

2 July 2013 Last updated at 06:28



Lewisham Hospital cuts fight goes to High Court



The challenges to the downgrading of services are due to be heard by Mr Justice Silber over three days

Campaigners opposed to cuts at a London hospital are taking their battle to the High Court.

Health Secretary Jeremy Hunt told MPs in January that accident and emergency and maternity services at University Lewisham Hospital in south-east London would be downgraded.

He said the neighbouring South London Healthcare NHS Trust was losing more than £1m every week.

Campaigners will argue the move is unlawful.

'Misunderstood powers'

One application for permission to appeal is being made by Save Lewisham Hospital Campaign which raised a fighting fund of £20,000.

Another is being made by the London Borough of Lewisham.

Both will argue that the decision made by Mr Hunt goes beyond his powers.

Rosa Curling who is representing campaigners said: "The consultation process was flawed, the four tests Mr Hunt confirmed would have to be satisfied have not been met, and the Secretary of State has misunderstood his own legal powers."

The Mayor of Lewisham Sir Steve Bullock said: "These plans have been roundly rejected by local people, by the staff who work in the hospital and by local GPs.

"Neither the Secretary of State nor the trust special administrator had the statutory powers to



Analysis
Nick Trigg
Health correspondent

A year ago when ministers announced they would be getting tough with the hospital system in south London their actions were warmly welcomed.

The NHS has traditionally struggled with difficult decisions about reorganising services - and so the government took it out of the health service's hands.

The proposed downgrading of Lewisham Hospital is born from the decision to put a neighbouring trust - South London Healthcare - into administration.

It was the first time the step had been taken and was seen as evidence that the government was prepared to tackle the issue head-on.

Now the decision has become mired in controversy.

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make major changes to Lewisham Hospital in this way."

In January, Mr Hunt accepted six of the seven proposals put forward by trust special administrator Matthew Kershaw.

They came about after South London Healthcare NHS Trust - separate to Lewisham Healthcare Trust which runs Lewisham Hospital - ran up debts of £150m.

The trust, which is in administration, was described by Mr Hunt as the "most financially challenged in the country", as it spends £60m a year, or 16% of its annual income, to service two PFI contracts signed in 1998.

He said up to three quarters of those currently attending Lewisham A&E could attend a smaller, consultant-led unit at the hospital with patients presenting more serious conditions being taken to other hospitals.

The challenges are due to be heard by Mr Justice Silber at the Royal Courts of Justice over three days.

When it was announced the solution to South London Healthcare's problems was the loss of services in another trust questions began to be asked about the fairness of the approach.

It prompted mass protests locally and criticisms at a national level. In NHS circles, the south London experiment is already seen as an example of how not to reorganise the NHS.

This judicial review could well prove the final nail in the coffin for the use of such aggressive tactics.

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