

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

Petitioner written submission, 4 June 2025

The wording of the petition as it stands was restricted by the format of the petition application and the fact that this was Sharon's first time writing a petition.

My involvement included a more detailed explanation and perhaps a more reasonable and achievable outcome for the petition in terms of possible options.

I have enclosed the extended and more detailed explanation of the aims of this petition below for the attention of the Committee.

As Police Scotland has clearly said it is not a criminal offence for complete strangers to photograph or video children in play parks or other public places.

This is a loophole in the law which currently would permit a convicted paedophile to attend a play park and take picture of children to sexually exploit their images.

As it is currently not against the law, Police Scotland have no powers to stop, question, obtain detail or investigate who is taking the images of children or why they are taking images of children. The Police can of course ask questions but there is no legal requirement for the individual to answer any questions or help with any investigation. So, the Police are completely powerless.

For example, yesterday I (The No1seems2care Help Site) received a message from a mother as a strange man was outside her daughter's school videoing children. The Head Teacher sent a communication to parents informing them that they were aware and the Police had been contacted.

This incident clearly breached the peace and caused disruption to those involved. It actually caused fear and alarm to a number of other parents.

However, if the man responsible is traced Police Scotland have a dilemma as even if they can prove this man was videoing children, even if this man admits he was videoing children, there is nothing the Police can do about it as his actions are not against the law. This man would not even be obliged to talk to the Police as no crime has been committed.

Worst case scenario, if this man wanted to harm children or sexually exploit their images, the Police have no way to explore or investigate this man's motivation or intentions.

This doesn't feel right. Indeed this current situation is failing to properly and reasonably protect children.

The current legislation was not designed and has not evolved to consider the fact that most people are now carrying devices (phones) which have video and photography capabilities. In addition, we should consider that the internet sadly

offers more opportunities and networks for images of children to be sexually exploited.

I would respectfully ask Police Scotland if they accept that images of children which have been taken without the permission of parents are being sexually exploited. This would be a good starting point for the basis of this petition.

More detailed explanation of the aims of the petition below:

I have received dozens of messages from parents concerned about strangers taking pictures of their children in play parks and other public areas.

Whilst I fully support the right to take pictures and videos in public places, indeed this right can often be 'best evidence' to protect the public in many different ways - I believe a level of protection should be considered to protect the images of children from being abused and sexually exploited.

It's safe to say that images of children are being taken, shared and exploited for sexual gratification on social media platforms. I say this as I have been involved, in the past, with trying to shut a number of these sick platforms down.

The problem I faced was that these platforms are often set up in different countries and the images don't break the standards of the platform rules. In addition, there will undoubtedly be images being shared privately in paedophile circles and networks.

Police Scotland recently confirmed that it's not a criminal offence to take pictures or videos in public places. It's only an offence if these images are being used for criminal purposes.

However, as it's not an offence to take pictures or videos in public places, the Police by their own admission have no powers to stop and question people, obtain their details or forensically interrogate their phones or other devices.

The Police are currently dependent on the individual answering questions voluntarily and honestly. In other words, if they asked an individual if they took a picture of a child and that individual said "no" there is nothing they can do about it. Indeed, if the individual said "yes", there is still nothing they can do about it.

The question really is what type of individual would knowingly take pictures of children they don't know in public parks and other public areas? What would these images then be used for?

It's important to add context to this and consider the current climate of child sexual exploitation. It's a horrific and sensitive subject that most people are extremely aware of and fully understand.

Given this, I seek to explore what middle ground or options might be available to either -

- Prevent the photography or videoing of children in public play parks, by strangers, and other controlled public places. Either by introducing Government legislation or local authority bylaws.

or

- Conditionally permit photography and videoing in such places as long as reasonable explanations are given and the Police have new powers to question people, secure their details and interrogate their phones or devices if necessary.

or

- Both of the above.

Legislation has to evolve as needed and right now it's needed to protect the images of children from being sexual exploited. It's also needed to reassure the public that their children are safe in such areas.

I would be obliged if you could consider my concerns, which have been echoed by hundreds of people who have commented and shared their experiences on the No1seems2care Facebook platform.