

The winning argument

Hers was a landmark victory against the Government. Campaigner **Georgina Downs** on the importance of setting a policy precedent on pesticides

Against all the odds, I recently won my landmark High Court action against the Government over its failure to protect people in the countryside from exposure to toxic pesticides sprayed on crops.

This case was based on a set of core arguments that I identified and had been presenting to the Government over the last seven years. It was obviously a very significant ruling for the millions of residents throughout the country who, like myself, live in the locality of pesticide sprayed fields.

Mr Justice Collins was in 'no doubt' that the Government has been acting unlawfully in its policy and approach, as it does not comply with the relevant EC Directive regarding the authorisation of pesticides. That directive requires that before a pesticide is approved for use, it is established that there will be 'no harmful effect' on human health. This must apply to all the necessary exposure groups, including residents.

However, the Government's only method of assessing the risks to public health from crop-spraying is based on the model of a 'bystander', in which it assumes that there will only be occasional, short-term exposure to the spray cloud at the time of the application only, from a single pass of a sprayer and to only one individual pesticide at any time.

The judge agreed with my long-standing charge that this bystander model does not address residents who are repeatedly exposed, from various exposure factors and routes, to mixtures of pesticides and other chemicals, throughout every year, and in some cases for decades. The fact that there has never been any assessment of the risks to health for the long-term exposure for those who live, work, or especially go to school near pesticide sprayed fields, is a scandal considering that crop-spraying has been a predominant feature of agriculture for longer than 50 years.

Under EU and UK law the absence of any risk assessment means that pesticides should never have been approved for use in the first place for spraying near homes, schools, playgrounds and other public areas.

Adverse health effects from exposure to pesticides

Georgina Downs of UK Pesticides Campaign has spent seven years fighting to change Government's pesticides policy



are recorded in the Government's very own monitoring system every year, and include acute effects such as rashes, itching, sore throats, burning eyes, nose, blistering, headaches, nausea, stomach pains and burnt vocal chords, among other symptoms. These acute effects are regularly reported to me by rural residents from all across the UK.

Therefore, the Government, the Pesticides Safety Directorate, and the Advisory Committee on Pesticides were all fully aware that these adverse health effects have continued to be reported, but wrongly accepted such effects as not being 'serious'.

Also by allowing acute effects to be considered acceptable, the Government is then also allowing the risk of chronic illnesses and diseases, which can increase when acute effects repeatedly occur as a result of long-term cumulative exposures.

This has been recognised previously by the European Commission which acknowledged that 'long term exposure to pesticides can lead to serious disturbances to the immune system, sexual disorders, cancers, sterility, birth defects, damage to the nervous system and genetic damage.'

I spent much of last year working on my legal case and after re-reading approximately 3500 pages of documentation that was before the Court, I submitted a 149 page Witness Statement which provided the critical evidence for the case.

This evidence showed quite clearly that the Government has knowingly failed to act, has continued to shift the goalposts, cherry-picked the science to suit the desired outcome and has misled the public, especially rural residents, over the safety of agricultural pesticides sprayed on crop fields throughout the country.

The UK Government's

relentless and extraordinary attempts to protect the industry as opposed to people's health has been one of the most outrageous things to behold in the last seven years of my fight.

This is especially apparent at the moment, as not content with not protecting its own citizens the UK Government has been trying to scupper new European pesticide proposals from having the primary focus on health protection of citizens across Europe, to one of primarily protecting the industry.

There is also a clear case of double standards here. For example, the Government's response to the threat of a chemical terrorist attack would be first and foremost to protect its citizens. However, the spraying of toxic pesticides all over the countryside and the poisoning of the public is directly under Government sanction.

The most important action that must now be taken is to ban crop-spraying around homes, schools, children's playgrounds and other public areas. Considering studies have shown that pesticides can travel in the air for miles then the distance of the no-spray area would need to be substantial.

While it may not be possible to reverse the damage that has already been done to many people's health following exposure to pesticides, the situation will only become even more dire if radical changes in the UK are not made now. There has already been decades of Government inaction, as the Government has continued to allow the industry to set the agenda when it comes to pesticides. This cannot continue.

The Government should now be admitting that it got it wrong, apologising, (especially to all those residents whose health and lives have been affected) and actually getting on with protecting the health of the citizens in this country.

Instead, the Government's recent decision to appeal this ruling continues to demonstrate the Government's absolute contempt for rural residents and communities and is a disgrace.

Heads should be rolling, following such a landmark High Court Judgment, but instead its 'business as usual' with the Government's relentless attempts to protect the industry as opposed to the health of its citizens abundantly clear.



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