

Towards Greater Recognition of the Right to Play: An Analysis of Article 31 of the UNCRC

Ciara Davey*

National Children's Bureau (NCB), London, UK

Laura Lundy

School of Education, Queen's University, Belfast, Northern Ireland

Children's right to play is formally enshrined in Article 31 of the United Nations Convention on the Rights of the Child (UNCRC). However, few research studies have explored children's experiences of play from an explicit rights-based perspective. Using children's views to illustrate the multi-dimensional relationship Article 31 holds with other key children's rights, this article shows how a rights-based classification of play emphasises issues such as freedom, safety, choice and inclusion. The article highlights the fact that while Article 31 has provided an impetus for play policies throughout the UK, these have not been developed from an explicit rights-based perspective. The article concludes by suggesting that the Committee on the Rights of the Child could take a greater lead on this issue through more robust monitoring and enforcement of Article 31. © 2009 The Author(s). Children & Society © 2009 National Children's Bureau and Blackwell Publishing Limited.

Keywords: children, play, rights.

Introduction

Children's access to play and recreational activities is recognised internationally as a fundamental human right. Article 31(1) of the United Nations Convention on the Rights of the Child (UNCRC) provides:

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.

While other international human rights instruments recognise the right of all human beings (adults and children alike) to participate in cultural activity and to enjoy rest from labour, there is no other treaty which contains a right to play, recreation or leisure activity. In spite of these unique elements, there has been limited academic analysis of the substance and remit of Article 31. Part of the difficulty may stem from the fact that Article 31 was drafted in very broad terms and, in particular, offers no definition of key terms such as 'play' and 'recreational activity'. This is unsurprising given that the literature on children's play suggests that there are difficulties defining what constitutes play, the function play serves and the outcomes that result (Burghardt, 2005; Meire, 2007). In a comprehensive review of research literature on play, Lester and Russell (2008) observe that definitions of play can be grouped broadly into those which are instrumental (viewing play as a mechanism for

learning and healthy development) and those which are autotelic and intrinsic (viewing play as important for its own sake). While play scholars tend to question the former and emphasise the latter (Hakarrainen, 1999; Hughes, 2001; Sutton-Smith, 2003), it is the instrumental approach to play which has dominated recent policy discussions (Powell, 2009). A rights-based approach to play straddles the instrumental and autotelic approaches by acknowledging that play is both a right in itself as well as an important means of achieving other rights (such as health, development and education). Moreover, it potentially adds to these debates in emphasising that the right to play is in turn dependent on the fulfilment of a number of other rights (such as health, development and education) and should therefore be acknowledged as an important outcome of other child-focused initiatives.

For this reason, the article begins with an exploration of the scope and nature of the right to play by examining the meaning of Article 31 and its relationship to other rights in the UNCRC. In doing this, the analysis draws extensively on a study of children's perspectives on their rights carried out on behalf of the Northern Ireland Commissioner for Children and Young People (NICCY). The overall aim of the article is to begin to articulate a rights-based classification of play activity and, having done so, to make a case for increased recognition of play as a fundamental human right in the development and implementation of play strategies and policies as well as other related areas where play is important such as health and education. The article concludes with discussion as to how play's status as a significant right of children might be better recognised, arguing for more robust monitoring and enforcement of Article 31 by the UN Committee on the Rights of the Child.

The nature and scope of the right to play

The recognition of play as a right is one of the most innovative aspects of the UNCRC. It took significant negotiation and discussion from the working group which drafted the text of the Convention before the right to play, rest and leisure, cultural life and the arts was included as a stand alone provision, distinctive from the right to education (Detrick, 1992). That said, there is little that can be interpreted directly from the final text of Article 31, bar that: play is different to 'rest and leisure' and 'cultural life and the arts'; it is connected to recreational activities; and that both of the latter must be 'appropriate to the age of the child'. In some respects, the very general reference to 'play' is not dissimilar to other provisions of the UNCRC and other international conventions which are drafted in the broadest of terms, often as a way of ensuring that governments are willing to endorse them (An-Na'im, 1994). However, further meaning can be attributed to Article 31 when it is considered in conjunction with other key Articles in the UNCRC. Human rights are widely accepted to be 'universal, indivisible, interdependent and interrelated' (United Nations, 2003, para. 5). One of the consequences of this is that Article 31 cannot be considered in isolation; there is a range of other rights which are directly relevant to a child's enjoyment of the right to play. Of particular significance are the UNCRC's four cross-cutting principles: non-discrimination (Article 2); the best interests of the child as a primary consideration (Article 3); the right to life, survival and development (Article 6); and the child's right to express their views and have them given due weight (Article 12). In addition, Article 19 which guarantees protection from harm, Article 15 which guarantees freedom of association, Article 23 which gives children with disabilities a right to social integration, and Article 29 which defines the aims of education, are all directly relevant to a comprehensive understanding of the right to play.

Van Gils (2007) has made a cogent case for involving children in the interpretation of the UNCRC as a way of giving meaning to the right to play. He examined how children talked about play through a secondary analysis of 18 qualitative studies with children aged 8–13, concluding that children emphasise different aspects of play than adults. However, there are few research studies exploring children's experience of play from an explicit rights-perspective. One exception to this was a research study conducted on behalf of the Northern Ireland Commissioner for Children and Young People (Kilkelly and others, 2005). The research team was asked to carry out a children's rights audit of law, policy and practice in Northern Ireland in key aspects of children's lives including their access to play and leisure activities (Kilkelly and others, 2005). As part of this review, and in keeping with the Commissioner's statutory remit, 1064 children aged between 5 and 19 from 27 schools across Northern Ireland, and 107 young people from various youth and community groups, were asked to talk, draw or write about the things they considered unfair in school, in their family, in their community, and in the play and leisure facilities in their neighbourhood (Davey and others, 2009). Semi-structured focus group and one-to-one interviews were also conducted with over 350 policy makers, professionals, practitioners and volunteers representing a range of child and youth-related organisations and agencies in the voluntary and statutory sectors to contextualise the research within a policy, legislative and rights framework.

Using the UNCRC and other relevant human rights instruments as benchmarks, the research highlighted areas where children's rights were being underplayed or ignored in order to inform the Commissioner's setting of priorities for office. Not only did the research audit the state's compliance with children's rights standards, but the process of carrying it out provided unique insights into the potential and limitations of the rights themselves, including the right to play (Kilkelly and Lundy, 2006). The primary intention in this paper is not to give an account of children's experiences of the right to play in Northern Ireland at the time of the study (see Kilkelly and others, 2005). Nor is it to evaluate the extent to which the UK is meeting its obligations under Article 31. Rather, our aim is to draw on children's accounts of their experience of the right to play in the NICCY study to shed light on the nature and scope of the right and its relationship with the other provisions of the UNCRC. Under the theme of 'play and leisure' the team collected 620 submissions from children. Following the application of the children's rights standards to the data, four key themes emerged as significant, namely: the right to access age appropriate play facilities; the right to be safe and protected from abuse; the right to non-discrimination; and the right to have their views given due weight. The following sections describe children's experiences of the right to play under these four UNCRC-based categories.

The right to access age appropriate play facilities

Article 31 states that every child has the right to engage in play and recreational activities appropriate to the age of the child. However, out of 620 submissions relating to the issue of play and leisure, 412 responses (66%) criticised children's play opportunities. For example, younger aged children said they often could not access play parks because they had no adult to supervise them or because the park was not within a safe walking distance. Moreover, contrary to the idealised notion of the countryside as filled with open spaces where children can play freely in wooded areas exploring nature, the reality for many children living in rural areas was that most land was privately owned and therefore out of bounds. Children and young people living in deprived urban environments and rural areas also raised concerns about travel and admission costs incurred when accessing play facilities on the

basis that they should not have to 'pay to play'. Although recent policy initiatives such as those emanating from Play England's indicators of quality play environments state that good play provision must pass the 'three frees' test i.e. free of charge, children are free to come and go and free to choose what they do whilst there (Play England, 2008), in Northern Ireland, the cost of transport to access play opportunities coupled with children's reliance on parents/relatives picking them up at bus or train stops located at a distance from their home, was a major constraint on children's opportunities for play (Figure 1).

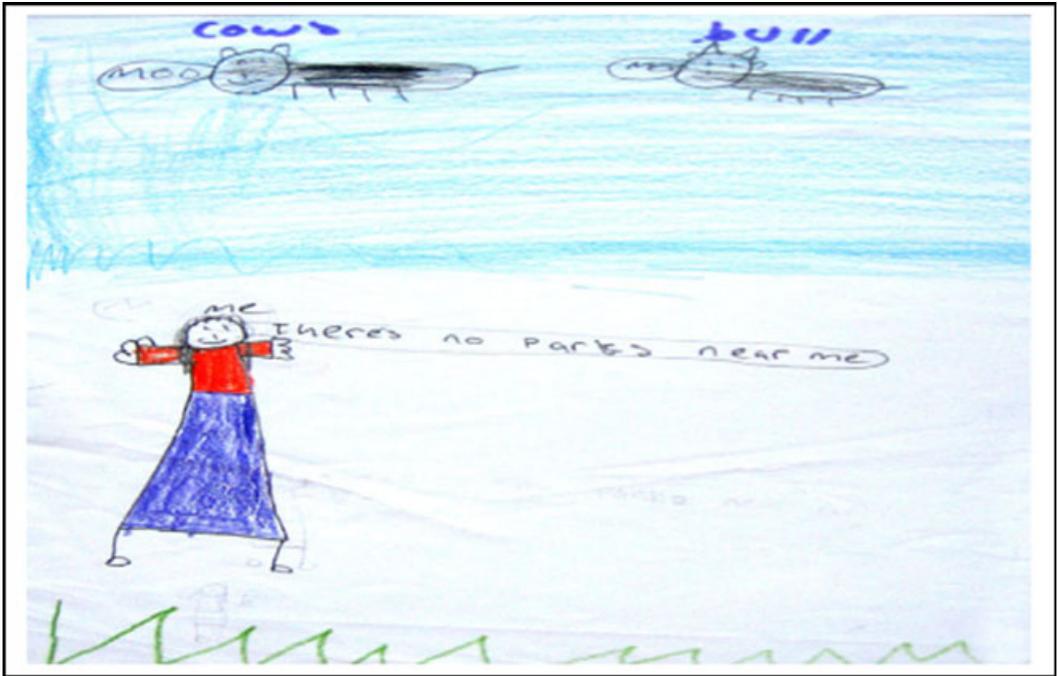


Figure 1: Girl aged 8.

The right to be safe

Article 19 of the UNCRC gives all children the right to be protected from harm. However, in the NICCY research, 32% of submissions raised issues about unsafe play spaces. Primary school children generally, and girls in particular, said the play equipment in their local parks was often vandalised and that needles and broken glass embedded in grassy verges made the park a dangerous place to play. They also felt intimidated by the 'bad boys' and older teenagers who frequented the park in the evening (Figure 2).

Parked cars in the street and neighbours who were aggravated by ball games also forced many children and young people to seek out new places to play. But this raised additional concerns about the safety of children and young people playing at an uncomfortable distance from their home, and the possibility of them getting injured crossing or playing next to busy roads with fast moving traffic.

Outside my house there is a grassy area. Me and the other boys who live near it always play football on it. But there's a man who tells us not to play on it or to play beside the road which is quite busy and the ball always goes on the road (Boy aged 11).



Figure 2: Boy aged 7.

Article 15 of the UNCRC states that all children have the right to freedom of association – a right which aims to promote and ensure social integration among different children by enabling them to play, socialise and learn from one another. Accessing this right is particularly important in post conflict societies such as Northern Ireland, particularly where research shows that children as young as three can exhibit sectarian behaviours (Connolly and Healy, 2004). Yet antisocial behaviour legislation, dispersal orders and mosquito devises, coupled with the removal of playgrounds and open green spaces as land has become more profitable for other uses, has progressively encroached on children's right to freedom of movement meaning that children's occupancy of public space has been drastically reduced in recent years. In Northern Ireland, children also have to contend with the fact that social space is also segregated by religion (Leonard, 2006) and this has serious implications on who can access play facilities. Those who attempted to challenge this form of sectarianism to access play opportunities put themselves at risk.

The right to non-discrimination

Under Article 2 of the UNCRC, children and young people have the right not to be discriminated against in accessing their rights under the UNCRC, including Article 31. Yet in the NICCY research, some groups of children were unable to access their right to equality through play. Traveller children, for example, experienced limited opportunities to play on Traveller sites because most space was taken up by caravans, cars or sheds, or encased with potentially dangerous building materials. Few Traveller children were allowed off the site to access play parks in their area because of fears of attacks and racist bullying. While most preferred to stay close to their home, the lack of permanent lighting in Traveller sites made this a dangerous environment for children to play at night, and the location of these sites near busy roads on the outskirts of towns and cities led children to worry about their safety when they played outdoors.

Article 23 of the UNCRC recognises the right of children with mental or physical disabilities to enjoy dignity, self-reliance and the fullest possible social integration and

participation in the community. Yet despite the Disability Discrimination Act 1995 and a commitment to the development of inclusive play provision within the four jurisdictional play strategies, the UN Committee on the Rights of the Child singled out children with disabilities as amongst the least likely group to access their right to play in its 2008 concluding observations for the UK Government. Echoing the concerns of the Committee, children with disabilities who participated in the NICCY research said they felt isolated from other children living in the community because public transport and play parks were generally not wheel-chair friendly.

Just because you are in a wheelchair doesn't mean you shouldn't be allowed to do things (Boy aged 16, 'Special' School).

This sense of isolation was further exacerbated by the tendency of 'special' schools to attract pupils from a wide catchment area meaning that opportunities for children with disabilities to meet up with their school friends were rare. This is illustrated in Figure 3 where the picture denotes the message 'no facility for people on wheelchairs'

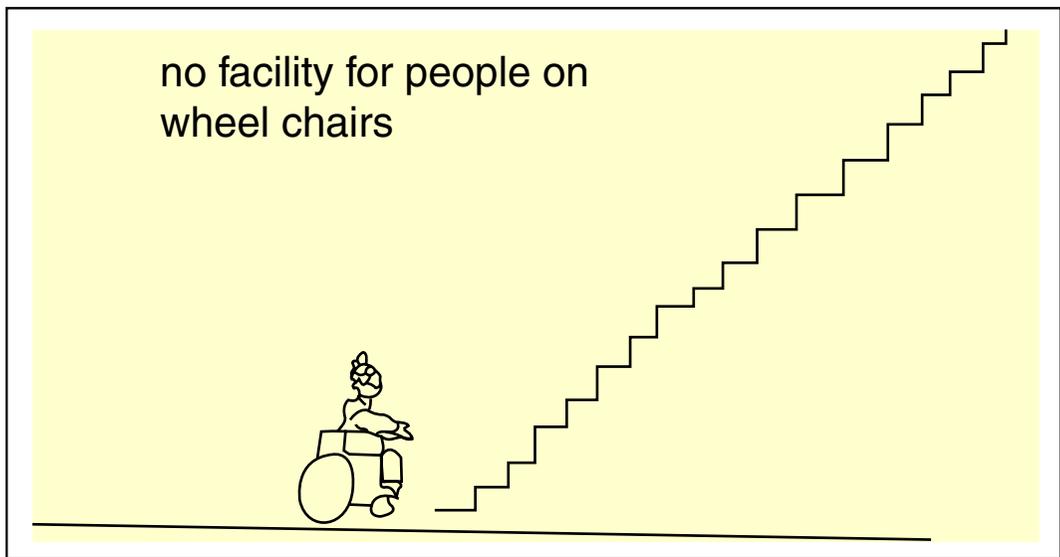


Figure 3: Girl aged 16 – 'Special' School.

The right to express views and have them given due weight

Article 12 states that all children have a right to express an opinion, and to have that opinion taken into account in any matter or procedure affecting the child in accordance with his or her age and maturity. In the context of play this means that planning for towns and play facilities should take account of children's views. In spite of this, children stated in their submissions that they were frustrated that play parks were removed without consultation, or that play equipment was down-sized to reduce the risk of injury or harm which resulted in the park becoming sterile and boring. Moreover, those who had been involved in decision-making were highly sceptical of the weight that had been given to their views (Figure 4).



Figure 4: Boy aged 11.

I told everybody yesterday that I was going to this today and there was about 20 of us said 'Say to them about a park' and I said okay. Like this is f*****g ridiculous. We were promised a park seven years ago and we were let down. I know this time it's going to be the same. We will just get let down the same way. Our estate is s**t there is nothing to do, all we do is sit in the house ... I really want something exciting (Boy aged 13).

Whilst it is often argued that children in the UK do not receive their full entitlement to Article 12, and much criticism surrounds the way adults listen and act on children's responses, children have been involved in the development of children and young people's plans and play strategies, both locally and nationally throughout the UK (Department for Children, Schools & Families, 2008). The views of children living in England, Scotland, Wales and Northern Ireland also fed into written and/or oral presentations given at the pre-sessional hearing with the Committee on the Rights of the Child prior to the formal examination of the UK Government in September 2008. Whilst the effectiveness, child-centeredness and degree of participation afforded by these various fora are debatable, they underscore the point that children are often astutely aware of the barriers curtailing their right to play and in fact, they often differ from adults in the value they accord to these. For example, it was previously noted that children regarded broken bottles, intimidating youths, aggravated neighbours and busy roads as major factors which jeopardised their right to safe play space. Yet rather than addressing these issues, government policy has attempted to tackle safe play space by safety-proofing play equipment and play space sometimes to the point where protecting children from harm has become disproportionate to the perceived risk (Gill, 2007). Another example which underscores the differing viewpoints children and adults accord to play is that children often create their own symbolic play spaces in official play areas designed by adults (Rasmussen, 2004) which would suggest that there may be differences between what an adult and what a child considers to be meaningful play space (Elsley, 2004).

There is a growing literature exploring children's experiences of play. But what is distinctive about the NICCY study is that it provided an opportunity to explore some of these

experiences through the explicit lens of children's rights. While much of what the children reported would resonate with other parts of the UK and Europe, there were also aspects of the children's lives, particularly in relation to the impact of conflict and sectarianism on their free time, which are particular to Northern Ireland. If similar studies were to be conducted in developing countries or countries experiencing other forms of conflict, the specific issues raised by children as matters of concern would undoubtedly be different again. For example, in the periodic report submitted to the UN Committee on the Rights of the Child by the Serbian Government in May 2008, the key factor identified as affecting Serbian children's access to play, was a lack of financial resources (Committee on the Rights of the Child, 2008a, para. 426). That said, even allowing for the differences in children's experience of the right to play in varied circumstances, it is suggested that many of the core themes which emerged in the NICCY research would feature as important in many other contexts. Children worldwide would want to be able to play freely and safely on the same terms as their peers and with a high level of choice into what they do with their free time. What emerged from the data in the NICCY study is that children's enjoyment of the right to play is dependent not only on compliance with Article 31, but on the successful implementation of a range of other rights, in particular their rights to safety, equality and participation in decision-making.

The right to play and its relationship with other children's rights

The UK Government's submission to the UN Committee on the Rights of the Child in preparation for the formal examination on implementing the UNCRC in September 2008, showed that children's access to play facilities has received a growing amount of attention in recent years culminating in England, Scotland, Wales and Northern Ireland each developing their own unique play strategy/implementation plan (Committee on the Rights of the Child, 2008b, para. 563–566). Notwithstanding the fact that each of these jurisdictions is at markedly different stages in this process, a key word search for the words 'right' and 'rights' in each of these documents showed that none of them couched the benefits or barriers to play within a rights framework. In other words, besides briefly mentioning that children have a right to play, there were no other references to children's rights, including the many rights identified by children such as their right to safety, inclusion and to participate in decision-making. A similar point was made by Powell (2009) whose review of the impact of national policies on children's opportunities for play in England showed that not only are there inconsistencies in how play is constructed in national policy documentation, but government tends to emphasise the instrumental value of play (i.e. its significance for benefiting children's social development, fitness and helping build community cohesiveness), rather than its intrinsic value (i.e. play as enriching children's enjoyment and quality of life). She also noted that the right to play was found (effectively as a footnote) in just one of 28 leading documents which all had relevance to the implementation of Article 31. Similarly, one of the biggest criticisms of the 'Draft Play Policy for Northern Ireland' (2007) was that its aim to improve the quality of children's lives, tackle obesity, promote children's health and well-being and build community cohesion, incorporates many of the rights of children under the UNCRC. Yet not only does this policy fail to mention Article 31, but the concept of 'rights' only appears in the final pages of the document under the duty on all public authorities to conduct an equality impact assessment in line with their responsibilities under Section 75 of the Northern Ireland Act 1998.

Not only is play rarely acknowledged as a right in policy documentation, but its relationship with other core children's rights is often portrayed in a uni-dimensional manner. For

instance, children's play is widely recognised by government as important for ensuring development, education and health but rarely is the relationship articulated the other way around i.e. that one of the goals of education is to enable children to play; that children need to be healthy in order to be able to play. Likewise, it is usually acknowledged that children need to be able to play to develop social skills including the ability to express their views and make decisions. However, less attention is given to the fact that children need to be asked their views and involved in decision-making so that they can fully enjoy their right to play. The Government's conceptualisation of play as a means to an end is in contrast to the perspectives of the children and young people in the NICCY study who not only saw play as important in itself, but placed more emphasis on what was needed to achieve it than on what it could deliver. A rights-based approach to the understanding of play, with its explicit emphasis on the interdependence of rights, necessitates a recognition that play is not only crucial to the implementation of other fundamental rights but that these rights are in turn fundamental precursors of the right to play.

The complexity of the right to play and, in particular, its relationship to other rights makes it difficult to provide any visual conceptualisation of Article 31. One possibility would be to view the UNCRC as the hub of a wheel, with each of the substantive rights (e.g. development, health, freedom of association, safety and play) as a core spoke in the wheel. If any of the spokes were to break, the wheel would buckle. Thus, the right to play is dependent on the right to education and the right to education is dependent on the right to play. Encapsulating these spokes (the rim of the wheel) are three of the UNCRC's core principles: best interests, non-discrimination and the right to participation in decision-making.

Acknowledging the right to play

It might be thought that as long as progress is being made in securing children's access to play opportunities, it matters little whether play is seen as a social good or a right. Such an approach, however, fails to acknowledge the 'moral coinage of rights' (Freeman, 1992: 173) and the many reasons why it remains important to 'take rights seriously', including the fact that they are an important advocacy tool and offer fora for action (Freeman, 2007:5). A key role of human rights law is its capacity to hold the state to account for its actions or inactions in relation to its international obligations. Moreover, in the context of play, its status as a right conveys on it a legitimacy and seriousness which is sometimes absent from adult discussion about play. It reinforces the fact that children's need for play and leisure is an entitlement and not an optional luxury to be enjoyed only where it is convenient; it emphasises that play is important in its own right as well as having instrumental value; it draws attention to the fact that children's ability to play should be identified as a significant goal of other child-focused initiatives; and, when viewed in the context of the UNCRC as a whole, it provides a definition of play which emphasises freedom, safety, choice and equality as core conditions for securing the right to play. Adopting this rights-based perspective has implications for those developing systems and structures that facilitate children's play opportunities as well as securing recognition for the right to play in other contexts such as educational and health policies and interventions.

The conceptualisation of play by the UN Committee

Part of the reason why play is not referred to as a right by government in policy documentation, may be the fact that little attention has been given to the right to play by the international

children's rights community. The UNCRC is enforced primarily through the monitoring and periodic reporting process of the Committee on the Rights of the Child (the 'Committee'). The Committee could be accused of having neglected the right to play for most of its existence.

For instance, the reporting guidelines for initial reports of States Parties, formulated in 1991, do not mention the right to play at all, but group 'leisure and cultural' activities in with the right to education (Committee on the Rights of the Child, 1991). The guidelines on subsequent reports do mention play, but it is still grouped in with the right to education (Committee on the Rights of the Child, 1996). As a consequence, not only is play rarely addressed in detail in States Parties' reports, but play is characterised as a subset of education rather than a right in itself with dialectical relationships to all the other rights in the UNCRC. The Committee has not acknowledged it has neglected the right to play, yet the lack of visibility of the right to play in the monitoring and enforcement mechanisms of the UNCRC undoubtedly impacts on the way play is conceived by States Parties.

The Committee's own concluding observations on States Parties' progress in implementing the UNCRC have also often neglected to address issues of play. In a study of 98 country-based concluding observations from 2000 to 2004 for 15 countries, only 15% addressed Article 31 (David, 2006). In the concluding observations published in May 2008 for Bulgaria, Eritrea, Georgia, Serbia and Sierra Leone, and in September 2008 for Bhutan, UK and Djibouti, recommendations relating to the child's right to play and leisure were made for only two out of the aforementioned eight countries – the Serbian Government (Committee on the Rights of the Child, 2008a, para. 426) and the UK Government (Committee on the Rights of the Child, 2008b, para. 68 and 69). The UK Government, for example, was told to strengthen its efforts to implement Article 31 particularly in relation to ensuring the rights of children with disabilities to 'adequate and accessible... play and leisure activities' (Committee on the Rights of the Child, 2008b, para. 68 and 69). Given that the Committee did not comment on the right to play in its concluding observations for the UK Government in 1995 and 2002, the above recommendation is welcome. However, this is only 1 out of 124 recommendations which the Committee made to the UK Government. It is therefore arguable that the child's right to play is still accorded a low priority by the Committee when compared to the wide-ranging recommendations made in relation to other rights contained in the UNCRC.

A further way in which the Committee could usefully draw attention to the right to play is through its general comments. It is interesting that its first general comment, on the aims of education, lists the other rights which are significant for the implementation of the right to education in Article 29 (including health, association etc) but omits any reference to Article 31 (Committee on the Rights of the Child, 2001). More recently, in its General Comment 7 on 'Implementing Child Rights in Early Childhood', the Committee observed that 'insufficient attention has been given by States Parties and others to the implementation of the provisions of Article 31' and calls on them to 'pay greater attention and allocate adequate resources (human and financial) to the implementation of the right to rest, leisure and play' (Committee on the Rights of the Child, 2006, para. 34). Whether intentional or not, the message here seems to be that opportunities for play are somehow more relevant to the development of younger than older aged children. This assumption is not supported by the NICCY research where children of all ages criticised the dearth in opportunities to play, nor by experts in the field of play who argue that even adults need to play (Baptiste, 1995:33).

Finally, the Committee could address the issues covered in Article 31 as a distinct category within its concluding observations. Just as it has been observed that the UNCRC would look very different if it had been drafted by children (Freeman, 1992), if the Committee were to be re-constituted with children as members, the content and priorities of the reports would undoubtedly change. Quite possibly, play, recreation and leisure would have higher priority and visibility. This was illustrated in an recent update of the NICCY research where the need to increase play and leisure opportunities was the top issue that children, as well as parents and carers, wanted the Commissioner to address (Northern Ireland Commissioner for Children and Young People, 2009). Recognising the need for robust monitoring of the implementation of Article 31 could help retrieve the right to play from its current position as one of the most neglected provisions of the UNCRC (Hodgkin and Newell, 2002). A Committee-led articulation of, and emphasis on, the right to play, would help clarify what is meant by play, its significance for and dependence upon other rights, and the mechanisms which are needed to ensure government policies take serious notice of the child's right to play.

Sponsor

Northern Ireland Commissioner for Children and Young People (NICCY).

References

- An-Na'im A. 1994. Cultural transformation and normative consensus on the best interests of the child. *International Journal of Law and the Family* 52: 63.
- Baptiste N. 1995. Adults need to play, too. *Early Childhood Education Journal* 23: 1.
- Burghardt G. 2005. *The Genesis of Animal Play: Testing the Limits*. MIT Press: Cambridge.
- Committee on the Rights of the Child 1991. *General Guidelines Regarding the Form and Content of Initial Reports to be Submitted by States Parties Under Article 44, Paragraph 1(a), of the Convention*. UN/CRC/5. United Nations: Geneva.
- Committee on the Rights of the Child 1996. *General Guidelines for Periodic Reports*. UN/CRC/C/58. United Nations: Geneva.
- Committee on the Rights of the Child 2001. *General Comment No. 1 (2001): The Aims of Education*. UN/CRC/GC/2001/1. United Nations: Geneva.
- Committee on the Rights of the Child 2006. *General Comment No. 7 (2005): Implementing Child Rights in Early Childhood*. UN/CRC/GC/7. United Nations: Geneva.
- Committee on the Rights of the Child 2008a. *Concluding Observations of the Committee on the Rights of the Child: Serbia*. CRC/C/SRB/1. United Nations: Geneva.
- Committee on the Rights of the Child 2008b. *Concluding Observations of the Committee on the Rights of the Child: United Kingdom of Great Britain and Northern Ireland*. CRC/C/GBR/CO/4. United Nations: Geneva.
- Connolly P, Healy J. 2004. *Children and the Conflict in Northern Ireland: The Experiences and Perspectives of 3-11 Year Olds*. Office of the First Minister and Deputy First Minister: Belfast.
- Davey C, Dwyer C, McAlister S. 2009. Researching Children's Rights in the context of Northern Ireland. In *Research Design, Methods and analysis: Researching with Children and Young People*. Tisdall K, Davis J, Gallagher M (eds). Sage: London; 29–40.
- David P. 2006. *Article 31 the Right to Leisure, Play and Culture: A Commentary on the United Nations Convention on the Rights of the Child*. M. Nijhoff Publishers: The Netherlands.
- Department for Children, Schools & Families (2008) *The Play Strategy*. DCSF: London.
- Detrick S. 1992. *The United Nations Convention on the Rights of the Child A Guide to the "Travaux Preparatoires"*. M. Nijhoff Publishers: Boston.
- Draft Play Policy for Northern Ireland 2007. *Children and Young People's Unit*. Office of the First and Deputy First Minister: Belfast.
- Elsley S. 2004. Children's experience of public space. *Children and Society* 18: 155–164.

- Freeman M. 1992. Taking children's rights more seriously. *International Journal of Law and the Family* 52: 71. pp.173.
- Freeman N. 2007. Why It Remains Important to Take Children's Rights Seriously. *International Journal of Children's Rights* 15: 5–23.
- Gill T. 2007. *No Fear: Growing up in a Risk Averse Society*. Calouste-Gulbenkian Foundation: London.
- Hakarrainen P. 1999. Play & motivation. In *Perspectives in Activity Theory*. Engeström Y, Miettinen R, Punamäki RL (eds). Cambridge University Press: Cambridge; 231–249.
- Hodgkin R, Newell P. 2002. *Implementation Handbook for the United Nations Convention on the Rights of the Child*. UNICEF: New York.
- Hughes B. 2001. *Evolutionary Playwork & Reflective Analytical Practice*. Routledge: London.
- Kilkelly U, Lundy L. 2006. Children's Rights in action; using the UN Convention on the Rights of the Child as an auditing tool. *Child and Family Law Quarterly* 18: 331–350.
- Kilkelly U, Kilpatrick R, Lundy L, Moore L, Scraton P, Davey C, McAlister A, Dwyer C. 2005. *Children's Rights in Northern Ireland*. Northern Ireland Commissioner for Children and Young People: Belfast.
- Leonard M. 2006. Segregated schools in segregated societies: issues of safety and risk. *Childhood* 13: 145–164.
- Lester S, Russell W. 2008. *Play for a Change. Play Policy & Practice: A Review of Contemporary Perspectives*. Play England/National Children's Bureau: London.
- Meire J. 2007. *Qualitative Research on Children's Play: A Review of Recent Literature*. Childhood & Society Research Centre: Belgium.
- Northern Ireland Commissioner for Children and Young People (2009) *Children's Rights: Rhetoric or Reality*. Northern Ireland Commissioner for Children and Young People: Belfast.
- Play England 2008. Play and the National Indicator Set. Available at: http://www.playengland.org.uk/Page.asp?originx_4699aq_66656610922544n83w_2008883171 [Accessed 4 April 2009].
- Powell S. 2009. The value of play: constructions of play in Government Policy in England. *Children and Society* 23: 29–42. Doi:10.1111/j.1099-0860.2008.00137.x
- Rasmussen K. 2004. Places for Children – Children's Places. *Childhood* 11: 155–173.
- Sutton-Smith B. 2003. Play as a parody of emotional vulnerability. In *Play and Educational Theory and Practice, Play and Culture Studies*. Roopnarine JL (ed). Praeger: Connecticut; 3–17.
- United Nations 2003. *Vienna Declaration and Programme for Action*. A/CONF.157/23. United Nations: Geneva.
- Van Gils J. 2007. The child's right to play, the right to be a child. In *The UN Children's Right Conventions: Theory Meets Practice*. Alen A, Bosly H, De Bie M, Vande Lannotte J, Ang F, Delenbs-Ravier I, Delpace M, Hermain C, Reynaert D, Staelens V, Steel R, Verheyde M (eds). Intersentia: Antwerpen-Oxford; 359–374.

*Correspondence to: Dr Ciara Davey, Senior Researcher, National Children's Bureau (NCB), 8 Wakley St, London EC1V 7QE, UK. Tel.: 020 7843 6000. E-mail: cdavey@ncb.org.uk

Accepted for publication: 16 June 2009