



April 18, 2012

Vancouver School Board  
School District #39  
1580 West Broadway  
Vancouver, BC, Canada V6J 5K8

VIA FAX: c/o Superintendent of Schools, 604-713-5412

Dear Sirs/Mesdames:

**RE: The Mosquito device and the human rights of children**

Our office has been advised that 33 Mosquito devices have been installed on Vancouver school property across the city, at 19 different sites. The Mosquito is a device that emits a high frequency sound wave designed to cause discomfort to youth, but to be inaudible to adults. They are most frequently used to deter youth presence at areas where youth are deemed undesirable, usually by adults. We are not aware of this technology being used by the school board to deter adults, although sound frequencies that would deter all people equally are available.

In 2010, the Parliamentary Assembly of the European Union considered the human rights implications of the Mosquito device, and concluded that it violated the rights of children. Their Committee on Culture, Science and Education recommended a ban on the device across the EU.

**Key findings of the report included:**

- The noise produced by the device is “extremely irritating and often even painful to a majority of minors;”
- In the majority of cases, as we note was the case at Vancouver schools, “no prior warnings or information concerning the installation of these acoustic devices in a specific place are given;”
- The device causes harm to pre-verbal babies and small children against which parents are unable to protect: “They [babies and infants] often cry or shout out and cover their ears, to the surprise of their parents, who, unaware of the noise, do not know why;”
- The device discriminates against youth by permitting adults free assembly and access to a site, but prohibiting the same rights of access to children;
- The device impacts the rights of youth to peaceful assembly by functionally prohibiting their assembly, not the problematic behaviours; and,
- The devices “contravene the United Nations Convention on the Rights of the Child, in particular regarding health and safety...”

and which places an obligation on government actors to take all appropriate “measures to protect the child from all forms of physical or mental violence, injury or abuse.”

We congratulate you on taking prompt action to shut down the 33 devices which had already been implemented without, we understand, your approval. We recognize, as we hope you do, the profound irony of a child-centred government institution like a school board engaging in active violations of the UN Convention on the Rights of the Child.

However, we are concerned that you have not immediately ordered the removal and disposal of these rights-violative devices. If a teacher were causing deliberate physical pain and discomfort to children to punish them, that teacher would be removed from duty immediately and fired. AS a result, we cannot understand why Vancouver’s school board would not immediately remove from service, permanently, a device implemented for the express purpose of achieving that same result.

We look forward to you removing these devices immediately. Corporal punishment against children by school officials has been illegal in Canada for some time now. Even worse, these devices represent physical harm against children for no purpose; assuming that youth with too much spare time are, in fact, causing the property damage that resulted in these devices being installed in the first place, all these devices do is displace those youth to another location. The devices do not solve the problem.

We also encourage you to investigate how this technology was deployed in our schools on such a large scale without any policy discussion taking place, to our knowledge, at the school board level. We imagine that new technologies like surveillance cameras, breathalyzers, drug sniffing dogs, metal detectors, and mosquitos are regularly being promoted to individual school administrators. We’re counting on you to put in place strong measures to ensure that these regressive and rights violative technologies and services are avoided. At the very least, any proposals to install or maintain them should come before the School Board for public discussion and debate. After the fact realization that schools have deployed new technologies against our children is simply unacceptable.

Yours truly,



Robert Holmes, QC  
*President*