A Review of Human Rights Education in Schools in Scotland

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Acknowledgements

The Scottish Government
Riaghaltas na h-Alba

Background to Report

In 2005 the United Nations launched the World Programme for Human Rights Education (UNWPHRE) and is currently planning for Phase 3 of this ambitious programme. As a contribution to Phase 2 of the World Programme and in collaboration with key stakeholders in education in Scotland, BEMIS held a national conference on Human Rights Education in 2011. The conference generated much interest from across the sectors but particularly from teachers working in the formal education sector. Conference evaluations indicated that teachers, in particular, would like more information and training on HRE and so, as a key conference outcome, BEMIS designed an extensive mapping exercise to ascertain the level of engagement with Human Rights Education within the school education sector in Scotland. Through this report BEMIS seeks to:

- Consider the gaps in school education and present feasible recommendations to influence policy and enhance delivery of Curriculum for Excellence in order to advance a Human Rights Based Approach (HRBA) to education in Scotland.
- Influence policy in relation to Lifelong Learning to strengthen Human Rights Education and Active Citizenship across Scotland
- Assist the Scottish Government in driving forward HRE in Scotland by contributing to the development of the Scottish Government's Action Plan for the World Programme for Human Rights Education
- Support the Scottish Government with their reporting obligations to the United Nations in relation to the United Nations World Programme for Human Rights Education.

> *HRE "…is not something created out of the good will of a few teachers. It is a commitment from leadership and a critical mass of teachers in the schools and, thus, is rather rare." Felisa Tibbits, Founder and Senior Advisor Human Rights Education Associates (HREA)*

Part 1 Human Rights Education

1.1 Introduction

Values such as dignity, fairness, equality, non-discrimination and participation have long been discussed and valued throughout societies and communities around the globe. These principles and concepts are not constructs of the modern world or of Western civilisation alone; indeed many of the core principles of human rights are reflected in a variety of world religions, philosophies, economics, trade union and political doctrines and span the centuries. However, in 1948, for the first time ever, the nations of the world agreed a core set of principles to ensure the dignity, protection and development of *all* human beings.

Sixty five years *after* the Universal Declaration of Human Rights (UDHR) was signed, human rights abuses such as gender based oppression, racism, health inequalities, religious persecution and human trafficking still abound. These are compounded by war, dictatorships, terrorism, escalating numbers of refugees, poverty, food and water insecurity and a global recession which has led to increased levels of poverty and unemployment, particularly amongst the young. Why then, when such a powerful and prominent international instrument exists to secure universal human rights, are so many people around the world still denied even basic human rights?

Although the answers to this are many and complex, part of the answer may lie in the lack of education *about* human rights and what is referred to as Human Rights Education (HRE). BEMIS strongly believes that in order for any society to respect and advocate *for* human rights, whether locally or internationally, a sound knowledge *about* human rights is crucial and that the responsibility for delivering this lies ultimately with governments. As part of a lifelong learning process **Human Rights Education should begin in the early years, continue through primary and secondary schooling and extend beyond the classroom into tertiary education, the workplace and across civil society in general.**

The UDHR was instrumental in introducing **Human Rights Education** as a distinct concept in 1948. Indeed, the preamble to the UDHR[1] states that "*every individual and every organ of society, keeping this declaration in mind, shall strive by teaching and education to promote respect for these rights and freedoms.*" Furthermore, Article 26.2 of the UDHR decrees "*that education shall be directed to the full development of human personality and to the strengthening of respect for human rights and fundamental freedoms…*" In other words, **Human Rights Education is in itself a right.**

Since then, the development of HRE has been a somewhat slow and arduous process, with the topic only "becoming the subject of a concerted global campaign"[2] in the mid-1990s. The relatively recent growth in HRE has coincided not only with an increase in both globalisation and multiculturalism,[3] but also with the recent upsurge of UN initiatives in this area including the World Programme for Human Rights Education (UNWPHRE). The main goal of the UNWPHRE is to "promote a common understanding of basic principles and methodologies of human rights education, to provide a concrete framework for action and to strengthen partnerships and cooperation from the international level down to the grass roots".

The culmination of this increased activity at UN level was the General Assembly's adoption on 19 December 2011 of a designated **UN Declaration on Human Rights Education and Training**[4] which calls for governments to strengthen their attempts in promoting respect for human rights, acknowledging "*…the fundamental importance of human rights education and training in contributing to the promotion, protection and effective realization of all human rights.*" The Declaration, with its 14 Articles, presents a significant legal framework on which to base advocacy for human rights education and explicitly directs states to take account of the World Programme for HRE in Article 8.

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[1] http://www.un.org/en/documents/udhr/

[2] S Cardenas, 'Constructing Rights? Human Rights Education and the State' (2005) 26(4) International Political Science Review 363 at p 366; see also V B Georgi & M Seberich, 'Introduction' in V B Georgi & M Seberich (eds), *International Perspectives in Human Rights Education* (2004) at p 13.

[3] See generally A Osler & H Starkey, 'Education for democratic citizenship: A review of research, policy and practice 1995-2005' (2006) 24(4) Research Papers in Education 433.

[4] Adopted without a vote by the 66th Session of the General Assembly.

This proliferation of UN initiatives is indicative of the increasing prominence of HRE at the international level, yet the *right to* HRE remains one that is largely overlooked and under-researched both academically and in policy-based studies.[5] This is somewhat surprising, given the fact that HRE provisions can be found in a number of the most significant, and often legally binding, international human rights instruments.

In October 2011 and in partnership with key stakeholders (*UNESCO, Amnesty International, Scotland's Commissioner for Children and Young People (SCCYP), Education Scotland and the IDEAS network*) BEMIS held a national conference on Human Rights Education. The conference[6] generated enormous interest amongst educators from both the statutory and voluntary sectors. Presenters and workshops also engaged with policy challenges and questions that result from a renewed, or sharpened, focus on HRE in the spheres of formal and informal education. Feedback from teachers who attended indicated a lack of awareness of HRE as a distinct concept and also highlighted a lack of knowledge and confidence with regards to the teaching of HRE.

A primary role of BEMIS is to influence policy in support of equality and HRE. With this in mind, and as one of our major conference outcomes, BEMIS designed a mapping exercise to gauge teachers' attitudes, experiences and practice with regards to HRE in Scotland.

1.2 Why is HRE Important?

As Eleanor Roosevelt—the driving force behind the 1948 United Nations Universal Declaration of Human Rights—famously said:

> *"Where, after all, do universal human rights begin? In small places, close to home - so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm, or office where he works ... Unless these rights have meaning there, they have little meaning anywhere."*

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[5] O C Okafor & S C Agbawka, 'Re-Imagining International Human Rights Education in Our Time: Beyond Three Constitutive Orthodoxies (2001) 14 Leiden Journal of International Law 563 at p 565.

[6] http://www.bemis.org.uk/conference/hre-2011-10-27/

Human Rights Education not only advances knowledge about human rights and active citizenship, but also promotes democratic principles, communication skills and informed critical thinking across all sections of society. It is equally relevant to academics, community groups and individuals. It is a transformational and participative approach to lifelong learning that empowers learners of all ages with knowledge and skills to understand their individual and collective rights and responsibilities.

> *"If society hopes for a world where peace, security, freedom and prosperity reign—where hate, malice, inequality and abuse are things of the past—then we must teach and instil in every child the values and qualities necessary to help bring about such results and achieve success."[7]*

Time and again, history has shown us that when basic human needs or rights are denied, a blame culture based on negative attitudes towards 'others' can catch hold very quickly resulting in racism, xenophobia and other abuses or violations of human rights. For example, Humes[8] suggests that some of the impacts of globalisation such as job losses, relocation of companies, poverty, increased mobility of migrant workers, asylum seekers, refugees and the pressures on local services at a time of recession and cuts can cause resentment that "…*may be compounded by hostile, prejudiced or bigoted attitudes to issues of race, ethnicity, or religion*"

Evidence from the Scottish Government's 2010 Scottish Attitudes Survey[9] show that a significant minority of people living in Scotland believed that *'People from ethnic minorities take jobs away from other people in Scotland'* (31%). Even more (37%) believed that '*People who come here from Eastern Europe take jobs away from other people in Scotland'*. Whilst there is not always a link between negative attitudes and negative behaviours, under particular conditions one can very quickly lead to the other.

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[7] Institute for the Development of Gifted Education, University of Denver, *Teacher Compendium for Human Rights Education,*
 http://www.du.edu/idge/media/documents/Teacher_Compendium.pdf

[8] Humes,W., (2008) The Discourse of Global Citizenship, Peters, M.A., Britton A., and H. Blee (Eds.) *Global Citizenship Education, Philosophy, Theory and Pedagogy*, Sense Publishers, p 50

[9] http://www.scotland.gov.uk/Resource/Doc/355716/0120166.pdf

The rise of neo Nazi groups such as *Golden Dawn* in Greece[10], which openly target migrants and other non-indigenous members of Greek society, is a perfect example of how quickly Humes' suggested scenario can become a reality if a good understanding of and respect for universal human rights is not actively cultivated by governments.

If we are all truly global citizens then now, more than ever, there is a need for education curricula to not only reflect the complexities of current global issues but to equip the next generations of global citizens with an understanding and respect for universal human rights. Our hope is that, ultimately, HRE will lead to a civil society in Scotland that is not merely tolerant but which is **informed, engaged, inclusive and demanding of social justice for all**.

BEMIS believes that the **role of education** in all its various dimensions is crucial to the enjoyment of human rights and to the peaceful and equitable coexistence of all people. Human Rights Education is not only an entitlement set out in the UDHR but also a crucial element of ensuring a fair, equal and cohesive society free from prejudice and discrimination.

1.3 The National Context

The Scottish Government is committed to creating a modern, inclusive Scotland that protects, respects and realises human rights for the people of Scotland. The Scotland Act (1998) makes provisions for the protection of human rights within Scotland and ensures that the Scottish Parliament acts compatibly with the European Convention on Human Rights. The Scottish Government (as part of the UK response) is asked to report to the United Nations Office of the High Commissioner for Human Rights (OHCHR) on its progress regarding the implementation of the second phase action plan of the World Programme for Human Rights Education. **Scotland's 2010 response to the** OHCHR **[11] clearly demonstrated that although some progress has been made in Scotland with some aspects of HRE there is still much work to be done** to avoid an ad hoc approach

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[10] http://www.guardian.co.uk/world/2012/oct/26/golden-dawn-greece-far-right

[11] Scottish Government, National Report to the Office of the United Nations High Commissioner for Human Rights Regarding Implementation of the First Phase of the United Nations World Programme for Human Rights Education (2010)

to HRE and to enable teachers and other educators to understand that HRE is an explicit entitlement within curricula.

> *"Scotland's curriculum is undergoing a transformation. Human rights education is not taught as a discrete area but as part of inter-disciplinary learning and teaching, linking it with international education, health and wellbeing, anti-racism, and anti-bulling. Secondary schools have a variety of different approaches to learning and teaching about human rights including exploring issues through the Fair Trade Group and studies within the school Amnesty International Group. Learning and Teaching Scotland, the public body responsible for the development of the curriculum and support for teachers have included on their website learning and teaching about human rights issues."* (Scottish Government 2010)

There is an impressive range of key actors[12] from both the statutory and voluntary sectors working to promote HRE and Education for Democratic Citizenship (EDC) across Scotland.

NGOs such as (but not exclusively) Amnesty International, the British Red Cross, the British Council, the IDEAS network and UNICEF play a major role in supporting the development of Global Learning and Human Rights Education across Scotland. They provide professional development training and resources for teachers, practitioners and Community Learning and Development (CLD) staff.

The Scottish Human Rights Commission was established in 2006 by the Scottish Commission for Human Rights Act (2006). Under this Act the Commission has a general duty to promote awareness, understanding and respect for all human rights - economic, social, political, cultural and civil - to everyone, everywhere in Scotland, and to

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[12] Education Scotland www.educationscotland.gov.uk/ (formerly Learning and Teaching Scotland)

Scottish Human Rights Commission http://www.scottishhumanrights.com/

Equality and Human Rights Commission (Scotland) http://www.equalityhumanrights.com/scotland/

Amnesty International (Scotland) http://www.amnesty.org.uk/content.asp?CategoryID=325

Scotland's Commissioner for Children and Young People http://www.sccyp.org.uk/

Youth Link Scotland http://www.youthlinkscotland.org/

encourage best practice in relation to human rights. The Commission is currently working on the development of a National Action Plan for Human Rights which is due to be published in the summer of 2013.

The **Equality and Human Rights Commission (Scotland)** has a statutory remit to 'promote and monitor human rights; and to protect, enforce and promote equality across the nine "protected" grounds - age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment.'

The role of **Scotland's Commissioner for Children and Young People** (SCCYP) was established by the Commissioner for Children and Young People (Scotland) Act of 2003. The Commissioner's main remit is to promote and safeguard the rights of children and young people in Scotland. SCCYP consults widely with children and young people and promotes awareness, understanding and implementation of the United Nations Convention on the Rights of the Child (UNCRC) across Scotland.

Education Scotland (formerly Learning and Teaching Scotland) was established by the Cabinet Secretary in 2011 as the key national body supporting quality and improvement in Scottish education. They have some information about some aspects of human rights on their website; however this relates primarily to children's rights.

Youth Link Scotland is the national agency for youth work. Their focus is on capacity building and support work for youth workers and CLD staff. Although the organisation places the UNCRC at the heart of its work, it is not specifically a training organisation and therefore does not provide training on human rights education.

However, although there are excellent examples of practice from across these organisations, the capacity within all of them is limited. The implications for and statutory responsibilities of some of these organisations are such that they have had, rightly so, to adopt a more strategic approach. As such, it would appear that there is currently a gap in Scotland with regards to the delivery of HRE at a more grass-roots level. Whilst this has led to an ad hoc approach to the delivery of HRE across Scotland, BEMIS believes that greater consistency in the implementation of the UNWPHRE could help to plug this gap.

10

Arguably, one of the most influential ways of advancing HRE in Scotland is through the education sector, in particular school education. Within school education and Initial Teacher Education (ITE) there is often a lack of cohesion and coherence between their approaches, often due to conflicting remits and to the range of terminologies and initiatives with similar but discrete aims.

For example, within the formal education sector, terms such as Education for Citizenship, Global Citizenship, Global Learning, Values Education and Sustainable Development Education are used in professional discourse and most teachers and practitioners will be familiar with this terminology and with aspects of these approaches. Nevertheless, although a respect for human rights underpins the above approaches, HRE as an explicit pedagogical concept may still be unfamiliar to many educators, as will the diverse dimensions of its practice.

BEMIS considers HRE to be an all-encompassing term that embraces the principles of Education for Citizenship, Global Learning and Sustainable Development Education and ensures that human rights values and methodologies underpin all aspects of learning and teaching.

Teachers, however, currently, will be more familiar with the term Global Citizenship, which *may* or *may not* contain explicit elements of HRE. As Humes[13] suggests, the term 'global citizenship' itself is misleading and in need of unpacking as it attempts to merge the two distinct concepts of "globalization" and "citizenship".

Internationally, Pike[14], when considering the status of global citizenship education in Canada reflects, "*What has been the resulting impact of more than half a century of activity...in which the world itself has witnessed remarkable and tumultuous changes, characterized by an explosion of interdependence and interconnectedness among nations and cultures?...in Canada it is hard to spot the legacy of all this endeavour in the current*

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[13] Humes,W., (2008) The Discourse of Global Citizenship, Peters, M.A., Britton A., and H. Blee (Eds.) *Global Citizenship Education, Philosophy, Theory and Pedagogy*, Sense Publishers, p 41 -52

[14] Pike, G., (2008) Reconstructing the Legend, Abdi, A, and Shultz. L (Eds.) *Educating for Human Rights and Global Citizenship*, State University of New York Press, p 223 - 237

discourse and preoccupations of educators…it is not at the forefront of politicians' calls for additional funding or of parents' concerns about their children's learning."

He goes on to ask the question about why global literacy is not given the same priority as other literacies when it has the capacity to 'shape our lives' and play a huge role in '*shaping our individual and collective futures'*.

Whilst Pike concludes that we may well have failed in mainstreaming the concept of Global Citizenship in curricula BEMIS proposes that we may have more success if we reframe the concept within the overarching framework of Human Rights Education.

Hill[15] argues for "*an education revolution centred round a national curriculum…that will develop informed, discerning global citizens striving toward a new world order…"* and suggests that "*…Human Rights Education and its foundation stone, the Universal Declaration of Human Rights…"* is central to this change in direction.

Nationally, with the implementation of Curriculum for Excellence and its focus on the development of lifelong learners: educated for life and work in an interdependent and interconnected world, more young people are now engaged in global learning of some kind. Nonetheless there is no room for complacency as HRE as a discrete concept is not visible enough within the new curriculum or within Initial Teacher Education programmes in Scotland and many teachers still appear to be unaware of the duty to promote HRE.

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[15] Hill, F, (2008) An Education Revolution for the 'Common Good' – The Role of Human Rights Education , Newell C., and Offord B., (Eds.)

Activating Human Rights in Education: Exploration, Innovation and Transformation

Part 2 Literature Review

2.1 Introduction

This literature review draws from the strong body of research and engagement with human rights from within both the academic and legal fields. It provides an overview of relevant international human rights instruments that relate in particular to Human Rights Education as a distinct concept and will consider academic research from both within and outwith the United Kingdom. Using evidence drawn from both of these fields, it will then consider whether Human Rights Education, the basic tool required to create a cultural shift towards a society that understands, respects and advocates *for* human rights, has yet been embraced as a distinct concept within school education in Scotland.

2.2 What is Human Rights Education?

It has been suggested in the literature that because the concept of HRE was devised and shaped principally by lawyers and legal academics, it was initially burdened by a relentless "focus on the law…and formal discussion of rights",[16] and HRE as an educational concept therefore struggled in its transition from legal doctrine to practical utility in schools and other educational settings. However, in light of a more widespread understanding of both cognitive and experiential education as imperative to the advancement of human rights,[17] there is increasing recognition of the importance of HRE.

Beyond a basic understanding of HRE as encompassing "the provision and development of awareness about fundamental rights, freedoms and responsibilities",[18] the additional elements included within the definition vary between organisations. For example, the

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[16] Suarez, D., & Ramirez, F., 'Human Rights and Citizenship: The Emergence of Human Rights Education' (2004) Centre on Democracy, Development and the Rule of Law, Stanford Institute for International Studies at p 6.

[17] Carter, C. & Osler, A., 'Human Rights, Identities and Conflict Management: A Study of School Culture through Classroom Relationships' (2000) 30(3) Cambridge Journal of Education 335 at p 335; see also Office of the United Nations High Commissioner for Human Rights, 'The United Nations Decade for Human Rights Education (1995-2004) No.3: The Right to Human Rights Education: A Compilation of Provisions of International and Regional Instruments dealing with Human Rights Education' (1999) at p 1.

[18] Gearon, L., *The Human Rights Handbook* (2003) at p 157; see also Jennings, T., 'Human Rights Education Standards for Teachers and Teacher Education' (2006) 17 Teaching Education 287 at p 289.

United Nations places focus on the importance of HRE for **"*preventing conflict and human rights violations*"[19]** and Amnesty International defines it as "…*a deliberate, participatory practice aimed at empowering individuals, groups and communities…its goal is to build a culture of respect for and action in the defence and promotion of human rights for all.*"

BEMIS, as an organisation committed to targeting inequality, views HRE as being intrinsically linked to **"*social justice, equality, inclusiveness and active citizenship*"**.[20] Therefore, despite broad consensus that creating a culture of HRE in education not only enables learners to understand their own rights and to respect the rights of others,[21] but also provides the most effective means for promoting and protecting human rights generally,[22] HRE itself still remains something of "a slogan in search of a definition".[23]

The most recent definition of HRE, taken from Article 2(2) of the **UN Declaration on Human Rights Education and Training** (2011), is as follows:

"*Human rights education and training encompasses education*:

(a) ***About*** *human rights, which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection;*

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[19] United Nations Commission on Human Rights, *Follow-up to the United Nations Decade for Human Rights Education,* (2004) (Resolution 2004/71), preamble; &

20 BEMIS, 'Human Rights Education: Theory and Practices' (2011) at p 2.

[21] See e.g. Hepburn, J., 'Human Rights…Apply To Us All' in IDEAS, 'Stride' (Autumn/Winter 2008-09) at pp 8-9.

[22] UNESCO and OHCHR: Plan of Action: World Programme for Human Rights Education: First Phase (2006) at p 11, para 1; Okafor, O.C., & Agbawka, S.C.,'Re-Imagining International Human Rights Education in Our Time: Beyond Three Constitutive Orthodoxies (2001) 14 Leiden Journal of International Law 563 at p 564; Osler, A., (ed), *Citizenship and Democracy in Schools: Diversity, Identity, Equality* (2000) at p 98; United Nations, 'Plan of Action: World Programme for Human Rights Education (First Phase) (2006) at pp 2 & 11; & Verhellen, E., 'Facilitating Children's Rights in Education: Expectations and demands on teachers and parents' in Hart, S., Cohen, C.P., Erickson, M.F., & Flekkøy, M., (eds), *Children's Rights in Education* (2001) at p 187.

[23] Gerber, P., *From Convention to Classroom: The Long Road to Human Rights Education* (2008), title of chapter 3; see also Cardenas, S., 'Constructing Rights? Human Rights Education and the State' (2005) 26(4) International Political Science Review 363 at pp 365-366 & 375; Flowers, N.,'How to Define HRE? A Complex Answer to a Simple Question', in Georgi, V.B., & Seberich (eds), M., *International Perspectives in Human Rights Education* (2004) at pp 105-107; & Bajaj, M., 'Human Rights Education: Ideology, Location, and Approaches' (2011) 33 Human Rights Quarterly 481 at p 482.

14

(b) ***Through*** *human rights, which includes learning and teaching in a way that respects the rights of both educators and learners;*

(c) ***For*** *human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others."*

This definition of HRE correlates with existing academic scholarship, and in particular with the findings of a study of HRE activists conducted by Flowers. This study identified the four key components of HRE as:

"...a grounding in the principles of human rights treaties; the use of methodologies reflecting respect and cultural diversity; the instilling and honing of skills and attitudes as well as the imparting of basic knowledge and the importance of action at individual, local or global level".[24]

From the perspective of many of those with an interest in HRE, the final requirement on the list is of most significance, with the notion of individual empowerment of learners frequently emphasised within the academic literature.

Nowak, for example, stresses the importance of HRE in practice as a means to guarantee "*the protection of one's human rights against undue influence by the state*", and highlights the growing international consensus that participation in a free and democratic society is a fundamental goal of HRE.[25]

Such participation must be "*genuinely empowering*"[26] and learners must feel certain that their contributions will be given serious consideration, for as Carter and Osler note, **"*it is too easy for participatory democracy to be watered down to tokenism or non-participation*".**[27] Within a formal and non-formal educational setting, therefore, learners

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[24] See generally Flowers, N., 'How to Define HRE? A Complex Answer to a Simple Question', in Georgi, V.B., & Seberich. M., (eds), *International Perspectives in Human Rights Education* (2004).

[25] Nowak, M., 'The Right to Education' in Eide, A., Krause, C., and Rosas, A., (eds), *Economic, Social and Cultural Rights* (2nd edition, 2001)

[26] International Development Education Association of Scotland, 'Resources for Scottish Education: Essential Materials for All Ages Supporting Global Citizenship'(2008) at p 36.

[27] Carter, C., & Osler, A., 'Human Rights, Identities and Conflict Management: A Study of School Culture through Classroom Relationships' (2000) 30(3) Cambridge Journal of Education 335 at p 340; see also Amnesty International, 'Our World, Our Rights: Learning About Human Rights in Primary and Middle

must be provided with opportunities to translate their human rights knowledge into practice,[28] and must be provided with the skills that enable them to do so. Such skills are deemed to include *"recognising one's own biases, accepting differences, taking responsibility for defending the rights of others, and mediation and conflict resolution"*.[29]

In the absence of an agreed detailed definition of HRE, therefore, existing international human rights instruments serve to fill the void. Whilst such instruments vary as to their content and interpretation of HRE, they do nevertheless represent a core set of key HRE provisions which, when read in conjunction with the relevant literature, provide an accurate representation of the current standards of HRE required by international human rights law.[30] Such standards serve as the benchmark against which HRE must be measured when states conduct research into their current policies and practices in the area, and identifying the gaps in state compliance with such standards is imperative for acknowledging and addressing any deficiencies in national HRE regimes.

2.3 International Human Rights Instruments Addressing HRE

The idea of a right to HRE was first alluded to in the Charter of the United Nations, drafted at the end of the Second World War in 1945, which mandated:

> *"Promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion"*

Schools' (2010) at p 7; & Hammarberg, T., 'A School for Children with Rights', UNICEF Innocenti Lectures (1998) at p 22.

[28] United Nations, 'Plan of Action: World Programme for Human Rights Education (First Phase) (2006) at p 46; see also Equitas – International Centre for Human Rights Education, Response to Preliminary Draft of the UN Declaration on Human Rights Education & Training, October 2009, at p 3; Meintjes, G., 'Human Rights Education as Empowerment' in Andreopoulos, G.J., & Claude, R.P., (eds), *Human Rights Education for the 21st Century* (1997) at pp 72 & 77; & Jennings, T., 'Human Rights Education Standards for Teachers and Teacher Education' (2006) 17 Teaching Education 287 at p 292.

[29] Tibbitts, F., 'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159 at p 161.

[30] Gerber, P., *From Convention to Classroom: The Long Road to Human Rights Education* (2008) at para 3.5; see also Bajaj, M., 'Human Rights Education: Ideology, Location, and Approaches' (2011) 33 Human Rights Quarterly 481 at p 482.

16

Whilst this Article made no specific reference to education, it was the first international human rights provision in which the idea of global respect for human rights and fundamental freedoms was clearly and expressly promoted and encouraged.

This was followed up three years later with a more clearly expressed right to HRE within arguably the most important human rights document ever drafted, the Universal Declaration of Human Rights (1948). Whilst the UDHR itself is advisory rather than legally binding, it carries significant moral weight for governments by providing "a single set of fundamental principles and norms intended to inform the laws and constitutions of all states".[31] Of particular significance from a HRE point of view are the two explicit references to education made within the preamble and within Article 26 of the UDHR.

Article 26 specifically addresses the concept of human rights *in* education. For this reason, it is frequently viewed as the first true HRE provision. Article 26(2) states:

> *"Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace"*

The 30 Articles of the UDHR were subsequently split up and codified within the International Covenants on Economic, Social and Cultural Rights (1966) ("ICESCR") and Civil and Political Rights (1966), which have legally binding treaty status and constitute positive international law for their ratifying parties.[32] Article 26 of the UDHR is reflected, and extended, in Article 13 of the ICESCR, which states:

> ***"Education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable persons to participate effectively in a free society, promote understanding,***

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[31] Waldron. F., and Ruane, B., (eds), *Human Rights Education: Reflections on Theory and Practice* (2010) at p 33; see also Osler, A., (ed), *Citizenship and Democracy in Schools: Diversity, Identity, Equality* (2000) at p 92.

[32] Vienna Convention on the Law of Treaties (1969), Part III, Section 1.

> *tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace"*

Whilst a number of other important legally binding instruments recognise the right to HRE, including Article 10 of the Convention on the Elimination of All Forms of Discrimination Against Women[33] and Article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination, perhaps of the greatest significance from the perspective of HRE within formal and non-formal education is the **UN Convention on the Rights of the Child** (1989) (UNCRC). The UNCRC is frequently cited as making the greatest contribution to the "democratization of education and to the empowerment of all who engage with it".[34] Article 29(1) of the UNCRC deals specifically with HRE, and states:

> *States Parties agree that the education of the child shall be directed to:*
>
> *(a) the development of the child's personality, talents and mental and physical abilities to their fullest potential;*
>
> *(b) the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;*
>
> *(c) the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;*
>
> *(d) the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;*
>
> *(e) the development of respect for the natural environment.*

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[33] http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm

[34] Waldron, F., and Ruane, B., (eds), *Human Rights Education: Reflections on Theory and Practice* (2010) at p 12.

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Of particular significance from the point of view of HRE within formal and non-formal education is Article 29(d) regarding responsible life in a free society. When read together with Article 12, which guarantees children a voice in matters that affect them[35] and decrees that their views must be given due consideration and be acted upon if appropriate to do so,[36] the importance of active and democratic participation within the learning environment is firmly emphasised.

It is clear that given the number and significance of HRE provisions within key human rights instruments, HRE has the potential to "command a broad consensus" owing to the fact that it "can be linked to international treaty obligations".[37] Legally binding international treaties are monitored by designated UN treaty monitoring bodies that flag up deficiencies within national regimes in their reports on each state's compliance with their obligations.

Of arguably equal importance for building a universal culture of human rights, however, are those initiatives that carry less weight legally, but provide states with a more comprehensive framework for improving their HRE regimes. Most of these initiatives originate from the UN and its affiliated bodies, and provide states with exceptionally beneficial guidance for ensuring that their standards of HRE are compliant with international human rights law.

2.4 Human Rights Education Programmes and Initiatives

As far back as 1974, UNESCO recognised the importance of infusing human rights into formal and non-formal education. They acknowledged the "wide disparity between

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[35] Prunty, A., 'Implementing Children's Rights: Considering the Views of Children in the Individual Education Plan (IEP Process) in Waldron, F., and Ruane, B., (eds), *Human Rights Education: Reflections on Theory and Practice* (2010) at p 88; Freeman, M., 'The Sociology of Childhood and Children's Rights' (1998) 6(4) The International Journal of Children's Rights 433 at pp 434-435; & Carter, C., & Osler, A., 'Human Rights, Identities and Conflict Management: A Study of School Culture through Classroom Relationships' (2000) 30(3) Cambridge Journal of Education 335 at p 336.

[36] See Lundy, L., 'Voice is Not Enough: Conceptualising Article 12 of the United Nations Convention on the Rights of the Child' (2007) 33(6) British Educational Research Journal 927

[37] Starkey, H., 'Development Education and Human Rights Education' in Osler, A., (ed), *Development Education: Global Perspectives in the Curriculum* (1994) at p 24.

proclaimed ideals, declared intentions and the actual situation" regarding HRE in classrooms,[38] and sought to improve the situation by mandating that states should:

> *"formulate and apply national policies aimed at increasing the efficacy of education in all its forms and strengthening its contribution to international understanding and co-operation, to the maintenance and development of a just peace, to the establishment of social justice, to respect for and application of human rights and fundamental freedoms, and to the eradication of the prejudices, misconceptions, inequalities and all forms of injustice which hinder the achievement of these aims"[39]*

The recommendation then advises that states should achieve these aims through the establishment of national committees equipped with the resources and capacity to develop and implement concerted programmes of action. UNESCO subsequently drafted additional initiatives that addressed aspects of HRE, including Articles 5 and 6(1) of the Declaration on Race and Racial Prejudice (1978) and the Final Report from the International Congress on Human Rights Teaching, Information and Documentation, held in Malta in 1987,[40] which provided states with comprehensive guidelines for incorporating HRE into their educational regimes.

It was not, however, until the middle of the 1990's that a more concerted effort to develop and refine HRE began within the human rights movement. Following the successful World Conference on Human Rights in Vienna in 1993, the Vienna Declaration and Programme of Action (1993) ("Vienna Declaration") was drafted, and calls on all states to:

> *"...include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal*

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[38] UNESCO, 'Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms' (1974) at preamble.

[39] UNESCO, 'Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms' (1974) at para 7.

[40] UNESCO, International Congress on Human Rights Teaching, Information and Documentation, Final Report (1987).

settings"[41]

Acting upon recommendations from the delegates of the World Conference, the UN General Assembly subsequently designated the years 1995-2004 as the UN Decade for Human Rights Education (1995-2004) (UN Decade). Within this decade, states were to follow a UN drafted Plan of Action, which mandated, amongst other obligations: an assessment of the current standards of HRE; the establishment of a national committee for HRE; state provision of the required guidance and resources for the incorporation of HRE into formal curricula; and state reporting on their activities pertaining to HRE.

The UN Decade was immediately followed in 2005 by the UN World Programme for Human Rights Education (UNWPHRE) which represented the most ambitious HRE initiative prior to the passing of the Declaration and aimed to promote "a common understanding of principles and methodologies of HRE, provide a concrete framework for action, and strengthen cooperation between organisations and governments".[42] It was split into two consecutive stages, the first running until 2009 and dealing with primary and secondary education, and the second, from 2010 to 2014, addressing HRE within higher education and training, including the training of teachers, law enforcement staff and military personnel. The UN Office of the High Commissioner for Human Rights is currently consulting on the development of a third phase of action for the UNWPHRE.[43]

The UNWPHRE outlines a Plan of Action to assist states in attaining the required standards of HRE. The Plan of Action identifies the **five key components for success** as:

1. Clear and comprehensive educational policies
2. Effective implementation of those policies
3. The fostering of rights respecting learning environments
4. Ensuring teaching practices that reflect human rights values and
5. Effective teacher training in HRE.

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[41] UN General Assembly, 'Vienna Declaration and Programme of Action' (1993) (A/CONF.157/23) at Part II, para 79.

[42] Lawyers' Rights Watch Canada, 'The Right to Know Our Rights: International Law Obligations to Ensure International Human Rights Education and Training' (2012) at p 12.

[43] See http://www.ohchr.org/EN/Issues/Education/Training/WPHRE/ThirdPhase/Pages/ThirdPhaseIndex.aspx.

States were called upon to implement the Plan of Action in four stages comprising: analysis of the current regime of HRE within the education system; setting priorities for implementing a national HRE strategy; implementing and monitoring that strategy; and evaluating the outcomes.

There are numerous other international documents that promote and encourage HRE within formal and non-formal education, as well as a number of key regional documents. The Council of Europe, for example, drafted a resolution in 1985 that specifically addressed the teaching of human rights,[44] and has followed this up recently with a Charter on Education for Democratic Citizenship and Human Rights Education.[45] As with the majority of the UN initiatives addressing HRE at the international level, however, these regional measures are persuasive but not legally binding on the member states of the Council of Europe.

2.5 HRE in Practice

Despite instructions within both the UN Decade and the UNWPHRE for states to carry out a comprehensive assessment of HRE in areas including the curriculum, school environment and teacher training,[46] the countries of the United Kingdom neglected to do so. Therefore, little is known about "how extensively HRE is integrated… and how much actual time is spent on human rights"[47] in our classrooms. Though the Scottish Government has defended its position on the basis that "*human rights are embedded within the curriculum*",[48] it has also acknowledged to the UN Office of the High Commissioner for Human Rights that the UNWPHRE has had

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[44] Council of Europe, 'Recommendation on Teaching and Learning About Human Rights in Schools' (1985) (Recommendation R (85) 7).

[45] Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (2010) (Recommendation CM/Rec(2010)7).

[46] UN General Assembly, Final Evaluation of the Implementation of the First Phase of the World Programme for Human Rights Education (2010) (A/65/322) at paras 7 & 41; UNESCO and OHCHR: Plan of Action: World Programme for Human Rights Education: First Phase (2006) at pp 21-27; & UN General Assembly, 'United Nations Decade for Human Rights Education (1995-2004) and Public Information Activities in the Field of Human Rights' (1997) (A/52/469/Add.1) at pp 11-13.

[47] UN General Assembly, Final Evaluation of the Implementation of the First Phase of the World Programme for Human Rights Education (2010) (A/65/322) at para 26.

[48] Scottish Government, National Report to the Office of the United Nations High Commissioner for Human Rights Regarding Implementation of the First Phase of the United Nations World Programme for Human Rights Education (2010) at pp 8 & 10.

little impact upon the educational regime for a number of reasons, including the paucity of teacher training and HRE resources, as well as a lack of awareness and interest at local and central government levels.[49]

2.6. Research Conducted in Other Countries

This is not the case in other jurisdictions. Towards the end of the UN Decade, for example, research was conducted in the United States by way of a survey distributed to state curriculum specialists and officers of state councils from all 50 states to determine the level of inclusion of HRE within their state educational systems. The study found that whilst practices were occurring within state education frameworks that related to human rights concepts, progress in HRE was both slow and burdened with issues of "conflicting definitions and vocabulary, mandates and assessment".[50] Whilst not assessing the actual practice of HRE in classroom teaching within each state, this research was nevertheless instructive for gauging the extent of HRE within educational curricula and policy documents.

A more comprehensive study into HRE in the education system was published in 2011 by the Centre for Human Rights and Citizenship Education in Ireland. The research was conducted by way of a structured questionnaire distributed to teachers that resulted in "the first national baseline data in relation to primary teachers' understanding of human rights and HRE". The questionnaire sought to ascertain "the level of awareness of and attitudes towards human rights and HRE among primary teachers in Ireland, to assess the extent to which HRE is implemented in primary schools, and to identify the challenges and opportunities for HRE in the primary system".[51]

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[49] Scottish Government, National Report to the Office of the United Nations High Commissioner for Human Rights Regarding Implementation of the First Phase of the United Nations World Programme for Human Rights Education (2010) at p 13.

[50] Banks, D.N., 'Promises to Keep: Results of the National Survey of Human Rights Education 2000' (2002) University of Minnesota Human Rights Resource Center (available at: http://hrusa.org/education/PromisestoKeep.htm).

[51] Waldron, F., Kavanagh, A., Kavanagh, R., Maunsell, C., Oberman, R., OReilly, M., Pike, S., Prunty, A., and Ruane, B., 'Teachers, Human Rights and Human Rights Education: Knowledge, Perspectives and Practices of Primary School Teachers in Ireland', Dublin: The Centre for Human Rights and Citizenship Education (2011) at p 4.

The research findings indicated that whilst teachers had an interest in and enthusiasm for teaching HRE, they were ill equipped with the requisite knowledge for providing HRE to a standard compliant with international human rights law. Thus, whilst the majority of teachers felt that they were providing HRE in their classrooms, the insufficiency of their knowledge concerning human rights instruments and protection mechanisms demonstrated that such HRE activity was not grounded in the correct language and terminology of human rights. Instead, HRE practices in schools merely loosely addressed human rights concerns and incorporated rights respecting approaches.[52]

The study additionally found that teachers viewed HRE as a mere tool for improved social cohesion rather than for empowerment and activism, which corresponds with existing academic scholarship addressing this issue. Whilst NGOs and other organisations active in the field see the transformative potential of HRE to change attitudes and behaviour so that learners take action to defend human rights,[53] both government education authorities and teachers view HRE instead as a tool for incremental social change through the development of a rights respecting social order.

Tibbitts has classified such differences into models of HRE practice, with the teacher perception of HRE labelled as the '**values and awareness model'** and the NGO perspective as the '**transformational model'**.[54] The 'values and awareness model' is deemed to "pave the way for a world that respects human rights through an awareness of and commitment to the normative goals laid out in the UDHR and other key documents",[55] and therefore primes learners for advocacy rather than encourages them to

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[52] Waldron, F. *et al*, 'Teachers, Human Rights and Human Rights Education: Knowledge, Perspectives and Practices of Primary School Teachers in Ireland', Dublin: The Centre for Human Rights and Citizenship Education (2011) at p 53.

[53] Flowers, N., 'How to Define HRE? A Complex Answer to a Simple Question', in Georgi, V.B., & Seberich, M., (eds), *International Perspectives in Human Rights Education* (2004) at pp 107-110; see also Gerber, P., *From Convention to Classroom: The Long Road to Human Rights Education* (2008) at pp 107 & 109-114; & Gerber, P., 'The 4th R – Human Rights Education', paper presented at Monash University in 2006 (available at http://www.law.monash.edu.au/castancentre/events/2006/conf-06-gerber-paper.html)

[54] Tibbitts, F., 'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159.

[55] Tibbitts, F.,'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159 at p 163.

actively engage in it.[56] The transformational model, on the other hand, "is geared towards empowering the individual to both recognise human rights abuses and to commit to their prevention",[57] and in a formal or non-formal education setting requires learners to make connections between HRE and their own experiences. Koenig suggests that the transformational model "**capacitates *learners to function as agents of social justice to protect and implement human rights."*[58]**

Tibbitts opines that the 'values and awareness model' is most frequently associated with learning environments, and the transformational model with advocacy work and the initiatives of grassroots organisations.[59] By taking a promotional rather than transformational approach to HRE, however, teachers tend to address HRE predominantly through "stressing documents, history, and heroes, and usually approaching the subject from convenient opportunities afforded by the curriculum".[60]

A study similar to that carried out by the Centre for Human Rights and Citizenship in Dublin into the extent and sufficiency of HRE in British Columbia was published by Lawyers' Rights Watch Canada in May 2012.[61] The primary research was conducted by way of interviews and surveys with a broad range of groups involved in the receipt or delivery of HRE, including NGOs, judges, academics, and human rights educators and workers, and the findings revealed a "dearth of international human rights education" in British Columbia.

As with the Ireland study, it was found that HRE in schools in British Columbia was framed principally as "education informed by human rights principles", including

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[56] Tibbitts, F., 'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159 at p 164.

[57] Tibbitts, F., 'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159 at p 166.

[58] Huaman, H.S. and Koenig, S., (2008) A Call and Response, Abdi, A, and Shultz. L (Eds.) *Educating for Human Rights and Global Citizenship*, State University of New York Press, p 22

[59] Tibbitts, F., 'Understanding What We Do: Emerging Models for Human Rights Education' (2002) 48 International Review of Education 159 at pp 166-167.

[60] Human Rights Resource Centre, 'The Human Rights Resource Centre: Effective Practices for Learning, Action, and Change' (2000), Part III, Section A, 'What? The Content of Human Rights Education'.

[61] Lawyers' Rights Watch Canada, 'The Right to Know Our Rights: International Law Obligations to Ensure International Human Rights Education and Training' (2012).

"programs on inclusivity, non-discrimination, tolerance and anti-bullying",[62] rather than as a comprehensive regime built upon a solid foundational knowledge of human rights instruments and protection mechanisms. It was also highlighted that the driving force behind HRE was neither the federal or provincial governments nor academic institutions, but rather volunteer-led grassroots initiatives.[63]

This study was broader than the equivalent Irish research report and considered not only the position of HRE within the formal school setting, but also within professional settings. For example, it was found that human rights are infrequently brought to the attention of judges in British Columbia, and their own personal understandings of human rights fall below the standards required for compliance with international human rights law. Similarly, there was found to be no coordinated strategy to make international human rights law known to teachers and students within the British Columbia school system, or to police and law enforcement workers, civil servants, lawyers, judges and interested citizens".[64]

2.7 What Next for HRE in Scotland?

As aforementioned, the current state of HRE within formal and non-formal education in Scotland remains largely unknown, though this Review of HRE conducted by BEMIS makes a significant contribution to filling the gap in the relevant literature. Whilst a few small-scale research projects have been carried out, **there is a need for a larger and more representative study to accurately gauge the extent and sufficiency of HRE in the Scottish educational regime.**

A recent study by one Scottish university into the attitudes of student teachers towards human rights found that a significant number were afraid to teach human rights at the risk

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[62] Lawyers' Rights Watch Canada, 'The Right to Know Our Rights: International Law Obligations to Ensure International Human Rights Education and Training' (2012) at iv.

[63] Lawyers' Rights Watch Canada, 'The Right to Know Our Rights: International Law Obligations to Ensure International Human Rights Education and Training' (2012) at p 89.

[64] Lawyers' Rights Watch Canada, 'The Right to Know Our Rights: International Law Obligations to Ensure International Human Rights Education and Training' (2012) at v.

of upsetting parents.[65] As a result, student teachers tend to steer clear of human rights issues altogether, and are often seemingly actively discouraged by senior school staff from engaging with human rights because the issue is deemed to be **too political;** without an understanding that **to omit human rights from the curriculum is a hugely political decision in itself.**

One recent unpublished Masters Study also reported worrying trends in HRE within the Scottish education system.[66] The research objective was to consider whether the standards of HRE in Scotland are compliant with those in the new UN Declaration on Human Rights Education and Training. It assessed both (i) the theoretical compliance of the Curriculum for Excellence itself with the definition of HRE provided by the Declaration, and (ii) the practical compliance of classroom teaching, based upon a sample of teachers in Edinburgh and the Lothians, with the Declaration's definition of HRE, taking into account whether teachers are **compelled by the curriculum** to incorporate HRE into their teaching. Whilst the findings suggested that teachers are incorporating elements of HRE into their classrooms, they are seemingly not doing so because of the Curriculum for Excellence itself. **External influences**, such as UNICEF's Rights Respecting Schools Award, as well as personal teacher preference for teaching HRE **are the primary reasons for its current presence in Scottish classrooms.**

The Scottish Government set up a working group *Rights Respecting Schools* late in 2012 to progress the UNCRC within schools in Scotland. Although the remit for this group is not yet clear, it is likely that, as the name would suggest, that much of this work will focus on the promotion of UNICEF's Rights Respecting School Award (RRSA).

In its recent report into the state of human rights generally in Scotland, the Scottish Human Rights Commission has noted that the deficiencies in our regime relate predominantly to the ineffectual translation of human rights rhetoric into practice.[67] Our

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[65] J Horton, 'Teachers Afraid to Broach Human Rights in Class', Times Educational Supplement Magazine (2011).

[66] Struthers, A.E.C., 'Human Rights Education in Scottish Primary Schools under the Curriculum for Excellence: Compatible with the United Nations Declaration on Human Rights Education and Training' (University of Edinburgh, 2012)

[67] Scottish Human Rights Commission, Scotland's National Action Plan for Human Rights: Why Scotland Needs a National Action Plan for Human Rights (2012) at pp 3-4.

legislation and policies are largely compliant with international human rights law, but the outcomes often do not meet comparable compliance standards. It can be submitted that this observation applies equally to HRE within the Scottish education system. **Whilst human rights ideas are embedded within the curriculum, and are alluded to in related policy guidance, this is not being explicitly translated into practical teaching of HRE that attains the standards required by international human rights law**. It is submitted, therefore, that the SHRC's suggestion that "Scotland needs a more systematic approach to assure and not assume the realisation of human rights in practice"[68] applies equally to improving the state of HRE in Scottish education.

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[68] Scottish Human Rights Commission, Scotland's National Action Plan for Human Rights: Why Scotland Needs a National Action Plan for Human Rights (2012) at p 1.

Part 3 Methodology

3.1 Research Objectives

Overall, this mapping exercise aimed to map both the extent of teachers' knowledge of Human Rights Education and their experience in incorporating this into classroom teaching, with an overall view to developing a relevant outreach programme for improving the standard of HRE in Scotland. In particular, this mapping exercise aimed to:

- Identify current HRE practice in schools across Scotland
- Identify good practice in HRE in Scotland
- Consider any gaps or perceived barriers to HRE
- Identify future Continued Professional Development (CPD) needs for teachers and other educators in Scotland
- Increase awareness amongst policy makers and educators in Scotland of the United Nations World Programme for Human Rights Education (UNWPHRE)
- Deliver a set of recommendations to various stakeholders for the advancement of HRE in Scotland

3.2 Research Methodology

This research project was conducted in two stages. A link to the BEMIS Human Rights Education Survey was made available online to teachers via local authority contacts and also via Education Scotland's GLOW portal. The survey was additionally distributed in hard copy to the Directors of Education in six local authority areas, upon which this study focused, for further distribution to teachers in these areas. These local authority areas were selected in order to provide a representative geographical sample of urban and rural schools across Scotland. Opportunities for more focused interviews were identified via the last question in the original questionnaire.

The questionnaires contained a mixture of both closed and open questions thus giving participants opportunities to provide more detailed textual responses. The final question in the original survey asked whether the teacher would be willing to participate in a follow-up interview regarding HRE, and to leave contact details if so. If the participant

was within one of the six focused local authority areas, they were subsequently contacted to arrange a suitable time for a follow up face-to-face or telephone interview. However, we did get survey responses from some individuals outwith these six authorities who indicated that they would like to provide further information. These participants had either been sent the survey link by friends and colleagues working within the six identified local authorities or had accessed it via the GLOW portal.

Since one of the six identified Local Authorities chose not to participate in the survey we decided to include these other individuals in the focused interview tranche. The in-depth interviews were used to supplement the information provided in the survey with more detailed responses and personal opinions from the participants regarding HRE.

All percentages shown in this report have been rounded up or down accordingly.

3.3 Surveys

A survey was selected as the most appropriate research method for the initial data collection for the mapping exercise, as it permitted the gathering of a large amount of standardised data within a short time period. The structured survey was drafted specifically for this HRE project and contained closed questions with options in each question for further elaboration through open-ended responses. This resulted in both quantitative and qualitative data upon which to draw initial conclusions. A couple of the closed questions consisted of ratings scales to gauge, for example, the extent to which a respondent agreed with a particular statement.

The questionnaire itself consisted of ten questions which aimed to provide a general overview of a teacher's (i) knowledge of HRE; (ii) experiences with regard to CPD in HRE; (iii) self-assessed competency in incorporating HRE into their classroom teaching; (iv) attitude towards HRE; (v) current classroom practices concerning HRE; and (vi) perceived barriers to the teaching of HRE. A copy of the survey is attached to this report as Appendix 1.

It must be noted that BEMIS is aware of the limitations inherent in the use of surveys, in particular the frequently low response rate and the potential for only interested parties to

respond.[69] BEMIS acknowledges, therefore, that this research cannot be taken as fully representative of HRE practice within formal education in Scotland. However, a return of 351 questionnaires from across Scotland provided a suitably representative sample. The potential for only interested parties to respond was limited through the targeting of Head Teachers who encouraged all teachers within the school to complete the questionnaire. Additionally, distribution of the survey to Newly Qualified Teachers ("NQTs") at their probationer training sessions provided a captive audience and guaranteed responses from teachers who may otherwise have chosen not to complete the survey.

3.4 Focused Interviews

Whilst the open-ended response options within the structured survey invited respondents to elaborate upon their answers where they felt that this was appropriate, the majority of respondents did not do so. By providing respondents with the option to be contacted for a follow-up interview, however, BEMIS was able to gather a significant amount of qualitative data to supplement the largely quantitative data obtained through the survey responses.

Interviewing teachers provided the most effective means for understanding the actual practice of HRE in classrooms. Semi-structured interviews enabled the researchers to maintain a degree of structure and ensure that all relevant questions were asked, whilst at the same time permitting further questioning for clarification and elaboration on certain answers.[70] This allowed teachers some freedom to describe how they see their practice and experience in incorporating HRE into their classroom teaching, whilst ensuring that the core subject matter of the interviews remained consistent enough to justify the conclusions drawn.[71] Such interviews therefore avoided the inflexibility inherent in the research survey by allowing teachers to express opinions on matters not addressed directly within the survey itself.

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[69] Moser, C.A., & Kalton, G., *Survey Methods in Social Investigation* (2nd edition, 1993) at p 262.

[70] Hakim, C., *Research Design: Successful Designs for Social and Economic Research* (2nd Edition, 2000) at p 35; May, T., *Social Research: Issues, Methods and Process* (1993) at p 93; Burgess, R., 'The Unstructured Interview as a Conversation' in Burgess, R., (ed), *Field Research: A Sourcebook and Field Manual* (1991) at p 107; & Goode, W.J., & Hatt, P.K., *Methods in Social Research* (1952) at p 186.

[71] May, T., *Social Research: Issues, Methods and Process* (1993) at p 93.

The interview commenced with an open-ended introductory question concerning what the teacher understood by the term HRE. It was important to engage in a bottom-up framing of the issues in this way, rather than imposing a top-down assumption of what teachers understand by HRE, in order to develop a more comprehensive picture of practice in this area. The follow-up questions were then based predominantly around: (i) HRE knowledge and classroom practice; (ii) whether the Curriculum for Excellence is the driving force behind the incorporation of HRE into classroom teaching; and (iii) identification of the current barriers to HRE within formal education, including the extent of teacher training in HRE and the availability of relevant and appropriate HRE resources.

Part 4 Research Findings and Analysis

The research findings from this project are divided into three sections. The first section deals with the main findings from the initial survey and the second details the main findings from the follow-up focused interviews. The final section collates the findings from both to outline the key overall findings from the mapping exercise.

4.1 The Survey: Main Findings

(47.9% Primary Respondents, 46.7% Secondary Respondents 3.4% Early Years and 1.7% Other)

Question 1 - Demographic Information

The only piece of demographic information collected in this survey was the education sector that each participant represented. All but one of the 351 respondents answered this question and whilst each sector was represented, the largest numbers of responses were from the primary and secondary sectors. Each represented approximately half of the participants, with 168 (47.9%) of respondents from the primary sector and 164 (46.7%) from the secondary sector. 12 (3.4%) of the respondents represented the early years sector and 4 (1.1%) and 2 (0.6%) reflect the number of participants from the Special Education Needs (SEN) and Social Emotional Behaviour Disorder (SEBD) sectors respectively. One respondent did not consider any of the categories to reflect their sector but did not provide any further information regarding the nature of their work.

Teachers were also asked to state which local authority they worked for and, for secondary teachers only, their subject area. The majority of respondents were employed within one of the six local authority areas focused upon within this research. It is submitted that the greater numbers of survey responses from within the focused local authority areas is largely due to assistance from Directors of Education and other staff in these regions. In particular, surveys were handed out to probationer teachers at their introductory sessions in Glasgow, Edinburgh, Stirling and Falkirk, which improved response rates within these areas considerably.

42 respondents did not provide any further written information regarding their local authority or subject area.

Question 2 – Are you aware that the UN is currently in the second phase of the World Programme for Human Rights Education (UNWPHRE)

(36% Aware, 64% Not Aware)

Of the 351 responses to the survey, 125 participants (36%) reported an awareness that the United Nations is currently in the second phase of the UNWPHRE. The remaining 226 (64%) were not aware of this. Though 36% initially appears to be quite a low percentage, the figure is actually higher than BEMIS expected. Given that only 1 of the 16 (6%) participants in the focused interviews had heard of the UNWPHRE and given that in a similar survey published in Ireland in 2011, looking at the levels of Human Rights Education amongst Irish primary teachers, only 9.9% of teachers reported being "familiar with and/or very familiar" with the UNWPHRE,[72] the number of respondents in this research project reporting such an awareness is in fact remarkably high. In the Irish study, 134 out of 152 teachers (88%) reported that they had "little and/or no knowledge" of the UNWPHRE.[73]

6 teachers supplemented their answer to this question with additional textual information, and 2 of these responses were from teachers who had answered the original question regarding their awareness of the UNWPHRE in the positive. One teacher stated that they were "aware of Human Rights Day and targeted areas like child soldiers" and another admitted that they were only aware of the existence of the UNWPHRE because they had a friend who worked in Human Rights and that they did "*not know any details*" about the initiative itself. Whilst a greater number of textual responses would be required to truly

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[72] F Waldron, A Kavanagh, R Kavanagh, C Maunsell, R Oberman, M OReilly, S Pike, A Prunty, and B Ruane, 'Teachers, Human Rights and Human Rights Education: Knowledge, Perspectives and Practices of Primary School Teachers in Ireland', Dublin: The Centre for Human Rights and Citizenship Education (2011) at p 26.

[73] F Waldron, A Kavanagh, R Kavanagh, C Maunsell, R Oberman, M OReilly, S Pike, A Prunty, and B Ruane, 'Teachers, Human Rights and Human Rights Education: Knowledge, Perspectives and Practices of Primary School Teachers in Ireland', Dublin: The Centre for Human Rights and Citizenship Education (2011) at p 26.

understand the nature of teachers' awareness of the second phase of the UNWPHRE, the first response indicating a lack of understanding of what the UNWPHRE is and the second containing an admission of a mere passing knowledge of the initiative, is perhaps indicative of survey responses that do no not necessarily reflect the participants true knowledge of the UNWPHRE.

Indeed, the percentage of teachers reporting an awareness of the second phase of the UNWPHRE within the current study is perhaps also surprising given the responses to subsequent questions, for example regarding the extent of training on HRE received by teachers.

Question 3 – Have you ever attended any training on CPD (including UNCRC)?

(22% had attended HRE CPD, 78 % have never attended HRE CPD)

Of the 346 respondents who answered the question regarding the extent of their training in HRE (including training relating to the UNCRC) only 75 (22%) indicated that they had attended some training on HRE. The remaining 271 (78%) respondents had received no training in this area.

In the absence of relevant training, the somewhat high percentage of teachers reporting an awareness of the UNWPHRE is surprising. If teachers have received no training in HRE, it seems surprising that they would be aware of the fact that we are currently in the second phase of the UNWPHRE. It can be submitted, therefore, that the extent of HRE knowledge suggested by the responses to the survey question on awareness of the UNWPHRE is perhaps not fully reflective of teachers' knowledge of HRE more generally. With such a small percentage of teachers having received training in HRE, any knowledge that the remaining teachers have of HRE must logically arise through self-study, by word of mouth or from popular culture, and not through formal professional training.

Of the 22% of teachers that stated that they had received training on HRE the textual responses provided further information on the nature of this training. Relevant training sessions were reported as having been provided by: local authorities (including a course

on Equality and Diversity); Education Scotland (with one teacher mentioning a course on Learner Voice and Pupil Participation); Scotland's Commissioner for Children and Young People (on the UNCRC); and by the British Council. The greatest number of respondents referenced HRE training within Higher Education at the Universities of Strathclyde, Glasgow, Edinburgh and Aberdeen, though most stipulated that this comprised just one lecture or tutorial on the topic and that it fell within the category of Global Citizenship or Health and Wellbeing. Two teachers were aware of HRE from previous employment or through previous educational or personal experience, such as through attending a college course on childcare or involvement with Amnesty International or LGBT Youth Scotland.

19 (30%) of the 64 textual responses referenced training relating to UNICEF's Rights Respecting School Award (RRSA) programme. A number of local authority areas in Scotland, including Fife and West Lothian, have signed up all schools within the region, or strongly encouraged schools themselves to sign up, for the RRSA and relevant training from UNICEF is included as part of the RRSA accreditation process. However, the training sessions provided by UNICEF as part of the RRSA programme focus only on the UNCRC and are geared towards assisting schools in meeting the required standards for the UNICEF accreditation. The training sessions do not cover HRE more generally and would not, therefore, discuss initiatives such as the UNWPHRE in detail.

Whilst it is promising that a number of textual responses made reference to training sessions on HRE both in Higher Education and subsequently within a professional context, the low percentage of teachers reporting that they had attended CPD training on HRE is still a cause for concern. Furthermore, the finding once again does not seem consistent with the responses to the subsequent question on the survey regarding teacher confidence in the teaching of HRE.

Question 4 – How would you rate your confidence with regards to the teaching of HRE?

(Very Confident 3.7%, Fairly Confident 50.1%, Not Confident 46.2%)

The survey question regarding teacher confidence in the teaching of HRE consisted of a ratings scale with three possible options: Not Confident, Fairly Confident or Very

36

Confident. 176 (50%) of the 351 respondents who answered the question assessed themselves as Fairly Confident in the teaching of HRE, but this was closely followed by 162 (46%) teachers who considered themselves to be Not Confident. Only 13 teachers (4%) assessed themselves as Very Confident in the teaching of HRE.

Once again, these survey findings are perhaps somewhat anomalous. Though the high percentage of teachers assessing their confidence in the teaching of HRE as low corresponds with the small percentage of teachers who have received relevant training in HRE, the highest percentage of respondents who reported that they were Fairly Confident in the teaching of HRE is surprising given that only 22% of teachers reported any relevant training in HRE. The exceptionally low percentage of teachers assessing themselves as Very Confident in the teaching of HRE is more congruous with the level of training that teachers have received in HRE.

Once again, the textual responses provide some greater clarity regarding teachers' assessment of their confidence in the teaching of HRE. A number of teachers who reported that they were Not Confident or Fairly Confident in the teaching of HRE **expressed a desire to improve their knowledge and teaching ability in this area**. One Fairly Confident teacher stated that they were "*motivated by and interested in HRE*" and that they had "*seen how positively it can affect the pupils*". A number of the textual responses by teachers who had assessed themselves as Not Confident admitted that this was due to "*lack of knowledge and experience in the field*", and that they needed to "*use it more in practice*" or receive further "*guidance on how to deal with [the topics] sensitively*".

This paucity of knowledge and experience as justification for a lack of confidence in teaching HRE was especially apparent in a number of the surveys completed by probationer teachers. For example, one probationer responded by saying

> "*As a probationer teacher I have yet to teach in this area. Therefore I have not put much thought into it. However, I will be teaching it at some point this year, so I will be extending my own research and knowledge into it.*"

A few of the responses from teachers showed a rather narrow understanding of the meaning of the term HRE. For example, one teacher limited their confidence to teaching

about the UNCRC only, and another explicitly stated that they are able to "focus on needs and wants", which somewhat suggests that they are unable to expand their focus beyond that remit as does the following quote:

> *"I have heard of and used the United Nations Convention on the Rights of the Child when teaching children about their rights but I'm unsure if this relates to the United Nations World Programme for Human Rights Education."*

Some teachers believed HRE to be irrelevant to their particular subject or curriculum area, with one Not Confident teacher stating, for example, that HRE was "*not a topic for my curriculum area, however basic manners and respect is something I do enforce*". Perhaps more worryingly, another Not Confident teacher qualified their answer by stating that their lack of confidence stemmed from the fact that they were "*afraid of repercussions from parents, School Leadership Team etc*".

One teacher response to this question was particularly interesting and is worth quoting in full:

> *"My responsibility as a teacher is not only to prepare the children in my class for life in the academic world but also to develop good citizens that respect one another and can identify their own rights and responsibilities and act on these. I do promote this within my classroom on a daily basis but not in formal lessons. I would not be confident relating this to HRE initiatives, policies or documents."*

It is submitted that this answer may reflect the reason that a number of teachers responded to the question by indicating that they are Fairly Confident in the teaching of HRE. As HRE has become somewhat synonymous with the idea of a respectful classroom environment, teachers are likely to assess themselves as at least Fairly Confident on a HRE scale if they are active in implementing such rights respecting learning environments. This would explain the wide discrepancy between the number of teachers having received training in HRE and the number of teachers assessing themselves as at least Fairly Confident in teaching HRE. If the question is interpreted as merely encouraging manners and respect in the classroom, it is far more likely that a greater number of teachers will consider themselves to be fairly competent in this area.

38

It is interesting then to consider the responses to the next question on the survey concerning teachers' attitudes towards HRE within formal education. If HRE is currently viewed as relating predominantly to respectful classroom environments and behaviour management, it is pertinent to consider whether teachers in fact feel that HRE ought additionally to be strongly embedded within the academic curriculum.

Question 5 - Curriculum for Excellence should enable understanding of and respect for human rights

(Strongly Agree 59.4%, Agree 37.1%, Not Sure 2.9%, Disagree 0.6% Strongly Disagree 0.0%)

The survey question regarding teacher attitudes towards HRE within Curriculum for Excellence (CfE) was once again drafted using a rating scale. Teachers were presented with the statement that CfE should enable children and young people to develop an understanding of and a respect for human rights and they then had to assess the extent to which they agreed with the statement: Strongly Agree, Agree, Not Sure, Disagree or Strongly Disagree.

205 (59%) of the 345 respondents who answered the question Strongly Agreed with the above statement regarding HRE in the curriculum. This was followed by 128 (37%) teachers who Agreed and 10 (3%) who were Not Sure of their view on this particular matter. Only 2 teachers (1%) who answered the question Disagreed with it, and not a single respondent Strongly Disagreed with the statement.

This research finding is positive as it suggests that the majority of teachers do have an interest in HRE and believe that enabling children and young people to develop an understanding of and a respect for human rights should form a central feature of the curriculum. The finding additionally suggests that teachers would be willing to embrace HRE if it was more strongly embedded within the curriculum and that common conceptions of teachers' hostility towards the very idea of human rights within an educational setting are perhaps overstated.

> *"Curriculum for Excellence has given teachers more space to bring human rights into their teaching, but it very much depends on individual teachers...not everyone can see the spaces for it."*
>
> Secondary Teacher

Only 12 respondents elaborated further on their answer to this question, with a number of these responses indicating what teachers consider to be the most important aspects of HRE within a formal education setting. Three teachers referred explicitly to human rights forming part of the 'responsible citizens' capacity, though this was the only CfE area expressly referred to within the textual responses. Some of the responses again referenced ideas and concepts consistent with rights respecting learning environments, such as "encouraging equality and respect in the classroom" and two of the textual responses related the idea to more widely respectful attitudes. For example, one teacher emphasised that "*it doesn't have to be the school that does this – parents, grandparents and society in general should be doing this*". One teacher also expressly recognised that human rights "*is not particularly explicit in the way it is worded*" within the curriculum.

Of the respondents who disagreed with the statement, only one was vehement in their opposition to human rights within the CfE, stating that "*there is enough to do/cover in the curriculum without another "add on" and that pupils are not emerging from school with the skills required for the work place due to such meaningless add-ons*".

With so many teachers displaying positive attitudes towards HRE within the CfE, it is interesting to then consider the responses to the subsequent survey question concerning current teacher practice in this area. Any discrepancy between the number of teachers agreeing with the statement that the CfE should enable children to develop an understanding of human rights and the number of teachers incorporating human rights into their classroom teachers is indicative of barriers to the practical implementation of HRE in Scotland.

Question 6 – Are you currently using learning contexts that incorporate human rights?

(Yes 54.9%, No 45.1%)

40

Of the 335 respondents who answered the question regarding whether they are currently using learning contexts that incorporate aspects of human rights, 184 (55%) stated that they were doing so, with the remaining 151 (45%) reporting that they were not. A large number of the respondents gave further details regarding the nature of the inclusion of human rights within their teaching or reasons for the absence of this.

Taking first those teachers who are currently using learning contexts that incorporate human rights, some responses merely outlined within which subject areas human rights is touched upon. The subject areas explicitly mentioned by respondents were RMPS, Health and Wellbeing, Modern Studies and Social Subjects. It was referred to within Modern Studies with the greatest frequency (*15 or 8%*) followed closely by 14 (7%) stating that HRE was taught through Inter Disciplinary Learning (IDL). Other subject areas mentioned were Science, Music, Drama, English and Enterprise (Fair Trade). However the greatest frequency of 21 (11%) was recorded in what teachers referred to as – *class rules, class charters and rights and responsibilities in school* – and what the researchers would term Behaviour Management.

Interestingly, only 5 (3%) teachers stated that they taught HRE as part of Global Citizenship which is surprising given that the Scottish Government deem that particular approach to incorporate human rights.[74]

A number of primary teachers mentioned specific topics on Rights and Responsibilities or the Rights of the Child and these were coded under IDL or Behaviour Management depending on the textual analysis. Some 4 teachers referenced human rights only in the context of themed days/weeks, with one teacher admitting that they only use "*human rights as a theme when occasions such as Comic Relief come up*".

A few secondary teachers provided more detailed explanations of the ways in which human rights are incorporated into their teaching. For example, one secondary English teacher highlighted that they use textual analysis to "*examine themes of human rights violations*" and another noted that they study "*poetry with moral messages about the responsibility of society to the less fortunate across the globe*". A secondary history

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[74] Learning and Teaching Scotland, 'Developing Global Citizens Within Curriculum for Excellence' (2011).

teacher also provided a detailed explanation of the class topics in which human rights feature, including within discussions of the Holocaust, Civil Rights Movement, John F. Kennedy and reforms in the British Government, and a secondary art teacher referred to a study of war artists that touched upon human rights issues.

Within Modern Studies, one teacher advised that their second years were "*currently undertaking a unit of work based on Human Rights Education*" and in secondary Geography, human rights issues are dealt with in the health and development aspects covering trade, aid and population. Finally, within secondary biology, human rights were expressed as being addressed through issues such as "*cloning, stem cell therapies, use of omnipotent cells in tissue regeneration etc*". Contrary to this level of awareness though, one teacher of biology stated that whilst he agreed with the teaching of human rights he didn't think that it fitted in with his subject.

A number of other teachers referred to HRE within much wider learning contexts and concepts, such as "*equality and social inclusion*," "*fair treatment of others*", "*prevention of discrimination*" and "*pupil voice*". With regard to this particular issue, there was a notable difference between primary and secondary education, with a higher number of primary teachers referencing these wider concepts. Additionally, one early years teacher also stressed that HRE for younger children was concerned with "*respecting other people, personal space, taking turns etc*", and another explained that "*within nursery, we are always developing a sense of fairness and sharing/being equal*".

In contrast, and as outlined above, secondary teachers tended to highlight concrete learning contexts in which they were referring to human rights issues. One primary teacher was, however, keen to stress that their school covered both aspects of HRE by stating that:

> "*All aspects of our curriculum include reference to rights, whether it be specific to topic based learning e.g. ethical fashion or slave trade, or more generally to behaviour and attitude towards others.*"

Another teacher made a similar point with regard to the wide scope for incorporating HRE into classroom teaching at primary level. Their response is worth quoting in full:

42

> *"I think in primary schools we constantly have the opportunity to incorporate aspects of HRE into our day-to-day routines e.g. giving children choices, recognising basic rights (toilets) and encouraging children to express their views and opinions. When delivering lessons that incorporate other cultures and belief systems e.g. RME, I strive to ensure that the children fully understand why people have different beliefs and routines compared to their own culture. I teach the importance of respecting these differences and recognising that it is a person's right to be different. However, I am not currently teaching standalone human rights lessons related to initiatives or laws/acts."*

This teacher is obviously attempting to make HRE more explicit through both classroom management and curriculum although some assumptions appear to have been made with regard to one dominant culture.

Those primary teachers who were involved in UNICEF's RRSA were also keen to stress that human rights ideas are incorporated throughout all teaching areas in their schools and some referred to particular interdisciplinary learning topics that lend themselves to the integration of HRE e.g. water, homes, play, child labour and Fairtrade. Three teachers advised that within their schools, HRE was principally concerned with involving children in relevant decision making, with one teacher stating that their pupils are given "*the freedom to influence the content that is taught to them*" thus demonstrating the participatory nature of HRE. A few teachers did, however, interpret HRE as relating principally to behaviour management. In this regard, Golden Time, class rules or class contracts/charters were referred to.

Related to this was the tendency once again for teachers to reference only UNICEF's RRSA in their responses. Many of the teachers viewed the RRSA itself as a learning context and considered the whole school approach to HRE to meet requirements in this area. Specific references were made to drafting class charters in accordance with RRSA guidance and to "*using some of the activities in the RRSA programme*".

Finally, a number of the probationer teachers reiterated that they have not yet had the time to incorporate human rights into their teaching, but many were keen to stress that they would be doing this once they had settled in to their teaching routine. One admitted that they were not yet "*fully confident in all aspects of the curriculum to start to*

incorporate human rights as well" but indicated that once they had settled into a routine, they would be more likely to include elements of human rights in their teaching.

With regard to the 151 (45%) teachers who answered the initial question in the negative, varying reasons were cited for not incorporating human rights within their teaching. As with the previous question on teacher attitudes towards HRE, a few of the respondents indicated that they did not feel that human rights learning contexts were appropriate for their particular subject area. One secondary science teacher noted, "*It'd be lovely to have the opportunity, but not in science and not in the current time frame*." A primary teacher advised that they would use HRE if it was appropriate in the context but that it was "a very hard concept for young children". 15 other teachers again referenced their own lack of knowledge and experience as the fundamental reason for not incorporating HRE into their teaching and a couple referenced the lack of space within the timetable for additional topics such as HRE.

Whilst one respondent to the survey recognised that HRE forms part of the CfE and they therefore "have to incorporate it into lessons", another teacher opined that they in fact found the curriculum "rather limiting" with regard to their ability to incorporate learning contexts touching upon human rights. This then provides an indication that some teachers face barriers to the teaching of HRE within a formal educational setting and it was to this particular issue that the subsequent question was geared.

Question 7 – Have you experienced any barriers to teaching about human rights?

(12.9% have experienced barriers, 87.1% have not)

Of the 334 respondents who answered the question, only 43 (13%) respondents had experienced barriers to teaching about human rights, while 291 teachers (87%) reported no such problems. This is somewhat surprising given not only the lack of teacher training on HRE but also given the responses of many teachers in the focused interviews.

Teachers were asked to identify any barriers that they had experienced or that they felt may prevent them from teaching about human rights, and 47 teachers provided textual responses on this issue.

Barriers to HRE

Legend: ■ Lack of training/knowledge ■ Dissuaded □ Lack of time □ Lack of resources
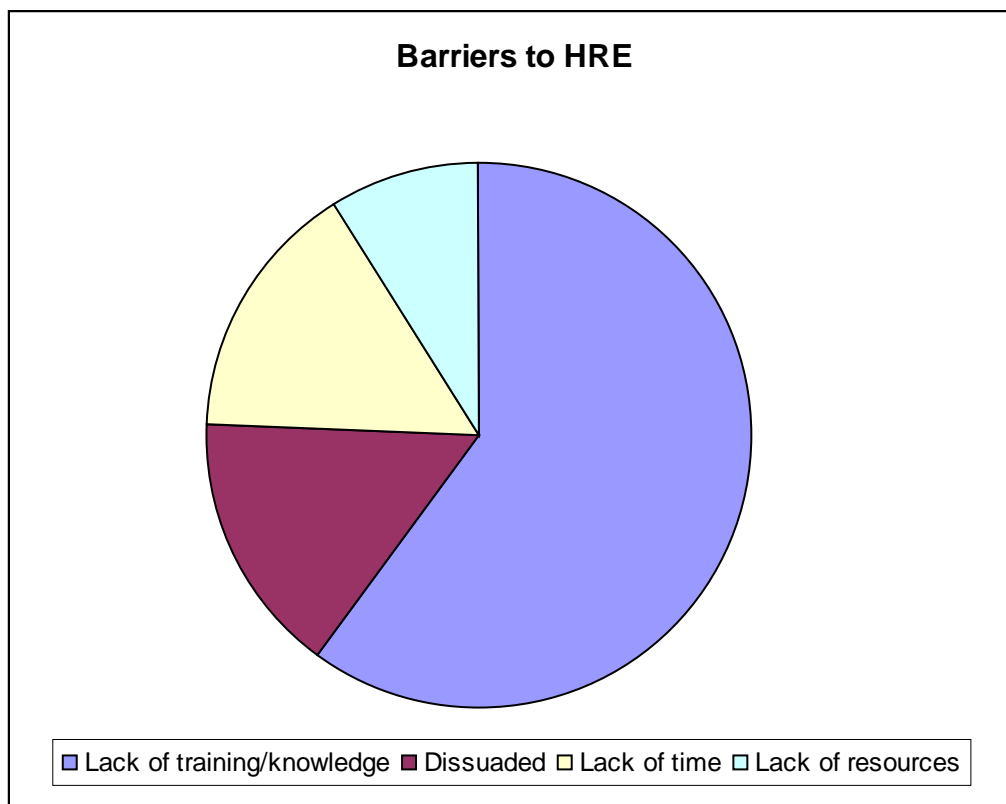
Of those teachers who identified such barriers, by far the most prevalent issue highlighted was lack of knowledge and training in both Initial Teacher Education and in a subsequent professional capacity through CPD (62%) leading to a lack of confidence in classroom teaching in this area. Issues of time and space within an already over-stretched curriculum and timetable were also considered to be a barrier (16%), as was the lack of relevant and age appropriate resources to teach HRE (9%). Worryingly, some teachers (16%) indicated that they felt they had been dissuaded from teaching about human rights either by ITE lecturers, school management leaders or because of religious reasons.

Some additional concerns identified by respondents included: struggles with the age comprehension levels of children, particularly for early years practitioners; perceptions that children only understand their rights and not the corresponding responsibilities; religious and moral beliefs and practice; negative and prejudicial external influences, such as from parents and peers; general ignorance amongst teaching colleagues; and interestingly, cultural diversity within schools.

It can perhaps be suggested that a number of responses from teachers who answered that they had not yet experienced any barriers to the teaching of HRE can be attributed to the

45

fact that they have not yet taught in this area. Indeed, one textual response from a primary teacher who had not experienced barriers to HRE stated that "*this may be because I haven't tried to teach it yet. I really don't know what HRE is or how to teach it*".

Question 8- Would you like to highlight any good practice in HRE?

(10.8% offered to highlight good practice, 89.2% did not)

Given the relatively high percentage of teachers who had responded to a previous survey question stating that they are currently using learning contexts that incorporate aspects of human rights (55%), it is perhaps surprising that more respondents were not willing to highlight examples of good practice regarding how they have promoted human rights in their teaching. Only 33 of the 323 respondents who answered the question were willing to share examples of good practice.

It is likely that this particular research result is due largely to the time and effort required to write a textual response outlining good practice, especially when the majority of respondents completed only those parts of the questions that did not require further textual elaboration. Another reason for the apparent unwillingness to highlight good practice could be an uncertainty or lack of confidence, amongst teachers of what good HRE practice might look like.

Nevertheless, those teachers that did provide a response to this question were able to provide some useful examples of good HRE practice from their own teaching experience. (See below)

46

"Ecuador topic focused on the rights to clean water, food and education."

"Working towards the UNICEF Rights Respecting School Award"

"Fortnightly workshops for all stages including nursery, led by the P6's and P 7's on each of the rights (UNCRC)"

"We have a Rights Respecting School Pupil Group. We have an information leaflet to inform all parents and hold information sessions. The teaching of rights is incorporated into many aspects of learning."

"We have a curriculum partnership with a school in Trinidad to teach rights."

"We have incorporated HRE successfully in the curriculum for several years (S3) and are now expanding this to include other year groups."

"We have delivered lessons on children's rights as part of the Dakar to Dundee project"

"School rules and class charters"

"Setting class rules in line with UNCRC"

"A curriculum development unit on water and sanitation access for African children"

"We have Level 2 RRSA"

"We have a mini topic on the Rights of the Child."

"We have stand alone teaching units."

"Cloning, stem cell therapies, use of omnipotent cells in tissue regeneration etc"

Since a significant number of responses from primary teachers mentioned UNICEF's RRSA it is worth quoting in full the combined response from one staff group:

Responses from staff at Longridge Primary School in West Lothian who have level 2 of UNICEF's Rights Respecting School Award

"We don't teach specific lessons about human rights. It's built in through our RRSA approach."

"It is right through all elements of our teaching, classroom management, behaviour… it's in the language we use, it's right there in the curriculum and in peer mentoring. We try to empower the children with knowledge about their rights so that they can help the children who find it difficult to socialize."

"We encourage children to think critically and make links to current issues e.g. the rights of children in Syria and during the Paralympics we looked at disability rights."

"It has become second nature to the children…it's a vehicle to empower children and they are using the language of human rights with each other and in the classroom. It's also impacted on our local youth club and they are now using the same language and approach. It's even impacted on the community as we have displayed our work on Rights in the community wing and the children have led 'learning walks' telling them about their work on Child Labour, Fair Trade etc. They have taken their learning outside the school and made connections."

Question 9 – Would CPD on HRE be helpful to you?

(Yes 89.3%, No 10.7%)

The final substantive question on the survey asked respondents whether they felt that CPD on HRE would be helpful to them. An overwhelming majority of the 338 teachers who responded to this question answered in the positive. 302 teachers (or 89%) said that CPD on HRE would be helpful to them, with only 36 respondents (or 11%) saying that this was not the case for them.

For those teachers who answered the question in the positive, they were then asked to state what type of CPD would be most helpful to them. 120 teachers provided textual responses to this follow-up question, providing useful information on what type of HRE training teachers themselves would like to receive.

HRE Training Needs as Identified by Participants:

General HRE Information and Training

Progression of teaching HRE from Early Level upwards

Examples of good practice from each curricular area

Case Studies and resources for class use (age appropriate)

Case Studies from teachers and schools who are 'doing HRE'

Links to Experiences and Outcomes

How to bring HRE into class lessons, topics and subjects

Whole School Approach and Inter Disciplinary Learning

How to deal with controversial issues in the classroom

Other areas of HRE rather than Rights of the Child

How to incorporate teaching human rights into science/ geography/citizenship

HRE and Additional Support Needs

Training on RRSA

How to contextualize human rights for primary children

Teachers' Suggestions as to how this training could be done:

Peer Learning   Seminars/Workshops Cluster Training and CPD

Incorporate HRE into university and ITE

Case studies from schools that are doing HRE

Visits to schools that are 'doing it'

4.2 Focused Interview Findings

Follow up focused interviews were conducted with those teachers who had indicated on the initial questionnaire that they would be willing to discuss HRE in more depth. Teachers were offered the opportunity to participate in face-to-face interviews or telephone interviews. These focused interviews were carried out with 16 teachers from 4 local authorities using semi-structured interview questions to help guide the conversations. Due to the nature of these interviews not all participants were asked the same questions or were asked different follow up questions based on their initial answers. Nevertheless, the interviews did reflect a level of consistency that permits the findings to be presented in three relevant categories. These are:

- Section 1 Current Practice i.e. **What** *HRE teachers are actually doing in their classrooms*
- Section 2 Reasons for Current Practice i.e. **Why** *teachers are/are not incorporating HRE into their teaching*
- Section 3 Identification of Current Barriers to HRE

Section 1

1.1 Knowledge of the Concept of HRE

Most of the teachers interviewed were not familiar with the term *Human Rights Education* as a Concept, although they believed that they were incorporating some aspects of HRE in their daily classroom practice. These aspects were either linked to curriculum or to general behaviour management. Three of the teachers interviewed had never heard of the term HRE and another indicated that he had only heard of it from a colleague who was interested in human rights. Other teachers explicitly linked their

knowledge of HRE to their school's involvement in the RRSA programme. When asked to say what they understood HRE to be, teachers gave a variety of responses. (See below)

Teacher's responses when asked what they understood HRE to be:

"It's about team work"… "…making children aware of their rights and responsibilities"

"…comparisons of human rights in different countries"

"I don't really know what HRE is."…"I hadn't heard the term HRE before this research."

"I hadn't actually heard that term, but HRE is integral to RME."

"We are a RRSA school and have done lots of HRE work."

"It's about educating children about human rights – what they are, how they are applied and how they are important"

"HRE can be different for different subjects."

"It's about encouraging children and young people to think critically about values and beliefs and to challenge those at times."

"It's about teaching children respect for others, and other cultures and beliefs."

"Modelling good citizenship"

"With each new class I emphasize that they are in a rights respecting environment."

1.2. Current Classroom/School Practice

There were differences in teachers' interpretations of classroom practice in the area of HRE with some identifying particular curricular areas such as RME, Citizenship and Social Subjects whilst others made links to behaviour management issues (rights and responsibilities) or whole school ethos (equality and inclusion). One primary Headteacher

used news and current affairs as a focus for whole school assemblies, thus allowing for reflection on human rights issues. She cited recent examples of assemblies on topics such as Syria, Mary's Meals and the Paralympics that provided opportunities for the children and the class teachers to further explore the rights issues within these contexts.

Most of the primary teachers interviewed were working in schools that were working on or had achieved the UNICEF RRSA and stated that they include "...*rights (UNCRC) across all stages and areas of the curriculum."*

Although there did seem to be a focus amongst these teachers on rights and responsibilities in relation to class rules and charters, many teachers were making links to the UNCRC within learning and teaching contexts and were providing opportunities for children to consider current issues in relation to rights. In order for schools to achieve the UNICEF award, teaching on the UNCRC must be built in to curricular areas and this would go some way to explain the range of knowledge and practices amongst teachers.

One primary teacher reflected that "*It's (HRE) done a little bit through the four capacities, but I wouldn't include it beyond that"* and another stated that he had "*...just finished a topic on The Elderly that looked at the rights and needs of older people. I didn't think to link this to human rights but I can now see the connections and will definitely build HRE in next time."*

There was a similar range of views, knowledge and understanding of HRE amongst the secondary teachers interviewed. RME and Social Subjects were identified as being the curricular areas that provided more openings for HRE. There are particular contexts within both of these subjects that readily provide links to human rights, namely: euthanasia, abortion, crime and punishment, child soldiers, the UDHR, religious discrimination, racism, sectarianism, ethical trade and development issues. One Modern studies teacher reflected "*In my subject I do teach specific lessons on the UDHR but this is mostly factual. We do consider human rights in other current issues though e.g. Syria, Ethical Trade and Child Labour."*

Other secondary teachers referred to themed days such as World Refugee Day, student participation via student councils and active learning as being examples of HRE in practice.

Section 2 Reasons for Current Practice

2.1. Curriculum

A textual analysis of teachers' responses as to why they were or were not incorporating HRE demonstrates once more the wide variations in knowledge and practice.

Reasons given by those teachers *not* incorporating HRE included: *"...not relevant to my subject"*, *"…not driven by the Local Authority or the SMT"*, *"…not part of any assessment module"*, *"…don't know enough about HRE"* and *" There's not enough time for HRE."*

Reasons given by teachers who *are* incorporating HRE showed that many were encouraged to do so by the SMT or the Local Authority…. *"It's driven by our LA but it's also part of our school ethos"* whilst some teachers were driven by CfE and could clearly see that CfE provided openings and spaces for HRE work. Some recognized that some of the Experiences and Outcomes allowed links to be made to the UNCRC and the UDHR… *"Human Rights is in the Experiences and Outcomes...but not everyone can see that"*, but most reflected that you had to be *"into human rights to see it"*.

2.2 Rights Respecting School Award (RRSA)

Whilst the UNICEF RRSA focuses only on the UNCRC it would appear from the teachers that we interviewed that this has been a significant driver in incorporating some aspects of HRE into the curriculum. Indeed, those teachers who came from RRSA schools reported that incorporating human rights into the curriculum and ethos was now second nature…*"just part of the overall approach and ethos of the school."*

> *"We tend to link what we're doing in class to the UNCRC. It's a natural link with so much of CfE. It's all about the children being involved in their learning and it's all cross curricular, so we'd take a theme and see how we can fit HRE into it."*

2.3 Leadership

The issue of leadership was mentioned by most of the focused interviewees as being an important driving force for HRE in their schools. Sadly, one teacher indicated that although she could see the links with CfE she felt unable to bring HRE into her teaching as her comment perhaps exemplifies: *"CfE does allow you to teach HRE…but it's whether the school allows you to do it."* This comment may also demonstrate a possible feeling of isolation that teachers may experience if HRE is not supported by the SMT. It would also indicate that there may well be a lack of awareness of the duty to provide HRE amongst some school managers.

2.4 Global Citizenship

A few teachers indicated that they teach HRE through Global Citizenship, but given the importance that Global Citizenship has had within CfE in the last few years it is perhaps surprising that more teachers had not explicitly recognised the links with HRE.

> *"I think Global Citizenship is a way for HRE to be incorporated, but I don't think it can cover HRE entirely. HRE fits with Global Citizenship but it is far more than just a simple add-on to Global Citizenship."*   *Secondary Teacher*

2.5 United Nations World Programme for Human Rights Education

None of the teachers interviewed in this tranche indicated that the World Programme was a driving factor in HRE, with only one teacher indicating that they were aware of the programme at all.

Section 3 Identification of Current Barriers to HRE

Teachers identified four main factors as potential barriers to HRE:

- Lack of time - due to exam pressure, modular assessment, curricular priorities
- Lack of teacher's own knowledge about HRE including ITE training and CPD training
- Lack of age appropriate resources

- No clear direction i.e. if HRE is not seen as a priority and not driven by the Local Authority, SMT or Curriculum for Excellence then it will not be delivered or developed by every teacher.

Most of the teachers interviewed did not see Curriculum for Excellence itself as a barrier, in fact, most believed that Curriculum for Excellence gives teachers more flexibility with curricular content and that it also provided spaces for HRE. However most of these teachers expressed concern that HRE was not specific enough within CfE .This may be one of the reasons why HRE itself has not been driven more 'from the top' with it being left mainly up to "*committed individuals*" to drive it forward. Most of the teachers interviewed stated that HRE needs to be more specific within CfE with one teacher reflecting:

> *"CfE doesn't make it clear that we should teach HRE. It needs to be clearer...it shouldn't assume that all teachers are doing this."*
>
> *Whilst another commented:*
>
> *" It (CfE) has enabled teachers to open doors to this work...I wouldn't say it was a driving force as all teachers are not doing this...it still depends on individual teachers"*

4.3 Key Overall Findings

It would appear from this study that knowledge and understanding of the UNWPHRE amongst teachers and educators in Scotland is limited and whilst the majority of those who completed the questionnaire believe that human rights should be reflected in the curriculum, most stated clearly that they would require further training opportunities in order to realise this.

This lack of awareness of the UNWPHRE, whilst disappointing, does not necessarily imply that HRE has been omitted from the school curriculum altogether though. There is evidence of good practice across Scotland, even if there is reluctance amongst educators to promote this. However, it appears that HRE is sporadic within schools, with some teachers being driven by CfE whilst others are either self-motivated because of individual

interest or being driven by initiatives such as UNICEF's Rights Respecting School Award and some teachers doing no HRE at all.

The study found evidence that initiatives such as UNICEF's Rights Respecting Schools Award was beginning to impact on teaching and learning, in the primary sector, with regards to the UNCRC. It would appear that teachers working in these schools are enthusiastic about the impact that HRE has on all aspects of school life, and of its ability to impact positively on the wider community. However, limiting HRE to knowledge of the UNCRC only may result in a limited understanding of human rights in general. It is worth remembering that HRE is an entitlement that should be embraced by all and not something that should only be driven by an award system.

Teachers themselves on the whole were well aware of their own capacity or lack of capacity to teach HRE and were able to identify an impressive range of HRE CPD opportunities that could extend their knowledge and confidence; ranging from basic awareness raising training on HRE to a shared understanding of HRE that could be realised through opportunities for peer learning and professional dialogue.

The largest barrier to HRE identified by teachers was their own lack of knowledge and training on the subject matter. The large number (78%) of respondents who stated that have not had access to any form of HRE training at all, either during their ITE programmes or through professional development, is concerning, not least because of the limitations this will have on young people's entitlement to HRE.

Conclusions

The rationale for Human Rights Education (HRE) derives from the Universal Declaration of Human Rights (UDHR), which introduced HRE as a distinct concept **and** freestanding right. It is important that those with responsibility for lifelong learning recognise the status of HRE within international human rights law and policy. This status is confirmed by the generational effort of the UN since the commencement of the UN Decade in 1995 to promote HRE as the framework for lifelong learning, educational approaches, and rights-based practice amongst its member nations.

In framing human rights education as a long-term strategy, the United Nations reflects clearly how it is the context *for*, rather than an element *in* nations' lifelong learning policy and practice. This generational push has three elements:

- the UN's Decade for Human Rights Education (1995-2004);
- the UN World Programme for Human Rights Education (2005 to 2019) and the
- UN Declaration on Human Rights Education and Training (2011).

These elements form a coherent legal policy framework for the adoption and delivery of human rights education within nations, ideally through collaboration with their public, private, and civil societies.

BEMIS, concerned at an apparent lack of collaboration and engagement with Phases 1 and 2 of the World Programme in Scotland, conducted this mapping exercise to establish current HRE knowledge and practice within the formal education sector.

We hope this report, its findings, and its recommendations may influence policy and assist the Scottish Government in its submission as part of the next UK National Report to the World Programme for Human Rights Education. Further we hope and expect this submission will be based on collaboration with relevant human rights, educational, and civil society stakeholders, as well as with communities and citizens.

It is important to reiterate at this point that HRE should be a process of lifelong learning that extends beyond the school classroom and permeates informal learning throughout adulthood. It is a transformative tool for the empowerment of individuals to enable them

to become informed, active citizens with a respect for the realisation of human rights. Further it can underpin how government develops policy and legislation, provides and evaluates services, and how it involves, collaborates, and engenders communities comprising, ideally, informed and active citizens.

This study indicates that HRE, although consistent with the transformative and global approach of Curriculum for Excellence is not explicit enough within this and as such young people's entitlement to HRE may be dependent on the interests and knowledge of particular teachers only.

This study has also identified that educators in Scotland in general, **are supportive of and interested** in HRE and we believe that such interest can only enhance delivery of the curriculum. However, as teachers have strongly indicated a lack of training in this area, we believe that a national training programme should be considered to empower educators to develop and harness their interest in HRE in such a way that it permeates all aspects of learning, teaching and curricula.

The United Nations World Programme for Human Rights Education could potentially provide a window of opportunity for this empowerment and yet we found no evidence in this study that educators had an extensive knowledge of the programme, with over 64% of respondents declaring that they had not even heard of it and the remaining 36% displaying a very limited knowledge of it.

In 2008, Hill[75] called for the addition of a third tenet of education to sit alongside Literacy and Numeracy. She proposed a new '*pillar of education: **consideracy**…the ability to be thoughtful of others,*' which she goes on to suggest, *"…if placed in equal importance to literacy and numeracy, if given equal status, time, teacher training and funding, would represent a true education revolution resulting in well educated, well rounded, informed, discerning global citizens, guided not only by a human capital rationale for education, but just as importantly, a human rights rationale for education."*

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[75] Hill, F, (2008) An Education Revolution for the 'Common Good' – The Role of Human Rights Education , Newell C., and Offord B., (Eds.)

Activating Human Rights in Education: Exploration, Innovation and Transformation

Human Rights Education sends a clear message to the school community and beyond about expected behaviours that protect rights and afford dignity and respect to all. It promotes a common language of respect that empowers educators, children and young people alike. BEMIS believes that respect for universal human rights is more likely to impact on society if HRE is explicit within the formal education sector and that, although much good practice does exist in Scotland; HRE is not yet explicit enough within the curriculum.

Whilst HRE is a collective responsibility, with civil society having an important role to play, the role of the formal education sector is crucial in developing a culture and respect for human rights. Despite the willingness of many teachers and other educators to promote HRE, without both the political leadership and more explicit curricular guidance there is a danger that it may continue to be delivered on an ad hoc basis resulting in a paucity of HRE for many young people in Scotland.

Recommendations

The findings of this report are based on primary evidence from a significant number of education practitioners, an analysis of literature from experts in the field, and consideration of a now coherent international legal policy framework on HRE. Accordingly, BEMIS makes recommendations for the Scottish Government to consider, intended not only to assist them in their responsibility to report, via the UK government, to the OHCHR on their progress with Phase 2 of the UNWPHRE, but to support the explicit and systemic progression of HRE across Scotland's lifelong learning communities, as well as throughout its public, private, and civil societies. As the United Nations prepares for Phase 3 of the World Programme, we would ask that the Scottish Government strengthens its engagement with this programme and works with the Scottish Human Rights Commission to ensure that HRE is an integral part of Scotland's National Action Plan for Human Rights.

Recommendation 1

The Scottish Government should strengthen its efforts to drive HRE across Scotland.

1.1. This drive should reflect the United Nations Declaration on Human Rights Education and Training and the United Nations World Programme for Human Rights Education.

HRE should permeate strategies on, training for, and curricula to deliver, lifelong learning in Scotland.

1.2 HRE should be promoted as a distinct and cross-cutting theme within the forthcoming *Scotland's National Action Plan* (SNAP) *for Human Rights*. This plan should consider the development of HRE across Curriculum for Excellence, Initial Teacher Education and all other lifelong learning providers and should encourage engagement with HRE beyond the UNCRC.

Recommendation 2

Whilst BEMIS welcomes the establishment of a National Working Group for Rights Respecting Schools BEMIS strongly recommends that teacher engagement with human rights extends beyond the UNCRC.

2.1 Ensure that teachers are aware of international instruments such as the UNWPHRE and the UN Declaration on Human Rights Education and Training and of how to use these to develop their practice.

2.2 A range of good quality Continuing Professional Development (CPD) on HRE should be developed and delivered to teachers and other educators in Scotland.

2.3 With regards to formal education, consider approaches for implementing HRE in line with the World Programme's six key structural areas:

- human rights based approach to HRE;
- core competencies;
- curricula;
- teaching and learning processes;

- evaluation and professional development and

- support of educational personnel.

2.4 Tertiary education staff should be aware of the duty to promote HRE within educational settings. Those working in ITE and Early Years Education should extend their knowledge of human rights beyond the UNCRC to **include** international instruments such as the UN World Programme for HRE and the UN Declaration on Human Rights Education and Training to raise awareness amongst student teachers and Early Years Educators of the **duty** to promote HRE.

2.4 Whilst BEMIS recognises that the UNICEF RRSA continues to be an effective driver for the promotion of the UNCRC in schools we would remind the Scottish Government of the duty to promote broader HRE, irrespective of any award system.

2.5 The Scottish Government should be wary of complacency with regards to HRE. As our research suggests, it cannot be assumed that HRE is being delivered through Global Citizenship or Sustainable Development Education.[76] "…..*human rights education is unique and distinct from such related fields as tolerance, non-discrimination education, citizenship education and intercultural education even though these fields are closely interrelated and mutually supportive*." BEMIS believes that effective HRE will reflect, support and extend the overall aims of these other fields and so we recommend that the Scottish Government drive these initiatives under the overarching banner of Human Rights Education.

Recommendation 3

The Scottish Government should encourage HRE training across Scotland's diverse lifelong learning communities.

3.1 Although schooling has a consensual role to play in promoting human rights the Scottish Government and other key actors should promote HRE across the range of lifelong learning communities.

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[76] Office for Democratic Institutions and Human Rights (ODIHR), 2012, OSCE/ODIHR, Warsaw, Poland. *Guidelines on Human Rights Education for Secondary School Systems. Access (2012) via:*

http://www.academia.edu/2059118/Guidelines_for_Human_Rights_Education_in_Secondary_School_Systems

3.2 As part of the recommended HRE programme in SNAP there should be HRE customized training, based on the UNDHRET and UNWPHRE, formulated with and delivered to the following lifelong learning groups and **those who work** in each of these sectors:

(a) 0 - 3;

(b) Early Years;

(c) Primary education;

(d) Secondary education;

(e) Further education;

(f) Higher education; and

(g) Community Learning and Development

Recommendation 4

The Scottish Government and relevant key stakeholders should develop HRE across Scotland's public, private, and civil society sectors

4.1 HRE should not only be confined to Scotland's lifelong learning communities and educators, rather awareness should be raised in the wider public sector, in private sector bodies; particularly those carrying out a public function, and across civil society in general.

4.2 The breadth of HRE should reflect the wide and enduring relevance of its principles and objectives.

4.3 HRE should engender respectful and participative action, behaviours, and organisational culture. HRE can be an effective lever for objective improvement in personal, organisational, and community wellbeing.

Recommendation 5

The Scottish Government and relevant key stakeholders should fund further research to extend knowledge and practice in HRE across Scotland.

5.1 Although this report draws on a significant sample of practitioners, it was undertaken primarily as a mapping exercise. It follows then, that further research is required in order to establish a baseline for the monitoring and evaluation of Scotland's progress with the implementation of the UNWPHRE.

5.2 BEMIS recommends that further research is conducted to establish the range and quality of HRE within Initial Teacher Education, Community Learning and Development and within the Continuing Professional Development of educators in Scotland. Further, we recommend that research is conducted to identify the impact of HRE on individuals, organisations and communities.

5.3 In considering further research in this area, the Scottish Government should utilize the expertise within the voluntary sector.

Appendix 1 Teacher/Educator Questionnaire

Questionnaire re Human Rights Education (HRE)

Teachers and Early Years Practitioners

The United Nations Commission on Human Rights has defined HRE as :	

"A long-term and lifelong process by which all people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies…it significantly contributes to promoting equality and sustainable development, preventing conflict and human rights violations and enhancing participation and democratic processes, with a view to developing societies in which all human rights are valued and respected."

BEMIS works in partnership with key stakeholders in education in Scotland to promote Democratic Active Citizenship and Human Rights Education. We are conducting this scoping exercise for the purpose of developing an outreach programme of HRE for educators working in the formal and informal education sectors. Please answer the questions below and use the comments boxes to provide further information.

All information that you provide will be treated in confidence, will not be divulged to any third party and will not be used for any other purpose than that stated. No individual or Local authority will be named as a result of this survey.

Questions	Answers	Comments
1. Which education sector do you represent?	Early Years ☐ Primary ☐ Secondary ☐ SEN ☐ SEBD ☐ ☐	*Which Local Authority do you work for?* *If you are a secondary teacher please state your subject.*
2. Are you aware of the United Nations World Programme for Human Rights Education? **(UNWPHRE)**	Yes ☐ No ☐	

3. **How would you rate your confidence with regards to the teaching of Human Rights Education?**	Not Confident ☐ Fairly Confident ☐ Very Confident ☐	
4. As part of the action plan to implement the World Programme, governments should promote training for teachers and educators. Have you ever attended any training or awareness raising on human rights or the UNCRC?	Yes ☐ No ☐	*If you have answered yes, please give details of the training you attended.*
5. Curriculum for Excellence should enable children and young people to develop an understanding of and a respect for human rights.	Strongly Agree ☐ Agree ☐ Not Sure ☐ Disagree ☐ Strongly Disagree ☐	
6. Are you currently using learning contexts that incorporate aspects of human rights?	Yes ☐ No ☐	*If you have answered yes, please give details. If you have answered no, please say why not.*

66

7. Have you experienced any barriers to teaching about human rights?	Yes ☐ No ☐	*Please use this space to identify any that you have experienced or that you think might prevent you from teaching about human rights.*
8. Would you like to highlight any good practice examples of HRE from your practice?	Yes ☐ No ☐	*Please give details and leave a contact e mail if you would like us to highlight this.*
9. Would training on Human Rights Education be helpful to you?	Yes ☐ No ☐	*If so what do you think that training should focus on?*
10. We would like to organise interviews and focus groups to consult in more depth on HRE. Would you be willing to take part in either of these?	Yes ☐ No ☐	*Please provide a contact name and a telephone number or email address if you have answered yes.*

Thank you for taking the time to complete this form. Your views will help us to develop an outreach programme of CPD for teachers and community educators.

Please return to:
elaine.watts@bemis.org.uk   or post to : Elaine Watts, BEMIS, 38 Queen St, Glasgow G1 3DX

Appendix 2 Focused Interview Questionnaire

HRE Project: Semi-structured Interview Questions

<u>Sections:</u>

(1) Establishing what teachers are doing in their classrooms with a view to identifying the gaps in the current practice of HRE in formal education.

(2) Establishing why teachers are/are not incorporating HRE into their teaching.

(3) Identifying the current barriers to HRE in formal education.

<u>Section (1): Establishing what teachers are doing in their classrooms with a view to identifying the gaps in the current practice of HRE in formal education</u>

1. Have you heard much about the concept of HRE?
2. What do you understand the term HRE to mean?

Taking the HRE temperature:

3. Do you include elements in your teaching that you would consider to be HRE?
4. If so, what are these elements? Do you ever teach specific lessons about human rights?
5. If so, within which subject areas do you do this, and what do you do/cover in these lessons
6. If you don't teach specific lessons on human rights, would you say you incorporate elements of HRE into your lessons?
7. If so, what does this involve?
8. Would you describe your classroom as having a rights respecting learning environment?
9. If so, would you say that children's active participation is encouraged within your classroom and/or within the school more generally?
10. If so, how?

11. Does this involve the children being encouraged to stand up for their own rights and the rights of others in the classroom?

12. Have you heard of any of the following documents:

- UDHR

- UNCRC

- UN World Programme for HRE

- UN Declaration on HRE & Training

(2) <u>Establishing why teachers are/are not incorporating HRE into their teaching</u>

1. From where did you get the idea to teach HRE in your classroom

2. Have you received specific guidance at any point about incorporating HRE into your lessons

3. If so, from whom/where?

4. Do you consider the CfE to have been influential in bringing HRE to Scottish classrooms?

5. Which subjects, if any, within the CfE do you think provide the greatest scope for teaching HRE?

6. Do you consider HRE to be included within the themes across learning in the CfE?

7. How much do you feel that these themes across learning within the CfE affect what is actually taught on a day-to-day basis in classrooms?

(3) <u>Identifying the current barriers to HRE in formal education</u>

1. What do you think are the current barriers to the teaching of HRE in primary schools in Scotland?

Teacher Training:

1. Did you receive any HRE training in your initial teacher education?

2. If so, how much training did you receive?

3. What did this training include?

4. Have you received any CPD training in HRE?

5. If so, how much training have you received?

6. Who provided this training?

7. Was it compulsory?

8. Was it provided to all teachers in your school?

9. What was included within this training?

10. Was there anything not included that you felt would have been useful?

11. If you have had no HRE training, are you interested in receiving such training?

12. What would you like to see included in such training?

HRE Materials:

1. Do you use specific HRE materials in your classroom?

2. If so, what sort of materials do you use?

3. From where do you acquire them?

4. Are there any particular materials that you favour?

5. Do you think the materials could be improved in any way?

6. Would you be more inclined to teach HRE in your classroom if you had easy access to a wider range of HRE material?

Curricular Deficiencies:

1. Would you say that the CfE directs you to teach HRE

2. Do you consider HRE to be an obligatory element of the CfE?

3. Do you think HRE *should* be an obligatory element of the curriculum?

Appendix 3 HRE Timeline

1948 - After the atrocities of World War Two, the **Universal Declaration of Human Rights** (UDHR) was drafted by the United Nations in order to ensure that no state power would ever again be able to treat people as less than human.

1950 - The Council of Europe adopted the **European Convention on Human Rights** (ECHR). The UK was the first to sign this treaty in1951.

1989 - The United Nations adopted the **Convention on the Rights of the Child** (UNCRC) which outlines the survival, development, protection and participatory rights of children and young people. This has now been ratified by all but two (USA and Somalia) of the 191 member states of the United Nations. The UK Government signed the Convention on the 19th April 1990 and ratified it in December 1991. It came into force in January 1992. Article 42 of the Convention requires that states publicise the principles within the Convention to children and young people themselves and also to their parents and carers and all those who work with them.

1998- The UK Parliament adopted **The Human Rights Act** which sought to bring 16 of the rights and freedoms of the ECHR into UK domestic law. This came into force in **2000**. The Human Rights Act is enshrined in **The Scotland Act (1998)** which constrains the powers of the Scottish Parliament by preventing it from acting in a manner incompatible with the European Convention on Human Rights. Public bodies are advised to review policies and procedures in line with human rights standards and to develop a human rights culture in schools.

1995 -2004 - The United Nations declared the **Decade for Human Rights.**

2005 – 2009 - As part of the legacy of the U N Decade for Human Rights Education, the General Assembly of the United Nations proclaimed the **World Programme for Human**

Rights Education[77] (UNWPHRE) to advance the implementation of human rights education programmes in all sectors. The first phase (2005 – 2009) focused on human rights education in the primary and secondary school systems. A Plan of Action, developed by a range of practitioners from around the world, for the first phase proposed a concrete strategy and practical ideas for implementing human rights education nationally.

2010 -2014 – Phase 2 of the UNWPHRE focuses on human rights education for higher education and on human rights training programmes for **teachers** and **educators**, civil servants, law enforcement officials and military personnel. Phase Three of the World Programme is currently being planned.

2010 - After several years of consultation and development, the Council of Europe issued the **Charter on Education for Democratic Citizenship and Human Rights Education** which provides a useful reference point for the further promotion of citizenship and human rights education.

2011 – The **UN Declaration on Human Rights Education and Training** was adopted by the General Assembly of the United Nations and invites governments, agencies and non governmental organisations (NGO) to intensify their efforts to promote HRE. The Declaration contains 14 articles and Article 8 makes explicit reference to the World Programme for Human Rights Education, calling on states to take account of this when developing strategies, policies and action plans.

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[77] United Nations High Commissioner for Human Rights *Draft plan of action for the second phase (2010-2014) of the World Programme for Human Rights Education* http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/151/48/PDF/G1015148.pdf?OpenElement

Appendix 4 Terms of Reference

CPD	Continuing Professional Development
CfE	Curriculum for Excellence
EHRC	Equality and Human Rights Commission
HRE	Human Rights Education
IDEAS	International Development Education Associations of Scotland
ITE	Initial Teacher Education
ICESCR	International Covenant on Economic, Social and Cultural Rights
LGBT	Lesbian, Gay, Bisexual and Transgender
NGO	Non Governmental Organisation
OUNHCHR	Office of the United Nations High Commissioner for Human Rights
RME	Religious and Moral Education
RRSA	Rights Respecting School Award (UNICEF)
SCCYP	Scotland's Commissioner for Children and Young People
SEN	Special Educational Needs
SEBD	Social, Emotional, Behavioural Disorders
SHRC	Scottish Human Rights Commission
SMT	Senior Management Team
UDHR	Universal Declaration of Human Rights
UNCRC	United Nations Convention on the Rights of the Child
UNDHRET	United Nations Declaration on Human Rights Education and Training
UNESCO	United Nations Education, Scientific and Cultural Organisation
UNICEF	United Nations Children's Fund
UNWPHRE	United Nations World Programme for Human Rights Education