

PE1367/II

David Stewart MSP
Convener
Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

22 January 2013

Dear David,

PE 1367: *Ban Mosquito Devices Now*

Thank you for your letter dated 13 November 2012 regarding Petition PE1367: *Ban Mosquito Devices Now*.

As you know, I share the Committee's concern about the Mosquito 'teen repellent' device at the centre of this petition. I welcome the petitioner's considerable determination in pursuing this matter, and the thorough consideration that was given by the Committee to the issues raised by him over the last two years.

I have considered the evidence put to the Committee, including the Scottish Government's position as stated by the Minister for Community Safety and Legal Affairs during her appearance at the Committee on 30 October. A member of my team has met with the petitioner, yourself and the Scottish Government's lead official on the matter in order to fully understand the various positions on the issue.

Serious issues affecting the rights of children and young people in Scotland have emerged throughout the Committee's consideration of the petition. There appears to me to be a wider problem around children and young people's rights relating to access to public spaces, and what the United Nations Committee on the Rights of the Child has described as a 'climate of intolerance and negative public attitudes towards children, especially adolescents' in the UK (Concluding Observations on the UK state party report on implementation of the UNCRC, 2008). The Mosquito device is one aspect of that wider issue.

In *A RIGHT Blether*, my recent national consultation which attracted 74,059 votes from children and young people across Scotland, concerns about being 'safe and respected' and the need for leisure and play spaces dominated the results in the 'In my Community' voting category (42% and 40% of the vote respectively). In response, I committed to 'promoting respect and challenging prejudice and

negative perceptions of children and young people in society' (See *Final Report: A RIGHT Blether*, on my website).

Work on a project under this *A RIGHT Blether* outcome area to be delivered in 2013-14 is currently being progressed by my office. With further work on a range of issues concerning the rights of children and young people underway or scheduled, there is very limited capacity in my office for new work at the present time.

However, I consider the use of Mosquito devices to be a clear manifestation of a wider issue concerning a lack of respect for children's rights in terms of access to public spaces, and one which children and young people are evidently concerned about. I will therefore commit to including work on the Mosquito device in that context in my work programme. I am not able to lay out in detail the elements this will involve at this point, although I would anticipate this to include: seeking the views of children and young people on the use of Mosquito devices; setting this against the policies and practices with regard to its use; and making recommendations for local and national government and other agencies as to how this issue should be taken forward.

Resource constraints would mean that this work would be commenced towards the end of the financial year 2013-14, continue into 2014-15, and I would be in a position to report on progress to the Public Petitions Committee by mid 2014, if members so wish. I hope that the Committee finds this a constructive way forward.

With apologies for the delay in responding, I trust that this response is of help to the Committee.

Sincerely yours,

Tam Baillie
Scotland's Commissioner for Children and Young People