

**Decision Session - Cabinet Member for Crime  
and Community Safety**

**20th December  
2012**

Report of the Assistant Director – Housing & Community Safety

**Use of the Mosquito Device to Tackle Anti-social Behaviour**

**Summary**

1. This report sets out the history of the use of mosquito devices in York to tackle anti-social behaviour involving large gatherings of young people. It asks the Cabinet Member to consider the implications of the use of such devices and recommends the banning of such devices from use on council owned property.

**Background**

2. The mosquito is an electronic device, which emits a high frequency sound to deter loitering by young people. The newest version of the device, launched in 2008, has two frequency settings, one of approximately 17.4 kHz that can generally be heard only by young people and another at 8 kHz that can be heard by most people. The maximum potential output sound pressure level is stated by the manufacturer to be 108 decibels. The sound at the higher frequency level can typically only be heard by people below the age of 25 years of age, as the ability to hear high frequencies deteriorates in humans with age.
3. The device is marketed as a safety and security tool for preventing youths from congregating in specific areas. As such, it is promoted to reduce anti-social behaviour such as loitering, graffiti, vandalism, drug use and violence.
4. The mosquito was invented by Howard Stapleton in 2005 and originally tested in Barry, South Wales, where it was successful in reducing teenage groups loitering near a grocery store.

The device was released to the mainstream market in 2006 and in the UK, over 3,000 have been sold, mainly for use outside shops and near transport hubs.

5. In February 2008, a national campaign was launched by the Children's Commissioner for England, Liberty and the National Youth Agency asking for the mosquito to be banned. A UK campaign called "Buzz Off" led by Shami Chakrabarti, director of Liberty, claimed that the sound is "untested and unregulated" and that it can be a "sonic weapon directed against children and young people." The Children's Commissioner for England criticised the device for indiscriminately targeting all children and babies regardless of their behaviour. Furthermore, the device was singled out for criticism in a joint report by children's commissioners for all parts of the UK which formed part of a United Nations review of standards in the UK. A report for the Council of Europe called for a ban in 2010, suggesting use of the Mosquito may breach human rights law.
6. The Mosquito has received support and endorsements from municipalities, school districts, property management companies, convenience stores and other organisations. Both the Association of Convenience Stores and the British Retail Consortium support the use of the device stating that where their members suffer anti-social and violent behaviour by groups of young people, they are '*entitled to discourage threatening groups from hanging around or in their shops*'.
7. Research into the potential health damage caused by exposure to the device has been inconclusive leading to the Government issuing a statement stating that "Mosquito alarms are not banned and the government has no plans to ban them."
8. In January 2011, the device was banned on all Council and Partnership buildings in Sheffield following a successful campaign led by the then Member of the UK Youth Parliament for Sheffield, Harrison Carter. Sheffield is the largest city in the country with such a ban in place. The approach taken by Sheffield in banning the use of the devices was recognised by the UK Government in their Positive for Youth document, published by the Department for Education in January 2012. This government document acts to set out a new approach to cross government policy for young people aged 13-19.

Although mentioned in the document, a national ban of the mosquito device is not currently in the Coalition Agreement, or part of current Government policy.

9. The use of mosquito devices was initially encouraged by the Anti-Social Behaviour Unit within the Home Office as a mechanism for dispersing groups of young people engaged in anti-social behaviour, mainly outside shops. In 2006, Safer York Partnership financially supported the installation of mosquito devices in New Earswick and Blossom Street. However, following the legal challenges in 2008 elsewhere in the UK, these devices were removed. It is not known how many devices have been installed by individual retailers within the city.

### **Consultation**

10. Consultation on the use of the mosquito took place within Safer York Partnership in 2008 when the first legal challenge was made. It was decided that whilst medical evidence of damage caused by the device was inconclusive, it was without doubt that the use of such devices did impact on all young people and not just those engaged in anti-social and/or criminal behaviour.
11. Since 2008, Safer York Partnership has not been contacted in relation to the deployment of mosquito devices within the city. However, in August 2012, a thirteen year old resident of York emailed the Leader of the Council to complain about the use of a device on her route to school.

### **Options**

12. Cabinet are asked to consider the following options:
13. Option 1: Maintain the status quo
14. Option 2: Ban the use of the Mosquito in York
15. Option 3: Ban the use of the mosquito from any Council property and encourage partners and traders to remove them from other building within the city

## Analysis

16. **Option 1: Maintain the Status Quo** - The Council does not currently have a policy on use of the Mosquito. Since the initial installation of devices in the city in 2006, the recent challenge is the only formal complaint that has been made about the use of the Mosquito. Safer York Partnership have already acknowledged in 2008 that the mosquito device was under national scrutiny in relation to the potential harm it may cause to young people and took the decision to remove those which were deployed by the partnership. By not taking any further action could give the impression that City of York Council endorses the use of such devices.
17. **Option 2: Ban the use of the mosquito in York** - Because of the nature of the device, i.e. it is only generally audible to those under the age of 25, it is extremely difficult to identify where Mosquito's have been deployed unless brought to the attention of the Council or Safer York Partnership by a young person
18. At present, there is no intention by the Government to place a blanket ban on the use of the mosquito therefore it would be difficult to impose an outright ban on the use of these devices on private property
- 19 **Option 3: Ban the use of the mosquito from any Council property and encourage partners and traders to remove them from other building within the city** - Until such time as a national ban is put in place by the Government, City of York Council could adopt the approach taken in Sheffield, to ban the use of the devices on any Council and encourage partners and traders to remove them from other building within the city.
20. By placing a ban on the use of these devices on council property, it sends a strong message that City of York Council does not consider the use of the mosquito as a proportionate means of tackling youth related anti-social behaviour. The council has a strong track record of working with the police and community to tackle issues of anti-social behaviour and is able to address issues in a way that impact just on those who are offending. It is hoped that the publicising of such a ban would discourage private property owners from deploying the devices and also encourage young

people to alert the authority to other locations where mosquito devices are in use.

## **Council Plan**

21. The proposal relates to the Building Strong Communities section of the Council Plan 2011-15. City of York Council plays a key role in the work of Safer York Partnership to engage residents in tackling anti-social behaviour. This includes the involvement of young people and the development of interventions which do not impact negatively on those who are not engaged in criminal behaviour. In addition, the Council Plan seeks to create communities where young people flourish and this includes encouraging them to play a part in the policy which impacts on them.

## **Implications**

22. The implications arising directly from this report are:
  - **Financial:** There are no financial implications
  - **Human Resources (HR):** There are no human resources implications
  - **Equalities:** The proposal impacts positively on equalities in relation to young people within the city. It is supportive of the Council's equalities policy.
  - **Legal:** It could be argued that the use of these devices given that their impact can not be isolated to those perpetrators of criminal activity could be construed as contravening the humans rights of innocent young people.
  - **Crime and Disorder:** The proposal relates to tackling anti-social behaviour, which is in the remit of the council and Safer York Partnership. Safer York Partnership endorses the proposal set out in this paper.
  - **Information Technology (IT):** There are no IT implications
  - **Property:** The decision to ban the use of the mosquito on Council property must be communicated widely within the Council.

## **Risk Management**

23. Whilst there has only been one formal complaint regarding the deployment of a mosquito device in York, there is much evidence to suggest that its use is widely regarded as disproportionate in tackling youth related anti-social behaviour. The nature of the device is such that it cannot be isolated to impact only on perpetrators of criminal activity and without a doubt could be construed as contravening the human rights of innocent young people. If City of York Council does not declare a position in relation to the use of the mosquito, it could be construed as endorsing its use, leaving the council open to further complaints from young people in the future.

## **Recommendations**

24. The Cabinet Member is asked to:

- Approve Option 3 to ban the use of the mosquito from any Council property and encourage partners and traders to remove them from other building within the city

Reason: To ensure the council demonstrates the its commitment to human rights and a proportionate approach to tackling anti-social behaviour that does not stigmatise all young people.

## Contact Details

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Report  
Approved

Date 14<sup>th</sup> Dec 12

Specialist Implications Officer(s) None applicable

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report