

5G Radiation: Court Case Against UK Government

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Opposition to 5G has been and continues to be worldwide due to [numerous issues associated with the controversial technology](#). This has [limited, slowed, and/or stopped deployment](#), including near airports in the U.S. (see [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#)) and India (see [1](#), [2](#)) due to dangerous interference issues with aviation equipment. Additionally, since 2017, doctors and scientists have been asking for moratoriums on Earth and in space due to biological and environmental health risks (see [1](#), [2](#), [3](#), [4](#)) and the [majority of scientists oppose deployment](#). Since 2018 there have been reports of people and animals experiencing symptoms and illnesses after it was activated (see [1](#), [2](#), [3](#), [4](#), [5](#), [6](#)). In 2019, [telecom executives gave U.S. congressional testimony](#) that they had NO independent scientific evidence that 5G is safe. Some researchers have also warned that activation may be [contributing to COVID-19 infections](#) as well as [hundreds of thousands if not millions of bird deaths](#). After 3 years, UK activists who filed a lawsuit against the government in re 5G deployment have finally had their days in court.

From [RF Info](#):

Action against 5G hearing February 2023

Official report from AA5G: link TBC

The Judicial Review was finally heard this week, after 3 years of hard work. The courtroom had to be changed due to the high number of public in attendance. It was an amazing turnout of maybe 60-70 public on both days. There was not one spare seat in Court 73. Notwithstanding any result, huge thanks must go to the claimants Karen and Vicky for 3 years of stirring work, courage and fortitude, and to the legal team for staying the course and rising to the difficult challenge.

The original grounds presented for Judicial Review were initially rejected, but on appeal last year two grounds were permitted to proceed to hearing. The legal case background can be [seen here](#).

There are differing opinions, lay and expert, about how the case was constructed and the particular points of focus, but setting these aside we can report as follows:

The two grounds permitted to proceed are:

1. The failure to provide adequate or effective information to the public about the risks and how, if it be possible, it might be possible for individuals to avoid or minimise the risks;
2. (a) The failure to provide adequate and sufficient reasons for not establishing a process to investigate and establish the adverse health effects and risks of adverse health effects from 5G technology and/or for discounting the risks presented by the evidence available; and/or (b) failure to meet the requirements of transparency and openness required of a public body.

These grounds advance a breach of the Human Rights Act 1998 by omissions and failings in violation of the positive obligations to protect human life, health and dignity, required to be met by Articles 2, 3 and/or 8 of the European Convention on Human Rights.

Monday 6th February 2023

Michael Mansfield (MM) carefully laid out the Claimants position over a 5 hour briefing to the presiding Judge Mary Stacey.

The public should be informed with transparency about risks that they encounter or are forced to encounter. Where there is a hazard it must be articulated and signposted so that we are equipped to make choices regarding our relationship to it. Of course this ideal scenario is increasingly moot since environmental exposure is being forced upon us with 'no place to hide'.

The government have aligned themselves with guidelines from the ICNIRP, which espouse only a thermal model of risk, which is contested by many. This case was not to concern this debate, the science underpinning policy cannot be challenged in an administrative court.

MM points out that the government have nonetheless taken ICNIRP guidelines as their chosen standard, but have inferred and transposed unwarranted and misleading claims on top of them – claims that '5G is safe'.

No definition of the spectrum of risk has been offered to the public, and no reference made to the guidance and evidence from other bodies that was discounted by the government, but which shows that the issue is very real.

Where there is a credible quality and quantity of contradictory evidence about a hazard, a fact which in itself demands serious debate, then this must also imply a level of risk, which is not being presented. Instead, we see vague phrases such as 'unlikely to cause harm', and 'exposure shouldnt increase' peppering the government advertising for 5G.

This attitude also stands in contrast to PHE advice that "*adults should be able to make their own informed choices*". We should be able to choose a precautionary or preventive approach to our RF exposure, but we cannot without information, and increasingly cannot as public space is filled with RFR.

When the Government chose to positively advertise and advance the cause of 5G they also

assumed the responsibility to transparently inform the Public about the known hazards to health (even if this doesn't guide their policy), ways to mitigate these, and to have procedures for monitoring and reporting cases of injury or harm.

Further, the elected ICNIRP guidelines are not protective of existing vulnerable groups who ought to be considered and who deserve to be given information to assist them (but have not been).

Harm arising from exposure to non-ionising radiofrequency radiation is notably a recorded disease or illness recognised by the WHO, since 2005, in the International Classification of Diseases, ICD-10.

Tuesday 7th February 2023

The defence had failed to submit minor applications with the required N244 Forms. They were rebuked by the Judge for a lack of procedural rigour.

"You are the Government and you cannot even comply with the most basic rules and procedures of the court. You have had two months to get this right."

After an embarrassing start the Defence drew their line in the sand and doubled down with their claims that 1. '5G is THE SAME as the others Gs, a mere branding exercise' and 2. that 'there is No Risk from RFR as long as exposure is below the ICNIRP guideline levels'.

The Defence further claimed that because there was no risk there was no positive obligation triggered under their treaty obligations (EEC Charter) to qualify their policy, or under the ECHR to opine on safety or monitor said risk.

The Defence even went so far as to suggest that there should perhaps be a voluntary effort made by the government to combat the perception that 5G 'does carry risk', by controlling narratives that suggest otherwise.

This did not go down well with the audience.

Claim 1, Judge Stacey clarified that the court cannot resolve a dispute of facts around '5G is / is not novel'. MM however was able to point out that the fact was established already in the Defence bundle where the novel nature of 5G systems (phased array/adaptive antennas) is acknowledged by the ICNIRP themselves as adding a new dimension to public exposure, that exposure is increasing, and the characteristics of that exposure is changing.

Claim 2, was summarily dismissed by MM in his right to reply as a fundamentally over-extended and false inference that the ICNIRP say that '5G is safe'. They simply do not. They cannot. It is not their place. They do refer to some studies that show 'no substantive' risk, but there are very few studies, and so the absence of studies does not prove safety! (there are of course many other studies, and also logical extrapolation from 4G hazards, that show that there is certainly a spectrum of risk – but these cannot be debated here)

This a very abbreviated version of the two days of course. Tuesday morning felt rather gloomy after the Defence dug in with its rigid position that 5G is safe and therefore the grounds requiring the Government to properly inform the Public were moot, but MM soundly rebutted this position as untenable and grossly misleading, even by the standards of the body whose guidelines they defended their position with.

The Judge recognises the importance and urgency of the case. She was not able to give a decision immediately of course, but would give it the further consideration and the attention it deserves as soon as possible. This process can take weeks to months, but she assures us that her target was days or weeks.

What sort of result can we expect? One possibility is that the Judge dismisses both grounds, the other is that she rules in favour of the grounds and draws up some recommendations.

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