The strategic Importance of Valuing play and recreation

Points of Consideration
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Convention on the Rights of the child
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.

In this paper we will mention a few main points of attention related to the child’s right to play in the European Context. Other topics that are also related to this issue, for example housing, parent/family involvement, social and cultural themes etc., will not be discussed.

1. Legislation on Play

2. Child Friendly Cities, an international movement of local governments

1. Legislation on Play

Everywhere in the EU parents, play workers, professionals in childcare and youth work and many others support children in their normal day life and in their ‘playing’. Inspectors in the area of education, health and childcare are inspecting the quality of provisions. Urban and rural planners and real estate developers plan play areas. Designers create toys within legal frameworks and according to the wishes of consumers. Institutions of vocational education educate future professionals to support the children’s play. They all contribute to the playing of children. The acquis communautaire (EU legislation) is influencing this.

On the positive side there have been a number of cases where the EU has legislated to promote the highest standards of safety for children. These have included the Toy Safety Directive 1988, and other directives aimed at establishing standards for producers so that children cannot undo fastenings on potentially dangerous products, such as bottles of medicines. Beyond these specific cases, children have to some extent been covered by more general consumer protection initiatives.

For instance, a directive on general product safety in 1993 has extended protection relating to toys to include equipment in playgrounds and toys in public places.

A problem is that the EU sets standards on the basis of consumer safety and in this way does not take into account the rights and interests of the child, in particular the right to play. The way in which the standards EN 1176 and EN 1177 (EN 1176 European Standard in relation to the safety of play...
equipments and EN 1177 European Standard in relation to shock absorbing surfaces of play areas) are applied in many European countries, has a lot more to do with the uniformization of the market than with the increase of safe ways to play for children. This often leads to play areas which are set up without any imagination and can even lead to a destruction of much valued play environments. In other words, it is paramount that policy makers strike a careful balance between safety precautions and use value, in this case play related. (issue on the conference Child in the City, London, October 2004)

Despite these EU standards problems remain. Sometimes the standards have been set too low to make a real impact (and on occasions have even reduced standards in some countries). The implementation of directives is often poor and sanctions are non-existent. In relation to toy safety, for example, all toys are required to bear a ‘CE’ mark to show that they conform to relevant EU safety standards, yet manufacturers have the right to declare that their products comply by attaching the mark themselves. Although Member States must carry out checks, it appears that enforcement is not rigorous enough in some cases.

The following examples show that too often commercial considerations come before the best interests of the child with the potential to harm children’s interests. Examples include:

- **Distance Selling:** There is no reference to the protection of children in EU Directives on misleading advertising and on distance selling, despite evidence from consumer groups that children are often unable to distinguish between covert advertising and information and are therefore at specific risk.

- **Toy Advertising:** In a recent case, toy manufacturers called on the European Commission to take action against the Greek Government. The Greek Government had banned TV advertising of toys because of a concern to promote the best interests of the child and ensure that no advertising was transmitted between certain hours. However the Commission claims that the Greek Government’s action breaches single market rules, placing commercial interests above those of Europe’s youngest citizens.

- **TV Advertising:** In a similar case in 1995 a UK TV station transmitted advertisements to children in Sweden, although these are prohibited for children under 12 in Sweden. Because the single Market creates a free market for movement of goods and services, this action is perfectly lawful, even though it may not be in the best interests of children.

- **Chemicals and Toys:** Although many member states took action to institute a ban on the use of PVC (polyvinylchlorides) in toys the European Commission took months to introduce an EU wide emergency ban. This was despite evidence from consumer and environmental groups that such toys contain harmful levels of chemicals and may damage children’s health. An EU wide ban is currently in place but needs to be renewed every 6 months. It also does not include all toys intended for children under the age of three years. The Belgian Presidency (2001) attempted to extend the ban on toys containing PVC to all toys intended for children under 3, but this was blocked by several Member States in the Council.

All these examples demonstrate that the need for better consideration of the best interests of the child at the drafting stage of legislation, within the policy and decision making processes of the EU. Inclusion of a reference to children’s rights in the European Constitution would help ensure that this process was systematic and no longer ad hoc. It would also help ensure that member states and the Commission did not waste time discussing these issues after legislation was in force (e.g. in the case of PVC in toys).

**2. Child Friendly Cities**

When the European Economic and Social Committee (EESC) published a report concerning child abuse, they concluded that there was a need for an holistic approach to combat the abuse of children. It should be holistic in two senses: holistic in that several domains should be integrated and co-ordinated; and holistic in that children should not be isolated from other citizens. Children are citizens too. Since an holistic approach is best enacted and realised at a local level, the creation of child friendly cities was suggested. An European Child Friendly Cities network was developed. Simultaneously, a network started in different EU countries.
Art. 3 of the United Nations Convention on the Rights of the Child states to take the best interests of the child into account: “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.”

The local governments are responsible to implement the Convention and to realize the opportunities and provisions in their communities for the well-being of children. This means also opportunities to play (art.31 UN CRC).

Local governments are committed to the EU-rules and legislation as mentioned above, which are also influencing the playground attractions in public space. An important issue is “Risk taking and play: how do children learn to take risk with a minimum of potential harm.” Children simply need to be challenged and, through experience, have to learn to assess and deal with risk in their daily (urban) environment. At the same time there is a need for recreational areas and playgrounds with less provocation, e.g. areas with natural elements, and for areas where they can stay without control of adults. This is in particular true for children growing up in areas with air pollution, traffic noise, crowded houses or areas that are densely populated. For example, in the Netherlands big cities lack these types of playgrounds.

Nowadays much of the urban discourse on public space focuses on the problem of urban crime. Surveillance and prevention have conquered center-stage. What is more, remedial strategies now focus mostly on youth in the age category of 14 – 20 years old. If considered at all, activity measures as a possible ways of avoiding delinquency focus on this age cohort. A very relevant category of users that is often overlooked, however, is the age group 4 – 12. These younger children are very relevant in terms of crime prevention apart from the intrinsic value of considering public space in terms of its value for the individual growth and for well-being of this group of users. Due to various technological and social pressures, this group spends more and more time at home, at schools and nursery, child care and youth clubs. Still, public space remains an important learning ground for these kids, and public space near to their homes, at playgrounds or in parks (if they exist at all) are key to any inclusive strategy on public space, play and recreation. Especially children at risk are dependent on facilities in their neighborhood.

The current discourse has a strong focus on surveillance and crime prevention. It should not be forgotten that enhancing active usage of public spaces still is a key instrument to crime prevention. In particular the stimulation of informal monitoring of public space should remain a key strategy for crime prevention.

Given the variety of the suggestions above, an inter-sectorial approach is essential for any successful strategy. In particular, more co-ordination and comparison (‘best practice’) is needed between the different policy areas (such as education, urban planning, health, welfare and care, social policy, policing etc.).

An interesting possibility might be to employ the network of Child Friendly Cities’ in which local governments, researchers, and different NGO’s cooperate. The network has the opportunity to exchange knowledge on successful measures and programs in this field, to improve the provisions for children and turn the legal right for youth to play into instruments to work with.

By viewing children as citizens and actors in our society, one gets another vision of society. Children have a strong view of how a city according to them should look like (from an ecological, urban and social perspective). A city in which children feel good is good for all age groups. This does not only concern play grounds, but also a safe living environment where children can experience activities such as meeting each other, play, shopping, etc. At the same time it concerns mobility focused on human beings, accessibility and urban planning. To bring in the perspective of children in this policy area will give it more depth (or will make it more child friendly).

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