

Appeal over sex-based abortion law

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By Harry Yorke

BRITISH lawyers have launched an appeal to the European Court of Human Rights, calling for a reform of abortion law so that doctors in the UK can be prosecuted for aborting fetuses based on their gender.

The appeal comes four years after a *Telegraph* undercover investigation found two doctors were apparently offering abortions to couples based on the sex of their unborn child.

In 2012, doctors Prabha Sivaraman and Palaniappan Rajmohan faced the first ever private prosecution on gender-abortion charges after being filmed by the *Telegraph* appearing to agree to gender-determined terminations.

The landmark case rested on allegations made by Aisling Hubert, a "pro-life" campaigner from Brighton, but was thrown out by the Crown Prosecution Service (CPS) on the grounds that it would not be "in the public interest" to pursue it.

The CPS said the "law does not, in terms, expressly prohibit gender-specific abortions".

However, six months after their appeal was rejected by the Court of Appeal, barristers for Miss Hubert have presented their case to the European Court of Human Rights in hope that the ruling will be overturned.

Andrea Williams, of Christian campaigning organisation Christian Concern, said: "It is a privilege to stand alongside Aisling in her courageous fight to challenge the establishment to deliver justice. So far, justice has not been done. These doctors

were breaking the law when they agreed to offer abortions on the basis of gender. As a result of the refusal to act, baby girls in the womb in Britain remain at risk.

"Aisling's attempts to seek justice have been persistently undermined by the CPS."

Spearheading the appeal, Paul Diamond, a leading religious-rights barrister, will argue that the right to life outlined in Article 2 of the Human Rights Convention applies to the prenatal stage of pregnancy.

The case will also high-

100m

The number of female fetuses believed to have been aborted globally with ultrasound scans

light that the "discriminatory" practice is still used by couples in Britain - namely those from certain ethnic backgrounds - who prioritise having a boy over a girl.

The group says the application will call on all of Europe to "prohibit abortion on grounds of sex" and will seek to show that the Director of Public Prosecutions (DPP) failed to uphold this principle.

The doctors requested that the CPS stop the case being brought forward - a request granted by Alison Saunders, the DPP.

Last year a Bill outlawing gender-based abortion was defeated in the Commons.

With advances in ultrasound technology, more than 100 million female fetuses are believed to have been destroyed worldwide.