



Press Release on the Tragic Passing of Archie Battersbee

It is with great sadness that we hear that Archie Battersbee has passed away. It is a death which will be made all the harder to bear for Archie's parents as it results from the withdrawal of life-sustaining treatment against their strenuous objections.

This decision has come after four hearings in the High Court, two in the Appeals Court, two decisions by the Supreme Court, one by the European Court of Human Rights and an intervention by the United Nations Committee on the Rights of Persons with Disabilities. In law, Barts Health NHS Trust has prevailed over the parents of the child; but this is surely a Pyrrhic victory. No one wins when decisions are made in a way that increases the distress of those who will feel the loss most deeply.

The court battle over Archie Battersbee's care is the latest example of the dying of children becoming complicated by unresolved conflict between parents and hospital authorities. It seems clear that there are serious problems with the current clinical, interpersonal, ethical, and legal approach to these situations.

The Anscombe Bioethics Centre has drawn attention to what seems to be a systematic lack of respect in English law for the role and responsibilities of parents in such cases¹. We have also drawn attention to persistent failures in clinical practice in relation to the dignity of people who have profound disabilities².

¹ *Press Statement on Archie Battersbee: "Very Likely Dead" is not Dead Enough*, Anscombe Bioethics Centre (17 June 2022): <https://www.bioethics.org.uk/news-events/news-from-the-centre/press-statement-on-archie-battersbee-very-likely-dead-is-not-dead-enough/>; *Press Statement – Charlie Gard: Doing the Right Thing for the Right Reasons*, Anscombe Bioethics Centre (7 July 2017): <https://bioethics.org.uk/press-room/press-statements/press-statement-charlie-gard-doing-the-right-thing-for-the-right-reasons/>; *Press Statement – Alfie Evans: A Brief Statement of the Fundamental Ethical Principles*, Anscombe Bioethics Centre (2 February 2018): <https://bioethics.org.uk/press-room/press-statements/press-statement-alfie-evans-a-brief-statement-of-the-fundamental-ethical-principles/>; *Press Statement – Pippa Knight: The Benefit of Being Cared for Unawares*, Anscombe Bioethics Centre (4 February 2021): <https://bioethics.org.uk/press-room/press-statements/press-statement-pippa-knight-the-benefit-of-being-cared-for-unawares/>; *Press Statement – Alta Fixler: Subsidiarity and the Importance of Circumstances*, Anscombe Bioethics Centre (4 August 2021): <https://bioethics.org.uk/press-room/press-statements/statement-the-alta-fixsler-case-subsidiarity-and-the-importance-of-circumstances/>

² *Briefing Paper: Depriving People of Food and Water Despite Their Previously Expressed Religious Beliefs*, Anscombe Bioethics Centre (12 January 2021): <https://www.bioethics.org.uk/media/5mzkxim/depriving-people-of-food-and-water-despite-their-previously-expressed-religious-beliefs.pdf>

The Centre therefore calls on the Secretary of State for Health to act urgently to bring into force section 177 of the Health and Care Act 2022³ which states that:

(1) The Secretary of State must arrange for the carrying out of a review into the causes of disputes between (on the one hand) persons with parental responsibility for a critically ill child and (on the other) persons responsible for the provision of care or medical treatment for the child as part of the health service in England.

(2) The Secretary of State must publish and lay before Parliament a report on the outcome of the review, within one year beginning with the date on which this section comes into force.

The tragic case of Archie Battersbee must lead to reform so that such conflicts can be averted in the future.

Our last thoughts and our prayers are for Archie's family, and for Archie himself. May his soul, and the souls of all the faithful departed, through the mercy of God, rest in peace.

END

Notes to Editors:

- For more information on the Anscombe Bioethics Centre, see our website www.bioethics.org.uk
- For interviews or comment, contact: media@bioethics.org.uk or 07900925708



© The Anscombe Bioethics Centre 2022

82-83 St Aldate's, Oxford, OX1 1RA, United Kingdom

Tel: 07734 964 620

Email: admin@bioethics.org.uk

Reg. Charity No. 274327

³ *Health and Care Act 2022*, section 177: <https://www.legislation.gov.uk/ukpga/2022/31/section/177/enacted>