

## Untangling article 31 - play, culture and arts in 21st century childhood Seminar Report

Gallery of Modern Art, Glasgow,

Thursday 2 June 2011

The International Play Association (Scotland Branch) and Glasgow Life

This seminar explored article 31 of the UN Convention on the Rights of the Child in which **children's rights to play, recreation, cultural life and the arts** are established. The seminar was the first step in Scotland in preparing for the adoption of a United Nations 'General Comment' on article 31. It aimed to start a dialogue about the components of article 31 and how they enrich and support each other.

Through a panel discussion chaired by Juliet Harris of *Together* (Scottish Alliance for Children's Rights) and in small groups, thirty participants discussed questions around article 31 such as:

- how to bring a rich understanding of article 31 to our work for and with children. (Would be beneficial to do so? How would we do it? What difference would it make?)
- the major concerns/opportunities/potentials that relate to article 31 in Scotland

### Background

In February 2011 the UN Committee on the Rights of the Child, announced its decision to draft and adopt a General Comment on article 31. The General Comment will be issued to every government of the world which has signed up to the Convention including, of course, the UK government.

In recent years the Scottish Government has been active in acting on the responsibilities that come with the UN Convention on the Rights of the Child (UNCRC) by reporting to the UN on children's rights in Scotland (through the UK report), and following up on the UN Concluding Observations (recommendations) with an action plan etc.

The power of the General Comment however will come from the readiness of communities of interest to draw the Government's attention to its messages and to highlight the implications for Scotland.



## Discussion

Article 31 is historically one of the least understood areas of the Convention (hence the need for a GC); it contains distinct but overlapping components; the adults one might expect to have an interest in these components work in widely diverse settings with a variety of aims, approaches, professional standing and political support.

The play sector was early in recognising the significance of placing their work within the framework of article 31 - 'every child has the right to play' being a powerful advocacy message.

In leisure, children's creativity, access to cultural life and the arts, it could be said that that the work taking place has not been situated or understood explicitly within a framework of children's rights.

Hence the questions: how can we bring a rich understanding of article 31 to our advocacy for children's rights? What, for example, does the right to participate in cultural life mean? Who in Scotland is responsible for upholding these rights?

Prompted by the question '**How do you define play/recreation/leisure/cultural life/ the arts – or, indeed, is it necessary to define it?**' the panel began by exploring some adult responses to aspects of article 31, aware all the time that 'children wouldn't necessarily see distinctions between them'. This discussion wound its way through the panel and group discussions that followed

Seeing play as under threat, the play sector has 'agonised' over definitions of play as a way of protecting what is essentially a natural human behaviour. The danger is that any definition is artificially restrictive. An accepted working definition is that play is 'freely chosen, personally directed behaviour', motivated by the child themselves rather than for external award but others would advocate for much wider all-encompassing definitions or none at all. Perhaps not needing a definition comes from a position of confidence rather than a protective position in which the need arises to articulate the value of something that is little understood.

Discussing the **haphazard and anarchic** nature of play and creativity highlighted the difficulty of creating policies around them. Do play and creativity thrive in managed, provided spaces and places or do they burst out on the borders? Are they always to be viewed as positive and constructive or is there also value in the transgressive and darker dimensions? Is it an accident that children's favourite places to play are often hidden, secret, dangerous or simply 'out of bounds'?

Play is often equated with the idea of **a culture of childhood**. Culture encompasses traditions, beliefs, meanings and values. Is children's own culture alive in their every day play in Scotland? Has a problematic relationship with risk in childhood also diminished the possibilities of culture of play? Does new technology erode or enhance a strong sense of culture?

It was asked if **cultural expression** comes out of free time. Global trends suggest that free time can be in short supply for many children with over-organised daily schedules. Many activities that children take part in (including 'play', sports, arts and crafts, music lessons etc) can be admirable in themselves while adding up to a daily round of adult-led activities. With little time for children's self-organised activity formal programmes can be

seen to both support and diminish children's experience of the parts of life article 31 seeks to support.

Currently in the UK sport is set in a context of huge international '**games**' - the Olympic Games 2012 in London and the Commonwealth Games, 2014 in Glasgow. Concern was expressed for the loss of **street games** and playing sport for pleasure and recreation, playing for 'intrinsic value' rather than external goals. Again, rules, institutions, structures etc have may be over-riding the self-organised playing of games and sports.

Does the adult tendency to 'provide' or 'organise' combined with an inability to bring a light touch, deaden our approach to supporting opportunities for play, creativity, games etc? How do we understand and influence the 'choices' happening in the creative or play space? A lack of confidence in children and the inability to trust children were suggested as root causes.

**Games, play and cultural expression** come together in use of public spaces and so-called 'playable' spaces. Linking article 31 more clearly to other areas of the Convention such as rights of participation, freedom of expression and assembly etc might serve to challenge attitudes towards children's place as 'social actors' in the public domain.

**Public, community, shared and 'playable' spaces** are areas in which policy frameworks and work on public perceptions of the value of the components of article 31 could make a tangible difference to children's rights under article 31.



### **Next steps**

The participants recognised and discussed the overlapping expertise from play, art, culture, recreation and leisure within the seminar and suggested making better use of these **interchanges**, with for example: 'affinity diagrams'; practical ways article 31 could be put into practice; excitement of implementation moving forward; understanding/opportunity to discuss 'article 31' issues with other agencies in other sectors.

A developed **structure or framework** to reflect our work (and to reflect on it) would be very useful, providing we can encompass the messy, 'haphazard and anarchic' contradictions inherent in play and creativity.

The language used and naming of initiatives around the General Comment should be considered carefully so that they are more easily understood and convey the **importance and excitement** of UN guidance on play, recreation, culture and the arts.

Exploration of '**Curriculum for Excellence**' through formal and informal settings: 'permission' for organisations, workers and projects to have **fun and playfulness** as a key part of their work is there in policy documents in Scotland – but there are questions about how do we do it.

Can organisations see 'play' and 'fun' as a 'key' value along with learning and knowledge?

Feedback suggested an appetite for more time to be spent on these issues with longer events and **more time to 'hone ideas and words'**. Comments included:

'Article 31 is completely relevant as my organisation/project link all the main points covered in the article in our daily life as a community development project.'

'The kids that I work with are excluded and often article 31 means –unfortunately - nothing in their lives'

'It gives me a revised view of how to incorporate play in museums and some of the issues within it.'

### **Next steps – GoMA**

The Blog [www.blueprintforabogey.wordpress.com](http://www.blueprintforabogey.wordpress.com) will continue to operate and archive the work documented in that programme and related materials around the right to play. GoMA are currently undertaking new work called *Playable Spaces* with Associate Artist Rachel Mimiec and IPA Scotland developing from key themes in *Blueprint for a Bogey*. A blog [www.playablespaces.wordpress.com](http://www.playablespaces.wordpress.com) will be part of that process.

### **Next steps IPA Scotland**

As a branch of the International Play Association which has led on the General Comment initiative, IPA Scotland intends to use the period between now and adoption of the GC (anticipated in late 2012 or early 2013) to help prepare the ground in Scotland. A General Comment is in effect a 'tool' that will aid progress and change for the better for children in Scotland, *if* advocates for children mobilise around it.

A more sophisticated understanding on the components of article 31 is an important starting point. Lively, critical debate of how we provide and plan for the components of article 31 separately and in conjunction with each other is necessary. A greater understanding of how to translate the outcomes intended by the article to the Scottish policy context is vital.

**Info box:****UN General Comments**

A General Comment (GC) is official UN document sent to all 192 countries which have signed the Convention. The aim of a GC is to increase accountability and guide implementation, usually in an area in which 'states parties' are seen to be falling short. The purpose is to widen and deepen understanding of the Convention, to reflect changing conditions under which children grow up and to bring in new insights from research and practice.

Other GCs concern the implementation of rights in early childhood, disabled children's rights, children's participation (there are 13 GCs at present). They can be downloaded from the UN Committee website [www2.ohchr.org](http://www2.ohchr.org)

**Scotland's reports on children's rights**

For more information on how the Scottish Government and non-governmental sectors in Scotland report to the UN on children's rights, see Together [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk)

**United Nations Convention on the Rights of the Child: article 31**

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.

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.

**Untangling article 31 participants****Panel**

**Joan Parr**, Portfolio Manager, (Education, Learning and Young People) Creative Scotland

**Ivan Harper**: Senior Playworker, The Yard Adventure Playground

**Theresa Casey**, independent play consultant and author, President of the International Play Association: Promoting the Child's Right to Play

**Panel moderator: Juliet Harris**, Together (Scottish Alliance for Children's Rights)

**Seminar organisers**

Katie Bruce, Social Inclusion Coordinator, Gallery of Modern Art

Theresa Casey (as above)

Andrea McMillan, Glasgow Life Play Services

**Participants**

Kirsty Clarke

Glasgow Life Sport

Rachel Mimiec

freelance visual artist

Tracey Morgan

Peter Potter Gallery

Siobhan McConnachie	Glasgow Musuems
Lucy Lowe	Scottish Chamber Orchestra
Janie Nicoll	freelance visual artist
Wendy Woolfson	Glasgow life Libraries/Storyteller
Marie Forsyth	Children's Inclusion Partnership
Kate Robertson	Children's Inclusion Partnership
Clare Macaulay	Arts in the City
Patricia McKean	Glasgow Life Libraries
Helena Simpson	Go Bananas Softplay Ltd
Sharon Cameron	DG Play
Valerie Doran	Out of School Club ,Dumbarton
Susan McIntyre,	MAP/ International Play Association
Lesley Creevy	International Play Association
Maureen Henry	Glasgow Life Play Services
Kelley McPate	Glasgow Life Play Services
Phyllis Steel	freelance arts worker
Ruth Carslaw	Independent filmmaker
Cheryl MacLachlan	Glasgow Life Sport
Beverley Anderson	Broomhill After School Care
Fiona Andsell	Hyndland After School Care
Alice Duncan	Royston Youth Action