



PUBLIC PETITION NO.

PE01367

Name of petitioner

Andrew Deans MSYP on behalf of Scottish Youth Parliament

Petition title

Ban Mosquito devices now

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to ban the use of the 'Mosquito' and other such devices which emit a loud, unpleasant, high-pitched noise designed to be heard only by those under 25.

Action taken to resolve issues of concern before submitting the petition

This petition originally emerged as a "Member's Motion" presented by Andrew Deans MSYP at a sitting of the Scottish Youth Parliament in March 2010. Andrew passionately described his work to stamp out this discriminatory device and MSYPs agreed with his point of view, 88% supporting his motion.

As well as submission as a petition, the SYP has included the issue within its Picture the Change manifesto consultation, where we are asking thousands of young people for their views. Final results are not yet available, but will be ready in time for the SYP conference in the Scottish Parliament on 29 October 2010.

In 2008, the UN Committee on the Rights of the Child published their concluding observations on Scotland and the UK's implementation on the UN Convention. Their concluding observation on Mosquito devices was:

"The Committee recommends that the State party reconsider the ASBO as well as other measures such as the mosquito device insofar as they may violate the rights of children to freedom of movement and peaceful assembly, the enjoyment of which is essential for the children's development and may only subject to very limited restrictions as enshrined in article 15 of the Convention."

In September 2009, the Scottish Government published its response, 'Do The Right Thing.' In response to the observation it recognised that "the use of mosquito devices can prevent children and young people from enjoying freedom of movement and peaceful assembly. The indiscriminate use of the devices means that all young people are treated as a nuisance, regardless of their behaviour. This is not consistent with our desire to create strong supportive communities where people take responsibility for their own actions and how they effect others." They committed to "consider next steps on the mosquito once examination of issues by officials is complete during summer 2009."

The Scottish Youth Parliament produced a joint response to 'Do The Right Thing' in conjunction with YouthLink Scotland, the national youth work agency, in which we supported an outright ban on mosquito devices.

In 2008, the Scottish Youth Parliament supported the “Buzz Off” campaign, which was a UK-wide campaign for an outright ban on the use of mosquito devices. The campaign was supported by a wide range of young peoples’ and rights organisations including the Children and Young People’s Commissioners for Scotland and England, Liberty, the UK Youth Parliament and the National Youth Agency.

The Scottish Youth Parliament is submitting this petition as the next stage in seeking to secure legislative change.

Petition background information

The ‘Mosquito’ is a device that makes an unpleasant high-pitched noise that only those under 25 can hear. It’s designed to stop groups of young people gathering outside shops and public places.

The use of ‘Mosquitos’, predominantly by shopkeepers, is discriminatory, counter-effective, has health effects and causes severe discomfort, especially to those with autism who find the noise emitted incredibly distressing. It is a form of collective punishment of all young people, which serves only to shift any problems and at the same time alienate young people. Instead, positive solutions, where shopkeepers, the police and young people all work together, should be used to solve loitering problems.

Many of you will have come across them, and those who have will know about it. The mosquito device is an electronic alarm which emits a high frequency sound at a loud noise. So high in fact that it can only be heard by those aged around 25 and under. It is increasingly been used across Britain as a weapon to stop young people gathering, particularly outside shops where the shopkeepers fear that groups of youngsters leave people too intimidated to go into their shop.

Andrew says “I think we can all accept that some people would be scared of a group of teenagers, particularly if they sported the stereotypical hoodies. But what about the mother who walks to the shop with her young children? It is often overlooked that her children, being under 25, will be exposed to this annoying and sometimes painful noise. And the worst part about this situation is that very young children will not even be able to explain to their parents why they are so distressed, and if their parents are too old to hear the mosquito device going off they’ll be none the wiser. And what of the autistic youngster who finds the noise particularly distressing and uncomfortable? They will suffer because of this alarm, even when they have done absolutely nothing wrong.

“But more than that, what about any young person who has done nothing wrong but will still face the discomfort of the mosquito at the shopkeeper’s will? The truth is that these devices and the people who own and deploy them brand all young people as criminals, as pests who don’t deserve to be treated as individuals but instead belong to a group which immediately makes them guilty of some offence. If I haven’t done anything wrong I should not accept that I will have to face this noise because there is a group of youngsters gathering. While it isn’t the shopkeeper’s fault they are there, it’s not my fault either. It’s not the young children’s fault, or the students buying their weekly supply of Super Noodles. What the mosquito device represents is collective punishment, the punishment of all young people for the actions of a small minority.

“And the device is not just annoying; at times it is physical punishment too. People have reported headaches, nausea, tinnitus or even temporary deafness after being exposed to it. Some even argue that it borders on assault, or using a form of violence to solve the problem. It is a travesty that in this day and age something like this exists and is legal.

“If there was a device invented which served the same purpose but could only be heard by black people or women there would be uproar. “It’s racist!” or “it’s sexist!” people would say. So why, when that same device is used against under 25’s, does the government turn a blind eye?”

There is little clarity as to where responsibility for regulation of these devices lies. It is our understanding that local government sees this as a national issue and national government as a local one. As a first step in our campaign, we therefore call on the Scottish Government to provide clarity as to the regulatory responsibility for these devices.

At a UK level, in response to the “Buzz Off” campaign, the UK Government issued a statement in 2008 that they had no plans to ban the device, but it should only be used as a “last resort” (<http://news.bbc.co.uk/1/hi/uk/7241527.stm>). In February 2010 the Home Secretary expanded on this in the House of Commons.

“There is evidence that shows that such devices can be helpful in the circumstances... where people feel that a congregation of rowdy young people is adversely affecting their quality of life. Where other systems to talk to those young people have not worked, those devices can assist the situation. Of course, there are health and safety aspects and the devices have to be used carefully, but I am afraid I am committed to using any device-or rather, devices that do not involve cruel and unusual punishments, but which bring about the improvement in behaviour that we all seek.” (www.theyworkforyou.com/debates/?id=2010-02-08b.618.0&s=natascha+engel#g620.2)

The manufacturers of the mosquito device have suppliers in five EU countries [www.compoundsecurity.co.uk/Europe] as well as in the United States, Canada, Mexico, Israel, New Zealand, Japan and Australia (www.compoundsecurity.co.uk/global). In several of those countries similar concerns have been raised about the use of the device (www.theepochtimes.com/n2/canada/mosquito-high-frequency-repellent-2280.html)

Following testing from the German Federal Institute for Occupational Safety and Health, concerns were raised that the device was not completely safe, with specific reference to small children and infants who cannot leave the area, and the potential effects on young people’s equilibrium, with potential side-effects including dizziness, headaches and nausea. (Translation of original in German www.baua.de/nn_5858/de/Presse/Pressemitteilungen/2007/12/pm079-07.html)

In June 2010, the Parliamentary Assembly of the Council of Europe unanimously recommended that all acoustic devices which discriminate against young people, with particular reference to the mosquito, calling it “highly offensive” and raised concerns that it could breach young people’s human rights. (http://assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=5761)

In June 2008, Belgium’s Parliament strongly recommended that the Federal Government impose a ban on the use and marketing of the mosquito. (<http://assembly.coe.int/Mainf.asp?link=/Documents/WorkingDocs/Doc10/EDOC12186.htm> – see point 14)

In a test case in France, where the device is known as a ‘Beethoven’, a court in Saint-Brieuc ruled use of the device illegal within its jurisdiction and ordered compensation be paid. (Translation of original in French - www.lefigaro.fr/actualites/2008/04/30/01001-20080430ARTFIG00369-la-justice-interdit-le-boitier-anti-jeunes.php)

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01367>

Related information for petition

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NO

How many signatures have you collected so far?

150

Closing date for collecting signatures online

N/A

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