

Children's Right to Play and the Environment

A discussion paper prepared by the
International Play Association: Promoting the Child's Right to Play
for the UN Committee on the Rights of the Child Day of General Discussion, 2016
Children's Rights and the Environment



International Play Association
promoting the child's right to play

PURPOSE OF THE PAPER

This discussion paper highlights the critical role of play to children's well-being, development and survival and reflects upon the impact of environmental conditions on the realisation of the right to play in children's everyday lives. The paper aims to stimulate and inform other written or oral contributions to the UN Committee on the Rights of the Child Day of General Discussion, 2016.

INTRODUCTION

Play is an integral part of children's everyday experience, from the earliest days of life through adolescence and into adulthood. For the purposes of this paper we take the definition of play from General Comment No. 17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31).

Play: Children's play is any behaviour, activity or process initiated, controlled and structured by children themselves; it takes place whenever and wherever opportunities arise. Caregivers may contribute to the creation of environments in which play takes place, but play itself is non-compulsory, driven by intrinsic motivation and undertaken for its own sake, rather than as a means to an end. Play involves the exercise of autonomy, physical, mental or emotional activity, and has the potential to take infinite forms, either in groups or alone. These forms will change and be adapted throughout the course of childhood. The key characteristics of play are fun, uncertainty, challenge, flexibility and non-productivity (Committee on the Rights of the Child, 2013:6).

The importance of play in the life of every child has long been acknowledged by the international community:

- Declaration of the Rights of the Child (1959) asserted children's right to 'full opportunity for play and recreation ...; society and the public authorities shall endeavour to promote the enjoyment of this right' (art. 7).
- UN Convention on the Rights of the Child (1989) states in article 31:

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.

- UN Declaration on the Rights of Disabled Persons (articles 7 and 30) further reinforces the rights of disabled children to enjoyment of their play rights on an equal basis with other children.
- General Comment no.17 (Committee on the Rights of the Child, 2013) provides detailed explanation on the significance of play and the obligations of Governments and other parties in relation to implementation of article 31.

In General Comment no.17, the Committee expressed concern about the poor recognition given by Governments to the article 31 rights.

In general, where investment is made, it is in the provision of structured and organized activities, but equally important is the need to create time and space for children to engage in spontaneous play, recreation and creativity, and to promote societal attitudes that support and encourage such activity. In addition, rising urban populations, violence in all its forms, the commercialization of play provision, child labour and increasing educational demands are all affecting children's opportunity to enjoy their article 31 rights.

Implementation of children's right to play is essential to creating the conditions for children's optimum well-being and development. Furthermore, article 31 as a whole contributes to the social, cultural and economic well-being of society as a whole (IPA, 2013). The rights in the Convention are indivisible and interdependent. The right to play, expressed within article 31, is central to the promotion of resilience and to realisation of other rights including rights to life, survival and development, participation, health and education. Equally, other rights must be respected in order to guarantee the realisation of article 31.

THE IMPORTANCE OF PLAY

Play is a vital and fundamental part of the human experience; it is important to the lives of children in that it gives them pleasure, is essential to their healthy physical and mental growth, and enhances their ability to function in the culture and society in which they are born (IPA Declaration, 2014). Play promotes creativity, imagination, self-confidence, self-efficacy and physical, social, cognitive and emotional strength and skills, and, as a protective process, can enhance adaptive capabilities and resilience (Lester and Russell, 2010). Playing is a particular way of engaging with the world; while playing, children can experience the vitality of a range of emotions, with less consequence than such emotions may bring in the 'real' world. This can give rise to positive feelings and pleasure, a sense that life is worth living for the time of playing. It contributes to peer attachments and attachment to place.

Children's play has been described as a form of everyday participation, interwoven into the cultural, social, and physical fabric of everyday life (Meire, 2007). Children play an important role in social reproduction; it is through play rather than in school that children establish social relations with peers and contribute to the building of the culture of their communities. In a world of increasing privatisation and segregation, the shared experience of safe public spaces, inclusive in terms of age, gender and other differences, enables children to see themselves and others acting with equal rights and this serves to promote and strengthen civil society (Hart, 2003).

The lure children feel to playing outdoors in natural spaces or wild environments is one of play's many facets. A growing body of research has found that daily exposure to natural environments while playing has a positive impact on children's sense of well-being, fitness levels, resilience, cognitive functioning and motor ability (Bird 2007; Pretty et al 2007, Lester and Russell 2008, Muñoz, S.-A. 2009, Keniger et al 2013, Gill, 2014, Söderström et al 2013). Gardens for children with their diverse, constantly changing, multisensory qualities (as compared with playgrounds with static, standardized, equipment), offer children a special boundless way of playing and learning that stimulates the development of mind, body, and spirit (Moore and Cosco, 2005). Children can come to understand, appreciate and care for the natural world while playing in and with it, alone, with other children or with adults who share in communicating its wonder and significance. Play and leisure in nature not only strengthen resources with which to cope with stress but can inspire a sense of spiritual wonder and encourage stewardship for the earth.

Profound disaster conditions – both natural and man-made – are on the rise worldwide. Disasters resulting from natural hazards have an increasing impact on

people and their living environments and children are a disproportionately vulnerable group in the context of disasters. In emergency and crisis situations, whether in the context of conflict, humanitarian or natural disasters, play is often given lower priority than provision of food, shelter and medicines. However, in these situations, opportunities for play, recreation and cultural activity can play a significant therapeutic and rehabilitative role in helping children recover a sense of normality and joy after their experience of loss, dislocation and trauma. One of the ways that children cope with crisis in any context is through play, in their ability to spontaneously create opportunities to play with anything in their surroundings. Providing opportunities for play hones innate play skills, which are vital resources that can support children's self-determination by preparing them for what life delivers, as well as helping them to come to terms with what has happened (Fearn and Howard, 2012).

The lack of play impacts on all children wherever they live. Children living in poor or hazardous environments, children living in poverty, children in situations of conflict or humanitarian disaster, children in rural communities, asylum-seeking and refugee children, children in street situations, disabled children, chronically hospitalised children and migrant or internally displaced children are likely to be disproportionately affected by environmental constraints on their enjoyment of their right to play. Lack of sensitivity to children's needs in the planning, design and management of what are considered to be more desirable environments can also result in play deficits.

THE ROLE OF THE ENVIRONMENT

The New Urban agenda makes clear the need to create a mutually reinforcing relationship between urbanization and development as parallel vehicles for sustainable development. With 70 per cent of the world's populations living in cities by 2050 (UN joint report, 2012) the development of this relationship in the short term is critical if we are to be adequately prepared for meeting the demands that will be placed on the population in 2050. Promoting the child's right to play is fundamental to both inclusive urbanization and child-centred development.

As children's well-being is shaped by where they live, the quality of play is fundamentally shaped by the environments it happens in. Children's play and learning, their close relationships and social interactions are dependent on the quality of spaces and places they inhabit (Brooker and Woodhead, 2012). The more responsive affordances – possibilities for action – there are in a child's environment, the more likely she is to have the selection of challenges and opportunities that fit her needs at a particular time (Gibson, 1982).

The UN Committee on the Rights of the Child (2013:10) asserts that certain conditions need to be assured if children are to realize their article 31 rights fully. These factors are:

- Freedom from stress, social exclusion, prejudice or discrimination.
- An environment secure from social harm and violence, and sufficiently free from pollution, traffic and other hazards that impede free and safe movement.
- Availability of rest and leisure time, as well as space that is free from adult control and management.
- Space to play outdoors in diverse and challenging physical environments, with access to supportive adults, when necessary.
- Opportunities to experience, interact with and play in natural environments and the animal world.
- Opportunities to invest in their own space and time so as to create and transform their world, using their imagination and languages.
- Opportunities to explore and understand the cultural and artistic heritage of their community, participate in, create and shape it.
- Opportunities to participate with other children in games, sports and other recreational activities, supported, where necessary, by trained facilitators or coaches.
- Recognition by parents, teachers and society as a whole of the value and legitimacy of the rights provided for in article 31.

In considering these factors, we recognise that the provision of space for play in the built environment takes many forms, including parks, playgrounds, school playgrounds, public open spaces, streets and green spaces. Some of these are perceived and valued as 'natural' and although others are undoubtedly planned, designed and managed they can serve the same purpose. A list of places provided for play does not however adequately reflect the range of places in which children, through choice or necessity, actually play. Those places may include spaces temporarily claimed by children, spaces disregarded by adults or authorities and the spaces between buildings and settlements. Particularly in many low income communities, where there are few alternatives, children may play in streets whether or not these are designed for play.

The relationship between play and place works in a number of different ways: opportunities for play and the quality of play are shaped by the material environment; conversely, children's drive for play can

expose them to adverse conditions and risks to their own safety and health; even in the most unfavourable environments, children's spontaneous urge to play will lead them to seek out opportunities to do so; less frequently, but significantly nonetheless, contaminated environments may contribute to malnutrition and frequent illness in young children which can result in apathy and listlessness which can compromise their desire and ability to play.

How to plan, design and provide spaces that promote and protect children's rights, giving them space, permission and opportunities to play, is a challenge. While provision of space to play does not fully address the right to play, it is an important factor when children would otherwise be forced to play in hostile, unhealthy and or hazardous environments or would be kept indoors because of lack of safe space. Defining shared spaces through child-sensitive design, whether in neighbourhoods, group housing or refugee camps, can help to promote play. Wherever children play there is a need to improve environments, not just in those spaces provided for play.

Overdevelopment of the urban realm through regeneration which doesn't consider the social dimensions of decision-making can have deleterious impact on children's play. Children's use of public space for play, recreation and their own cultural activities is impeded by the increasing commercialization and privatisation of public areas, from which children are excluded or unwelcome.

An integrated partnership approach to providing for play can address issues that range across micro, community and policy levels though the variables that contribute to the production of play-friendly environments which are acknowledged to be 'messy, multiple and complex' (Lester and Russell, 2013). An approach which recognises the value children attribute to playing in informal spaces close to home can result in: street level actions (signs, street closures, playwork interventions, protection of small 'waste-ground' sites); community engagement (advocacy, community play audits); and broader policy action (traffic regulations, accessible street closure procedures) (Lester and Russell, 2013). An emphasis on reshaping neighbourhoods to better serve the interests of children would also address many of the neighbourhood problems perceived and experienced by the wider population. Examples such as demotivation to use public space, the incivilities that arise from antisocial users and users dominating public space are all challenged by the creation of child-friendly neighbourhoods (McKendrick 2009, 2013) that promote the conditions in which children can more fully realise their rights under article 31.

INTERSECTIONS OF THE RIGHT TO PLAY WITH THE RIGHT TO A HEALTHY ENVIRONMENT

While children throughout the world repeatedly demonstrate their determination, resourcefulness and creativity in finding opportunities for play, many of them face significant barriers in realising their article 31 rights.

Whilst there are significant differences from place to place, the challenges to children's access to play cut across regions and countries and in a general way they can include the following:

- Poor home environments, including issues of high density of living space, poor protection from the elements and animal life, and indoor air pollution by smoke, reduce the quality of everyday play especially for young children and those confined to the home.
- An impoverished or hazardous environment has direct negative consequences on children's ability to exercise their right to play – limiting or rendering hazardous playful exploration, social encounters, freedom to roam/independent mobility, interaction with the built environment, connection to the natural world and connectedness in the community.
- Hazardous and toxic environments, both urban and rural, can make it too difficult for children to balance risk-taking and safety and often lead caregivers to greatly restrict children's free play and independence. Children are at particular risk because both their natural curiosity and exploratory play can increase the likelihood of exposure to hazards.
- The majority of the world's poorest children face physical hazards such as polluted water, open sewer systems, overcrowded cities, uncontrolled traffic, poor street lighting and congested streets, inadequate public transport, lack of safe local play areas, green spaces and cultural facilities.
- A lack of access to nature while playing has profound implications for both children's individual development and the development of a sustainable relationship between human development and natural systems. Access to nature is limited not only in urban environments but also in rural areas, which are also affected by privatisation and restrictions to access, and on the urban fringes where land is intensively used.
- Play and recreational facilities are often assigned to vacant land in cities, in proximity to major vehicular roads, sewers, railway tracks, and other hazardous features which make access dangerous. Sites for play and recreation may also increasingly be exposed to such climatic hazards as flooding, particularly in coastal or riverine cities.

• Parks and playgrounds are often appropriated by dominant groups, typically older boys and men, often putting younger children and girls at risk, and creating a fear of violence and abuse which excludes these marginal users from vital community spaces.

- Children living in unsafe housing in informal settlements, without proper drainage and sanitation systems, those in climate hotspots and those exposed to typhoons, cyclones and floods are at most risk of climate impacts. In these situations, critical infrastructure is disrupted, latrines overflow, roads are blocked and homes, schools or open spaces remain submerged for days. These impacts upset everyday routines and rob children of any opportunities for play and recreation (Chatterjee, 2015). Children's spontaneous drive for play under these conditions often exposes them to risks of grave injuries, infections, disease and drowning.

While climate change will ultimately impact every child, children living in high-risk areas are already vulnerable and face some of the most immediate risks. Aside from acute situations of natural disasters, extreme weather and events, the concern is the gradual worsening of conditions that, especially for those in poverty, exacerbates existing challenges.

Detrimental environmental changes are already affecting the overall safety of outdoor play for children. From an increase in adverse asthma symptoms to aggravated reactions from increases in heat for children with sickle cell disease, children's access to play and a healthy quality of life are faltering.

The impact urbanisation is having on children's lives cannot be underestimated, increasing challenges faced by children and impacting on children's rights. Opportunities to experience, interact with and play in natural environments (sufficiently free from waste, pollution, traffic and other physical hazards) and the animal world are decreasing. As more and more people in poverty move to urban areas, the capacity of municipal governments to respond to the influx becomes ever more strained, with serious implications for the quality of the environment.

The provision of inclusive play environments for children of all ages and abilities will contribute to the more general inclusivity of cities, though currently many groups of children face multiple barriers to enjoyment of their article 31 rights. Children's everyday environments (home, street, neighbourhood, care settings etc.) are of particular significance. Moreover, promoting play in the heart of communities makes neighbourhoods safer, more vibrant and resilient and in this way relates directly to the Sustainable Development Goal 11, to 'make cities and human settlements inclusive, safe, resilient and sustainable'.

Public space as a common good is the key enabler for the fulfilment of human rights, empowering women and providing opportunities for children. Improving access to and participation for the most vulnerable is a powerful tool to improve equity, promote inclusion and combat discrimination in public space. Inadequate housing should be compensated by generous provisions of good quality public space. (United Nations Human Settlements Programme, 2015).

IMPLICATIONS FOR POLICY AND PRACTICE

Dangers inherent in and erosion of many natural and public spaces traditionally available to children to play in creates a need for greater government intervention to protect the rights under article 31.

Governments must introduce a wide range of measures to ensure the fulfilment of all article 31 rights, and for children's experience of place to inform decision-making. An acknowledged principle is that article 31 should be upheld through supporting the conditions in which play can take place (Lester and Russell, 2010) and in so doing contribute towards Sustainable Development Goal 3, ensuring healthy lives and promoting well-being for all at all ages.

While the right to play is not only about designated play spaces, these are an important part of the mosaic of children's lives and an area in which their voices should be heard. Designated play spaces should be understood as having both symbolic and practical value. Symbolic in that they assert the right and need of children for space to play, and practical from the utility of the play environment. However, a problem arises when far from enabling play, these spaces are assumed to be the spaces in which play should take place, allowing play to be designed out of the wider environment or as a smoke screen used to exclude children from public space.

States parties are encouraged by the UN Committee to take into account the implications for children's rights under article 31 when developing policies relating to social protection, employment, housing and access to public spaces for children, especially those living without opportunities for play and recreation in their own homes.

This includes, in particular:

- Legislation and planning for ensuring that every child has sufficient time and space in their life for their article 31 rights, together with a timetable for implementation.
- Disaggregated data collection and research to find out how far children are from being able to engage in play, recreation and cultural and artistic life, and to use the results to inform planning and measure progress.

- Development of cross-departmental collaboration in national, provincial and municipal government to ensure a broad and comprehensive approach to implementing article 31.
- Review of budgets to ensure that allocation for children is inclusive and consistent with their representation as a proportion of the population as a whole, and distributed across the provision for children of all ages, with consideration given to the cost of measures required to ensure access for the most marginalized children.
- Investment in universal design to promote inclusion and protect children with disabilities from discrimination.
- Municipal planning that places a priority on the creation of environments which promote the well-being of the child, including: inclusive parks, playgrounds and sports and community centres; zones with priority for pedestrians, players and bikers over motorized traffic; access to landscaped green areas, open spaces and nature, with affordable transport; road safety measures.
- In addition to effective design of environmental features that are targeted at children, recognising the need to orientate design, planning and regulations in areas that are not generally recognised as relevant for children towards ensuring the play and child-friendliness of all environments.

Research is also needed into the daily lives of children and their caregivers and the impact of housing and neighbourhood conditions in order to understand how they use local environments. In undertaking this research, consideration must be given to the barriers they encounter in enjoying the rights under article 31, the approaches they adopt to surmount those barriers and the action needed to achieve greater realization of those rights. Such research must actively involve children themselves, including children from the most marginalized communities, to ensure that the rights of the child in every aspect of the UNCRC are upheld and honoured.

CONCLUSION

Play is a critical and intrinsic part of healthy human life and development and a child's ability to exercise the right to play should not be dependent on the environmental conditions where that child lives or the family they were born into. The quality and benefits of play are highly susceptible to the environments in which it occurs. It can be compromised by extreme and toxic stressors brought about through the actions or inaction of adults. Wherever children's right to play is negatively impacted there are consequences for children's health, development and well-being.

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Find out more about IPA and our purpose to protect, preserve and promote the child's right to play as a fundamental human right at www.ipaworld.org

Committee on the Rights of the Child: **Call for submissions: Day of General Discussion 2016 – Children's Rights and the Environment: Deadline 31 July 2016**

The Committee on the Rights of the Child decided to devote its 2016 general discussion day to the issue of children's rights and the environment. It will take place during the 73th session of the Committee on Friday 23 September 2016, from 10:00 a.m. to 6:00 p.m. at Room XIX, Palais des Nations (UNOG).

In this regard, the Committee encourages the submission of written contributions on issues related to: the impact of environmental harm on children's rights; the role of children as agents of change in the environmental context; State obligations regarding the rights of the child in relation to a safe, clean, healthy and sustainable environment; and the role of the business sector.

The contributions can be submitted in English, French and Spanish; and are limited to a maximum of seven pages (2500 words). The deadline for submissions is the **31st July 2016**, to be sent in electronic form to: crc-dgd@ohchr.org

Additionally, authors of written contributions are encouraged to present a maximum of five recommendations (no more than 5 lines altogether), which should be attached to the submission as an annex, for actions the Committee can take in relation to the themes under discussion.

For more information on the objectives of the DGD 2016 and registration,
<http://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2016.aspx>