

# Child Rights By Design



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Children’s rights in a digital world are rising up the public and policy agenda. This has consequences not only for governments but also for the providers of digital products and services. Business as usual is no longer sufficient. Whether positively to do the right thing, or to avoid the problems of getting it wrong, providers are increasingly asking themselves how to make their products and services more compatible with children’s diverse needs, thus realising (and not abusing) children’s rights.

But not every digital provider fully grasps the nature and significance of children’s rights or how to apply them in practice. Designing and developing for children’s rights is especially challenging for mainstream providers – including CEOs, innovators, product managers, designers, developers and marketers – catering to the general public. With all the talk of designing with children’s best interests in mind, how can one go about it? And who needs to know what?

## Designing with children’s best interests in mind

“All businesses that affect children’s rights in relation to the digital environment [should] implement regulatory frameworks, industry codes and terms of services that adhere to the highest standards of ethics, privacy and safety in relation to the design, engineering, development, operation, distribution and marketing of their products and services ... and take measures to innovate in the best interests of the child.” (*General comment No. 25*, para 39)

The formal adoption by the UN Committee on the Rights of the Child in February 2021 of *General Comment 25 on children’s rights in relation to the digital environment* was a game changer. This statement provides authority, clarity and direction on how the UN Convention on the Rights of the Child applies to the work of all stakeholders whose actions are within its scope. That includes those who provide digital products and services for children. And it includes those whose digital products and services are likely to be used by children, as part of a broader market, whether or not children are among the intended users. It even includes those who provide products and services that children don’t use directly but that impact on them (think of cameras in public places, school information management systems, health databases or parental control tools).

## By design

“The idea of ‘by design’ harnesses the generative power of providers, designers and policymakers to shape technological innovation in ways that prioritise values that promote human wellbeing – privacy, safety, security, ethics, equality, inclusion and, encompassing all these, human rights including children’s rights.” ([Livingstone and Pothong, 2021](#))

For digital businesses, a ‘by design’ solution is widely advocated – think of safety by design, secure by design, privacy by design and others. A ‘by design’ approach avoids the expensive and difficult task of retrofitting design to respect rights after a product has already been developed. It brings crucial benefits by being in the vanguard of emerging standards and regulations, building trust, and preventing reputational risks. Further, with increasing concerns about attention-grabbing digital business models infringing children’s rights, ‘[risky by design](#)’, even ‘[deadly by design](#)’ are obviously to be avoided.

Beyond anticipating and preventing problematic infringements of users’ rights, what should businesses do? The Digital Futures Commission has asked, what does good look like for children, recognising that while it is important to address safety, security and privacy, there is a risk of neglecting children’s other rights and the crucial balance needed between different risks and opportunities for children living in diverse circumstances. We have previously advocated ‘playful by design’ for digital providers of services with which children can and do engage playfully. In our latest work, we build on this, widening our lens to embrace all of children’s rights as they apply to all digital products that may affect them.

## Child rights by design

“It’s 100% a design decision. It’s quite easy to make a game that just goes on infinitely. It’s more of a decision to go, actually we’re going to stop it... We could make that game last for ages, but we took a decision that actually 30 seconds to a minute is long enough... We’ve got a different objective to the game rather than just [kids] playing.” (A small digital content and game developer for children)

Even with good intentions, catering for children’s best interests and their rights in the digital context is not easy. Some, especially small companies, can feel like they are flying blind.

“When we design for preschool toys, we’ve got a lot of guidance... I’ve been designing all my life, but when it comes to the digital, I would say I would not know where to look... I would not know the limits of designing for a kid.” (Independent digital designer)

*Child Rights by Design* offers a fresh direction, and a principled vision, to inspire innovators to realise children’s rights when designing digital products and services. It is grounded in the United Nations Convention on the Rights of the Child (UNCRC), the most widely ratified international human rights treaty ever, applicable to all children from birth to 18 years old. We also drew on the combined wisdom of about 100 relevant policy documents, national and international.

We worked collaboratively with all kinds of experts – designers, developers, lawyers, technologists and researchers from small, medium and large businesses – and we consulted children and young people – always the best part. They emphasised their agency, first and foremost, and the importance of trustworthy support from adults that is responsive to their needs and has their best interests in mind.

“But [children] also have the right not to be exploited... so ... digital services’ terms and conditions... should be easier to understand what they are... They should just make it a really short sentence that is quickly run through.” (Year 8 school student, Essex)












“We have the right to speak up, and people should listen.” (Year 7 school student, Yorkshire)

“Can you make more apps based on Toca World? Because it is so creative for lots of children – so they can do something creative instead of watching something.” (Year 3 school student, Greater London)

Children also called for more support from industry, though they have learned to be sceptical of receiving it, which is why they seek creative workarounds, being fascinated by specific product features and how they help or hinder their activities, enabling adventure and participation or compromising safety or exploitation.

To cut a long story short, we mapped all the articles of the UN Convention on the Rights of the Child, and all the provisions of General Comment No. 25, and distilled 11 design principles, as shown below. We added design cases, relevant laws and regulations, suggested design resources and input from children and young people.

Working again with designers and developers, we also mapped the 11 principles onto the Design Council’s Double Diamond, highlighting ‘stop and think’ questions for each phase of the innovation process. We concluded with a checklist – how to keep all the principles in mind, identify what’s already good, and figure out the next steps needed. If the 11 principles serve their purpose, companies using this toolkit will effectively be conducting a child rights impact assessment – itself becoming more popular in digital contexts.

CHILD RIGHTS by DESIGN PRINCIPLES	
	<b>1. EQUITY &amp; DIVERSITY</b> Do you treat all children equally, fairly and support vulnerable children?
	<b>2. BEST INTERESTS</b> Are children's best interests a primary consideration in product design?
	<b>3. CONSULTATION</b> Are children meaningfully consulted in developing your product?
	<b>4. AGE APPROPRIATE</b> Is your product appropriate for child users or adaptable for different ages?
	<b>5. RESPONSIBLE</b> Do you review and comply with laws and policies relevant to child rights?
	<b>6. PARTICIPATION</b> Does your product enable children to participate in digital products?
	<b>7. PRIVACY</b> Have you adopted privacy-by-design in product development and use?
	<b>8. SAFETY</b> Have you adopted safety-by-design in product development and use?
	<b>9. WELLBEING</b> Does your product enhance not harm children's physical & mental health?
	<b>10. DEVELOPMENT</b> Does your product enable children's learning, imagination, play and belonging?
	<b>11. AGENCY</b> Have you taken steps to reduce compulsive and exploitative product features?

Child Rights by Design shouldn’t be seen as a tick-box exercise but an exciting road map. For although we don’t promise all the answers, we are confident of the direction of travel – one which will help you discover the answers that are right for companies and rights respecting for children.

For more, visit the microsite at <https://childrightsbydesign.digitalfuturescommission.org.uk/> and read here <https://digitalfuturescommission.org.uk/blog/child-rights-by-design-our-guidance-for-innovators-toolkit-is-finally-here/>