

News

Supreme Court rejects US care for brain-damaged baby

A couple hoping to take their sick baby son to the United States for treatment have lost a last-ditch appeal in the Supreme Court. Connie Yates and Chris Gard want ten-month-old Charlie Gard, who suffers from a rare genetic condition and has brain damage, to undergo a therapy trial.

Charlie's mother broke down in tears and screamed as justices announced their decision.

Specialists at Great Ormond Street Hospital in London, where Charlie is being cared for, have said that therapy proposed by a doctor in America would be experimental and would not help. They have said that life support treatment should stop.

In April, a High Court judge ruled against a trip to America. Three

Court of Appeal judges upheld that ruling in May.

Yesterday, Richard Gordon, QC, for the couple, argued that parents and parents alone were the judges of their child's best interests and any other approach was an unjustifiable interference with their human rights.

Katie Gollop, QC, who led Great Ormond Street's legal team, said the couple seemed to be suggesting that "parents always know best". However, the paramount interest in such cases was the welfare of the child.

Ms Gollop said the case was "particularly sad" but the US treatment would be futile. She said of Charlie: "He can't see, he can't hear, he can't move, he can't cry, he can't swallow." She added: "He is on a



Chris Gard and Connie Yates appeared distressed as they left the Supreme Court

machine which causes his lungs to move up and down because his lungs cannot go up and down."

Baroness Hale of Richmond, deputy president of the Supreme Court, sitting with Lord Kerr of Tonaghmore and Lord Wilson of Culworth, said Charlie's parents had been offered a new treatment in the US, deoxynucleoside therapy, which was thought might lead to some improvement although it had never been tried on humans or animals with that particular condition. Parents, she said, were "not entitled to insist upon treatment by anyone which is not in their child's best interests".

The court agreed that withdrawal of life support would be delayed for 24 hours to give the couple a chance to see whether they could appeal to the European Court of Human Rights.