



HERTFORDSHIRE

CONSTABULARY

Procedure Title: Deployment Guidance for the use of ultra sonic youth dispersal unit “Mosquito”

Procedure Number: P60100_1

Procedure Status	Revises Version 1.4
Owning Department	Community Safety and Crime Reduction Department
Associated Force Policy	Deployment for the use of ultra sonic youth dispersal unit “Mosquito” (P60100)
Last Review	Not Applicable
Next Review Due	October 2009
Procedure Objective	To provide guidance to all Constabulary staff and partners who intend deploying Mosquito type devices as a tactical tool in dealing with youth anti social behaviour.

Ratified By: Strategic Management Board

Ratified Date: 2nd October 2008

Version Number: 1.5

1. Background / Introduction

Purpose

- (1) Hertfordshire Constabulary is committed to tackling the causes and affect that Anti Social Behaviour has on the day to day quality of life of our communities. We will do everything within our power to address this behaviour, including utilising new technology. We will work with our partners to tackle such behaviour in a holistic way, utilising and building upon the good multi agency working practices that already exist.
- (2) The purpose of this guidance is to ensure a consistent approach to the deployment of the Ultra Sonic Youth Dispersal Unit "Mosquito" across each district. The guidance incorporates the latest legal guidance and pays due cognisance to the experience of those district councils that have already deployed "Mosquito" units. It should be read in conjunction with the attached deployment procedure which details how each unit **Must** be used once the Responsible Authorities Group (RAG) have sanctioned its use.

Background

- (3) The ultra sonic youth dispersal unit "Mosquito" has been in use for a number of years and has been deployed with varying degrees of success within the Hertfordshire Constabulary area within the last two years. The device operates by emitting a sonic radio wave which is only heard by people below the age of 25 years of age. It is a useful tool for dealing with incidents of Anti Social Behaviour committed by young people and its use within the force was agreed at Chief Officer meeting on 17th April 2007.
- (4) The device has proven ability in dispersing groups of young people, but some concerns still remain around its ability to deal with anti social behaviour in its entirety. To that end the device should never be used as a stand alone tool. It is more suited to use as a supporting tool in conjunction with a Section 30 Dispersal order or as part of a holistic response to areas suffering from Anti social behaviour.
- (5) The deployment or consideration of deployment, of a "Mosquito", should be firmly embedded within the Constabulary's approach to Problem Orientated Policing (POP). A TAPS database entry is required for each deployment, this should ensure that due consideration is given to resolving the anti social behaviour in its entirety and not merely the dispersal of youths which results in the displacement of the problem to another area.
- (6) It should always be remembered that the Mosquito device is an indiscriminate tool that will affect not only those people under 25 years of age who are acting in an anti social manner; it will also affect all those under 25 years of age who are in the area. This may include local residents and all those who have a lawful and legitimate reason for their presence in the area at that time. It will remain of paramount importance to balance both the needs of the communities affected and the impact on law abiding citizens when considering the deployment of the Mosquito device.
- (7) Under no circumstances should the device be deployed within 25 metres of an area designated for use by Young people. It may also be unsuitable for use in communal areas utilised by large sections of the community such as shops and other legitimate meeting places or social facilities. Where such areas are considered desirable deployment sites, a greater degree of information/intelligence should be available to justify such intrusion.

2. Roles and Responsibilities

- (1) **Hertfordshire Constabulary** will continue to collate information/intelligence surrounding anti social behaviour. Prepare Tasking and coordination documents and deploy resources where appropriate.
- (2) In conjunction with partners through RAG (or through any group with devolved authority from RAG), it will contribute to the decision making process for the deployment of a “Mosquito” unit.
- (3) The Constabulary will maintain a Tasking and problem solving (TAPS) entry for all requests to deploy “Mosquito” units within the County to ensure holistic responses to anti social behaviour are evidenced.
- (4) **Other organisations** will continue to collate information/intelligence surrounding anti social behaviour and share this at appropriate forums. In conjunction with partners at RAG, they will contribute to the decision making process for the deployment of a “Mosquito” unit.
- (5) Other organisations will purchase maintain and install any device, retaining responsibility for any financial outlay unless agreed otherwise at RAG level.

3. Procedure Details

Problem Orientated Policing

Scanning

- (1) The deployment of “Mosquito” devices should always be considered with our partner agencies and be authorised for use at RAG level. A thorough analysis of all parties data should be used to inform any decision to deploy the device. In order to show that the deployment was both necessary and proportionate, a period not in excess of 3 Months should be used to assess the necessity to use the device. It will be important to show that there has been a sustained problem during that time which has led to the local populace suffering harassment alarm and distress. In bringing together this data, it may be useful to include:
 - (i) Calls from the public reporting anti social behaviour
 - (ii) Crime records of criminal damage
 - (iii) Violent crime
 - (iv) Alcohol or drug related crime/activity
 - (v) Incidents of deliberate fires
 - (vi) IMS
- (2) Those completing the scanning phase should always have regard to the possibility of future litigation from people affected by the “Mosquito” who are not behaving in an anti social manner. The information used should therefore, withstand scrutiny and be capable of supporting a defensible decision.

Analysis

- (3) The analysis of all data as listed above should identify whether the reported behaviour warrants further action. Every decision should be recorded and justified on a TAPS submission, which will be retained as part of the database. A time limit not in excess of 3 months should be used to evidence that the problem is a current and sustained problem requiring policing activity.

- (4) Regard should be given to previous activity to address the anti social behaviour; where this has been unsuccessful this should be identified recorded and used as supporting evidence for the use of the device.

Response

- (5) If the Scanning and Analysis phases support the use of the device, this should then be authorised at the next RAG meeting or in exceptional cases by contacting the responsible persons from each agency.
- (6) It will be necessary at this stage to have a response plan that fully addresses how the deployment of the device will be monitored and what steps have been put in place to ensure the dispersal does not negatively impact on other localities by displacing the problem.
- (7) The response phase should consider using colleagues from the local Youth service and other local groups, both voluntary and statutory. It should where practicable look to address the needs of those young people for future provision of services. This is particularly important where it has been identified that lack of facilities have played a part in the young people's behaviour.
- (8) The response phase should clearly state how it will monitor the impact of displacement from the affected area to another. This is particularly important for those considering the device as a future deployment tool, as it will allow them to make informed decisions on the tools effectiveness.
- (9) It will be important that, any young people found in the areas who are behaving in an anti social manner are recorded on the stops database, or if they are arrested, that this information is submitted to IMS. This will allow greater analysis at the end of the devices deployment, and will help facilitate the use of ABC's on those young people suitable for such contracts.
- (10) Any deployment of a device should be notified to the Youth team of the Community Safety and Crime Reduction Department. To allow collation of effective tactics in dealing with anti social behaviour.

Analysis

- (11) It will be important at the end of any device deployment to accurately collate all the information relating to the following:
- (i) The number of times the device was activated.
 - (ii) The number of stops forms submitted during the deployment.
 - (iii) The number of arrests made in the area that is connected to anti social behaviour.
 - (iv) The number of calls received about anti social behaviour.
 - (v) The number of deliberate fires
 - (vi) The communities' satisfaction with Police activity, this should include young people's views.
- (12) This is not an exhaustive list.
- (13) It should be remembered that the recorded success can later be used to support the decision to use the device should litigation become an issue.

Crime and Disorder Reduction Partnerships' Mosquito Procedure

Introduction

- (14) The "mosquito" device ("the device") generates a high frequency sound audible only to young people. When activated the device has an effective range of between 15 and 20 metres ("the effective zone"). Young people within this range become aware of the sound generated and will usually move out of the effective zone within a few minutes.
- (15) This Procedure is to regulate the Crime and Disorder Reduction Partnership's ("the Partnership") deployment and use of the device.

Purpose

- (16) The device will be used to prevent anti-social behaviour by dispersing groups of young people from areas with a history of persistent anti-social behaviour.
- (17) Persistent anti-social behaviour will usually be anti-social behaviour that has occurred regularly over a 3 month period.

Assessment and Fitting

- (18) Once a member of the Partnership has identified an area that may benefit from the deployment of the device that member shall cause an appropriate person to conduct a risk assessment in relation to that deployment.
- (19) That risk assessment must ensure that:
- (i) There is a suitable location for the device to be deployed. (The device must be attached to a building, at least 3 metres from the floor, and protected by a mesh guard or some other similar means).
 - (ii) The device must not be located within 25 metres of either domestic premises and/or recreational areas designed for use by teenagers and/or children e.g. playgrounds and parks.
 - (iii) The owner of the building to which the device will be attached consents (such consent to be recorded in writing - [Appendix A](#)).
 - (iv) There has been reasonable consultation with other persons or premises in the vicinity likely to be affected.
 - (v) An appropriate operator of the device is identified ("the operator").
 - (vi) The operator has a practical method for monitoring the location in which the device is to be deployed e.g. CCTV coverage, clear view of the area, point of contact for local residents etc.
 - (vii) The appropriate noise pollution control officer ("the noise pollution officer") has been advised of the planned deployment.

- (20) In carrying out the risk assessment the assessor must also have regard to:
- (i) The time of day during which the device may be used.
 - (ii) The acoustic environment.
 - (iii) The duration of any activation.
 - (iv) The power of the device.
 - (v) The likely degree of collateral intrusion e.g. upon bus stops / seating areas, premises used by young people nearby such as a youth club or residences nearby.
 - (vi) Whether the frequency of the device's use should be subject to a limit.
 - (vii) Whether the area is one from which persons can easily disperse.
 - (viii) The likely impact on surrounding areas.
 - (ix) Whether notices should be erected advising of the device's presence.
- (21) The risk assessment's conclusions must be recorded and may include suggested conditions in relation to the use of the device.
- (22) Once the risk assessment has been prepared the Partnership will consider whether the area is subject to persistent anti-social behaviour by reference to incidents recorded in the police logs and local complaints, and any other relevant evidence.
- (23) If the Partnership concludes that an area has a history of persistent anti-social behaviour the Partnership will then consider whether the area would benefit from the device's deployment. Consideration will be given to the risk assessment, the 4 stage problem solving model and any other practical methods that may be used either on their own or in conjunction with the device, and the likely impact of the device upon the area.
- (24) The device shall only be used in the area if the members of the Partnership unanimously conclude that the area:
- (i) Has been the subject of persistent anti-social behaviour within the last 3 months, and
 - (ii) Is likely to benefit from the device's deployment.
- (25) Where the Partnership decides to deploy the device this decision must be recorded, together with the Partnership's reasons and the evidence provided to it. The Partnership will also consider whether to impose additional conditions upon the operator.
- (26) The Partnership shall appoint a suitably qualified and equipped person to fit the device to the approved premises.
- (27) The noise pollution officer shall be given the opportunity to evaluate the device upon installation.
- Use of the device**
- (28) The operator must agree to use the device in accordance with this procedure, (this agreement must be recorded in writing, [Appendix B](#)) and any additional conditions that the Partnership imposes.

(29) The operator may only activate the device when:

- (i) A group of 3 or more youths have gathered within the effective zone, and
- (ii) They are behaving in an anti-social manner, *as defined by the Crime and Disorder Act 1998*, and
- (iii) Other persons are likely to suffer nuisance, alarm, harassment or distress as a result of their behaviour *as defined by the Crime and Disorder Act 1998*, and
- (iv) The gravity of the anti-social behaviour is such as to warrant dispersal, measuring the gravity of anti social behaviour is subjective and will depend on variables such as the individuals involved, the environment and the nature of the behaviour etc, and
- (v) Other reasonable methods to move youths have either been tried or are inappropriate in all the circumstances.

Information is deemed exempt by virtue of Section 31 Law Enforcement.

Intentionally deleted.



(31) The operator must record every occasion on which the device is activated and the reasons for the activation in an operational log.

4. Monitoring and Review

Continued Deployment

- (1) The Partnership will review the continued deployment of the device at least every 3 months. At each review consideration shall be given to any evaluation forms received during that period (such forms should be as set out at [Appendix C](#)) and the operational log.
- (2) Any misuse of the device by the operator may lead to its immediate removal and/or the withdrawal of that operator's authority to activate the device.
- (3) Over use of this device may decrease the effectiveness of it in the area.
- (4) It should be noted that the device might not always resolve the problem in the circumstances, and the effect may result in displacement. Installation of the device should always be accompanied by a process for monitoring and evaluation.

Public Complaints

In the event of complaints being made to the Constabulary around the use of the mosquito the complaint will be dealt with in the normal way and unless related to the conduct of specific individuals the complaint will fall under the heading of Direction and Control and the associated policy and Procedure with Regard to Receiving, Handling and Investigation of Complaints and Misconduct Issues.

5. Document Control

Date	Version	Summary of changes
02.10.08	1.5	Current