



Briefing for the Public Petitions Committee

Petition Number: [PE 1440](#)

Main Petitioner: Sharon McCluskie on behalf of Play Scotland

Subject: Statutory duty for play

Calls on the Parliament to legislate for a statutory duty on local authorities to provide play opportunities for children.

Background

Play Scotland is calling on the Scottish Government to include a Statutory Duty for Play in the proposed [Children and Young People \(Scotland\) Bill](#). This could place a duty on local authorities to provide sufficient and satisfying play opportunities for children of all ages and abilities.

The consultation on the Bill closes on 25th September. The main proposals expected in the Bill are to:

- place duties on Scottish Ministers relating to the UN Convention on the Rights of the Child
- require the public sector to report on its actions to realise the UN Convention rights.
- provide a power for the Children's Commissioner to investigate individual cases
- create duties related to the further implementation of 'Getting it Right for Every Child'
- make provision for 600 hours of free early learning and childcare for 3 and 4 year olds and all 'looked after' 2 year olds
- enable care leavers to ask for help from the local authority to age 25
- create a statutory definition of 'corporate parenting' of looked after children
- create a new statutory order related to kinship care
- make Scotland's Adoption Register compulsory

In relation to the 'right to play', (Article 31 UNCRC) the UN Committee on the rights of the child has recommended that the UK:

“strengthen its efforts to guarantee 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. The State party should pay particular attention to provide children, including those with disabilities, with adequate and accessible playground spaces to exercise their play and leisure activities.” ([UNCRC concluding observations, 2008](#))

Scottish Government Action

One of the priorities for action in the [Early Years Framework](#) (2008) is to: “Improve outcomes and children's quality of life through play.” Its long term ambition is to create “high quality play opportunities in every community.”

The Scottish Government is [providing £3m for play](#) through its Early Years and Early Intervention Change Fund (£1m per year from 2012). This includes the [Go2Play](#) fund run by Inspiring Scotland Ltd which provides grants of up to £15,000 for capacity building in the play sector. The money also supports projects which provide ‘play rangers’ (which help children play safely in their local area) and work to improve school play areas.

Scottish Parliament Action

In 2012, the Equal Opportunities Committee wrote to all local authorities asking about their provision for accessible children’s play areas and whether they had a play strategy. A summary of responses was produced, and considered by the Committee on 7 February 2012. The Committee has written to the Local Authorities that did not respond to the original survey, those that noted a forthcoming strategy, and those with no strategy. A summary of the response received will be considered by the Committee soon.

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11 September 2012

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