

UK court sets new hearing in case of terminally ill baby

July 10 2017, by Caroline Spiezio



This is an undated photo of sick baby Charlie Gard provided by his family, taken at Great Ormond Street Hospital in London. A British court will assess new evidence Monday July 10, 2017, in the case of 11-month-old Charlie Gard as his mother pleaded with judges to allow the terminally ill infant to receive experimental treatment for his rare genetic disease, mitochondrial depletion syndrome. (Family of Charlie Gard via AP)

A British court on Monday gave the parents of 11-month-old Charlie

Gard a chance to present fresh evidence that their terminally ill son should receive experimental treatment.

The decision came after an emotionally charged hearing in the wrenching case, during which Gard's mother wept in frustration and his father yelled at a lawyer.

Judge Nicholas Francis gave the couple until Wednesday afternoon to present the evidence and set a new hearing for Thursday in a case that has drawn international attention.

But the judge insisted there had to be "new and powerful" evidence to reverse earlier rulings that barred Charlie from traveling abroad for treatment and authorized London's Great Ormond Street Hospital to take him off life support.

"There is not a person alive who would not want to save Charlie," Francis said. "If there is new evidence I will hear it."

Charlie suffers from mitochondrial depletion syndrome, a rare genetic disease that has left him brain damaged and unable to breathe unaided. His parents want to bring him abroad for experimental therapy, which they say offers their son a chance of improvement.

But British and European courts have sided with the hospital's decision that the 11-month-old's life support should end, saying therapy would not help and would cause more suffering.



The parents of sick child Charlie Gard, Connie Yates and Chris Gard as they arrive at the High Court in London for a hearing in their latest bid to see him treated with an experimental therapy, in London Monday July 10, 2017. Charlie Gard is on life support at Great Ormond Street Hospital, and remains at the centre of a legal battle to allow the terminally ill infant to receive experimental treatment for his rare genetic disease, mitochondrial depletion syndrome. (Nick Ansell(/PA via AP)

The re-opening of the case at London's High Court may allow Charlie to receive the experimental treatment at his current hospital or abroad.

Great Ormond Street Hospital applied for another court hearing because of "new evidence relating to potential treatment for his condition."

The evidence came from researchers at the Vatican's children's hospital and another facility outside of Britain.

The application came after both Pope Francis and President Donald Trump fueled international attention to the case, with hospitals in Rome and the U.S. offering to provide Charlie the experimental therapy.

The case pits the rights of parents to decide what's best for their children against the authorities with responsibility for ensuring that people who can't speak for themselves receive the most appropriate care.

Under British law, it is normal for courts to intervene when parents and doctors disagree on the treatment of a child—such as cases where a parent's religious beliefs prohibit blood transfusions. The rights of the child take primacy, rather than the rights of parents to make the call.



Parents of Charlie Gard, Connie Yates and Chris Gard pose for the media ahead of delivering a petition with more than 350,000 signatures to Great Ormond Street Hospital in London, Sunday, July 9, 2017. Britain's justice secretary says the government won't play a role in deciding the medical treatment of a terminally ill baby whose parents want to take him to the U.S. for experimental

treatment. David Lidington says that the decision on 11-month-old Charlie Gard will be made by judges acting "independent and dispassionately" based on the facts of the complicated case. (Dominic Lipinski/PA via AP)

Charlie's parents, Chris Gard and Connie Yates, have received wide public support, while right-to-life groups have intervened in their cause. Americans United for Life chief executive Catherine Glenn Foster was in London on Monday to support the couple.

"Today is a victory for poor Charlie and Chris and Connie over Great Ormond Street Hospital," Foster said after the judge ruled. "There is a tremendous amount of hope here."

A petition supporting Charlie's right to treatment has garnered around 350,000 signatures and more than 1.3 million pounds (\$1.7 million) have been raised online for his case.

Charlie's parents were overcome with emotion during Monday's hearing. At one point, the baby's father, Chris Gard, yelled at a barrister representing the hospital: "When are you going to start telling the truth?"

The baby's mother, Connie Yates, added: "It's really difficult."

"He is our son. Please listen to us," she said.



The parents of sick child Charlie Gard, Connie Yates and Chris Gard, left, as they arrive at the High Court in London for a hearing in their latest bid to see him treated with an experimental therapy, in London Monday July 10, 2017. Charlie Gard is on life support at Great Ormond Street Hospital, and remains at the centre of a legal battle to allow the terminally ill infant to receive experimental treatment for his rare genetic disease, mitochondrial depletion syndrome. (Nick Ansell/PA via AP)

Francis—who also ruled on an earlier chapter in the case—said everyone involved in the case wanted the best for Charlie. He rejected an attempt

by the child's parents to have another judge hear the new evidence.

"I did my job," he said. "I will continue to do my job."

Before Monday's hearing, Connie Yates told Sky News that she wanted judges to listen to experts on her son's condition who say the treatment might help.

The mother said seven specialists from around the world have expressed support for continued treatment and told her it has an "up to 10 percent chance of working."

"I hope they can see there is more of a chance than previously thought and hope they trust us as parents and trust the other doctors," she said.

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