

# Child Rights Impact Assessment

A tool to realise children's rights in the digital environment

March 2021



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# Child Rights Impact Assessment:

A tool to realise child rights in the digital environment

**Sudeshna Mukherjee, Kruakae Pothong and Sonia Livingstone<sup>1</sup>**

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<sup>1</sup> We thank the reviewers of this report for their comments and improvements.

## Introduction

How can digital products and services providers assess their impact on children's and young people's rights? The Digital Futures Commission is exploring the feasibility and benefits of Child Rights Impact Assessment (CRIA) as one means of embedding children's best interests in a digital world. CRIA was initially introduced as a tool for States to assess the impact of their policies and programmes on children's rights. Subsequently extended to businesses, CRIA applies established methods of impact assessment to the goal of realising children's rights as set out in the United Nations Convention on the Rights of the Child (UNCRC).

The report advances the Digital Futures Commission work stream on "Guidance for innovators" which seeks to identify and assert ways to design and innovate with children's rights in mind to bring about positive change. Early in planning this work stream, it seemed to us possible that, if significant players in the digital world were to conduct CRIA at scale, especially at the outset of the innovation process, this would be a game changer. After completing our desk research on CRIA's origins, reach and implementation, and evaluating its advantages and disadvantages, it is clear to us that CRIA is a highly valuable but underused tool, and that increasing its take up is one among many changes that are needed.

Encouraged by the adoption in 2021 of the United Nations Committee on the Rights of the Child General Comment No. 25 on children's rights in relation to the digital environment, this report calls on policy makers and providers of digital products and services to use CRIA to anticipate their likely impacts and thereby address issues relating to children's rights early in the innovation process. In setting out the potential and practicalities of CRIA for the digital environment, our focus is on the UK and its devolved nations, while also learning from European and international developments.

## Key findings

The UNCRC obliges governments to *respect, protect and fulfil* children's rights (United Nations Committee on the Rights of the Child (2013b, p. 8). The purpose of a CRIA is to assess the impact of legislation, policies, budgets, and administrative decisions on children's rights (see Fig. 1). The United Nations Committee on the Rights of the Child urges that CRIA can help governments to meet their obligation to "undertake all appropriate legislative, administrative, and other measures for the implementation of [children's] rights." (Art.4). In General Comment 25, the Committee calls for CRIAs to be conducted by States and other duty bearers specifically in relation to the digital environment.

There are growing calls for CRIA nationally and internationally. It has found its most extensive adoption base in Europe, being practised in Flemish Belgium, Bulgaria, Finland, Scotland, Spain, Sweden and Wales, possibly also elsewhere (Payne, 2020a, p. 6). Beyond Europe, CRIA is applied in Australia, New Zealand, Canada and, recently, in global South countries with UNICEF partnerships - South Africa, India, Malaysia, Rwanda, Tanzania, Bolivia, Colombia, El Salvador, and Costa Rica.

Traditionally, CRIA was designed for States, as the primary duty bearers, to aid their public decision-making processes. However, under the United Nation's "Protect, Respect and Remedy" framework, businesses are also "required to comply with all applicable laws and to respect human rights" (United Nations, 2011, p. 1). Human Rights Impact Assessment (HRIA)<sup>2</sup>, applicable to both States and the business sector, has been developed for this purpose. CRIA is one form of this, designed to address children's rights in particular.

Conducting a CRIA is demanding. There are both pros and cons, with the latter evident in contexts where CRIA is insufficiently resourced or prioritised. There is "no single, global model of CRIA" (Payne, 2017, p. 3), and it remains an evolving practice (see [Glossary](#)). Its scope and implementation methods vary according to local requirements, priorities, and legislation. We suggest helpful resources and starting points at the end of this report.

Key organisations calling for CRIA in relation to the digital environment include the United Nations Committee on the Rights of the Child,<sup>3</sup> Council of Europe, UNICEF, LEGO, Millicom, Safaricom and 5Rights Foundation. Others who refer to the importance of CRIA are International Telecommunication Union (ITU), the Broadband Commission for Sustainable Development, the European Network of Ombudspersons for Children (ENOC), and the European Network of Youth Advisers (ENYA).

As this list of organisations makes clear, most developments are international or European. CRIA has been little discussed in relation to digital providers in the UK

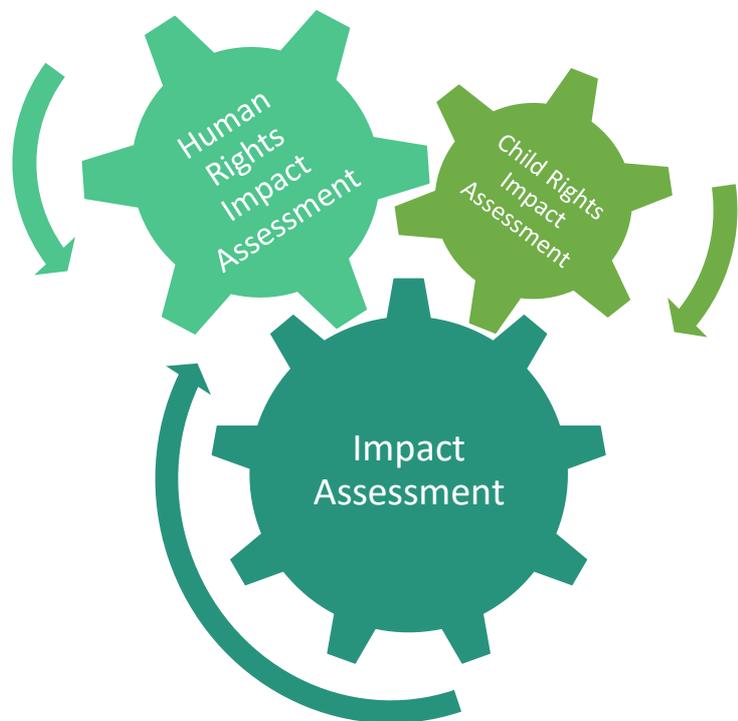
<sup>2</sup> A Human Rights Impact Assessment (HRIA) is an instrument for examining policies, legislation, programmes, and projects to identify and measure their effects on human rights (World Bank, 2013, p. v).

<sup>3</sup> *General Comment No. 25 on Children's Rights in relation to the Digital Environment* (United Nations Committee on the Rights of the Child, 2020, para. 24), advances efforts already underway for "states to mandate the use of child rights impact assessments to inform the development of legislation". CRC/GC/2003/5, para. 45; CRC/C/GC/14, para. 99; CRC/C/GC/16, para. 78-81. See (United Nations Committee on the Rights of the Child General comment No. 25 on children's rights in relation to the digital environment (2021)) CRC/C/GC/25. para. 23, 38.

(especially in England), other than in work led by the 5Rights Foundation. The potential for further development, and improvement, in the realisation of children's rights in relation to the digital environment is therefore considerable and urgent.

This report explains CRIA's nature and potential as a tool for policymakers, businesses and other actors involved in the design, development, deployment, and governance of digital products and services that directly or indirectly impact children's rights. Noting that there are growing calls for CRIA, it concludes that CRIA should now be applied to the design, development and distribution of digital products and services to realise children's rights in the digital world.

*Fig 1. Impact assessment and its relation to HRIA and CRIA*



## Understanding Child Rights Impact Assessment (CRIA)

“Child Impact Assessments are a tool for translating the Convention and its Article 3, on giving priority to the child’s best interests, into practice in a concrete, structured manner.”

(Sylwander, 2001, p. 20)

Article 25(2) of the Universal Declaration of Human Rights (1948) states that “childhood is entitled to special care and assistance”. The ‘child impact statement’ as a tool to safeguard children’s rights is credited to Michael Freeman in 1987. After the adoption of UNCRC in 1989, and especially following *General Comment No. 5 on General Measures of implementation of the Convention on the Rights of the Child* (United Nations Committee on the Rights of the Child, 2003, para. 45), the term ‘child impact assessment’ took precedence.<sup>4</sup>

Sweden’s first Ombudsman for children, Louise Sylwander (2001, p. 5), highlighted how the “best interests of the child” (UNCRC Art.3.1) became the guiding principle for “all actions concerning children” by States and other relevant authorities and extending “to relevant private institutions.” This recognises that children’s needs differ from adults and require due consideration (Payne, 2017, p. 6).

Over time a range of overlapping terms for varieties of rights and risk-based impact assessments have been introduced, including child rights impact assessment (see [Glossary](#)).

As understood today, CRIA is explained by the United Nations Committee on the Rights of the Child thus:

"Different methodologies and practices may be developed when undertaking CRIA. At a minimum, they must use the Convention and its Optional Protocols as a framework, particularly ensuring that the assessments are underpinned by the general principles and have special regard for the differentiated impact of the measure(s) under consideration on children. The impact assessment itself could be based on input from children, civil society and experts, and relevant Government departments, academic research and experiences documented in the country or elsewhere. The

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<sup>4</sup> The phrasing has since evolved and is interchangeably known as ‘child impact assessment’ (Freeman, 1987; Corrigan, 2006, p.7-8), ‘child impact analysis’ (Payne, 2002, p. 130; Hanna et al., 2006, p. 34) or ‘child rights impact assessment’ (Payne, 2017; UNICEF & Danish Institute for Human Rights, 2013). In the UK, the late 1990s saw efforts to draft “child impact statements,” this language sidestepping ‘children’s rights’ to gain greater buy-in from UK policymakers, perhaps because they were, at the time, concerned to introduce the Human Rights Act 1998. Source: Interview with Lisa Payne, Child Policy expert by the authors on 21 December 2020.

analysis should result in recommendations for amendments, alternatives and improvements and be made publicly available."

(United Nations Committee on the Rights of the Child (2013a, para. 99)<sup>5</sup>

### **CRIA: what and how**

CRIA is an iterative process in which the impact of a proposal or policy is systematically evaluated in relation to children's rights (Payne, 2020(a), p. 11). Typically, it follows eight steps:<sup>6</sup>

- 1. A set of core questions that take a holistic approach to the child and children's rights** to guide people through the impact assessment process.
- 2. Screening/initial assessment stage** in which an initial check on the proposed policy is made to determine the need for a full impact assessment.
- 3. Scoping to identify the information available;** this can require cross-departmental collaboration to collate the requisite information to conduct CRIA.
- 4. Data and evidence gathering, and consultation with children and young people** to ensure their voices and experiences are considered.
- 5. Impact assessment to anticipate beneficial or harmful effects on children's rights.**
- 6.** To mitigate potentially negative impacts, **identify modifications or alternatives** to the proposals under consideration and **make recommendations** to the decision-maker.
- 7.** Set out clear processes for when and how the proposal and its implementation will be **monitored and evaluated.**
- 8. Publish** a child-friendly report with a non-technical summary for a broader audience to explain the policy, outline the methodology and ensure transparency.

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<sup>5</sup> States may draw guidance from the Report of the Special Rapporteur on the right to food on Guiding principles on human rights impact assessments of trade and investment agreements (A/HRC/19/59/Add.5).

<sup>6</sup> Corrigan, 2006; Foresti et al., 2009; Harrison & Stephenson, 2010; United Nations, 2011; Payne, 2017; Hoffman, 202).

## The obligations of the State for children's rights

“The child-rights impact assessment (CRIA) can predict the impact of any proposed policy, legislation, regulation, budget or other administrative decision which affect children and the enjoyment of their rights and should complement ongoing monitoring and evaluation of the impact of measures on children's rights.<sup>7</sup> CRIA needs to be built into Government processes at all levels and as early as possible in the development of policy and other general measures in order to ensure good governance for children's rights.”

(United Nations Committee on the Rights of the Child (2013a, para. 99)

States are the primary duty bearers for human rights and, as such, are required to “undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the present Convention.” (Art. 4 UNCRC). CRIA is an important measure available to the signatories, being a “child-focused” version of HRIA. It forms part of the CRIA and evaluation cycle.

CRIA enables “decision-makers to put a specific gaze on children and their rights and to identify any disproportionate impact on children” (Lundy, 2020, p. 96). Thus, duty bearers use CRIA to affect decision making across public, social and economic domains (EU-UNICEF, 2014), ensuring that children are visible in the policymaking process and that policy-makers anticipate and address their rights and needs (Corrigan, 2006; Payne, 2019).

As with other forms of impact assessment commonly used in management (OECD, 2014), CRIA can be conducted *ex-ante* to identify “the future consequences of a current or proposed action” judged against tightly defined criteria (International Association for Impact assessment, n.d., cited in Foresti et al., 2009, p. v). CRIA can and should also be done *ex-post facto*, to review the actual “positive or negative; intended or unintended; direct or indirect; and short-term or long-term” impacts of proposed policies, laws, programmes and administrative decisions on children and their rights (UNICEF Canada, 2014, p. 3; Payne, 2019, p. 410; Hoffman, 2020).

Being an iterative process, CRIA facilitates learning and analysis throughout (Götzmann, 2019, p. 4), with children's rights providing the impact assessment (CRIA) and impact evaluation (CRIE) criteria. However, “Impact assessment is an aid to decision-making, not a substitute for political judgement” (European Commission, 2002, p. 3).

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<sup>7</sup> United Nations Committee on the Rights of the Child General comment No. 16 (2013b) on State obligations regarding the impact of the business sector on children's rights, paras. 78-81.

To achieve the intended outcome as a tool for States to realise child rights, CRIA must be embedded early in the development of government policy at all levels (Payne, 2017, p. 3) and in most if not all areas because

“There is no such thing as a child-neutral policy. Whether intended or not, every policy positively or negatively affects the lives of children.”

(European Union-UNICEF, 2014, p. 3)

The rationale for conducting CRIA was originally formulated for States as the primary duty-bearers in public-decision making. However, as argued above, the same rationale can also be extended to businesses.

## The responsibilities of business for children's rights

"Children are among the most marginalised and vulnerable members of society, and can be disproportionately, severely and permanently impacted by business activities, operations and relationships."

(John Ruggie, former UN Secretary-General's Special Representative for Business and Human Rights, cited in UNICEF & Global Child Forum, 2018)

Recognising that businesses "as specialised organs of society... [are] required to comply with all applicable laws and to respect human rights" (United Nations, 2011, p. 1), John Ruggie led the development of a framework clarifying businesses' responsibilities towards human rights, including children's rights. The UN *Guiding Principles on Business and Human Rights* (UNGP, the "Ruggie Principles", adopted in 2011) set out the relationship between human rights (including children's rights) and business (Collins, 2014, p. 586). This specifies "human rights due diligence" as a process by which businesses should assess and account for their potential and actual human rights impacts.<sup>8</sup>

United Nations Committee on the Rights of the Child General Comment No. 16 *on State obligations regarding the impact of the business sector on children's rights* specifies businesses' responsibilities to respect and remedy children's rights (United Nations Committee on the Rights of the Child, 2013). It explains that:

"When States develop national strategies and plans of action for implementation of the Convention and the Optional Protocols thereto, they should include explicit reference to the measures required to respect, protect and fulfil children's rights in the actions and operations of business enterprises. States should also ensure that they monitor progress in the implementation of the Convention in business activities and operations. This can be achieved both internally through the use of child rights impact assessments and evaluations and collaboration with other bodies such as parliamentary committees, civil society organisations, professional associations and national human rights institutions. Monitoring should include asking children directly for their views on the impact of business on their rights."

(United Nations Committee on the Rights of the Child (2013b, para. 77)

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<sup>8</sup> This builds on businesses' common process assessing the implications of their actions for those who may be affected by business operations, business models, products and services, and assessing the implications for the businesses themselves (Kemp & Vanclay, 2013). This extension of human rights responsibilities beyond the state reflects the intention to mainstream or foreground human rights, including by using impact assessment as a tool (McCrudden, 2005; Andreassen & Sano, 2007; Harrison & Stephenson, 2010).

In the same year, Save the Children, UN Global Compact and UNICEF jointly developed the *Children's Rights and Business Principles (CRBP)* to “ensure the protection and safety of children in all business activities and facilities” (UNICEF et al., 2013, p. 23). These principles are fundamental to realising child rights in the digital environment because businesses play a significant role in shaping the design, development and delivery of digital products and services to both public and private sectors. Many of these digital services are designed for adults. However, children are often the actual end-users, or supposed beneficiaries, of the services, particularly key government services in the justice, education and health sectors.

## Rising interest in CRIA as a tool to realise children's rights

Recognising the advantages and notwithstanding the challenges, governments have conducted CRIA in Austria, Belgium (Flanders), Bosnia and Herzegovina, parts of Canada, Finland, Ireland, parts of New Zealand, and Sweden (Payne, 2019, p. 411). In Ireland, Latvia, Luxembourg, the Netherlands and Norway, CRIA manifests through consideration of children's rights as part of Human Rights Impact Assessment (Payne, 2020a, p. 22). To the best of our knowledge, CRIA's adoption in the global South (in South Africa, India, Malaysia, Rwanda, Tanzania, Bolivia, Colombia, El Salvador and Costa Rica) is driven by UNICEF and its partnerships with national governments and businesses.<sup>9</sup>

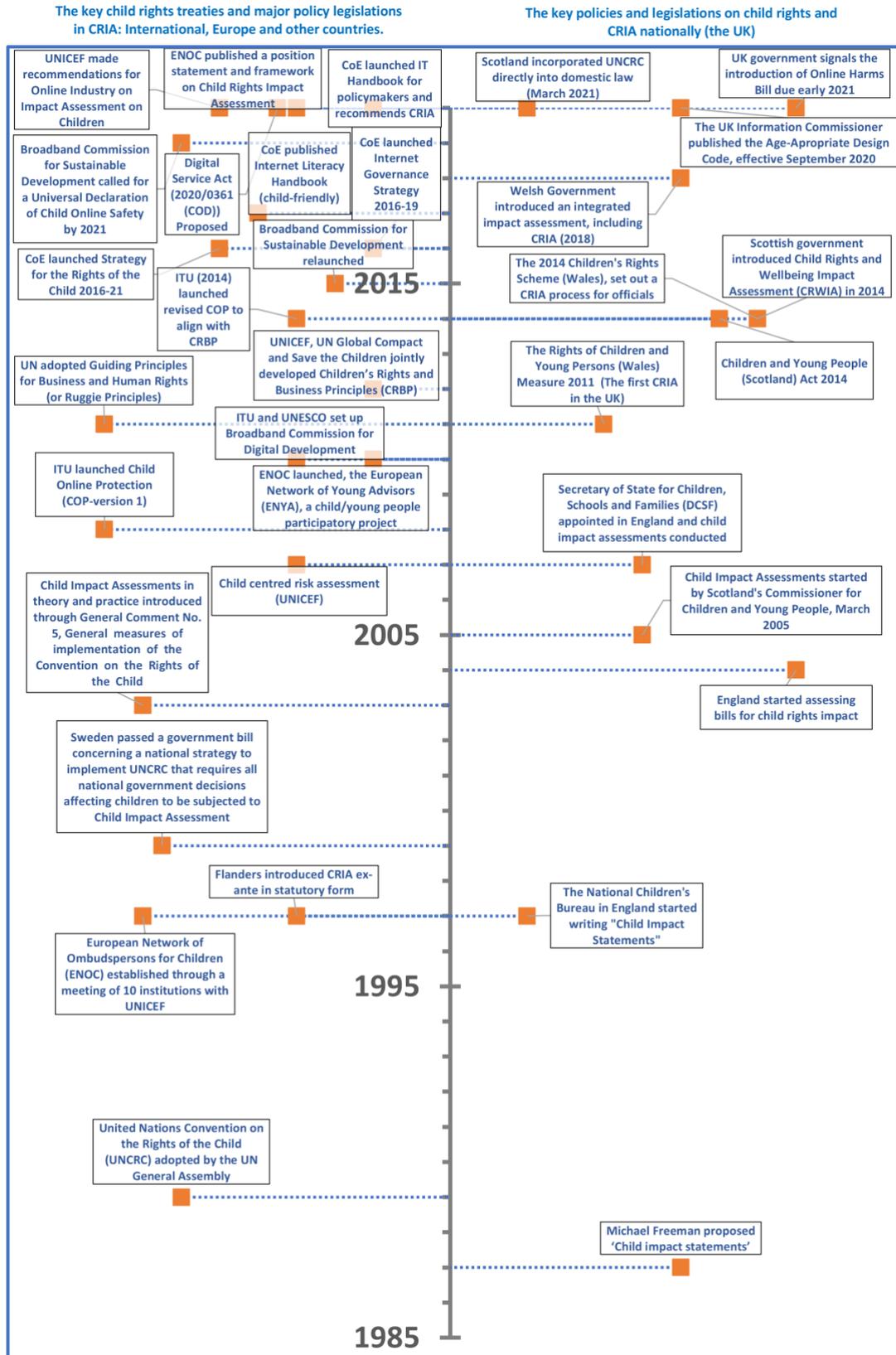
In what follows, we first explain the rising interest in CRIA in general, internationally and nationally. Then we focus on the potential specifically concerning the digital environment.

Figure 2 illustrates the rising advocacy for and implementation of CRIA, both internationally (left hand side of the diagram) and in the UK (right hand side). While not comprehensive, the figure captures key developments in CRIA, with a particular focus on its increasingly application to business, including the digital environment.

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<sup>9</sup> Specifically, having designed a range of tools and guidance for businesses to uphold CRBP, UNICEF obligates its corporate partners to respect children's rights. Millicom, Safaricom and Digi (Malaysian subsidiary of Telenor Group) are the mobile operators to have committed to child rights impact assessment through Mobile Operators Child Rights Self Impact Assessment (UNICEF & The Guardian, 2016, p. 15) and leveraging mobile technology for a safer internet for children (Pranugrahaning et al., 2020, p. 11). As seen in South Africa (Department of Social Development et al., 2012); India (through LEGO supplier training), Malaysia (Pranugrahaning et al., 2020); Rwanda, Tanzania, Bolivia, Colombia, El Salvador and Costa Rica (countries of operation of Millicom to have adopted CRIA); and Kenya (Safaricom).

Fig 2. Rising interest in CRIA



## International developments in CRIA

The main international drivers for CRIA adoption in both public and private sectors are the UN agencies, particularly UNICEF. These efforts are supported by United Nations Committee on the Rights of the Child General Comment No. 5, which explicitly calls for the application of child impact assessment and evaluation as a means to realise the “best interests of the child.”

"Ensuring that the best interests of the child are a primary consideration in all actions concerning children (Article 3(1)) and that all the provisions of the Convention are respected in legislation and policy development and delivery at all levels of government demands a continuous process of child impact assessment (predicting the impact of any proposed law, policy or budgetary allocation which affects children and the enjoyment of their rights) and child impact evaluation (evaluating the actual impact of implementation). This process needs to be built into government at all levels and as early as possible in the development of policy."

(United Nations Committee on the Rights of the Child (2003, para. 45)

Initial efforts to realise child rights in relation to business took a risk-based approach, as in UNICEF's risk-informed programming (UNICEF, 2018b, 2018c) and child-centred risk assessment (UNICEF ROSA, 2014). This prioritises children's right to protection and echoes the framing of children as “vulnerable members of society” (UNICEF & Global Child Forum, 2018). A range of toolkits has been developed to support business in assessing and mitigating the risks of their operations for children's rights (UNICEF, 2018d; UNICEF, 2019).

In General Comment No. 5, the United Nations Committee on the Rights of the Child lauds States that have “introduced a statutory obligation to conduct systematic CRIA” (Payne, 2020a, p. 36). The approach to CRIA is now diversifying from the predominantly risk-based approach to encompass a rights-based approach. Several European institutions and organisations, including the European Union Agency for Fundamental Rights (FRA), the Council of Europe, and ENOC have enthusiastically adopted CRIA. For example, ENOC, a keen advocate for CRIA and CRIE (child rights impact evaluation), calls on its members

“to develop CRIA and CRIE as measures for monitoring implementation of the UNCRC in a way that further promotes the visible integration of children's rights in decision-making.”

(ENOC, 2020, p.1)

Many of these organisations, also, call not only on States, as primary duty bearers, but also on businesses to uphold and respect child rights in their operations.

## National developments in CRIA

The UK Government ratified the UNCRC in 1991. The National Children's Bureau recognised the role of the State as the duty bearer and called for CRIA as early as 1997/1998, requiring also

“a Minister or Unit to secure that the civil service undertakes child impact analysis on a routine basis, a Commissioner to act as an external watchdog on this process and to organise independent assessments when this is thought to be needed, and a Parliamentary body to receive the information during the passage of legislation and to hold the government accountable to its actions on behalf of children.”

(Hodgkin, 1998, p. 30)

In 2010, the UK Government committed to incorporate the UNCRC “when making new policy and legislation, supplemented by a more recent commitment to introduce a new core learning and development offer on the UNCRC through Civil Service Learning, and to work with the Joint Committee on Human Rights<sup>10</sup> on how to promote and embed good practices,” including CRIA (Payne, 2017, p.3).

In 2016, the United Nations Committee on the Rights of the Child (2016, para. 10(a)) proposed that the UK should make child rights impact assessment “a statutory obligation at the national and devolved levels... when developing laws and policies affecting children.” Further to this recommendation, Department for Education (DfE) officials developed a CRIA template and incorporated a module on the UNCRC and public duties into its Civil Service Learning and signalled its intention to harness CRIA in carrying out public duties (UNICEF UK, 2017, p. 3). However, the UNCRC is not fully incorporated into law across the UK nations, with the exception of Scotland, although parts of it are included in different legislation (Joint Committee on Human Rights, 2015). There is no formal requirement to undertake CRIA: between June 2015 and mid-May 2017, only five government Bill-related CRIAs could be identified – four from the DfE, one from the Home Office (UNICEF UK, 2017, pp. 2-3).

Since 2010 there have been notably more advances regarding children's rights, including CRIA, in the devolved nations.<sup>11</sup> Across the UK jurisdictions, there is an increasing emphasis on child rights-based policymaking with the UNCRC used for guidance and to influence legislation. This includes the Children and Young People (Scotland) Act (2014), the Rights of Children and Young Persons (Wales) Measure

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<sup>10</sup> The Joint Committee on Human Rights examines matters relating to human rights within the United Kingdom, as well as scrutinising every Government Bill for its compatibility with human rights. See: <https://committees.parliament.uk/committee/93/human-rights-joint-committee>

<sup>11</sup> Within the UK, having four different Children's Commissioners has led to “a different approach to introducing a child focus to impact assessment, and these differences illustrate the range of challenges inherent in efforts to embed the consideration of children's rights into central and regional government policy formulation and decision-making” (Payne, 2019, p. 411).

(2011), and the Children’s Services Co-operation (Northern Ireland) Act (2015) (Byrne & Lundy, 2019, p. 358).<sup>12</sup>

“There is a limited competence and lack of children’s rights expertise at all levels of government, in public bodies and among practitioners to carry out CRIA, as well as a lack of resources to support its use.”

(Payne, 2020a, p. 6)

The UK experience has revealed the advantages of CRIA and a series of barriers to implementation. Lisa Payne's analysis of these barriers demands attention as we consider CRIA's application to the digital environment.

## England

“Unlike Sweden or Flanders, child impact statements in England are not governed by legislation nor are they part of a coherent national strategy to implement the UNCRC.”

(Corrigan, 2006, p. 40)

After the National Children’s Bureau introduced ‘child impact statements’ in 1997/98 (Hodgkin, 1998), England started assessing bills for child rights impact in 2004 (Payne, 2007, p. 475). In 2007, the Secretary of State for Children, Schools and Families (DCSF) conducted some “child impact assessments” when establishing the Every Child Matters programme (Payne, 2007, p. 471). However, in the last decade, such assessments have been carried out only sparingly, depending on the priorities of the ministers in office.<sup>13</sup>

## Scotland

The Scottish Government introduced Child Rights and Wellbeing Impact Assessment (CRWIA) in 2015 (Backman et al., 2019, p. 21), indicating a dual framework (Payne, 2017, p. 33), through children’s rights and the child well-being duties of the government set out in the Children and Young People (Scotland) Act 2014. This is assessed through eight indicators known by the acronym SHANARRI.<sup>14</sup>

“It was found that in advocating for the use of CRWIA on all national legislation and policy that impacts on children, Scotland is at the forefront of international efforts to mainstream the use of Child Rights Impact Assessment (CRIA) in all decision making.”

<sup>12</sup> Child rights advocate Lisa Payne conducted a comparative review of child rights impact assessment across the UK on behalf of UNICEF UK (2017). Drawing from Payne’s research and the latest ENOC CRIA Synthesis report (Payne, 2020a), this report reviews policy legislation and actions of the UK government (for England) and the devolved states (Northern Ireland, Scotland and Wales) including latest published data from the individual websites of the states.

<sup>13</sup> Information from an interview with Lisa Payne, a child right consultant on 21<sup>st</sup> December 2020.

<sup>14</sup> The Children and Young People (Scotland) Act 2014 uses eight well-being indicators - Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included. See: The Scottish Government (n.d.). <https://www.gov.scot/policies/girfec/wellbeing-indicators-shanarri/>

(Backman et al., 2019, p. 21)

The Scottish Government (Scottish Government, 2019, p.4) recommends using CRWIA “on all new legislation and policy that impacts on children, not just children’s services.” It has provided budgets and resources to implement this policy (Payne, 2017, p. 4). Between June 2015 and May 2017, 18 CRWIAs with positive or neutral impact across Scottish government departments were published (Payne, 2017, p. 33). More have been published since. In a historical development, Scotland has become the first country in the UK to incorporate the UNCRC into domestic law, having passed the UNCRC Incorporation (Scotland) Bill on 16<sup>th</sup> March 2021<sup>15</sup>.

## Wales

In 2002, the UNCRC Monitoring Group, a national alliance of non-governmental and academic agencies, was established. Since May 2016 it has been facilitated by Children in Wales. The Rights of Children and Young Persons (Wales) Measure 2011 makes Welsh Ministers duty bearers to comply with the UNCRC. In 2014, the Children’s Rights Scheme set out a compliance process for the Welsh Ministers, including a CRIA procedure. From 2012 till 2017, “around 260 CRIAs from across the Welsh Government have been undertaken” (Payne, 2017, p. 4). With the introduction of integrated impact assessment, CRIA’s transparency has been impacted and significantly reduced (Payne, 2020a). Byrne and Lundy (2019, p. 362) posited that

“Child rights impact assessment, by its nature, should allow consideration to be given to any discriminatory impact between different groups of children and young people and for these to be subsequently addressed.”

## Northern Ireland

Under Section 75 of the Northern Ireland Act 1998, the State as the duty bearer is obliged to promote equality of opportunity through an Equality Impact Assessment (EQIA) (Payne, 2017, p.4). The Northern Ireland Executive (2020) adopted the Children and Young people’s Strategy 2020-2030 which serves as a national approach to systematically consider children’s rights, as part of its mandatory EQIA. The adoption of the strategy followed the requirement set out in the 2015 Children’s Services Co-operation Act (Northern Ireland), opening the way for more systematic attention to children’s rights.

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<sup>15</sup> The new law will come into force six months after Royal Assent.

## CRIA in the digital environment

The rapid growth in digital uptake among children and young people (Livingstone et al., 2016; Ofcom, 2020) has been accompanied by a series of guidelines and toolkits for child online safety in the digital environment.<sup>16</sup> While these support businesses operating in the digital environment to be mindful of the impacts of their products and services on children, only some are rights-based (often prioritising the right to protection) and not all call for impact assessment.<sup>17</sup>

The organisations that advocate a holistic approach based on child rights include UNICEF (2016, 2019) and its Innocenti Research Centre (2019) and business partners,<sup>18</sup> the Council of Europe (Council of Europe, 2018; Livingstone et al., 2020), ITU (2020), and the 5Rights Foundation in the UK.<sup>19</sup>

### International developments

The growing call for children’s rights to be realised in the digital environment is advanced by *General Comment No. 25 on Children’s Rights in relation to the Digital Environment* by the United Nations Committee on the Rights of the Child (adopted in 2021). In providing an authoritative analysis of how the full range of children’s rights can and should be respected, protected, and fulfilled in the digital environment, the General Comment calls on States to mandate the use of children rights impact assessments to embed children’s rights into the regulation and design of the digital environment.

States “should mandate the use of child rights impact assessments to embed children’s rights into legislation, budgetary allocations and other administrative decisions relating to the digital environment and promote their use among public bodies and businesses relating to the digital environment.”

(CRC/C/GC/25 (2021), para 23)

States “should require the business sector to undertake child rights due diligence, in particular to carry out child rights impact assessments and

<sup>16</sup> UNICEF offers various tools for (ICT) companies to realise child rights: (UNICEF, 2019) [https://www.unicef.org/csr/ict\\_tools.html](https://www.unicef.org/csr/ict_tools.html)

<sup>17</sup> Examples include *Children and Digital Marketing: Industry Toolkit* (UNICEF, 2018a), *Child Rights and Online Gaming: Opportunities and Challenges* (UNICEF Innocenti Research Centre, 2019) and *Child Online Safety: Minimising the risk of violence, abuse and exploitation* (Broadband Commission for Sustainable Development, 2019).

<sup>18</sup> UNICEF’s business partners include LEGO (toy manufacturer) and mobile operators, such as Millicom, Safaricom and Digi (the Malaysian subsidiary of the transnational mobile operator, Telenor).

<sup>19</sup> 5Rights Foundation is a UK-based charitable organisation whose mission is to make systemic changes to the digital environment to serve children and young people, by design and by default. See: <https://5rightsfoundation.com/about-us/>.

disclose them to the public, with special consideration given to the differentiated and, at times, severe impacts of the digital environment on children.”

(CRC/C/GC/25 (2021), para 38)

The Council of Europe’s *Strategy for the Rights of the Child (2016-2021)* identified five priorities to guarantee the child's rights, including *children’s rights in the digital environment* (Council of Europe, 2016c). Its recent Recommendation (CM/Rec(2018)7) *on the rights of the child in the digital environment* (Council of Europe, 2018) calls on States to conduct risk assessment and data protection assessment, impact assessment and evaluation:<sup>20</sup>

“Laws and policies related to the digital environment should be assessed, at their drafting stage, with regard to the impact that their implementation may have on children’s enjoyment of human rights and fundamental freedoms.” (para 72)

This also encompasses businesses and other stakeholders:

"States should require business enterprises to perform regular child-rights risk assessments for digital technologies, products, services and policies and to demonstrate that they are taking reasonable and proportionate measures to manage and mitigate such risks." (para 95)

The *Handbook for policy-makers on the rights of the child in the digital environment* by the Council of Europe that accompanies the Recommendation (Livingstone et al., 2020, p. 72) explains that child-rights risk assessments are also called child rights impact assessments and that they must be conducted by businesses “before their digital products or services could reach or affect children” (p.19). Importantly, businesses must

“undertake child rights due diligence, which entails that businesses should identify, prevent, and mitigate their impact on children’s rights including across their business relationships and within global operations.” (p. 72)

States’ obligation is to ensure businesses meet their responsibilities, including by designating an authority or creating “a co-ordinating mechanism to assess developments in the digital environment that might impact the rights of the child and which includes children in its decision-making processes, and ensure that their national policies adequately address such developments” (Council of Europe, 2018, para 112).

<sup>20</sup> Also, as part of a series of strategic publications *recognising* the rights of a child especially in the digital environment, the Council of Europe (CoE) has launched the *Internet Governance Strategy 2016-2019* that includes “protection against sexual abuse and exploitation of children online” (2016b, p. 10); *Internet Literacy Handbook* (2017); *Guidelines to respect, protect and fulfil the rights of a child in the digital environment* (2018), *Two clicks forward, and one-click back*, a report on children with disabilities in the digital environment (2019); and *Guidelines on Children’s Data Protection in an Education setting* (2020).

The European Commission's proposal for the Digital Services Act (European Commission, 2020) suggests mandating online platforms to conduct risk assessment to evaluate the impact of the functioning and usage of their service on users' exercise of human rights, including child rights (COM(2020) 825 final):

“Under this Regulation, very large online platforms should therefore assess the systemic risks stemming from the functioning and use of their service, as well as by potential misuses by the recipients of the service, and take appropriate mitigating measures.” (para 56)<sup>21</sup>

ENOC (2019, p. 1) calls upon “states, national, regional and international authorities and organisations, decision-makers, business and industry to make further efforts to realise children's rights in the digital age.” Its work is informed by consultation with children and young people organised through the European Network of Youth Advisers (ENYA), for in relation to the digital environment too, “children and young people should always be involved when governments make decisions and laws that affect them” (ENYA, 2019, p. 5; see also Third et al., 2017).

Organisations such as UNICEF, the Broadband Communication for Sustainable Development and the International Telecommunication Union (ITU), have published guidelines outlining various measures for realising child rights in the digital environment.<sup>22</sup> For instance, in its *Child Online Safety* report, the Broadband Commission (2019, p.21) called for a corporate culture change, referencing the five actions that ITU & UNICEF (2015, p. 33) recommended in their *Child Online Protection* guidelines, including that “the rights of children must be integrated into all appropriate company policies and processes.”

Responding to the rise of Artificial Intelligence (AI) that “amplifies both risks and opportunities”, the World Economic Forum (2019, p. 6) along with its partners, UNICEF and Canadian Institute for Advanced Research (CIFAR), as part of "Generation AI" initiative, identified the need for public policy guidelines directing the State as the duty bearer “on creating new laws focused on children and AI”, and “a corporate governance charter that guides companies leveraging AI to design their products and services with children in mind” (World Economic Forum, 2019, p. 4).<sup>23</sup> UNICEF and the World Economic

<sup>21</sup> It also states that “Very large online platforms should deploy the necessary means to diligently mitigate the systemic risks identified in the risk assessment...[and] should under such mitigating measures consider, for example, enhancing or otherwise adapting the design and functioning of their content moderation, algorithmic recommender systems and online interfaces, so that they discourage and limit the dissemination of illegal content, adapting their decision-making processes, or adapting their terms and conditions... taking due account of potential negative effects on the fundamental rights of the recipients of the service” (para 58).

<sup>22</sup> The guidelines published by these organisations include *Guidelines for Industry on Child Online Protection* (ITU & UNICEF, 2015), *Child Online Safety: Minimising the Risk of Violence, Abuse and Exploitation Online* (Broadband Commission for Sustainable Development, 2019, p. 21) and *Guidelines for Policy-makers on Child Online Protection* (ITU, 2020), respectively.

<sup>23</sup> The draft *Policy Guidance on AI for children* by UNICEF (2020, p. 39) implicitly requires businesses to assess and consider the impact of AI on children's rights and involve them in the design process through recommendations that include: (1) Setting up “mechanisms for assessing and continually monitoring the impact of AI systems on children in AI policies and strategies”; and “continuously assess and monitor AI's impact on children throughout the entire AI development life cycle” for child safety. (2) Adopting an appropriate and “inclusive design approach when developing AI

Forum have also published various sector-specific reports and guidelines for companies operating in the digital environment, recommending measures including CRIA.<sup>24</sup>

To date, few global internet and mobile companies' practices meet minimum standards in the areas of privacy, freedom of expression and remedy mechanisms for reported harms (Ranking Digital Rights, 2019). There are exceptions: LEGO pledged compliance with the Children's Rights and Business Principles (The LEGO Group, 2018, pp. 23–24). Possibly an independent audit of digital product and service providers' practices as they impact on children's rights could incentivise further positive developments (as with the Ranking Digital Rights' Corporate Accountability Index; UNICEF & The Guardian, 2016, p. 12).<sup>25</sup>

## National developments

“There are laws to protect children in the real world. We need our laws to protect children in the digital world too.”

(Information Commissioner's Office, 2020c)

In January 2020, the Information Commissioner's Office in the UK published the Age Appropriate Design Code (the Children's Code) setting standards for the specific application of the General Data Protection Regulation (GDPR) to online services accessible by children. The Code came into force in September 2020, under section 125(1)(b) of the UK Data Protection Act 2018 (Information Commissioner's Office, 2020a, p. 3).

Distinctively for the UK, the Code takes a holistic rights-based approach, grounded in “the best interests of the child” (UNCRC Art. 3). It prescribes Data Protection Impact Assessments (DPIA) to “assess and mitigate risks to the rights and freedoms of children who are likely to access [online] services” (Information Commissioner's Office, 2020a, p. 7). This framing lends itself to the interpretation that a DPIA is a form of CRIA specific to the heavily-datatified digital environment, and that DPIA could be used to enforce CRIA in the digital environment, provided that child rights form integral part of the assessment criteria.

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products that will be used by children or impact them.” (3) Supporting “meaningful child participation, both in AI policies and in the design and development processes.”

<sup>24</sup> The Discussion Paper on *Child Rights and Online Gaming* (UNICEF Innocenti Research Centre, 2019) and the subsequent *Recommendations for the Online Gaming Industry* (Pietikäinen et al., 2020, p. 31) take an inclusive, systematic approach and recommend “all sectors of the gaming industry” to “take the initiative to carry out child rights impact assessments of their operations”. There are recommendations for each sector viz. game developers, game publishers, game distributors and gaming experience providers. That also takes into consideration “products” and “services” for underage players during “game design” and embeds age verification practices by including due diligence and remediation processes, and feedback from children on gaps, risks and opportunities relating to child rights. The recommendations also encourage reporting as an essential part of remedy.

<sup>25</sup> In the UK, the Internet Commission has conducted such an independent audit of digital products and service providers' decision-making concerning “content, contact and conduct” (Shipp et al., 2021).

Taking a risk-based approach, the Department for Digital, Culture, Media and Sport (DCMS) published the *Online Harm White Paper* to mandate providers of online services "specifically for children" to "conduct a child safety risk assessment" (DCMS, 2020, pp. 28–29). This can be seen as an effort to mandate a risk-based CRIA for providers of digital products and services. As it stands, the proposal will apply to parts of the digital environment, for example leaving out providers of online education services (DCMS, 2020, p. 12).

The 5Rights Foundation asserts that security, safety and privacy by design and default can be achieved by "impact assessments to identify and mitigate against risk, especially for vulnerable or young users, as part of the design process" (2019, p.11). It advocates for enforceable regulation and international agreements to make the digital environment better serve children and young people, including by leading on *General Comment No. 25 on Children's Rights in relation to the Digital Environment* (United Nations Committee on the Rights of the Child, 2021).

These are notable and recent developments. Our research has revealed few further calls for or uses of CRIA in relation to the digital environment in UK policies. Introducing CRIA in this context would represent a timely and needed advance towards meeting some of the pressing challenges in realising children's rights in a digital world.

**CRIA: pros and cons****Advantages**

Puts **the best interests of the child** at the heart of policymaking to realise children's rights;

Ensures **early consideration** of children's rights in the process of innovation;

Maps the **full range of impacts** on children and identifies **measures** that could remedy negative impacts;

**Provides visibility** for children in decision-making processes, helping duty bearers to obtain dedicated resources;

**Minimises discrimination** by identifying differential impacts for children in different, including vulnerable or disadvantaged circumstances;

Supports the creation of **child-friendly public services**;

Enhances **coordination** within and across organisations responsible for children's rights;

Creates **an enabling environment** to recognise and discuss child rights;

Institutes **child-friendly complaints mechanisms** and other systems of remedy and redress;

Brings **evidence to policymaking** and **includes children's voices** within decision-making.

**Challenges**

Lack of consensus over the **definition** of 'child rights impact assessments' and related terms;

CRIA is often **not a priority** since in many countries, including the UK, "there is no legal mandate for CRIA" (Payne, 2020a, p. 6);

Lack of evidence on the **effectiveness** of CRIA as a policy tool benefitting children's rights;

**Insufficient understanding** of "the best interests of the child" (Article 3) and the importance of Article 12, "the right of the child to be heard."<sup>26</sup>

In practice, CRIA "can be **overly bureaucratic**, too often regarded as an additional burden on busy officials and in effect used to justify decisions that have already been made" (Payne, 2017, p. 11);<sup>27</sup>

Methodological difficulties in **disaggregating different groups of children** and foreseeing differential impacts;

A **lack of knowledge** of child rights in the business sector (Collins and Guevara, 2014.)

<sup>26</sup> While children's opinions may not always represent their own best interests, they should always be sought and given due weight. As stated by General Comment No. 14 (United Nations Committee on the Rights of the Child, 2013a, para 53): "Any decision that does not take into account the child's views or does not give their views due weight according to their age and maturity, does not respect the possibility for the child or children to influence the determination of their best interests."

<sup>27</sup> Arguably too, CRIA processes lack standardisation, and available tools need to be improved and used consistently to their full potential. Payne (2017, p. 43) cautions against CRIA being conducted "too late in the policy development process, as a one-off product that is drafted to record and communicate decisions rather than inform them."

## Next steps

What could be achieved if all providers of digital products and services that impact on children's lives conducted a child rights impact assessment early on in the process of design, development and distribution? This is not just a rhetorical question but one that should now be answered through improvements in policy and practice. It is clear that many children's rights advocates, from small NGOs to major players such as United Nations Committee on the Rights of the Child and UNICEF, are convinced that, if CRIA were used effectively, and its results evaluated transparently, it will make a real difference to realising children's rights in a digital world.

Since it appears that CRIA is insufficiently understood, only sporadically implemented, and resource-intensive when it is well used, it is also clear that CRIA requires investment in expertise, training, evidence and coordination. This in turn requires sustained resources, commitment and political will on the part of those developing, delivering and evaluating policies and provision that may impact on children's rights.

In relation to the digital environment – fast changing, highly complex and facing competitive pressures – these conditions may seem particularly demanding. It is unknown whether the realisation of children's rights can be incentivised through market developments or public demand, and how much it will require regulation. The adoption of UNCRC General Comment No. 25 on children's rights in relation to the digital environment (United Nations Committee on the Rights of the Child, 2021) marks a major step forward, and will generate considerable interest, initiatives and energy.

In the UK, there are some promising developments. Nonetheless, it appears that much of the potential of CRIA is still unmet in relation to the digital environment. We conclude with some suggestions for what might help:

Development and promotion of practical tools, templates, and good practice case studies for conducting CRIA;

Education and training programmes for relevant professionals, including university programmes for design engineers and computer scientists;

Prominent champions to call for CRIA, to bring increased recognition of and visibility for CRIA as a mean of anticipating potential problems and improving innovation in the best interests of children;

Key gatekeepers have a role to play: those funding start-ups could demand use of CRIA, for instance; also, CRIA could be built into procurement requirements, especially for public-private partnerships, and into codes of conduct and design standards for technological innovation;

CRIA could be introduced into the growing set of non-financial corporate reporting requirements of publicly traded companies (following the example of environmental requirements, for instance).

In the next steps of our work on Guidance for Innovators, the Digital Futures Commission will reflect on all of this and more, positioning CRIA among the other tools and resources to be promoted as we develop an innovators' toolkit to realise children's rights in a digital world.

## Practical guides and resources for conducting CRIA

No.	Publication Name	Publisher & Year	Intended use
1	<p>Children's Rights in Impact Assessments: A guide for integrating children's rights into impact assessments and taking action for children</p> <p>See: <a href="https://sites.unicef.org/csr/css/Childrens_Rights_in_Impact_Assessments_Web_161213.pdf">https://sites.unicef.org/csr/css/Childrens_Rights_in_Impact_Assessments_Web_161213.pdf</a></p>	UNICEF and the Danish Institute for Human Rights (2013)	<i>For businesses</i> in assessing their policies, operations and processes
2	<p>Children's Rights Scheme 2014: Arrangements for having due regard to the United Nations Convention on the Rights of the Child (UNCRC) when Welsh Ministers exercise any of their functions</p> <p>See: <a href="https://senedd.wales/media/ijfpwar/gen-ld9732-e-english.pdf">https://senedd.wales/media/ijfpwar/gen-ld9732-e-english.pdf</a></p>	Welsh Government (2014)	<i>For the Welsh Government</i> in public decision-making and policy development processes
3	<p>EU-UNICEF Child Rights Toolkit</p> <p>Integrating Child Rights in Development Cooperation: Module 5 Child Impact Assessments</p> <p>See: <a href="https://www.childrightstoolkit.com/wp-content/uploads/toolkit/English/Child-Rights-Toolkit-Module5-Web-Links.pdf">https://www.childrightstoolkit.com/wp-content/uploads/toolkit/English/Child-Rights-Toolkit-Module5-Web-Links.pdf</a></p>	EU and UNICEF(2014)	<i>For governments, development organisations and their partners the (e.g. EU, OECD, UNICEF and World Bank)</i> in policymaking, decision-making and project planning
4	<p>When and how to best use the CRWIA: Guidance</p> <p>See: <a href="https://www.gov.scot/publications/childrens-rights-wellbeing-impact-assessments-crwia-guidance/">https://www.gov.scot/publications/childrens-rights-wellbeing-impact-assessments-crwia-guidance/</a></p>	The Scottish Government (2019)	<i>For Scottish Government officials and public authorities</i> in policy and public decision-making processes

5	<p>Common Framework of Reference on Child Rights Impact Assessment: A Guide on How to carry out CRIA</p> <p>See: <a href="http://enoc.eu/wp-content/uploads/2020/12/ENOC-Common-Framework-of-Reference-FV.pdf">http://enoc.eu/wp-content/uploads/2020/12/ENOC-Common-Framework-of-Reference-FV.pdf</a></p>	European Network of Ombudspersons for Children (2020)	<p><i>For ENOC member States and other public authorities</i></p> <p>in decision-making and practices concerning laws, policies, budgets, programmes and services</p>
6	<p>Handbook for policy makers on the rights of the child in the digital environment</p> <p>See: <a href="https://rm.coe.int/publication-it-handbook-for-policy-makers-final-eng/1680a069f8">https://rm.coe.int/publication-it-handbook-for-policy-makers-final-eng/1680a069f8</a></p>	Council of Europe (2020)	<p><i>For policymakers</i></p> <p>in political and strategic decision-making concerning provision of digital products and services used by children and young people, and related practices</p>
7	<p>Child Online Safety Assessment tool</p> <p>See: <a href="https://sites.unicef.org/csr/files/Guidance_Document_UNICEF_Child_Online_Safety_Assessment_Tool_for_consultation.pdf">https://sites.unicef.org/csr/files/Guidance_Document_UNICEF_Child_Online_Safety_Assessment_Tool_for_consultation.pdf</a></p>	UNICEF (2016a)	<p><i>For ICT Companies</i></p> <p>in integrating child rights impact assessment into (ICT) business operations</p>
8	<p>Mobile Operator Child Rights Self-Impact Assessment Tool (MO-CRIA)</p> <p>See: <a href="https://sites.unicef.org/csr/files/Guide_to_the_MOCRIA_English.pdf">https://sites.unicef.org/csr/files/Guide_to_the_MOCRIA_English.pdf</a></p>	UNICEF (2016b)	<p><i>For mobile operators</i></p> <p>in assessing the impact of corporate practices, policies and processes on child rights</p>

## Glossary

Recognising the many overlapping terms relating to CRIA, we offer a glossary of definitions and uses relating to impact assessment.

**Child-Centred Risk Assessment:** UNICEF Regional Office South Asia (Kjaergaard & Igarashi-Wood, 2014, p. 5) describes two types of child-centred risk assessments: “*One dimensional (spatial) risk assessment:* By overlaying child vulnerability and hazard data, these assessments provide snapshots of the spatial distribution of risk at a given point in time; and *Two-dimensional (spatial and temporal) risk assessment:* The system enables risk-informed development planning through real-time monitoring and analysis of various hazards and demographic and economic indicators in correlation with key child development indicators at district level.” Building on the concept, Plan International “integrated multiple perspectives of risk, particularly disaster, conflict and child protection risks, into one assessment framework” to develop a Child-Centred Multi-Risk Assessment Guide (Plan International, 2018, p. 3). These assessments are relevant to emergencies and disaster situations.

**Child Impact Assessment:** “a systematic process in which proposals for policy and legislation are reviewed and assessed for their potential impact on children and young people” (Payne, 2007, p. 470).

**Child Impact Assessment Framework (CIAF) previously called 'High Conflict Practice Pathway':** this “brings together guides and tools which Family Court Advisers can use to help them assess the impact of different case factors on the children we work with. This includes domestic abuse; harmful conflict; child refusal or resistance to spend time with one of their parents; and other forms of harmful parenting such as substance misuse or mental health difficulties. The structured framework sets out how children may experience parental separation and how this can be understood and assessed at Cafcass.” It builds on Cafcass’ “existing knowledge and guidance” of working on similar cases and “follows a consistent and evidence-informed approach helping practitioners to find an outcome which is in the best interests of the children involved” (Cafcass, 2020).

**Child Online Safety Assessment (COSA) Tool:** UNICEF (2016a, p. 7) together with the LEGO Group has developed a tool “to support ICT companies in assessing how children's rights can be more effectively integrated into their operations and aims to empower companies to strengthen their child protection policies, codes of conduct and due diligence processes.” The main objectives of the tool are to “ensure companies understand the core issues and impacts... while assessing their management of child rights and the Internet; offer an easy-to-use and comprehensive self-assessment of a company's management of an impact on children's rights online; and uncover strengths and weaknesses in managing child rights policies and practices, and build corrective plans where needed to adjust management practices.”

**Child Participation Assessment tool:** this aims “to support states in meeting the goals of the recommendation on participation of children and young people under the age of 18. The assessment tool offers a method, at European level, to facilitate and support the implementation of the child’s right to participate” Council of Europe (2016a). This tool is accompanied by an implementation guide with a roadmap and detailed guidance on

information collection, focus groups and using the results for reporting to the United Nations Committee on the Rights of the Child.

**Child Rights and Wellbeing Impact Assessment (CRWIA):** the Scottish Government (2019, p. 4) defines Child Rights and Wellbeing Impact Assessment (CRWIA) as a process through which one can “identify, research, analyse and record the anticipated impact of any proposed law, policy or measure on children’s human rights and well-being.” CRWIA was developed by the Scottish Government in 2015 as part of its strategy to implement children’s rights under Part 1 of the Children and Young People (Scotland) Act 2014.

**Child Rights Impact Assessment (CRiA):** a “tool predicting the impact of any proposed law, policy or budgetary allocation, which affects children and the enjoyment of their rights. Child impact assessment needs to be built into government at all levels and as early as possible in the development of policies and laws” (European Union Agency for Fundamental Rights, 2014). This is used to assess systematically the impact on children of laws, policies or budgetary allocations as measured against the Articles of the UN Convention on the Rights of the Child (CRC) and domestic human rights/child well-being frameworks. CRiAs are child-focused Human Rights Impact Assessments (HRIAs), and share many HRIA features, follow similar processes, and raise comparable challenges. HRIAs provide a means to assess policies – whether of government, corporate or institutional origin – within internationally codified human rights standards which may show impact on individuals, population groups, institutions, or society generally” (Payne, 2019, p. 409).

**Child Rights Impact Evaluation (CRiE):** this is “an opportunity to consider the intended or unintended effects those legislative changes, policies, budgetary allocations, and other administrative decisions have had on children and young people. This is done after a decision has been made or an action has been taken” (ENOC, 2020, p. 2).

**Child Safeguarding:** “all of the actions a company takes to keep all children they come into contact with safe – and includes the proactive measures put in place to ensure children do not come to harm as a result of any direct or indirect contact with the company” (UNICEF, 2018, p. 4).

**Children in need of a Child Protection Plan in the UK/Child Protection Register in Wales, Scotland and Northern Ireland (formerly known as Risk Register):** this defines: “how social workers will check on the child’s welfare; what changes are needed to reduce the risk to the child; what support will be offered to the family” (NSPCC, 2020).

**Children’s Rights and Business Atlas:** this helps “businesses and industries assess potential and actual impacts on the lives of children and guides the integration of children’s rights into due diligence practices and procedures.” The underpinning methodology for the Atlas is the Child Rights and Business Principles (UNICEF & Global Child Forum, 2018).

**Child rights-sensitive governance assessment:** this tool “offers a strategic opportunity to feature child rights concerns prominently and concretely in governance-related interventions and funding support” (European Union & UNICEF, 2014, p. 9).

**CRiA (business focus):** UNICEF & Danish Institute for Human Rights (2013) describe CRiA as “a guidance for companies on assessing their policies and processes as they relate to the responsibility to respect and commitment to support children’s rights. It can be used to integrate child rights considerations into ongoing assessments of overall

human rights impacts, as outlined in the UN Guiding Principles on Business and Human Rights”.

**Data Protection Impact Assessment (DPIA):** “a process to help you identify and minimise the data protection risks of a project. You must do a DPIA for processing that is likely to result in a high risk to individuals. This includes some specified types of processing. You can use our screening checklists to help you decide when to do a DPIA. It is also good practice to do a DPIA for any other major project which requires the processing of personal data” (Information Commissioner’s Office, 2020b). DPIA “is a process designed to describe the processing, assess its necessity and proportionality and help manage the risks to the rights and freedoms of natural persons resulting from the processing of personal data” (Article 29 Working Party, 2017, p. 4).

**Environmental Impact Assessment (EIA):** “The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made” (International Association for Impact Assessment, 1999).

**Equality Impact Assessment (EIA) and EQIA:** “a systematic and evidence-based tool, which enables us to consider the likely impact of work on different groups of people. Completion of equality impact assessments is a legal requirement under race, disability, and gender equality legislation” (Government of UK, 2010).

**Ex ante impact analysis:** “a part of the needs analysis and planning an activity of the policy cycle. It involves doing a prospective analysis of what the impact of an intervention might be, so as to inform policymaking – the policy-maker’s equivalent of business planning” (OECD, 2014, p. 1). In the context of CRIA, “it provides an opportunity to examine the potential impacts on children and young people of laws, policies, programmes, and services as they are being developed and, if necessary, suggest ways to avoid or mitigate any negative impacts. This is done prior to the decision or action being set in place” (Payne, 2020a, p. 11).

**Ex post impact assessment/evaluation:** The OECD (2014, p. 1) defines ex-post impact assessment as “part of the evaluation and management activity of the policy cycle. Evaluation aims to understand to what extent and how a policy intervention corrects the problem it was intended to address Impact assessment focuses on the effects of the intervention, whereas evaluation is likely to cover a wider range of issues such as the appropriateness of the intervention design, the cost and efficiency of the intervention, its unintended effects and how to use the experience from this intervention to improve the design of future interventions” (OECD, 2014, p. 1).

**Global Threat Assessment:** “A global, publicly available analysis of the scale and nature of the threat facing children online, with the aim of strengthening our international response” (WePROTECT Global Alliance, 2019).

**Human Rights Impact Assessment:** “an instrument for examining policies, legislation, programs and projects and identifying and measuring their effects on human rights.” (Götzmann et al., 2016, p. 15).

**Impact:** “the total effect, including negative and positive effects, of a hazardous event or crisis. The term extends to human, economic and environmental impacts, and may include death, injury, disease and other negative effects on human physical, mental and social well-being” (UNICEF, 2018c, p. 9).

**Impact assessment:** “the process of identifying the future consequences of a current or proposed action” (International Association for Impact Assessment, n.d.). It has also been defined as the “process of systematic analysis of the likely impacts of intervention by public authorities. It is as such an integral part of the process of designing policy proposals and making decision-makers and the public aware of the likely impacts” (European Commission, 2002, p.3).

**Mobile Operator Child Rights Self-Impact Assessment Tool (MO-CRIA):** Working with industry, experts, NGOs and other partners, UNICEF developed a tool that can be used for child rights due diligence. MO-CRIA is a “comprehensive self-assessment framework for companies” to evaluate, anticipate and manage both positive and negative impacts of “their industry and their operations” (UNICEF, 2019, p. 9).

**Poverty and Social Impact Assessment (PSIA):** “analysis of the distributional impact of policy reforms on the well-being or welfare of different stakeholder groups, with a particular focus on the poor and vulnerable. PSIA also addresses sustainability and the risks to policy reform and helps to monitor poverty and social outcomes and impacts of policy changes.” (UNICEF, 2011)

**Risk:** “the potential loss of life, injury, or destroyed or damaged assets which could occur to a system, society or a community in a specific period of time, determined probabilistically as a function of hazard, exposure, vulnerability and capacity” (UNDRR, 2017). Risk is also defined as “the likelihood of shocks or stresses leading to the erosion of development progress, the deepening of deprivation and/or humanitarian crisis affecting children or vulnerable households and groups” (UNICEF GRIP, 2018c).

**Risk-Benefit Assessment:** “an easy-to-use tool to support play providers to balance the benefits of an activity with any inherent risk, considering the risks while recognising the benefits to children and young people of challenging play experiences. Unlike conventional risk assessment, RBA takes account of benefits by bringing together consideration of risks and benefits when deciding on appropriate responses” (Play England, n.d., see also Ball et al., 2012).

**Risk-Informed Programming:** The Guidance for Risk-informed Programming (GRIP) by UNICEF (2018b) “aims to strengthen resilience to shocks and stresses by identifying and addressing the root causes and drivers of risk, including vulnerabilities, lack of capacity, and exposure to various shocks and stresses.... Using a human rights-based approach to programming, UNICEF supports national counterparts and a range of duty bearers and stakeholders to consider not only what changes are necessary to further the realisation of child rights, but also how to protect those gains from the negative impacts of shocks and stresses”.

**Social Impact Assessment:** the process of “analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programs, plans, projects) and any social change processes invoked by those interventions. Its primary purpose is to bring about a more sustainable and equitable biophysical and human environment” (Vanclay, 2003, p. 6),

**The Children’s Measurement Framework (CMF):** “seeks to extend the Equality Measurement Framework (EMF) to children” (Holder et al., 2011, p. viii). Clery et al. define it as an “indicator-based tool for monitoring children's equality and human rights in Britain.” (2014, p. 324). “The CMF has been developed in partnership with the Equality

and Human Rights Commission (EHRC), which has a general statutory duty to promote and protect equality and human rights in England, Scotland and Wales, as well as specific duties to report to Parliament on progress towards equality and human rights using indicators. The EHRC also has responsibilities to promote international human rights standards, including the UN Convention on the Rights of the Child (CRC), in its role as a 'National Human Rights Institution' (NHRI)" (2014, pp. 321-322).

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