

**Article on the BBC Website 11 February 2011 on Water Fluoridation.
Southampton water fluoridation was not unlawful**

The High Court has ruled that a health authority was not acting unlawfully in seeking to add fluoride to Southampton's tap water. The legal challenge was brought by city resident Geraldine Milner.

The South Central Strategic Health Authority (SCSHA) instructed Southern Water to add fluoride to improve dental health in February 2009.

Ms Milner's counsel David Wolfe had argued that residents would have "no choice" but to drink fluoridated water. Campaign groups, which backed the mother-of-three's case, said potential side effects range from bone cancer to thyroid problems and brown spots on the teeth.

Local opposition

The decision to add fluoride to water came after 72% of those who responded to public consultation opposed it, with 28% in favour. An opinion poll commissioned by the SCSHA produced a narrower result, with 38% against the scheme and 32% in favour and 29% "don't knows".

Mr Wolfe said the authority's move was contrary to government policy that no new fluoridation schemes should be introduced unless it could be shown that the local population was in favour. He said the health authority decision meant that approximately 195,000 people in Southampton and parts of south-west Hampshire "would have fluoride added to their water whether they liked it or not".

Fluoride is currently consumed by 5.5 million people across the country.

John Howell QC argued on behalf of the SCSHA that the authority was required to make a decision on the merits of the scheme, having taken into account local opposition.

But he said the authority was not legally bound to enact whatever the majority of consultees thought, one way or the other.

James Eadie QC, appearing for Health Secretary Andrew Lansley, supported the SCSHA's stance.

Fluoride added to water

