

NOTTINGHAM

Eight month Indi Gregory is England's latest "end of life" victim

LIFE AND BIOETHICS

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The revolving door of end of life cases brought by NHS Trusts in the UK against persons considered "not fit to live", never stops turning. So, it's out with Sudiksha (ST) and in with

eight-month baby Indi Gregory. This is the name of the latest victim to be trapped between the closing edges of a system which delivers 100% victory to the medical profession in 99.9% of the cases that go to court. Like a factory machine, it works methodically to consistently produce the same result: sick patients enter hospital alive and exit dead, usually by suffocation, at the will of their treating physicians and condoned by the courts.

Monday 30 October, is the date that was fixed for Indi Gregory's "execution" with the standard removal of the ventilator unless a late night letter from the Vatican Paediatric Hospital Bambin Gesù in Rome, obtained by the Italian lawyer Simone Pillon, which offers to take India into their care, is accepted by the Nottingham hospital. The English lawyers representing the Gregory family, have announced an urgent last ditch appeal to request her immediate transfer to Italy and to stop the suspension of Indi's life sustaining treatment. But, considering that similar requests have never been granted in the past, there isn't much hope that Indi will be saved from certain death.

Indi is the eight-month-old baby moving rhythmically to the popular Christmas song *Twinkle Twinkle Little Star* in the video. Her parents, Dean Gregory and Claire Staniforth from Derbyshire, filmed the moment last Friday evening. This is how they have chosen to spend the last precious hours of their baby daughter's life at Queen's Medical Centre in Nottingham. The familiar scene of parents playing a traditional children's song to their baby is so intimate, it highlights the cruel destiny awaiting the oblivious baby girl. When Monday 30 October dawns, Indi's doctors' hands are legally unbound to apply the medical protocol which will induce her death. Indi probably won't live to see her first Christmas.

Indi Gregory was born on February 24, 2023, with an extremely rare degenerative medical condition known as mitochondrial DNA depletion syndrome (MDS). The illness prevents cells from producing enough energy to support the body. Since her birth, Indi has spent her short life as a patient in the paediatric intensive care unit within Queen's Medical Centre, Nottingham. After six months, Indi's doctors told her parents it was no longer in her best interests to receive treatment and it would be kinder to let her die. But, Mr and Mrs Gregory refused to give their consent arguing "she deserved a chance at life". In the UK when parents and those treating a minor cannot agree, the doctors are legally required to ask the courts to make the decision whether life-sustaining treatment should continue. And, as previous cases of this sort have demonstrated, the procedural rules make it extremely difficult for families to challenge the medical profession.

Regretfully, Indi's name will most likely be added to the long list of such life and

death court battles. The world has already watched as Sudiksha Thirumalesh, Archie Battersbee, Isaiah Haastrup, Alfie Evans, Charlie Gard and many others were essentially ordered to die by the courts against the wishes of the parents, to move hospital, or to accept treatment abroad where offers of care were forthcoming after the NHS had washed their hands of them. Another case involved a Polish national, RS, who didn't even need artificial ventilation and who was essentially starved and dehydrated to death after a court order.

These cases continue to raise serious questions about the life and death powers of judges in the UK. As Roger Kiska, legal counsel for Christian Concern, explained in an article for *Christian Today*, "essentially in UK law, where facts are established by a judge at the initial stage of proceedings, they will remain the facts throughout the appeals". Yet, too often it is at this critical stage that family members experience immediate difficulty. In di's parents were given 48-hours notice before their court case was due to start. It wasn't sufficient time to find a lawyer and Mr Gregory was forced to represent himself in proceedings as did Thomas Evans when his son Alfie's case went to court. It takes time to find expert lawyers and for them to prepare a line of defence. Lawyer's fees are extortionate in the UK, which is another factor against the family. And while the family is caught totally unprepared and or out of pocket, the NHS Trust isn't. It has its evidence already prepared before filing their case with the Court of Protection and top barristers if not the King's Council paid by the taxpayer to defend their position. The process unequivocally favours the hospital.

The last issue is about how these patients die. Perhaps not for much longer, but in the present day, euthanasia is illegal in the UK. Despite this, hospitals can withdraw life sustaining treatment against the patient's wishes if the court orders so. This also happens when family members have found alternative care at no cost to the NHS. Instead of being relieved that a burdensome patient will go elsewhere, it seems NHS doctors become even more intransigent. The UK's National Health Service once renowned and the envy of other European countries has not only lost its good name but is a dire warning of what happens when the State takes control of its citizens from cradle to grave.