

28<sup>th</sup> January 2023



## **Letter of complaint against Smart Meters**

For the attention of the Energy Supplier Chief Executive Officer and the UK Ombudsman

The UK EM Radiation Research Trust (RRT) would like to remind energy suppliers and the ombudsman that a smart meter is not a legal requirement and call upon you to revisit the UK Government's official advice. Take a look at the Retail Energy Code advice. Here is a link to frequently asked questions.

<https://recportal.co.uk/frequently-asked-questions>

### **“Is a smart meter compulsory?”**

**No, the government requires that smart meters are offered by energy suppliers to all small businesses and homes, but smart meters are not a legal requirement.**

**Therefore it's not compulsory to have a smart meter installed, and whether you accept one is completely up to you.”**

Energy suppliers should abide by the Government recommendations allowing customers the right to opt out of accepting a smart meter in favour of an analog meter and without penalty.

Threats from supplier's claiming the right to gain access into customer's private homes to install a smart meter could be considered as harassment due to the anxiety and fear this may cause.

Energy suppliers exist as a service to offer energy for paying customers. The EM Radiation Research Trust has reasonable expectation that suppliers will honour and adhere to **Ofgem Standard of Conduct**. “Suppliers must take into account customer's needs in all their dealings with them and ensure energy suppliers are treating customers fairly. The onus will be on suppliers to embed fair treatment of consumers in every level of their organisation. Any brokers or third-party intermediaries that represent suppliers will also be bound by the standards of conduct.”

**Andrew Wright, Interim Chief Executive**, said:

“Suppliers have already taken some steps to make the energy market simpler for customers and we welcome that, but our package of reforms means they must go further. The standards of conduct we have introduced require suppliers to go through a culture change in the way they treat consumers.”

“They have to make sure they are embedding simplicity, clarity, and fairness into all their dealings with consumers to tackle the lack of trust that has blighted the market. The standards of conduct will also enhance consumer protection as they are backed by Ofgem's power to levy fines.”

<https://www.ofgem.gov.uk/publications/new-standards-conduct-suppliers-domestic-consumers>

It appears that some energy suppliers are riding roughshod over customer's requests to opt out. Members of the public who do not wish to accept the risks associated with smart meters due to health concerns/ electrosensitivity should be treated with respect by the energy supplier and allowed to use the right to opt out.

The Radiation Research Trust (RRT) hand delivered a copy of the **Smart Meter's, Smarter Practices** report directly to Number 10 Downing Street. This report highlights - **The Universal Declaration of Human Rights**:

**Article 5.** “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” “... feelings of fear, anguish and inferiority, capable of humiliating and debasing... and

possibly breaking... physical or moral resistance” that can be caused by degrading treatment (UK 1980) appear very similar to descriptions of how EHS individuals can feel when exposed to RF/microwave emissions as created by Smart Meter units (EMFSN 2011). This suggests that deliberately exposing vulnerable individuals to such regimes may be against their basic Human Rights. ‘Security of person’ is legally defined as “The legal and uninterrupted enjoyment by a man of his life, his body, his health and his reputation.” Claims may be brought by some that enjoyment of life and health may be seriously compromised by the RF/microwave regimes created by some Smart Meters and related technologies.”

**Article 7.** “All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.” Claims might be brought that if providers ignore the special needs of individuals who are, or believe they are, vulnerable to exposure to the EMF radiation emitted by some Smart Meter and related devices, they may be guilty of discrimination. Claims might also be brought that those who deliberately ignore and dismiss relevant scientific evidence of potential risks may be guilty of inciting others to unwittingly discriminate against such individuals.”

<https://www.radiationresearch.org/articles/smart-meters-smarter-practices-document>

### **The EM Radiation Research Trust would also like to draw your attention to the cancer classification by the World Health Organisation**

The International Agency for Research on Cancer (IARC) is a sub-group of the World Health Organization with its role to monitor and identify global causes of cancer. In 2011 members of IARC classified the entire RF/EMF spectrum as:- ‘**2B Possible Human Carcinogen.**’ The Radiation Research Trust would like to reinforce the fact that members of IARC with collective judgment found scientific consensus in reaching this decision. The vote was nearly unanimous: 29 to 1.

[https://www.iarc.who.int/wp-content/uploads/2018/07/pr208\\_E.pdf](https://www.iarc.who.int/wp-content/uploads/2018/07/pr208_E.pdf)

The evidence of increased cancer risks has since been strengthened by further human studies, as well as toxicology studies in animals, which demonstrated clear evidence of tumours. The \$30 million US National Toxicology Program (NTP) RF studies and the Italian Ramazzini Institute ten year research project both found clear evidence of malignant tumours.

NTP study: <https://ntp.niehs.nih.gov/go/cellphone>

Ramazzini Institute Study <https://www.ncbi.nlm.nih.gov/pubmed/29530389>

Two different institutes with laboratories in different countries, totally independent of each other and both producing parallel consistent findings, reinforces the validity of these ground-breaking animal studies. An external peer-review panel of eleven scientists complimented the methodology of the NTP study and concluded that the results showed clear evidence of carcinogenic activity.

Many doctors and scientists are now calling for an urgent upgrade to the classification of RF - EMF from 2B to Group 1 (**Known Carcinogen**), the same category as tobacco. Dr Hardell stated unequivocally: “**The agent is carcinogenic to humans.**” same category as tobacco.

Risks associated with smart meter radiation are not limited to cancer. Here are some of the most commonly reported symptoms:

- Headaches
- Insomnia
- Fatigue
- Tinnitus
- Heart arrhythmia/palpitations
- Decreased immune function
- Irritability
- Decreased cognitive function

Detailed analysis available here: <https://www.emfanalysis.com/smart-meter-health-effects>

Customers reporting electrosensitive problems or those who do not wish to accept a smart meter are entitled to opt out and without any discrimination. Here is an interview with a customer of EDF energy

reporting health impacts following the installation of a smart meter. The customer threatened to invoice EDF energy £20 storage charges per day for installing a smart meter on her property. She was informed the meter was in dumb mode, but it still emits radiation. The meter was removed following a phone call from the EDF legal team who agreed to remove the smart meter within 48 hours:

<https://www.youtube.com/watch?v=R2gRFeYwM1Y>

Scientists and health professionals are also raising concerns about smart meters in a letter sent to North Carolina Utilities Commission. This important letter is signed by:

David Carpenter, MD Director, Institute for Health and the Environment University at Albany

Dr Lennart Hardell, MD, PhD Professor Department of Oncology, University Hospital Orebro, Sweden Dr

Magda Havas, BSc, PhD Environmental & Resource Studies, Trent University Canada

Dr Martha Herbert, MD, PhD Assistant Professor of Neurology, Harvard Medical School Pediatric Neurologist and Neuroscientist at the Massachusetts General Hospital in Boston

Dr Sam Milham, MD, MPH Former chief epidemiologist, Washington State Department of Health

This group of esteemed doctors and scientists reinforce concerns for health saying: “Smart meters and cell phones occupy similar frequency bands of the electromagnetic spectrum, meaning that cell phone research can apply to smart meter RFR. Smart meter RFR consists of frequent, very intense but very brief pulses throughout the day. Because smart meter exposure over a 24-hour period can be very prolonged (pulses can average 9,600 times a day), and because there is building evidence that the sharp, high intensity pulses are particularly harmful, the cell phone study findings are applicable when discussing adverse health impacts from smart meters. While the strongest evidence for hazards coming from RFR is for cancer, there is a growing body of evidence that some people develop a condition called electrohypersensitivity (EHS). These individuals respond to being in the presence of RFR with a variety of symptoms, including headache, fatigue, memory loss, ringing in the ears, "brain fog" and burning, tingling and itchy skin. Some reports indicate that up to three percent of the population may develop these symptoms, and that exposure to smart meters is a trigger for development of EHS.” Download here: <https://ehtrust.org/wp-content/uploads/Carpenter-Letter.pdf>

The law needs to be taken into account with regards to important recent UK legal developments regarding Electrosensitivity -:

The case, EAM v East Sussex County Council (Special educational needs) features a child who suffers electrosensitivity. Upper Tribunal Judge Jacobs found that the child should be considered disabled under the Equality Act 2010, and she required an Education, Health, and Care Plan (EHCP). This groundbreaking legal decision is significant as it would be difficult for energy companies to shield their customers from exposure to radiation from a smart meter if a customer suffers from electrosensitivity because of exposure to radiation from the meter: <https://phiremedical.org/education-health-care-plan-ehcp-awarded-aug-2022-for-uk-child-on-the-basis-of-electromagnetic-hypersensitivity-ehs>

In June 2022, a 59-year-old UK social worker won ‘early ill health retirement’ for disabling ‘Electromagnetic Hypersensitivity (EHS): In relation to EHS, the Independent Registered Medical Practitioner (IRMP) report concludes: “Mrs. Burns has a medical condition that renders her permanently incapable of undertaking any gainful work. There currently are no treatments available for her condition; avoidance of emissions is the only way to significantly reduce her symptoms.” Whilst such emissions were historically presumed to be biologically inert and are still purported to be safe by many to this day, there is now highly credible evidence to the contrary. <https://phiremedical.org/59-year-old-social-worker-wins-early-ill-health-retirement-for-disabling-electromagnetic-hypersensitivity-ehs>

The Radiation Research Trust call on the Chief Executive Officer for the energy supplier and the UK ombudsman to answer the following questions.

### **NOTICE OF FREEDOM OF INFORMATION ACT 2000**

Notice to the Principal is Notice to the Agent; Notice to the Agent is Notice to the Principle

**The Radiation Research Trust call on the energy supplier to provide Public Liability Insurance Coverage and Indemnity.**

**Under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, you are required to provide the following:**

1. Please answer 'YES' or 'NO' only: Does the energy supplier hold any commercial Public Liability Insurance policies that include liability coverage for claims directly or indirectly arising out of, resulting from, or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation?
2. If the answer is 'YES', please provide all commercial Public Liability Insurance policy/policies and include policy numbers, that confirm the energy supplier hold commercial Public Liability Insurance policy/policies that include liability coverage for claims directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and non-ionising radiation.
3. Please provide all "Pollution Liability" or "Policy Enhancement" in relation to commercial Public Liability Insurance policies held by the energy supplier.
4. Please answer 'YES' or 'NO' only: Does the energy supplier hold any certificates, documents of any kind which provide proof of Indemnity from the commercial Public Liability insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation, including but not limited to smart meter emitting devices and equipment is covered by the energy supplier's commercial Public Liability Insurance policy.
5. If the answer is 'YES': please provide the commercial Public Liability Insurance policy/policies and include policy numbers, that confirm the energy supplier holds certificates, documents which provide proof of Indemnity from the energy supplier's commercial Public Liability insurance provider and underwriters, confirming that any injuries, damages or adverse health effects directly or indirectly arising out of, resulting from or contributed to by electromagnetic fields, electromagnetic radiation, electromagnetism, wireless RF radiation, microwave radiation, and/or non-ionising radiation, including but not limited to smart meter emitting devices and equipment is covered by the energy supplier's commercial Public Liability insurance policy.

Please number your responses 1-5. We require that each item to have its own individual response.

This will be used as evidence. The information requested is of public interest.

Failure to supply proof of Indemnity for wireless RF/EMF radiation, proves that Indemnity for wireless RF/EMF radiation through the Energy suppliers commercial Public Liability Insurance does not exist.

It is not our intention to harass, intimidate, offend, conspire, blackmail, coerce or cause anxiety, alarm, or distress. This Notice of Liability and the enclosed information are presented with honourable and peaceful intentions and are expressly for your benefit to provide you with due process, due diligence and an opportunity to remedy this most serious matter.

This lawful notice of liability is designed to be used as evidence in court if needed and intends to enlighten you and protect you from attracting civil and criminal liability in relation to your action(s).

**Take Notice you have been fairly and equitably fore-noticed and fore-warned.**

Sincerely and without ill will, vexation or frivolity,

Eileen O'Connor  
Director EM Radiation Research Trust  
[www.radiationresearch.org](http://www.radiationresearch.org)

**Address:** The EM Radiation Research Trust Charity Chairman Mr. Brian Stein CBE,  
Chetwode House, Leicester Road, Melton Mowbray, Leicestershire LE13 1GA