



# Giving children and young people a sporting chance: A draft Strategy for Scotland

*Consultation Response - March 2014*

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## 1. About Together

Together (Scottish Alliance for Children's Rights) is an alliance of children's charities that works to improve the awareness, understanding and implementation of the UN Convention on the Rights of the Child (UNCRC) in Scotland. We have over 250 members ranging from large international and national non-governmental organisations (NGOs) including UNICEF UK, Save the Children, Barnardo's and CHILDREN 1st through to small volunteer-led after school clubs. Our activities include collating an annual *State of Children's Rights* report to set out the progress made to implement the UNCRC in Scotland. Together was actively involved in the development of the Children and Young People (Scotland) Bill and was invited to give oral evidence on its child-rights provisions at Stage 1 to the Education and Culture Committee.

## 2. Introduction

Together welcomes the opportunity to respond to the consultation on '*Giving children and young people a sporting chance: A draft Strategy for Scotland*'. This consultation response specifically focuses on children's rights and sport activities. It reflects on how the vision of the Strategy to make Scotland the best place in the world to grow up actively can be best achieved, fully taking into account children's rights as enshrined in the UNCRC.

## 3. Overview

The UN Committee on the Rights of the Child is clear that sport, alongside many types of recreational, cultural and leisure activities, is essential to the health and wellbeing of children and young people.<sup>1</sup> It promotes the development of creativity, imagination, self-confidence, self-efficacy, as well as physical, social, cognitive and emotional strength and skills. Sport can contribute to all aspects of learning and is of intrinsic value to children and young people, in terms of health and the enjoyment and pleasure they afford.<sup>2</sup>

According to Article 24 of the UNCRC, State Parties must "*recognize the right of the child to the enjoyment of the highest attainable standard of health...*" Sport is an important component of physical activity and is essential for healthy growth and development.

## 4. Key points

By using a child rights framework, we express the values which Together would like to be the foundation for '*Giving children and young people a sporting chance: A Strategy for Scotland*.'

### ***Child Rights Impact Assessment***

Together welcomes the Equality Impact Assessment that is being taken forward on the draft sport Strategy and the call for feedback on the effect that the Strategy may have on difference sectors of the population. In order to fully consider the impact of the Strategy on children and young people, a Child

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<sup>1</sup> Committee on the Rights of the Child (2013). *General Comment No.17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31)*

<sup>2</sup> Committee on the Rights of the Child (2013). *General Comment No.17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31) (pg 4)*

Rights Impact Assessment (CRIA) is essential. A CRIA would predict and monitor, and if necessary, avoid or mitigate, the impact of the Strategy. Undertaking a CRIA would also help to raise awareness of children's rights and ensure that they are factored into policy development.

**Together strongly recommends that a Child Rights Impact Assessment (CRIA) is carried out on the draft sport Strategy to systematically and fully consider its impact on children and young people.**

### **Participation**

Young people in Scotland should have the right to state their viewpoints and to be heard; they must be granted opportunities to participate in the planning and execution of their own activities along with adults and their views should be taken fully into account. Young people should have the right to choose which sport, or how many sports, they would like to participate in and the freedom to choose whether or not they would like to take part in competitions.

Together welcomes the establishment of the Young People's Sport (YPS) Panel and the intention of the Scottish Government to listen to young people express their views and have them taken into account, in line with Article 12 of the UNCRC. The Panel is described in the consultation document as a "*national platform to represent the voice of young people across Scotland*"<sup>3</sup>. Together welcomes the decision to recruit Panel members from many areas throughout Scotland. To be a representative voice for young people, the Panel should ensure representation from vulnerable groups including young people living in poverty, young people with additional support needs and looked after children.

**Together urges the Scottish Government to ensure that the YPS Panel represents all young people and that meaningful feedback is given to Panel members. Their participation should continue throughout the consultation process and during monitoring and evaluation of the Strategy.**

### **Non-discrimination**

The vision set out in the draft Strategy for Scotland to be "*the best place in the world to grow up actively*" is both commendable and welcome. To achieve this vision, it is important that all children and young people are offered equal opportunities to participate in sport in order for the benefits associated with physical activity, as outlined in the draft Strategy, to be enjoyed by all. Together welcomes the Scottish Government's acknowledgment that "*for some children and young people existing provision may not adequately meet their needs and we want to do more to understand and address this.*"<sup>4</sup> We support the corresponding commitment by the Scottish Government to explore opportunities to grow and support the 'sport for development' sector to achieve positive outcomes and social change.

Additional structural barriers to engaging in sporting activities must be fully considered, so that vulnerable groups, including children with disabilities, children living in poverty, minority and ethnic children, children living in rural communities, gypsy/traveller children and looked after children can take part. Together notes that the YPS Panel were keen to ensure that no one would be prevented from pursuing activities because of the cost of participation.<sup>5</sup> Together welcomes the Scottish Government's response to commit to explore how access and affordability could be improved and "*to have a closer look at whether*

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<sup>3</sup> Scottish Government (2013). Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland (pg 7)

<sup>4</sup> Scottish Government (2013). Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland (pg 11)

<sup>5</sup> Scottish Government (2013). Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland (pg 22)

*we are doing all we can to ensure that existing opportunities are inclusive and engaging for all young people.”<sup>6</sup>*

**Together recommends that the Scottish Government’s commitments within the draft Strategy as outlined above are carried forward as a matter of priority.**

Sporting activities must take place without any differential treatment and in line with Article 2 of the UNCRC: *“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.”<sup>7</sup>* The opportunity to get involved in sporting activities must be inclusive and organised so that all young people can be included through support of their individual needs. The consultation document states the opportunity for the Strategy to *“attract a new generation of sporting participants including those with disabilities and the most disadvantaged in our society.”<sup>8</sup>*

**Together recommends that the Scottish Government promotes non-discrimination and enables all children and young people to participate in sport activities.**

### ***Types of physical activity***

Together welcomes the acknowledgment within the draft Strategy that sport is one of many ways in which children and young people can be supported to grow up actively.<sup>9</sup> Article 31 of the UNCRC recognises the right of the child to engage in leisure, play and recreational activities, cultural and artistic life appropriate to the age of the child, and for the State to respect and promote the right of the child to participate freely in these activities and to encourage the provision of appropriate and equal opportunity.<sup>10</sup> Whilst a focus on sport in Scotland is welcome, this may not be suited to all young people and Together would like to highlight that the number of activities that fall under recreation and leisure can be equally important in promoting the wellbeing and development of young people.

**Together welcomes the recognition of the Strategy for sport as one element of a joined-up effort on physical activity.<sup>11</sup> We recommend that this Strategy works in partnership with relevant work in this area such as the Scottish Government’s National Play Strategy.<sup>12</sup>**

### ***Education***

Article 24 of the UNCRC includes that State Parties must ensure that children are informed, have access to education and are supported in the use of basic knowledge of health and nutrition.<sup>13</sup> Education on the significance of sport in pursuing healthy and active lifestyles and awareness of the importance of physical activity to improve wellbeing should sit alongside physical participation. Together believes that this will be significant to achieving the ambition of the draft Strategy for *“all children and young people to enjoy the benefits of an active life”*.<sup>14</sup>

Article 28 of the UNCRC outlines the right of the child to education and the UN Committee on the Rights of the Child is clear that education must be directed to the development of the child’s personality, talents

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<sup>6</sup> Scottish Government (2013). *Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland* (pg 12)

<sup>7</sup> United Nations (1989). *Convention on the Rights of the Child: Article 2*

<sup>8</sup> Scottish Government (2013). *Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland* (pg 6)

<sup>9</sup> Scottish Government (2013). *Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland* (pg 6)

<sup>10</sup> United Nations (1989). *Convention on the Rights of the Child: Article 31*

<sup>11</sup> Scottish Government (2013). *Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland* (pg 6)

<sup>12</sup> Scottish Government (2013). *Play Strategy for Scotland: Our Vision*

<sup>13</sup> United Nations (1989). *Convention on the Rights of the Child: Article 24*

<sup>14</sup> Scottish Government (2013). *Supporting document for the Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland* (pg 6)

and mental and physical abilities to the fullest potential. The Committee has stated that *“For children to optimize their potential, they require opportunities for cultural and artistic development as well as participation in sports and games.”*<sup>15</sup> The Committee has also emphasised the positive benefits of physical activity to children and young people’s educational development.

**In line with the UNCRC and advice from the UN Committee on the Rights of the Child, Together recommends that the sport Strategy includes the promotion of education on the importance of physical activity as well as participation in sport activities.**

### **Environment**

The UN Committee on the Rights of the Child is clear that through participation in any form of physical activity, children and young people need access to inclusive spaces *“that are free from inappropriate hazards and close to their own homes, as well as with measures to promote safe, independent mobility as their capacities evolve.”*<sup>16</sup> The Committee highlights that a balance is needed between taking action to reduce inappropriate hazards (such as traffic and safe boundaries) and informing, equipping and empowering young people to take the necessary precautions to enhance their own safety.<sup>17</sup>

Under the heading ‘Why have a strategy?’ the consultation document includes *“the right to enjoy the simple pleasure of having fun!”*<sup>18</sup> Together wholeheartedly agrees with this recognition of the importance of having fun and notes the cross-cutting nature that the sport Strategy should have with the Scottish Government’s Play Strategy.<sup>19</sup> In order for this to be achieved, children and young people must have the right to participate in sport activities in a safe and secure environment and without any inappropriate pressure or exploitation. Certain conditions need to be assured, in accordance with children and young people’s evolving capacities. Such conditions should include freedom from stress, social exclusion or prejudice and an environment secure from social harm or violence.

**Together recommends that the sport Strategy should support safe and suitable environments for sport activities to take place in.**

## **5. Conclusion**

Together welcomes the Scottish Government’s decision to produce a National Strategy on children and young people’s participation in sport activities. Together is keen to echo the many benefits that being physically active can promote and its importance in improving health and wellbeing of children and young people in Scotland. We share the vision for Scotland to be *“the best place in the world to grow up actively”* and encourage the Scottish Government to carefully consider the recommendations included above to fully take into account children’s rights as enshrined in the UNCRC.

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<sup>15</sup> Committee on the Rights of the Child (2013). General Comment No.17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31) (pg 9)

<sup>16</sup> Committee on the Rights of the Child (2013). General Comment No.17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31) (pg 11)

<sup>17</sup> Committee on the Rights of the Child (2013). General Comment No.17 on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31) (pg 12)

<sup>18</sup> Scottish Government (2013). Consultation on Giving Children and Young People a Sporting Chance - A Draft Strategy for Scotland (pg 6)

<sup>19</sup> Scottish Government (2013). Play Strategy for Scotland: Our Vision