appropriate for each type of play services. They should ensure that professionally trained play staff are involved in these inspection procedures.
- ❑ Youth services should develop regional arts plans and youth arts budgets, buy in the skills of freelance artists, set up indigenous youth arts projects and pressurise arts funders for better provision.

Resource allocation

- ❑ Structured play and leisure opportunities must be sufficiently resourced to ensure that there is age-appropriate provision, equality of access for children and young people from rural areas, those with disabilities and learning difficulties, those who do not speak English and those from all ethnic and cultural groups.
- ❑ Health and safety legislation covering the safety of children and young people using play areas, including school playgrounds, should be enforced more rigorously by regular inspections and reports. Adequate funding should be made available for this to happen.

Planning departments

- ❑ All local authorities should monitor the number of developments which provide a play environment as part of the initial build.

- ❑ Children and young people should be actively consulted and involved in deciding the location and nature of designated play spaces provided by local authorities. Children's and youth forums should be established and targets set for increasing this involvement. These targets should be monitored regularly.
- ❑ In both rural and urban areas, where no public play space exists, opportunities to purchase common land for play should be pursued. Existing play space should be protected in local plans and up-graded as part of a district play policy. More resources are needed to meet play needs and support for networking is especially important. Links between play workers and artists and sports workers can enhance everyone's work with beneficial results for the children. There needs to be an increase in funding given to establishing multi-purpose facilities in villages which can be used by children.

Service provision

- ❑ Play and leisure service providers must show a commitment to equal opportunities by challenging racism, sectarianism, sexism and discrimination against those with disabilities and learning difficulties, both in policy and practice which needs to be closely monitored by independent evaluators and users.
- ❑ Local authorities and service providers must ensure that there is careful monitoring of resources used in all facilities to ensure that they do not promote racist and sectarian views and attitudes in any way and that they promote acceptance and understanding.
- ❑ The indicators of good practice for local authority provision of leisure facilities which provide for the needs of people with disabilities and learning difficulties, published by the British Sports Association for the Disabled should be included in all relevant local authority contract specifications. Adequate funding should be available to ensure this. Local play and youth services need to develop a more active encouragement of and commitment to integrated activities.
- ❑ In rural areas and other areas not well served with museums and galleries, loans services should be developed in conjunction with schools and youth services. Education departments in museums and galleries in these areas should be adequately financed to ensure they are able to offer appropriate, peripatetic services and training for those using loaned materials.
- ❑ Service providers should ensure that staff and volunteers working with children have appropriate training, knowledge and experience for the duties and responsibilities expected of them.
- ❑ Parents and others who are concerned should have a right of access to information about the ownership, responsibility and safety provisions of playgrounds.



Article 31 Action Pack

Children should be able to obtain speedy redress for accidents and injuries where there is liability on the part of the owner.

1d. By schools:

- ☐ Decisions about the use and sale of land, the use of premises and equipment should consider the best interests of affected children and young people and also the need to encourage recreational activities. A "best interests" principle in planning law and regulations would ensure this happens.
- ☐ Time spent in school in enjoying recreational, cultural and artistic activities, for all children and young people, should be preserved.
- ☐ All authorities and schools that are considering changes to the length and structure of the school day ensure that the children affected are consulted, that their welfare is a primary considerations and that adequate break times for rest are time-tabled in. Current and new arrangements should be regularly reviewed for the same reasons.

2. Article 17

- ☐ Full implementation of Article 17 to ensure the wide dissemination of information, available to all children whilst protecting them from harm requires the following action:

- ☐ Libraries must consider the effects of their policies on reducing hours and stock on children and young people when making changes.
- ☐ The Library Association guidelines for services for children and young people should be adopted and implemented by all public library services. All schools should adopt and implement the Library Association's guidelines for school libraries.
- ☐ The use of agreed guidelines for monitoring children's books and resources to ensure that they help develop awareness of a positive identity of all children from black and minority ethnic groups.
- ☐ The Department of National Heritage and the Department of Education in Northern Ireland should fund monitoring projects to ensure the widespread use of anti-racist children's books.
- ☐ Further research is required into the effects of television, video and computer games on the mental and physical development of children. The Department of National Heritage should commission an investigation at the earliest possible opportunity.
- ☐ Guidelines for protecting children and young people from harm through the media should be drawn up in conjunction with children and young people themselves.



APPENDIX D

The Charter for Children's Play

This is the full text of the Charter for Children's Play, published by the National Voluntary Council for Children's Play in 1992 and endorsed by the Council's 28 member organisations.

© National Voluntary Council for Children's Play 1992

1. Children

Children of all ages should be able to play freely, confidently, on their own or with other children or with adults. Children should take care not to hurt themselves or others in their play. Children should be able to express their views.

- ☐ Adults should ensure that children of all ages have the opportunity to take part in social, relaxed, play situations that enable them to gain confidence and learn on their own terms as much as possible.
- ☐ Adults involved in children's play should aim to act as enablers to support and encourage the children's own ideas and decisions about what they do and how they do it, while safeguarding their health and safety.
- ☐ All children should feel respected and valued and able to play free from racial or other types of harassment or abuse, from other children or from adults. Where children express views or act to the detriment of others, these views should be challenged.
- ☐ Play providers should ensure that there are opportunities for children to be involved in the planning and organisation of services and activities on a regular basis.
- ☐ Adults involved in providing education, childcare, art, sport, recreational and other community activities for children should recognise the benefits of facilitating play opportunities and respecting the right of the child to free play and self-determination.

2. Parents

Parents and other carers can help children by respecting and valuing their play needs and trying to maximise their opportunities for safe and stimulating play inside and outside the home. Children also need opportunities to interact and play with their parents and carers.

- ☐ All service providers should recognise that parents are their children's first playworkers and should support, resource and encourage them and work with parents to improve conditions for play where necessary.
- ☐ Policy makers should recognise the vital role that parents have played over the years in setting up, running, developing and campaigning for play provision and should allocate resources to assist parents in these activities.
- ☐ Where play services are not run directly by parents then providers must ensure that their policies properly reflect the importance of involving parents. Parents should be able to express their views on management and operational issues and be fully consulted before changes are made.
- ☐ Where parents are involved in managing and/or delivering the service, they should have sufficient access to training and other resources to enable them to do this effectively.
- ☐ Playworkers should keep parents informed of their child's activities and play services managers should make sure that there are sufficient opportunities for parents and the people who work with their children to discuss progress and to plan for the future.
- ☐ Local authorities and voluntary organisations should work together with parents to establish information services on provision for children in their areas.

3. Play for all

All children should have access to good quality, safe and affordable play opportunities, with supervision provided where appropriate, in accordance with age and need.

- ☐ Policy makers and service providers should work to ensure that no children are denied play opportunities because of discrimination, racism, sexism or cultural



constraints; the effects of disability and special needs; through poverty or because of social, environmental or other restrictions.

- ☐ Play service providers should value and respect the different religions, cultures, languages and abilities in our society and so value and respect each child as an individual without stereotyping. They should provide services that value and involve the children, families and communities in their areas.
- ☐ Play practice should enable children to develop positive attitudes to differences of religion, culture, language, gender and ability and to perceived differences of race.
- ☐ Service providers should have agreed equal opportunities policies produced in consultation with all relevant parties with arrangements for monitoring and reviewing the progress of implementation. The policies should apply to management, employment practice, training, access to services and to service delivery.
- ☐ Play services and play opportunities should be provided for children with disabilities and special needs within their area so as to optimise their abilities and give them the opportunity to lead fuller and richer lives.
- ☐ Children with disabilities and special needs should have access to integrated and specialist play services and provision as required.
- ☐ There should be national minimum standards for play services and play provision covering both quality and quantity for children of all ages.

4. Safety

Play opportunities should be creative, stimulating, adventurous and safe and appropriate to the child's stage of development and physical capabilities. Play opportunities should challenge children's abilities but not their survival or well-being. A child's life is of equal value to that of an adult.

- ☐ Every adult should ensure the safety of children at play.
- ☐ Local authorities should prepare plans to ensure that the needs of children take priority over the needs of motorists in residential areas.
- ☐ Service providers must be aware of the requirements for registration under the Children Act 1989.
- ☐ Service providers should ensure that staff and volunteers working with children have appropriate training, knowledge and experience for the duties and responsibilities expected of them. Police checks should be made on all staff and volunteers and references must be obtained.
- ☐ Staffing ratios should be such to ensure adequate supervision at all times and conform to the law where this applies.

- ☐ Where play services and opportunities are provided in premises or sites that do not require registration, the providers must ensure adequate standards of safety.
- ☐ Manufacturers of toys, play equipment, playground surfaces and play buildings/spaces should conform to British Standards and European Standards where these are available.
- ☐ In areas where there is a previous record of injury, such known hazards should be eliminated, preferably by legislation.
- ☐ Children should have access to dog free areas in public parks.

5. Services

All play services should respect the right of the child to play freely and safely in a caring environment. The role of the play services should be to resource and facilitate the play process.

- ☐ Ministers and local councillors should recognise the importance of providing play services and opportunities for all children and allocate funding to this provision in proportion to the funding allocated to recreation for adults.
- ☐ Government departments with responsibility for play should establish a mechanism through which they can develop policies for better play and coordinate the planning and review of children's play opportunities.
- ☐ The Government, having ratified the United Nations' Convention on the Rights of the Child, should now review national law to make sure that it is in line with the provisions of the Convention.
- ☐ Local authorities and voluntary organisations should work together and with parents to provide a range of well thought out, well planned and well balanced play provision and services to meet the needs of children and families in their areas.
- ☐ Local authorities should facilitate the setting up of Play Councils to work for better play services, play provision and play opportunities in their areas.
- ☐ Play services staff and managers, and others concerned with play should work with parents, children and professionals from other fields to promote the importance of play and the need to develop and improve provision.
- ☐ All service providers should operate to clearly defined policies and standards which have been arrived at with the participation of the children who use the services, parents and other carers, staff, and community representatives. These policies should then be made available to all parties concerned and subject to regular review.
- ☐ Service providers and others should work together to establish an independent body to gather evidence of the value of play provision and to commission research as necessary.



6. Neighbourhood play

All neighbourhoods should have a range of play provision and play services. Children should be able to play safely near their homes with friends.

- ☐ It is essential that children's play needs are considered and catered for in any new housing development, shopping area, road scheme and public facility such as clinics and libraries.
- ☐ Established areas with inadequate play facilities should be adapted to take into account children's needs for good quality, safe play opportunities.
- ☐ Children's provision should be planned with community involvement. Architects, planners and builders should work together with statutory, voluntary and private play services managers and workers, community and parents' groups, children and other relevant parties.
- ☐ Local authorities should extend and safeguard children's safe access to the countryside, to open spaces and natural areas wherever they live.

7. Schools

Play should be recognised alongside education as a vital part of children's healthy and happy development.

- ☐ School governors, headteachers and local education authorities should ensure that children at school are able to benefit from a variety of play opportunities inside the school and outside in the playground.
- ☐ Teachers and other school staff should be appropriately trained and resourced to enable them to help children make the most of play opportunities in the school timetable.
- ☐ Schools should forge constructive links with after-school and holiday play providers and pre-school play providers in their areas.

8. After school and holidays

A range of after-school, before school and holiday facilities combining aspects of play, care and education should be available for children of all ages in their own areas whether the child's parents are working or not, either free or at an affordable cost.

9. Special situations

Hospital care, visits to the doctor and clinic are some of the situations where children are in strange surroundings, perhaps experiencing fear, pain, anxiety and discomfort. Here too, children and their families benefit enormously from play opportunities and the help of play staff, and these should be available wherever possible.

- ☐ Health authorities must recognise that in hospitals play services are essential to quality management, providing a normal experience in an otherwise abnormal environment and providing therapeutic play opportunities to enable children and their families to cope with all aspects of their hospital stay.
- ☐ Hospitals should provide play services for children in hospital under the supervision of specialist staff with adequate resources and support.
- ☐ Qualified hospital play specialists should be recognised as an essential part of the ward team.
- ☐ Play services should be available Mondays to Fridays in all wards and units where children are cared for and in out-patient, accident and emergency department waiting areas.
- ☐ Play needs should be provided for in waiting areas in doctors and dentist surgeries, health clinics, social services offices and anywhere else where children may be subject to extra stress.

10. Education and training

All playwork training should be flexible, adaptable and reflective of existing good practice in playwork. It should involve a significant fieldwork practice component.

- ☐ Play qualifications must be developed which are play specific and at a standard sufficient to confer a status equivalent to allied disciplines.
- ☐ Agencies offering training opportunities leading to a playwork qualification should be subject to a national endorsement process.
- ☐ A national endorsement body must be set up which involves training bodies, fieldwork representatives and other relevant bodies. This body will promote the training and education of playworkers and play managers and policy makers.
- ☐ There should be open access to a range of routes to a playwork qualification. These routes should particularly meet the interests and needs of voluntary, temporary and part-time playworkers. There should be a route that allows for qualification by accreditation of playwork practice.

APPENDIX E

Further reading and resources

With thanks to the National Play Information Centre and the Children's Rights Office

■ **Department of Health/ Children's Rights Development Unit**

The Rights of the Child: a guide to the UN Convention

Department of Health Publications, 1993

A free introductory guide to the Convention. See Appendix F for order details.

■ **Children's Rights Development Unit**

The United Nations Convention on the Rights of the Child

London: Children's Rights Development Unit

Includes background to the Convention and the full text of the Convention. The appendices include the UK Declaration and reservations and a list of useful contacts.

■ **Northern Ireland Children's Rights Alliance**

My Rights in Our World

London/Belfast: Children's Rights Development Unit, 1995

A leaflet written by and for primary school children, outlining their rights under the UN Convention.

■ **Rights for Us Group**

A Guide to Rights

London: Save the Children Fund, 1994. ISBN: 1 870322 91 6

A brief illustrated guide to the rights in the UN Convention written for young people by young people aged 16 to 25 from Northern Ireland.

■ **Lansdown, Gerison and Newell, Peter (ed.)**

UK agenda for children

London: Children's Rights Development Unit, 1994. ISBN: 189896100X

a systematic analysis of the extent to which law, policy and practice in the UK complies with the principles and standards contained in the UN Convention on the Rights of the Child.

■ **Lansdown, Gerison**

Making the Convention Work for Children

London, Children's Rights Office, 1995

Looks at the role of the UN Committee on the Rights of the Child in monitoring the Convention: how this has been carried out in the UK, and the action needed to take the Committee's recommendations forward.

■ **Cole-Hamilton, Issy**

Checklist for Children: Implementing the UN Convention on the Rights of the Child - Developing Local Authority Policy and Practice.

London: Children's Rights Office/Association of Metropolitan Authorities, 1995

A detailed guide for local authorities at all levels on how to implement the Convention, with comprehensive check-lists for action.

■ **Treseder, Phil**

Guidelines for Promoting Participation by Children and Young People (provisional title).

London: Children's Rights Office/National Children's Bureau, forthcoming

A practical manual for empowering children and young people.

■ **Hart, Roger A.**

Children's participation: from tokenism to citizenship

Florence: UNICEF International Child Development Centre, 1992. ISBN: 8885401058

Examines how children's and youth's participation occurs to different degrees around the world, but is often exploitative or frivolous. Identifies different levels of young people's participation and gives examples of the different models. Also looks at the roles of play and work in children's lives both in the industrialised west and the developing countries.

■ **Castelle, Kay**

In the child's best interests: a primer on the UN Convention on the Rights of the Child

East Greenwich, RI, USA: FPPI, 1989. ISBN: 0-943965-11-X

A simplified outline of the Convention and its 54 Articles.

■ **Vittachi, Anuradha**

Stolen childhood: in search of the rights of the child

Cambridge: Polity Press, 1989. ISBN: 0-7456-0720-9

This book highlights some of the objectives of the Convention, such as that children shall have time to rest and play. It illustrates some of the range of problems children all over the world have, such as employment exploitation, sexual abuse and inadequate provision for physical needs, by giving details of some of the actual children involved.

■ **UNICEF UK/Save The Children**

It's Our Right/The Whole Child/Keep Us Safe

London: UNICEF UK, 1990. ISBN: 1-871440-04-1

A set of three classroom resource books together with a **Teachers Handbook**, with activity ideas and materials designed to introduce the Convention on the Rights of the Child to 8-13 year olds.

■ **World Summit for Children**

World Declaration on the Survival, Protection and Development of Children

London: UNICEF UK, 1990

This Declaration is a result of the World Summit for Children, held in New York 30th September 1990, and enumerates the problems of children in the world today and what governments can do to help. Also included is a Plan of Action which provides a framework for more specific national and international undertakings.



Article 31 Action Pack

■ *Rosenbaum, Martin and Newell, Peter*

Taking children seriously: a proposal for a Children's Rights Commissioner

London: Calouste Gulbenkian Foundation, 1991. ISBN: 0-903319-55-1

In the past few years many proposals have been made for improving the representation of children and young people at a national level. This document puts forward a detailed and practical proposal for creating a Children's Rights Commissioner - an independent and wide-ranging statutory office to promote the rights and interests of children and young people.

■ *Newell, Peter*

The UN Convention and children's rights in the UK

London: National Children's Bureau, 1991. ISBN: 0-902817-77-9

This book aims to help those working with or for children or living with children in the UK to get the maximum value out of the UN Convention on the Rights of the Child. It looks at relevant issues in law, policy and practice and gives positive examples of progress for children as well as practical suggestions for using the Convention in policy development.

■ *Alston, Philip; Parker, Stephen and Seymour, John (eds.)*

Children, Rights and the Law

Oxford: Clarendon Press, 1992. ISBN: 0-19-825776-7

The United Nations Convention on the Rights of the Child has been ratified by over 170 countries throughout the world. This collection of papers evaluates the advantages and disadvantages of tackling issues of children's welfare and well-being through a "rights" approach.

■ *Save the Children/World Wide Fund for Nature/ UNICEF UK*

Voice of the children: United Kingdom Children's Charter

London: Save the Children/UNICEF UK/WWF, 1993

In a project called the Voice of the Children, local hearings were held in schools and youth clubs in which young people quizzed adults about whatever mattered to them. This booklet offers practical advice on running a hearing based on the experience of groups so far.

■ *Greater Manchester Young People's Group*

Children Act Now!: Know your rights, use your rights

Manchester: Workers Film Association, 1992

This video was made by young people in care in Greater Manchester in order to help ensure that children know their rights and use them. Topics covered include children's right to information, their right to be consulted and their right to complain.

■ *Archard, David*

Children: rights and childhood

London: Routledge, 1993. ISBN: 0415082528

Reviews the arguments for and against according children rights. Maintains that the crucial rights are those "to vote, work, own property, choose one's guardian, and make sexual choices". Discusses what rights parents should have over

children, and how the State should act to balance the rights of children and those of their parents.

■ *Jenkins, Peter*

Children's rights: a participative exercise for learning about children's rights in England and Wales

Harlow: Longman, 1993. ISBN: 058221503X

This training package, consisting of a handbook and a set of "Rights Cards", covers the whole range of children's rights including types of children's rights; power issues; historical development; current law on rights; and the status of children as independent citizens in a variety of situations.

■ *Freeman, Michael and Veerman, Philip (eds.)*

The ideologies of children's rights

London: Martinus Nijhoff, 1992. ISBN: 0792318005

Examines the ways in which different aspects of children's lives are treated in a number of societies. The first part considers the moral foundations of children's rights, their limits, their relationship to changing images of children and what children themselves think of rights. The second part discusses issues such as child abuse, child prostitution, education, drug addiction, health and welfare from the perspective of the child as a person.

■ *Flekkoy, Malfrid Grude*

Working for the rights of children

Florence: UNICEF International Child Development Centre, 1990

In 1981 the Norwegian Parliament passed an Act setting up an independent Commissioner for Children - an "Ombudsman" for children - empowered to promote children's interests. This publication discusses the role of the Ombudsman and looks at some of the cases which the Ombudsman dealt with in the first few years.

■ *Madinger, Edward et al.*

The Convention: child rights and UNICEF experience at the country level

Florence: UNICEF International Child Development Centre, 1991. ISBN: 8885401031

UNICEF has been examining the implications of the Convention its work, and documenting the experience of using the Convention throughout the world. This publication presents case studies of three countries: Bolivia, Brazil and Kenya, and shows how efforts to promote respect for children's rights are well developed.

■ *Great Britain: HM Government*

The UN Convention on the Rights of the Child: the UK's first report to the UN Committee on the Rights of the Child

London: HMSO, 1994. ISBN: 0113217153

The UK signed the Convention on 19 April 1990 and ratified it on 16 December 1991, although with some reservations. It entered into force for the UK on 15 January 1992. This report looks at each Article of the Convention and states how the Government is complying with them. Under Article 31, which covers play, recreation and cultural activities, the Government details how it is supporting children's play.

APPENDIX F

Useful addresses

- ❑ **Article 12**, c/o Children's Rights Office, 235 Shaftesbury Avenue, London WC2H 8EL. ☎ 0171-240 4449.
- ❑ **Children in Wales**, 7 Cleave House, Lanbourn Crescent, Cardiff, CF4 5GJ. ☎ 01222 761177.
- ❑ **Children's Rights Office**, 235 Shaftesbury Avenue, London WC2H 8EL. ☎ 0171-240 4449.
- ❑ **Department of Health publications distribution** (for copies of free guide to the UN Convention): BAPS Health Publications Unit, Storage and Distribution Centre, Heywood Stores, Manchester Road, Heywood, Lancashire OL10 2 PZ (quote booklet reference CAG 9).
- ❑ **Fair Play for Children**, 9 York Road, Bognor Regis, West Sussex PO21 1LW. ☎ 01243 869922.
- ❑ **International Association for the Child's Right to Play, UK Branch**, c/o Kids' Clubs Network, Bellerive House, Muirfield Crescent, London E14 9SZ. ☎ 0171-512 2112.
- ❑ **International Association for the Child's Right to Play, Scottish Branch**, 20 Seaforth Drive, Edinburgh EH4 2BZ. ☎ 0131-315 3006.
- ❑ **National Centre for Play**, Moray House College of Education, Crammond Campus, Crammond Road North, Edinburgh EH4 6JD.
- ❑ **National Early Years Network**, 77 Holloway Road, London N7 8JZ. ☎ 0171-607 9573.
- ❑ **National Play Information Centre**, 359 Euston Road, London NW1 3AL. ☎ 0171-383 5455.
- ❑ **National Voluntary Council for Children's Play**, 359 Euston Road, London NW1 3AL. ☎ 0171-388 0330.
- ❑ **Playboard**, Unit 2, Quayside Office Park, 14 Dargan Crescent, Belfast BT3 9JB. ☎ 01232 370865.
- ❑ **Playday Steering Group**, Islington Play Association, West Library, Bridgeman Road, London N1 1BD. ☎ 0171-607 9637.
- ❑ **PLAYLINK**, Unit 5, Co-op Centre, 11 Mowll Street, London SW9 6BG. ☎ 0171-820 3800.
- ❑ **PLAY-TRAIN**, 31 Farm Road, Birmingham B11 1LS. ☎ 0121-766 8446.
- ❑ **Play Wales**, 10-11 Raleigh Walk, Atlantic Wharf, Cardiff CF1 5NL. ☎ 01222 498909.
- ❑ **UNICEF (United Nations Children's Fund) UK Committee**, 55 Lincoln's Inn Fields, London WC2A 3NB. ☎ 0171-405 5592.
- ❑ **Youth Arts Network**, Youth Clubs UK, Weston Corner, Station road, Fladbury, Worcs. WR10 2QW. ☎ 01386 860390.



APPENDIX G: Glossary of abbreviations

CRDU	Children's Rights Development Unit (ran 1992-95; replaced in April 1995 by the Children's Rights Office).
CRO	Children's Rights Office
DNH	Department of National Heritage
FPFC	Fair Play for Children
HAPA	At one time the Handicapped Adventure Playground Association; this name is no longer used. Now known simply as Hapa.
IPA	International Association for the Child's Right to Play (initials are from its original name, the International Playgrounds Association).
KCN	Kids' Clubs Network
LCF	Langley Children's Forum
NPIC	National Play Information Centre
NVCCP	National Voluntary Council for Children's Play
OMEP	World Organisation for Early Childhood Education (initials are from its French name: Organisation Mondiale pour l'Education Pre-scolaire).
RoSPA	Royal Society for the Prevention of Accidents
UN	United Nations
UNICEF	United Nations Children's Fund (the initials are from its original name: United Nations International Children's Emergency Fund, but this is no longer used).
YMCA	Young Men's Christian Association



Article 31 Action Pack

The United Nations Convention on the Rights of the Child

Article 31

1. States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 31 of the United Nations Convention on the Rights of the Child provides an invaluable opportunity for everyone working for children's play, recreation or the arts. Article 31 can be used to:

- improve opportunities for children;
- campaign for action on play;
- challenge inadequate services;
- promote children's participation;
- raise awareness of children's rights.

This book provides information, ideas and resources to help you do all these things.

It also contains keynote papers and reports from the conference "Article 31: the child's right to play", held in Birmingham in June 1994.

The **Article 31 Action Pack** will be useful to playworkers, arts workers, trainers, managers, local authorities, play organisers, campaigners and everyone concerned about children's rights.

"The UN Convention on the Rights of the Child has turned those things which young people need into things to which they have a right. Turning those rights into reality requires us all to be involved. The Article 31 Action Pack is a welcome contribution to that work"

Robert D. Smith, Executive Director, UK Committee for UNICEF

The Article 31 Action Pack has been produced by **PLAY-TRAIN** in partnership with:

Children's Rights Development Unit
Fair Play for Children
International Association for the Child's Right to Play
Islington Play Training Unit
Kids' Clubs Network
National Voluntary Council for Children's Play
PLAYLINK

Published with financial support from the Calouste Gulbenkian Foundation

ISBN 0 9519013 1 1

