



The Prime Minister, the Rt Hon Boris Johnson MP  
10 Downing Street  
London  
SW1A 2AA

Cc: The Rt Hon Gavin Williamson MP, Secretary of State for Education  
The Rt Hon Matt Hancock, Secretary of State for Health  
Vicky Ford MP, Parliamentary Under Secretary of State for Children and Families

Dear Prime Minister,

We hope you are keeping well.

We urge you to consider exempting children under 12 from the regulations concerning meeting outdoors, which would mirror those in Scotland, where the restrictions around meeting outdoors do not apply to children under 12, based on good scientific evidence.

We fully understand and support the need for lockdown measures to control the virus but are extremely concerned about the undue and unjust impact on children's ability to get outdoors and have equivalent freedom and social contact to that afforded adults.

Along with many other organisations and childhood experts, Playing Out and Play England wrote to you on 6<sup>th</sup> January 2021 to raise concerns over children not being able to engage in informal outdoor play.

Despite the Health Secretary stating in a news interview that children's play in a public space is a legitimate activity, the guidelines have not been changed to make this clear to the public and police.

We also asked in that letter that restrictions for under-12s outdoors be reconsidered on the basis of evidence, as the Children's Commissioner had requested. This has not happened. We know that many parents have also written to their MPs about these pressing concerns.

### **Concerns with the Regulations and Guidance**

While your government has now outlined a roadmap for the country to gradually unlock, we are deeply concerned about the wellbeing of many children, some of whom have not seen or played with a single other child since December.

The current regulations, while allowing people to meet outdoors with one other person, preclude children aged 5 or over, but too young to go out without a parent, from having any social contact with their peers.

Children who have no siblings have, therefore, been unable to meet with another child for over two months. For them, waiting until 29<sup>th</sup> March 2021 is too long and, we believe, unnecessary.

Even if the regulations are amended on 29<sup>th</sup> March 2021, as is hoped but by no means guaranteed, children who need adult supervision for their own safety will still be unfairly impacted. Once the new rule of six or two households comes into force, a child of six, for example, will only be able to

meet up with one friend/household at a time, whereas adults and older children/teens will be allowed to meet a group of friends from different households. It would be much fairer for children under 12 if they were exempt from all restrictions on meeting outdoors, including the rule of six, as has been the case in Scotland since last July.

Further we are concerned that the current [guidance](#) on leaving your house currently reads:

*“You should minimise time spent outside your home, but you can leave your home to exercise. This should be limited to once per day, and you should not travel outside your local area.”*

This guidance discourages families from leaving their house for their children to play at all, it is unclear that play (including play outside of playgrounds) is a legitimate form of exercise, and we query whether it is appropriate to limit it to once a day for families, which further reinforces that they should stay in as much as possible, whereas we believe that safe outdoor play should be actively encouraged.

We are in touch with many families, support workers, and parents and are aware that many families are spending large periods of time indoors due to this guidance, to the severe detriment of them and their children. In order to mitigate the adverse health consequences of this lockdown – both physical and mental – it is vital that families are encouraged and not discouraged to leave the house in order to allow their children fresh air and exercise.

We believe that the guidance should be changed, with immediate effect, to ensure that children can and do get outdoors to play, for their physical and mental wellbeing.

### **Importance of outdoor play and socialisation**

There is now strong evidence that meeting outside is relatively safe, that Scotland, where children below 12 are exempt, has not seen a resulting surge in cases, and that children from deprived areas are disproportionately impacted by these measures.

We recognise that schools are due to return next week, which will help children see others their age. However, it is very important, not only that our children are educated, but that they are allowed and encouraged to play with their peers both inside and outside school. Helen Dodd, Professor of Child Psychology at the University of Reading told us that:

*“During childhood and adolescence, social and emotional skills develop rapidly. This development relies on children interacting and playing with their peers and being exposed to a broad range of experiences. Over the past year, we have seen unprecedented increases in children’s mental health problems and loneliness, alongside decreased physical activity. The longer that children are restricted from playing with their friends, the more likely it is that their typical development will be affected.”*

Given the evidence about the safety of meeting outdoors, we see no justifiable reason for continuing this measure that prevents children from meeting each other. Were children under 12 exempt, then this would not allow large groups to meet, but would allow all children to play with another friend.

We have spoken to Dr Sunil Bhopal, Clinical Lecturer in Paediatrics, Newcastle University & Great North Children's Hospital, Honorary Assistant Professor, London School of Hygiene & Tropical Medicine, who has told us that:

*“The Government has effectively made it illegal for any child over the age of 4 who needs supervision to meet even one friend and hasn’t given us a good reason for this. In Scotland, all children under 12 have been allowed to play outside together since last July, with no evidence of increased transmission as a result. Children need children and they are not developing properly without socialisation. We are seeing sadness and distress. If we want children to grow, develop and thrive they have to be able to play and interact with each other.”*

A recent study in Bradford showed that 1 in 3 children hardly left home during the last lockdown, and that this was in part due to the rules and guidance failing to consider and encourage children to just play outside (alone or with friends). Figures from Sport England showed that the majority of young people failed to meet the recommended 60 minutes a day of exercise in 2019/2020, with the biggest decrease in activity seen in black children. We are also in touch with many parents, who are increasingly concerned about their children's wellbeing and mental health. We have attached some case studies as an appendix to this letter.

### **Legality of the Regulations**

We consider the current regulations discriminate against children and may be challengeable under either the Equality Act 2010 or Article 14 of the European Convention of Human Rights (in conjunction with Article 8).

Further, the current regulations are clearly not consistent with the government's own policies around the importance of outdoor play and socialisation for children, nor the Right to Play under Article 31 of the United Nations Convention on the Rights of the Child.

Further, these regulations disproportionately impact single parents with children aged 5-11, who are more likely to be women, as they cannot take advantage of the 1:1 rule by meeting with another adult as they cannot bring their children with them. This would be resolved by excluding under 12s from the regulations.

We are asking you to reconsider the regulations as a matter of urgency given our concerns above and we are considering what legal action is open to us if children continue to be harmed in this way.

### **Our Request**

Please confirm whether a Child Rights' Impact Assessment has been carried out in relation to these measures and whether you could share such an assessment with us?

We also ask for confirmation as to whether the Children's Commissioner was consulted about the effect on children, we note that the previous Children's Commissioner, Anne Longfield, has publicly stated that children under 12 should be exempt.

We ask that you:

1. Exempt children under 12 from current and future regulations around meeting outdoors with immediate effect.
2. Amend the guidance to make it clear that play is a valid form of exercise, and that families with children are encouraged to leave their houses to play lawfully.
3. Ensure children's right to play and socialise will be considered in any future lockdowns or restrictions.

Given the urgency of the issues involved we would appreciate if you responded within seven days. We look forward to hearing from you.

With best wishes,

Alice Ferguson and Ingrid Skeels, Co-Directors, Playing Out

Jennifer Twite, Head of Strategic Litigation, Just for Kids Law

Louise King, Director, Children's Rights Alliance for England

Anita Grant, Chair, Play England



## Appendix: Case Studies

A single mother in Devon, who is concerned for her daughter, provided us with her concerns:

*"My five year old daughter is an only child and she has been badly affected by lack of socialising with other children since lockdown. Her behaviour has become challenging, which was not so before lockdown. She's much more easily frustrated and struggles with sharing and listening, which used not to be problems for her. She is far less cheerful and motivated than she was before this isolation. She especially looks for videos or games with other children to watch or pretend, which she used not to do. Her sleep has also become disturbed. Not being allowed to play with other children even outdoors is damaging to her."*

A project worker in an area of high deprivation in Bristol, told us about their concerns seeing the children there:

*"Over the last two weeks we have been at the school and met parents one by one, handing over art packs we bought for children at home. Unlike the more affluent area where we live (which is busy with children and parents outside, and many people looking healthy and active) we saw no children at all outside or in the green spaces. Parents said that collecting the art pack was one valid reason they could take their children out, as if they did not feel this was the case otherwise. The serious impact of isolation and time indoors was very evident on many children who were either subdued (even though we had not seen them for so long) or who looked very different. Parents too spoke about how hard it was for them. Examples included children as young as 5 having to be on screens all day for learning; a family of 7 inside together all the time (aged nursery to Y11); and one child (Y7) with autism who had become so fearful he had not left his bedroom or computer for months. To the parent's horror, he has developed pressure sores (bed sores in effect) from being hunched over the device in his room. This devastating snapshot of children's lack of activity, time outdoors and any social contact with others and the damaging impact of it all is just the tip of the iceberg - the bit that can be seen in a playground, delivering art packs. We know there is so much more to come in terms of children's physical and mental health when we see them. And it is all the more appalling because it didn't have to be this way."*

Another mother sent us this heart-breaking email about her son:

*"My son (aged 8) has really suffered in this lockdown. He has not seen his friends since the last day of term before Christmas (18th December). He is currently in one of the age groups that has no rights to meet friends as he must be accompanied by an adult which immediately takes the group above the rule of two. Nursery aged children do not count towards the rule of two and a teenager would be able to meet one friend but as we have complied with the law, he has been very isolated. In Scotland, there have been rules which allowed children play outside together which seemed so much more sensible, kind and compassionate. He has become irritable and sad often crying with frustration and having tantrums (which he has not done since he was a pre-schooler). He has missed his friends greatly and his sleep has become affected with bed-wetting and wakings. As a parent, there is only so much you can do, as young children need their friends and play in the fresh air."*

Other comments from parents we have heard are as follows:

*"Our son has not met friends to play since pre-Christmas free-for-all, so would benefit from dispensation for minors to play outdoors once they mix in classrooms next month. 5 weeks is a long time when you're in Primary School Mr Johnson."*

*"So depressing. My 5 year old daughter has not been able to play with another child since 18 December. I am increasingly concerned about her mental health."*

*"I've seen that the rule of six will be brought back in - this will mean that although six adults can meet up two families with two parents and two children still won't be allowed to meet. Yet again adults before children."*

*"My 5 year old hasn't seen another child since December. It's hard to measure the impact exactly but I think she has become far less resilient and I put that down to only being around adults & not peers."*

*"My happy sociable 7 year old has developed chronic anxiety since the start of this - and all he wants is to see his friends, to race around the playground non stop and for life to feel more normal ."*

*"My 7 year old hasn't seen anyone since December 16. He has started to withdraw and become moody and aggressive. He's angry with me and his mam because he's an only child and has no one to play with! I am soooo worried about him its unreal!"*

*"I have an 8 year old who like yours hasn't seen any other children since mid December. He sits having literal conversations with him self about football (not just talking out loud but having a discussion) in lieu of being able to chat to his friends."*

*"My 8 year old coped remarkably well until Christmas, but this term has become very withdrawn and it's heart-breaking."*

*"Being trapped indoors for so many months of the year will have had a devastating impact on so many children in BS13, where many families are in flats with no gardens, there are huge challenges relating to poverty including health, and where school and social contact is a vital support system."*