

The Law (... or lack of it)

After the Water Fluoridation Bill became law a new Act of Parliament was introduced to provide legislation for the privatised water industries. This is known as the *Water Industry Act of 1991. It is this Act which 'subsumed' the Water Fluoridation Act of 1985 (*In 2003, the law is due to change again and more will be said about these changes when they are known).

Prior to the legislation of 1985, there were no clear legal guide lines for the introduction of water fluoridation schemes. This meant that unless there was a legal challenge to such schemes, water authorities could add fluoride to tap-water supplies with the minimum of fuss.

It is no great secret that experiments with fluoridated tap-water have been conducted for some years prior to the 1985 legislation and yet it was not until a legal challenge to the proposed Strathclyde scheme in 1980 that the safety and ethics of fluoridation was discussed in a more impartial environment.

The case ran for two years and the petitioner, Mrs Catherine McColl, a Glasgow resident, won an interdict against Strathclyde Regional Council effectively stopping that particular scheme in its tracks. The presiding Judge in that case was Lord Jauncey. What is disturbing about Jauncey's interpretation of the validity of important evidence plus his summary of the proceedings, is that some very important points were quite literally 'swept underneath the carpet'.

So what did we learn about the Jauncey ruling? The Government provided several key witnesses to aid the defence which included a few members of various Royal Institutions. Admissions were made by some of these witnesses that at least some of the evidence provided by the Petitioner and her witnesses was valid and indisputable!

'Post-Jauncey'

As a consequence of Jauncey's ruling that the proposed Strathclyde fluoridation scheme was 'ultra vires', the Government were compelled to introduce legislation to overcome this obstacle - hence the Water Fluoridation Bill of 1985 which ensured that democratic and moral objections to fluoridation could be swept away.

The way the law stands, allowing for the provisions of the Water Industry Act 1991 and the Medicines Act 1968, the private individual has not a leg to stand on. If you are poisoned by fluoride, you appear to have no legal right to bring a private action. The water companies also have no legal responsibility towards their customers.

Furthermore, anyone promoting fluoride can manipulate the truth to suit their own ends. This contention is supported by the signed affidavit of Dr Brian McCloskey, Director of Public Health for Worcester.

In his (1995) affidavit he states that the legal advice he has received indicates that if he had decided to make misleading statements about the safety and efficacy of fluoride, this would not constitute a justifiable court action.

This is straight from the horses mouth. The pro-fluoride lobby have the right to mislead the general public and get away with it.

So what are the sociological implications of considering the lack of protection for the consumer? Does the consumer readily accept that his or her tap-water exists for the additional purpose of transporting medication inevitably into every home in the country? Does the consumer accept that they have no right in law to demand water that does not make them sick? Is the consumer willing to accept that the Secretary of State can vary the types of fluoride in tap-water, therefore introducing even more poisonous substances (see note)?

Unless the consumer demands the right to a safe supply of water, the consumer will continue to be trampled on. Overall, the introduction of medication via the public water system is a serious erosion of civil liberty and the Government has established a dangerous precedent.

Note: In the United Kingdom, the Water Industry Act makes provision for the additional use of other types of fluoride other than those already in use. Section 87 (4) indicates that only Hex or disodium hexafluorosilicate may currently be used but Section 88 of the Act states:

"(1) The Secretary of State may by order amend section 87 (4) above by - (a) adding another reference of fluorine."

The disturbing revelation is that 'another reference of fluorine' can mean a multitude of things - it is a very ambiguous term. For example, some of the most of the powerful tranquilliser drugs in use today are known as 'Haloes'.

A 'Halo' or halogenated drug is a rather passive drug which has had added to it a halogen. Fluorine is a halogen. By adding fluorine or another suitable halogen to a drug you boost its potency. So is 'another reference of fluorine' an indication that the Secretary of State can allow the addition of powerful halogenated drugs to our water supplies, such as fluorinated tranquillisers?

In a state of emergency, such as during a riot or serious civil unrest, this provision in the Act could be a good excuse for the Home Secretary to request the addition of such tranquillisers to the water supplies.