

# Save Lewisham Hospital Campaign Update

## HOSPITAL CAMPAIGNERS AWAIT LEGAL CHALLENGE VERDICT

The Save Lewisham Hospital Campaign is waiting to find out whether its legal challenge against Government plans to downgrade vital services at Lewisham has been successful.

During the judicial review, which was held on 2-4 July, lawyers for the Campaign, and for Lewisham Council, argued that the proposals to downgrade Lewisham's A&E, maternity and critical care units should be ruled unlawful. The basis of the Campaign's case was that:

- The consultation process which took place about the proposals was flawed
- The four tests for NHS changes were not met
- Jeremy Hunt has acted beyond his own legal powers.

Campaigner supporters came out in full force during the three-day

hearing – in fact, so many attended the court on the first day of the review that the case had to be moved to a bigger courtroom, a clear demonstration of how passionate we in Lewisham are about saving our hospital.

The proceedings received great coverage from the national press, including the *BBC*, *ITV*, the *Times* and the *Guardian*, as well as local press coverage from the *News Shopper* and the *South London Press*, among others.

Local residents and campaigners who attended the hearing left feeling optimistic about our chances of success, given the strength of our case. The final decision now lies with Judge Justice Silber, who hopes to deliver a written judgement by the end of July, though this is not guaranteed.

To find out more about the judicial review, and what happened on each day of the hearing, visit:



### DID YOU KNOW?

- Lewisham Healthcare NHS Trust has been named as one of the CHKS 40 Top Hospitals for the fifth year running.
- Lewisham A&E sees 120,000 patients per year, of which 30,000 are children attending the children's A&E.
- Adult admissions are over 19,000 and children's admissions are over 2,300
- Lewisham maternity has 4,200 births per year

# Lewisham Hospital proposals: an overview



**UNITED:** In January, 25,000 people marched across Lewisham to protest against plans to downgrade vital hospital services

*Why are the Government trying to downgrade Lewisham Hospital services? What is PFI? What are the 'four tests'?*

*Read on for a full, comprehensive and jargon-free overview of the background to the Lewisham Hospital changes....*

## The background

Let's go right back to the beginning. The whole issue starts, not with Lewisham Hospital, but with the South London Healthcare Trust (SLHT). This is made up of Queen Elizabeth Hospital in Woolwich, Princess Royal University Hospital in Farnborough and Queen Mary's in Sidcup.

The trust is in millions of pounds of debt, largely as a result of having to make huge repayments on a contract called a PFI.

A PFI (Private Finance Initiative) is a type of contract

between private companies and public services – in this case, NHS hospitals. The private company pays upfront for, say, new hospital buildings and then leases them back to the NHS hospitals. The hospitals, in turn, pay the company back through annual repayments.

The problem is that the rate of interest on PFI contracts is extremely high – sometimes so high that they are impossible to repay. This is why PFI debt is often described as “toxic”.

As a result of its huge PFI debts, the SLHT was placed into administration last year. The Health Secretary at the time, Andrew Lansley, appointed Matthew Kershaw to the role of Trust Special Administrator (TSA) to solve the problem of this debt.

**So what's this all got to do with Lewisham Hospital? After all, the hospital isn't part of the SLHT and**

**isn't in debt.**

Well, as part of his proposed solution to the problem of the SLHT debt, Matthew Kershaw suggested a number of changes amounting to the closure of Lewisham Hospital's acute services, taking out a major clinically and financially well-performing hospital from Lewisham and south-east London.

These changes were put forward in a report to the current Health Secretary Jeremy Hunt in January.

**So what were the proposals, and what happened?**

**ACCIDENT & EMERGENCY:** The TSA proposed replacing Lewisham Hospital's A&E with an Urgent Care Centre. This would only deal with minor injuries like minor fractures, and ear, nose, throat and eye infections. Ill patients could not be admitted into Lewisham but would

have to transfer to another hospital.

*NB: Lewisham Hospital already has an Urgent Care Centre alongside its new-refurbished A&E. This is not new. Effective and safe care has been provided by co-locating the Urgent Care Centre and A&E for the last two years. What the TSA proposed was an Urgent Care Centre with no A&E – this is what the campaign is opposing.*

Because of the HUGE pressure from Lewisham campaigners, Jeremy Hunt essentially pretended to save the A&E. He said that he had rejected the TSA's proposal to replace the A&E with an Urgent Care Centre, and instead had listened to recommendations from NHS medical director Sir Bruce Keogh, and decided to allow Lewisham to retain a "smaller A&E with 24/7 senior medical cover".

According to Sir Bruce, this "A&E" would still be able to see up to 75% of current A&E patients.

### So was it a victory of sorts?

No. Many newspapers reported this decision as Lewisham A&E being "saved" or that it was a "partial victory" for the campaign. **This isn't true.** The "smaller" A&E is just the Urgent Care Centre originally proposed by Matthew Kershaw dressed up in different language.

Crucially, it still would not be able to admit emergency patients e.g. suffering with meningitis and pneumonia. The College of Emergency Medicine says that what

Jeremy Hunt proposed doesn't meet their definition of an A&E.

**MATERNITY:** A number of different options were considered but in the end, the TSA proposed a standalone mid-wife-led maternity unit. Midwife-led units are centres are run by midwives that only deal with uncomplicated births.

**Because of the HUGE pressure from Lewisham campaigners, Jeremy Hunt essentially pretended to save the A&E.**

This would mean that only births considered to be "low risk" could take place in Lewisham – only 10% of Lewisham mums. Under the plans, if a mother

already in labour at Lewisham suddenly experienced complications, they would have to be transferred mid-crisis to a nearby hospital (most likely QEH) which is incredibly dangerous for both mum and baby.

**And Jeremy Hunt accepted this proposal.**

### **BUT WAIT... THERE'S MORE**

Much of the focus has been on Lewisham A&E and maternity proposals, but the plans would also see the closure of the children's inpatient ward, adult acute, and critical care and complex surgery units.

Crucially, Hunt's decision also means that 60% of the hospital land would then be sold off to developers. It is also important to remember that the closure of the A&E will have a huge impact on patients requiring mental health support in Lewisham.

## WHY WE ARE FIGHTING

The proposed downgrades put the lives of Lewisham patients at risk.

The Government has severely underestimated the impact of the plans on travel times and their claim that the new "smaller A&E" can continue to see up to 75% of those currently attending Lewisham A&E has not been backed up with any evidence.

### FAILURE OF THE FOUR TESTS

Back in 2010, the Tories introduced the four tests for NHS reconfigurations. Basically, any plans for changes at an NHS hospital have to meet four specific criteria to be allowed to happen. The four tests are:

- 1) Support from GP commissioners
- 2) Strengthened public and patient engagement.
- 3) The recommendations are underpinned by a clear clinical evidence base
- 4) The changes give patients a choice of good quality providers

**The plans to downgrade Lewisham Hospital services fail all four tests.**

# GET INVOLVED!

## LEWISHAM PEOPLE'S COMMISSION OF INQUIRY HAILED A SUCCESS

*"The voice of the people has been marginalised in this process."*

Thank you to everyone who attended Lewisham People's Commission of Inquiry!

The event, held on Saturday 29 June at The Broadway Theatre in Catford, was a resounding success and was attended by a packed audience of local residents eager to hear the truth about the implications of the planned Lewisham downgrades.

The Commission panel was chaired by Michael Mansfield QC, and included Baroness Warnock and award-winning Lewisham author and journalist, Blake Morrison. Lord David Owen and Mayor Sir Steve Bullock addressed the Commission.

The panel heard evidence from 25 witnesses — patients, patient group representatives, GPs,

hospital consultants and nurses who were questioned by a team of barristers from Took's Chambers — while more than 50 witnesses, including community members and faith leaders, gave written and video testimony, some of which was shown at the Commission hearing.

The initial findings of the panel included:

- The consultation process was a sham
- Jeremy Hunt's decision was based entirely on economic considerations
- the proposals demonstrate a lamentable absence of evidence-led research

The final report will be published in September 2013. In the meantime, an interim report can be viewed at

## JARGON BUSTER

### TSA

(Trust Special Administrator)

The individual in charge of sorting out the South London Healthcare Trust's debts. This used to be Matthew Kershaw and is now Caroline Taylor

### PFI (Private Finance Initiative)

A legally binding financial contract between a public body (in this case, a hospital trust) and a private company which finances and effectively owns new hospital buildings and controls many essential services e.g. cleaning, which is paid back at up to 15% interest over a 25-35+ year term

### The Four Tests

Four criteria that must be met for NHS reconfigurations to take place (see p3)

## WHERE CAN I FIND OUT MORE?

- **The Save Lewisham Hospital Campaign website:** [www.savelewishamhospital.com](http://www.savelewishamhospital.com). You can also sign up for a free monthly e-newsletter to receive regular updates on the campaign direct to your inbox
- **Twitter:** follow us at @savelewishamae
- **Facebook:** join us at [www.facebook.com/savelewishamhospitalnhs](http://www.facebook.com/savelewishamhospitalnhs)
- **Campaign meetings:** held every second Tuesday at 7.30pm at the Waldron Health Centre in New Cross (details for the next meeting can be found on the Save Lewisham Hospital website)