

PE2162/A: Prevent strangers from filming or photographing children in public play parks

Scottish Government written submission, 19 May 2025

Does the Scottish Government consider the specific ask of the petition to be practical or achievable?

Current law can be used in addressing this type of behaviour. In response to reports made to Police Scotland in respect of certain incidents occurring, Police Scotland have issued a statement (see [Filming and photography in public places - Police Scotland](#)) noting that they are aware of concerns being shared on social media about filming in and around play parks and that individuals have been charged with alleged offences of breach of the peace in connection with incidents in Paisley and Rutherglen.

The Police Scotland statement notes that people should remind anyone videoing or photographing in public to respect those around them. They note that “Police officers balance the rights of people to film with the potential to cause fear or alarm and make decisions based on individual circumstances.” In addition, Police Scotland indicate that “It is not illegal to take photographs or video footage in public places unless it is for criminal purposes.”

Within this context of how current law operates, it may be possible to create an offence that would criminalise filming children in public play parks in certain circumstances. However, in practice it is not clear what any such offence would provide to the police, prosecutors and courts in terms of powers that they do not already have to address inappropriate filming or photographing of children in public places using the common law offence of breach of the peace or, depending on the facts and circumstances of the specific case, other criminal offences which may cover the behaviour in question.

What, if any, action the Scottish Government is currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask of this petition?

Noting that current law as explained by Police Scotland has been used and will continue to be used where relevant, there are no current specific plans on the part of the Scottish Government on this issue.

Criminal Justice Division