

PE1367/X

Ms. Anne Peat
Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP



14th November 2011

Dear Ms. Peat,

Petitioner Response to Submissions Received in Relation to Petition PE1367

I welcome the opportunity to respond once again to the latest round of submissions on my petition.

I was pleasantly surprised by the response from the Federation of Small Businesses. They seem to have succeeded where organisations such as the Scottish Retail Consortium and the Scottish Grocers Federation failed in recognising that while anti-social behaviour does adversely affect many businesses in Scotland, the helpful response to this is to work with local police and community groups to alleviate the problem, rather than fighting anti-social behaviour with anti-social behaviour in the form of a Mosquito device. Their assurance that they do not, and do not plan to promote the use of the Mosquito is very welcome.

The conclusion of Action on Hearing Loss Scotland that the Mosquito device is not at a level which will cause damage to hearing is a re-assuring one, although this does not rule out the other reported minor health effects such as headaches. However, the health implications of the devices have never been central to the debate - it is important to remember that the real problem lies not in the physical effects that the Mosquito has on individual young people, but the wider social effects which are inevitable when individuals are allowed to target one group in society for collective punishment and those elected to protect the interests of all of us do not feel it important to stop them.

To this end, the Scottish Government's second letter detailing the meeting officials had with the Home Office gives a much fuller account of what happened, and I am grateful for this if still utterly bemused by the lack of interest the UK Government appear to have shown in the subject.

Most of all I am delighted to get a chance to respond to the submission from Compound Security Systems, the manufacturer of the device. The submission itself

left me frustrated and puzzled in equal measure - frustrated because CSS continue to wave away any arguments about equality or discrimination with vague references to people who “pay taxes” and the amount of money they are saving the police despite the police’s lack of support, and puzzled at what appears to be almost a sense of pride at or at the very least an indifference to the opposition of human rights groups, children’s commissioners and the police to the product they produce.

It is interesting that in the same sentence as accepting that the Mosquito is not a solution to teen anti-social behaviour, CSS note the state’s inability to tackle anti-social behaviour. They also refer to “societal changes” which would have to occur before the Mosquito was unnecessary. I wonder whether it is more likely that as a society we will learn not to act anti-socially towards one another if we work together to solve problems or if we just blast noise at each other until somebody gives in and goes home? The Mosquito device would not feature in the society we all long for - moreover, every time a device is used it takes us further and further away from that society by alienating young people, by creating a “them and us” situation that need not exist, and by undermining the role of the police and the community in maintaining order.

The device is described as “non-confrontational” and “benign”. I have my doubts that anything designed to be so annoying to one particular group in society and which puts extremely vulnerable citizens in babies and young children at risk should be labelled benign. But perhaps more intriguing is the use of “non-confrontational” as a great positive for the Mosquito. What that actually means is that when a Mosquito device is used nobody has to talk to one another. Shopkeepers don’t have to talk to the police; the police don’t have to talk to young people; young people don’t have to, or don’t get the chance to, talk to anyone in their community about why they are behaving the way they are.

One of the most frustrating points in the submission was that having recognised that most police forces would rather people did not use the Mosquito device and instead let them do their job in handling the situation, CSS still take it upon themselves to herald how much money they are saving the police by moving the groups on without their help. The fact is that the police would much rather spend that money dealing with the problem properly in a manner which encourages some sort of dialogue than private individuals took matters into their own hands and started assaulting young people with high-frequency sounds. How CSS can honestly still believe they are doing the police a favour is beyond me.

The language used in the submission is a fantastic display of why CSS find it so easy to justify what they do. They refer to “antagonistic and troublesome kids”. You would be forgiven for thinking that they were talking about some group in society

who didn't deserve all the rights that the other citizens have. It is plainly obvious that CSS do not view children and young people as citizens who have as much right as anybody else to be protected from discrimination and persecution.

I am not entirely sure whether CSS misunderstood the questions about a device which targeted ethnic minorities, but I will give them the benefit of the doubt in assuming that they did because otherwise their answer would be outrageous. I have a suspicion that what they thought was being suggested was just a device which targeted an ethnic minority constantly, and not one which performed the same function as the Mosquito but just against another group in society. Even so, I have little doubt that they would be as shocked as the rest of us if a new device came onto the market that shopkeepers could use to move on disruptive groups of black people. By installing such a device we would say that people were unfairly making the assumption that black people will cause trouble. This is absolutely no different to what the Mosquito does with young people.

However, the truly outstanding answer of the submission is the one given to the next question; "Who supports their continued use and who opposes?" In addressing the question "who opposes?", CSS assert "that is easy. Liberty, the Human Rights group and the Children's commissioners etc.". It does not seem to be of any consequence to them that human rights groups and the people who are supposed to protect the rights of children and young people are the ones who are against the Mosquito device. To be so casual in dismissing this opposition demonstrates clearly the total lack of concern within this company about the treatment of young people and about their position as equal citizens and valuable members of society.

It is bizarre that governments seem unwilling to listen to their commissioners for children and young people and to act on this issue. The Scottish Government have shifted their position since this petition was first raised, but it is simply not enough. Scotland's young people rightly expect that their government should stand up for their rights, and protect their status as equal citizens. The Mosquito debate is hugely symbolic - it is about the Scottish Government taking a stand against the outdated belief that young people can be mistreated and discriminated against. If it wouldn't be allowed against any other group, it shouldn't be allowed against us. I still feel that the Scottish Government are reluctant to fully back this petition. It is crucial that they recognise the importance of standing by young people, and assure us that they will do everything within their power to rid Scotland of the Mosquito device.

Yours sincerely,

Andrew Deans MSYP