

Public Health,
including Electromagnetic Hypersensitivity (EHS),
and
the responsibilities of
Local Authorities,
National Parks,
Public Health England (PHE),
Health and Safety Executive (HSE)
and
the Secretary of State for Health and Social Care

*"Local Authorities are responsible for improving public health,
which includes electromagnetic hygiene,
despite the inconsistency of NPPF § 46.
The UK government's current advice is still based only on six-minutes heating effects
and not on long-term cancer and other established harm."*

Health harm from low-level electromagnetic (EM) exposure:

This has been established since the 1930s, with extensive research in Poland, the USA and the USSR in the 1960s, although it is still denied by the UK government and some parts of the wireless industry. The majority scientific viewpoint in the west has accepted low-level EM exposure as harmful for over a decade.

[International EMF Scientist Appeal](#)

Two different sets of international EM Guidelines:

A. Long-term, all biological effects

International biological guidelines, such as [IGNIR](#), [Bioinitiative 2012](#) or [EUROPAEM EMF Guidelines 2016](#), protect against:

- (a) long-term health effects above six minutes,
- (b) low-level effects, including cancer, neurological and cardiovascular harm, and infertility,
- (c) short-term health effects,
- (d) heating effects.

B. Six minutes, only heating effects

At present (2018) the UK government still bases its advice for the safety of electromagnetic exposure on the 1998 ICNIRP guidelines. These ICNIRP guidelines protect against only:

- (a) short-term health effects limited to six minutes' exposure,
- (b) heating effects, and not cancer, neurological and cardiovascular harm, and infertility.

These ICNIRP heating guidelines (B above) were condemned as 'obsolete' by the [European Parliament](#) in 2011. The ICNIRP guidelines derive from Schwan's mistaken hypothesis of 1953, that the only EM danger is a rise in body temperature of one degree

in six minutes. However, this temperature rise is also possible from exercise but without the established risks of cancer, neurological and cardiovascular harm, and infertility from low-level EM exposure. The [ICNIRP](#) also accepts the need for long-term guidelines, in addition to its short-term 6-minute guidelines. The UK government should be giving public health advice based, not on ICNIRP's 1998 short-term guidelines, but on long-term guidelines, e.g. [IGNIR](#), [Bioinitiative 2012](#) or [EUROPAEM EMF Guidelines 2016](#).

Local Authorities' responsibility for improving public health:

- Since 1 April 2013 Local Authorities have had a key new duty: the responsibility for improving public health. This change came under the [Health and Social Care Act 2012](#), which amended the [National Health Service Act 2006](#). Local Authorities must take appropriate steps to improve public health, through an elected cabinet member supported by a director of public health.
- The Secretary of State continues to have overall responsibility for improving health, with national public health functions delegated to Public Health England (PHE).
- PHE provides a [Public Health Outcomes Framework](#) (PHOF) for some indicators of the Local Authority's protection against a few public health hazards.

Sarah Heath: "[Local authorities' public health responsibilities \(England\) Standard](#)" House of Commons Library: Health Section Social Policy Section; Note: SN06844, March 13 2014

National Planning Policy Framework (NPPF) § 46 is inconsistent with Local Authorities' responsibility for improving public health:

- A Core Principle of [National Planning Policy Framework 2012](#) (NPPF) requires Local planning authorities to "support local strategies to improve health" (§ 17) and "to prevent unacceptable risks from pollution" (§ 120).
- However, the NPPF 2012 also prohibits Local Authorities from determining "health safeguards if the proposal meets International Commission guidelines for public exposure" (§ 46), although the 1998 ICNIRP limits prevent only a rise in body temperature of one degree in six minutes (which is also possible from exercise), and not established long-term effects, like cancer, neurological and cardiovascular harm, and infertility. These ICNIRP heating limits were condemned as 'obsolete' by the [European Parliament](#) in 2011. Planners need international long-term limits like [IGNIR](#), [Bioinitiative 2012](#) or [EUROPAEM EMF Guidelines 2016](#).

Secretary of State and HSE's core duty for health protection:

- The Secretary of State will have the core duty to protect the population's health.
- However, the Government sees local authorities having a critical role at the local level in ensuring that all the relevant organisations locally are putting plans in place to protect the population against the range of threats and hazards.

["Public Health in Local Government: The new public health role of local authorities"](#)
(Department of Health, October 2012, Gateway reference: 17876)

Radiation: the Secretary of State's duty as to protection of public health:

- Subsection (4) applies in relation to any function under this section which relates to: (a) the protection of the public from ionising or non-ionising radiation, and (b) a matter in respect of which the Health and Safety Executive (HSE) has a function. (4) In exercising the function, the Secretary of State must: (a) consult the Health and Safety Executive and (b) have regard to its policies." ([Health and Social Care Act 2012](#))

HSE: [A guide to the Control of Electromagnetic Fields at Work](#)

HSE: [The Control of Electromagnetic Fields at Work Regulations 2016 - HSE](#)

Environment Act 1995: “national parks should conserve and enhance wildlife”

Under the Environment Act 1995, national parks in England and Wales have as their first purpose: “Conserve and enhance the natural beauty, wildlife and cultural heritage”.

[Environment Act 1995](#).

An agreement running from July 1 2018 with the UK mobile industry trade body Mobile UK to assist the deployment of mobile network infrastructure appears to be in contravention with their first aim if it is based on ICNIRP’s six-minute heating limit and not long-term effects which are clearly the ones relevant to wildlife and local fauna.

Local authority action on nuisances and environmental pollution:

“If you are not able to resolve a nuisance problem yourself, contact your local authority Environmental Health Department. They must investigate your complaint, and you should ask for details about how they will do this. They must take action on your behalf if they believe a statutory nuisance is occurring, or likely to occur or recur. Section 79 of the Environmental Protection Act says they must take “such steps as are reasonably practicable” to investigate your complaint. If the nuisance continues, an Environmental Health Officer (EHO) or Technical Officer may well visit.”

[Environmental Protection UK](#) (National charity on air, land and noise pollution)

“Pollution of the environment” means pollution of the environment due to the release (into the environmental medium) from any process of substances which are capable of causing harm to man or any other living organisms supported by the environment”

[Environmental Protection Act 1990](#)

WHO’s IARC: EM exposure is a 2B human carcinogen; experts say it should be reclassified as class 1

Since 2001 and 2011 both ELF and RF EM exposure has been classified by the WHO’s IARC as a class 2B possible human carcinogen. Leading international experts, including IARC advisers, now say that further human and animal evidence requires that it should be reclassified as a class 1 certain human carcinogen. This includes EM exposures from Wifi, mobile phones, 5G and mobile phone masts.

In addition it has been established for many decades that low-level EM exposure can cause neurological harm, including electromagnetic hypersensitivity (EHS), cardiovascular harm and infertility.

- [ES-UK Selected Studies on Electrosensitivity \(ES\) and Electromagnetic hypersensitivity \(EHS\)](#)
- [IARC Classifies radiofrequency electromagnetic fields as possibly carcinogenic to humans](#)
- Geoffrey Lean: [“As more countries ban iPads and mobile phones from the classroom, could wifi be giving our children cancer?”](#) (Daily Mail, June 22 2018)
- Pall ML: “Wi-Fi is an important threat to human health” Environ Res. (2018) [Environ Res. Article](#).

Safeguarding children in schools and at home:

Schools and parents have a responsibility for the safeguarding of all the children for whom they are responsible, both at school and at home. This includes safeguarding them against any EM exposures above international long-term guidelines. Moderate EHS affects 3.1-3.8% of people; in comparison, nut allergies affect 1.1-1.6% of children.

Department of Education: [“Safeguarding disabled children: Practice guidance”](#) (2009)

Stewart Report (2000)

- “the gaps in knowledge are sufficient to justify a precautionary approach” (1.19)
- “We recommend that for all base stations, including those with masts under 15 m, permitted development rights for their erection be revoked and that the siting of all new base stations should be subject to the normal planning process” (1.36)
- “We recommend that a national database be set up by Government giving details of all base stations and their emissions.” (1.39)

- “We recommend, in relation to macrocell base stations sited within school grounds, that the beam of greatest intensity should not fall on any part of the school grounds or buildings without agreement from the school and parents. Similar considerations should apply to macrocell base stations sited near to school grounds.” (1.42)
[Stewart Report, Conclusions](#)

Some regulators’ advice is ‘inaccurate’ and ‘unsafe’

The small clique of regulators, nearly all of whom hold the same minority viewpoint, e.g. the UK government, Public Health England (PHE), the ICNIRP and the WHO (which has been controlled by the [IAEA](#) on all radiation since 1959) and its EMF Project, provides outdated and unscientific advice based on Schwan’s mistake of 1953. This approach helps the wireless industry. Most of their publications are outdated and not peer-reviewed. The UK government still relies on AGNIR 2012 even though this has been shown to be ‘inaccurate’ and ‘unsafe’. Some members of this minority clique have conflicts of interest, both setting heating-only guidelines, which originate from the wireless industry, and then assessing and recommending the same guidelines to governments. The WHO statements on EM harm and EHS are not peer-reviewed and regarded by experts in this field as flawed, outdated and invalidated.

Hardell L: [“World Health Organization, radiofrequency radiation and health – a hard nut to crack \(Review\)”](#) (Int J Oncology, 2017)

Starkey SJ: [“Inaccurate official assessment of radiofrequency safety by the Advisory Group on Non-ionising Radiation”](#) (Rev Environ Health, 2016)

Corporate Manslaughter and Corporate Homicide Act 2007

Groups knowingly allowing the public to be exposed to toxic substances which cause death may come under the Corporate Manslaughter and Corporate Homicide Act 2007. “an organisation is guilty of the offence if the way in which its activities are managed or organised causes a death and amounts to a gross breach of a relevant duty of care to the deceased”

[Corporate Manslaughter and Corporate Homicide Act 2007](#)

[“Grenfell Tower: Corporate manslaughter considered by police”](#) BBC News, July 27 2017

Gross Negligence Manslaughter

This is where the death is a result of a grossly negligent (though otherwise lawful) act or omission on the part of the defendant. The Adomako Test (1994) involves:

- a) the existence of a duty of care to the deceased;
- b) a breach of that duty of care which;
- c) causes (or significantly contributes) to the death of the victim; and
- d) the breach should be characterised as gross negligence, and therefore a crime.

[Gross Negligence Manslaughter](#)

The ICNIRP guidelines concern only six minutes’ exposure, whereas Wifi routers and mobile phone masts transmit for more than six minutes, meaning that the public is not protected. Instead local authorities and other responsible agents should be using international long-term guidelines which aim to ensure safety for more than six minutes.

Common Assault (s39 Criminal Justice Act 1988)

An offence of Common Assault is committed when a person either assaults another person or commits a battery. An assault is committed when a person intentionally or recklessly causes another to apprehend the immediate infliction of unlawful force. A battery is committed when a person intentionally or recklessly applies unlawful force to another.

[Criminal Justice Act 1988](#)