

PE2106/J: Prohibit mobile phone use in Scottish schools

Petitioner written submission, 15 May 2025

This submission will outline the fact that Scottish schools which currently allow their pupils unrestricted and unsupervised access to their internet-enabled devices (smartphones) during break and lunchtime are in breach of several Child Protection (CP) and Safeguarding (SG) requirements set out under the UN Convention on the Rights of the Child (UNCRC). We will argue that the only way to ensure that these rights be upheld is to restrict access to personal smartphones during the entire school day.

The UNCRC, which, since 2024, all Scottish Schools have a legal duty to uphold under the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, state that parties shall 'take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse...' (Article 19), and that parties shall 'encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being...' (Article 17e). Article 13 also states that the right to 'freedom of expression; includ[ing] freedom to seek, receive and impart information and ideas of all kinds... through any...media' may be restricted 'for... public health or morals'.

The author put out a call for examples of safeguarding breaches at Scottish schools on several parents' groups and received the submissions below. These recent examples are evidence that children are being denied their rights across Scottish schools, due to being around pupils who have unrestricted access to their smartphones. These smartphones are being used to access the unfiltered internet and expose children as young as 12 to harmful content. In the cases below, schools have been negligent in enforcing and upholding children's rights by allowing this harm to occur.

A school in Edinburgh: there have been at least six incidents of S1 pupils viewing and exposing others to violent pornography at school (in the lunch hall or corridors) this year alone (from Jan 2025). This made national news in March 2025.

An academy in Moray: pupils are exposed to a website called 'watch people die' on mobile phones at break time. (Nov 2024)

A high school in Moray: pupils are exposed to inappropriate pictures that are airdropped from pupils' phones onto school ipads (Jan 2025)

A school in West Lothian: a group of boys take indecent pictures of themselves and then share with others in the school during school time (Jan 2025)

A school in Moray: a parent reports that pornography was shown to her young child during school time over a period of time, leading to 'horrific consequences' at home. The school was unable to do anything about it due to the break and lunch policy of unsupervised access to phones. In the end, the child was moved to England to live with family there. (2024) It should be noted that, having been made aware of these breaches in Moray schools, Moray Council have now decided to restrict

smartphones for the entire school day starting in August 2025, the first local authority in Scotland to do so. However, less proactive councils will continue to fail children by failing to update their policies, and this is why guidance from the Scottish Government is needed: to ensure safety and equity in all schools across Scotland.

In the schools above, as in many in Scotland, guidance around responsible use of mobile technology – aiming to manage inappropriate smartphone use as though it were simply a form of bullying – has been in place for many years now. Although some smartphone misuse may be bullying in nature, the above examples include child sexual abuse, mental violence, and children being exposed to material injurious to their well-being, all of which may well be contributing to problems in public health and morals. Waiting for incidents to occur before sanctions and consequences for misuse are implemented means that by the time an incident is reported, if indeed it ever is reported, the harm has already been done. Reactive policies are therefore insufficient to fulfil the CP and SG requirements set out by the UNCRC, which clearly states that children should be ‘protected’ i.e. by using proactive policies.

Furthermore, as harmful content is shown around groups at the lunch table, in a corner or down a corridor, even children whose parents have not allowed them to have a smartphone are at a daily risk of CP and SG failures in their local school. It is difficult to argue that schools who knowingly allow these devices into the building and allow their unrestricted and unsupervised use do not share some liability when incidents occur, and the potential that legal proceedings may be started where children have come to psychological harm on the schools’ watch should be a serious consideration for school leaders and policymakers.

It is sobering to think that none of the incidents above would have taken place in schools with all-day restrictions on internet-enabled personal devices, such as every single school south of the border, and it is quite upsetting therefore to realise that, in the sphere of mental violence and online content, children are safer in English schools than they are with us.

We recognise that the Education Secretary has stated that she lacks the power to unilaterally ban phones in schools, and we respect her position. However, we call on her to oversee that all Scottish schools take seriously their legal obligation to protect children by issuing guidance requiring all schools to restrict smartphone use for the entire school day, and we believe that this is well within her remit and powers.

If we continue to turn a blind eye to these issues that are taking place in our schools, we are also culpable in not protecting the children and young people of this country.

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