

On the Precautionary Approach and the Stewart & NRPB Reports

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As we all know, the Stewart Report, April 2000, advocated ‘a precautionary approach’. Since then both the Government and the industry, with the support of the NRPB¹, have claimed that this need for a ‘precautionary approach’ is fully satisfied by adopting the ICNIRP guidelines. That is the basis of Government policy on masts, enshrined in the assertion in PPG8 that “if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary ... to consider further the health aspects and concerns about them.” This passage in PPG8 has led to numerous court rulings against individuals, local groups and local authorities claiming that ICNIRP guidelines don’t offer sufficient protection, and in many cases to massive costs awards against those making such claims (implying that those claims are unreasonable).

Ok, so let’s look at what the Stewart Report² actually had to say about the ‘Precautionary Principle’ – this text is reiterated in the NRPB Report³, 2004 (published January 2005):

“The balance of evidence suggests that exposures to radiation below NRPB and ICNIRP guidelines do not cause adverse health effects to the general population.

“There is now scientific evidence, however, which suggests that there may be biological effects occurring at exposures below these guidelines.

“We conclude therefore that it is not possible at present to say that exposure to RF radiation, even at levels below national guidelines, is totally without potential adverse health effects, and that the gaps in knowledge are sufficient to justify a precautionary approach.

“We recommend that a precautionary approach to the use of mobile phone technologies be adopted until much more detailed and scientifically robust information on any health effects becomes available.”

Note that **the specific reason for advocating a precautionary approach is scientific evidence that exposure at levels “below NRPB and ICNIRP guidelines” may have adverse health effects.** How, in the name of all that’s rational, can the ICNIRP guidelines be reckoned to satisfy the need for a ‘precautionary approach’ that is specifically advocated PRECISELY BECAUSE scientific evidence indicates that there may be effects that those guidelines don’t cover???

Consider the following hypothetical situation – you may spot similarities:

School governors’ meeting

“Folks, we have a problem. I’ve been told that old Jake, the school caretaker, may be a child-molester.”

“Oh dear, what can we do about that?”

“I know, we can ask old Jake, the school caretaker, to keep a lookout for any possible child-molesters.”

“Great. That’s sorted then. No-one can accuse use of not taking good care of our kids.”

The section on ‘Public Health Concerns’ in the NRPB Report, 2004, ends with the following statement:

“The Board believes that the main conclusions reached in the Stewart Report in 2000 still apply today and that a precautionary approach to the use of mobile phone technologies should continue to be adopted.”

It could be strongly argued that a precautionary approach advocated specifically as a result of scientific evidence that ICNIRP guidelines may be inadequate for protection of health, but purportedly ‘implemented’ simply by following those same guidelines, is no precaution at all. Rather, it is a very un-subtle attempt to claim to be doing all that’s necessary whilst actually doing nothing – which could be validly construed as gross negligence.

Certainly it would seem to be a very strong argument against any costs ruling (since it shows that lack of confidence in ICNIRP certification is not unreasonable, but supported by scientific evidence as witnessed by the Stewart and NRPB Reports) – I’m not a lawyer, but I’ve been told by one who is that appealing against a costs ruling is not expensive and could save very large amounts of money. More than that, it could be a basis for questioning Government policy in respect of Human Rights.

Views on this from anyone with legal knowledge would be welcome. Meanwhile, irrespective of the legal ‘take’, this shows the total cynicism of the official claim to be adopting ‘a precautionary approach’.

¹ Now the Radiation Protection Division of the Health Protection Agency

² IEGMP, 2000 (Stewart Report), Summary & Recommendations (Section 1), Paras 1.17 – 1.20.

³ Exec Summary, para 6 (on ‘Public Health Concerns), NRPB Report ‘Mobile Phones and Health’, 2004 (Pub. Jan 2005)
