

Door 'wide open' for gender abortion after CPS blocks trial

By John Bingham, Social Affairs Editor

PROSECUTORS have been accused of leaving the door "wide open" for gender abortion in Britain after blocking an attempt to bring charges against two doctors accused of agreeing to terminations based on the sex of unborn baby girls.

Dr Prabha Sivaraman and Dr Palaniappan Rajmohan were facing the first-ever private prosecution on gender abortion charges after being filmed allegedly

agreeing to arrange terminations because of the gender of a foetus in an undercover *Daily Telegraph* investigation in 2012.

The pair had been summoned to courts in Manchester and Birmingham to answer allegations from Aisling Hubert, a pro-life campaigner from Brighton, and supported by the Christian Legal Centre, in what would have been a landmark prosecution. But the CPS has said that it would use its powers to quash the case.

It said that, although there is poten-

tially enough evidence to bring a successful prosecution, it had concluded it would not be in the "public interest" to pursue the case. It is the second time in two years that the CPS has blocked a prosecution against the pair despite acknowledging that the evidence could lead to a successful prosecution.

In September 2013, the CPS told Scotland Yard, which had investigated the pair following the disclosures in the *Daily Telegraph*, not to charge them, again cit-

ing "public interest" considerations. The decision throws the UK law on gender abortion further into doubt.

Ministers have repeatedly said that sex-selective terminations are illegal in Britain as gender is not specified as a legal ground under the 1967 Abortion Act. But others such as the British Pregnancy Advisory Service (BPAS), the UK's biggest abortion provider, argue the law is "silent" on the issue, given the absence of references to gender in the Act.

Although almost all criminal cases in England and Wales are brought to court by the CPS, any individual or group with evidence that a crime has been committed can present evidence to a court to initiate a private prosecution.

In most cases the CPS then steps in, either taking on the task of pursuing the prosecution itself or formally dropping it.

In this case the two doctors formally requested that the CPS take over specifi-

cally to stop the prosecution. Judges have no powers to stop this happening.

Andrea Williams, chief executive of the Christian Legal Centre, said: "This ridiculous stalemate leaves the door wide open for gender abortion to continue unchallenged.

"Those in authority shout loudly that they oppose gender abortion but refuse to take action against it when they have the chance, leaving women and baby girls unprotected."