



Written by [Michael Tennant](#) on June 24, 2019

British Judge Orders Forced Abortion of Mentally Challenged Woman's Baby

A U.K. judge with a [history of pro-abortion activism](#) has [granted](#) doctors' requests to terminate a mentally challenged woman's pregnancy despite the opposition of the woman, her mother, and a social worker familiar with the woman.

"I am acutely conscious of the fact that for the State to order a woman to have a termination where it appears that she doesn't want it is an immense intrusion," Justice Nathalie Lieven of the Court of Protection, which considers cases involving individuals deemed incapable of making competent decisions, wrote in her decision Friday.

Nevertheless, Lieven added, "I have to operate in [her] best interests not on society's views of termination."

The woman in question, whose identity is not being released, is in her 20s but has been judged to have the mental capacity of a six-to-nine-year-old. Police are still investigating the circumstances surrounding her conception.

At the time of the ruling, the woman, who lives in the London area, was in her 22nd week of pregnancy. Under the 1967 Abortion Act, abortions may be performed through the 24th week for any reason; after that, doctors must certify their medical necessity. Lieven also had to consider the terms of the 2005 Mental Capacity Act.

Doctors from the National Health Service (NHS) trust serving the woman "consider that on balance, a termination is in her best interests," the trust's lead attorney, Fiona Paterson, told Lieven in a case outline. "In broad terms [they] believe that as a result of her learning disabilities, [she] would find labor very difficult to tolerate and the recovery from a Caesarean section very challenging." In addition, she said doctors are of the opinion that the woman would find it easier to recover from an abortion than from having her birthed child torn from her, as might happen, and that the continuation of her pregnancy puts her at "increased risk of psychosis."

Left unsaid, at least in press accounts of the case, is that the cash-strapped NHS — the sort of universal healthcare model favored by many leading U.S. politicians — would also save a significant amount of money by killing the unborn baby. Taxpayers, after all, would be on the hook not just for the birth itself but for the cost of the child's healthcare for the rest of his life, whereas an abortion is a comparatively cheap, one-time expense.

The woman's attorney, Susanna Rickard, told Lieven that the woman wants her baby and that aborting it would not be in her best interests.





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The woman's mother, a Nigerian and a Roman Catholic, is opposed to abortion on both cultural and religious grounds. Her attorney, John McKendrick, told the court that the NHS "underestimated [the woman's] ability and understanding." According to the [Press Association](#), "McKendrick said the judge had 'no proper evidence' to show that allowing the pregnancy to continue would put the woman's life or long-term health at grave risk."

"Termination," he declared, "is not in [the woman's] best interests."

A social worker who has worked with the woman for about two years also [testified](#) that carrying the baby to term was in the woman's "best interests."

No one, it seems, considered whether abortion was in the baby's best interests.

As McKendrick correctly observed, the whole case rested on speculation as to how the woman might respond to childbirth and motherhood. Lieven's ruling did likewise. The judge guessed that the woman "would like to have a baby in the same way she would like to have a nice doll"; that, after giving birth, the woman might have to leave her mother, who takes care of her and is willing to take care of the baby; and that the baby might be taken from the woman, who "would suffer greater trauma" than if the baby were aborted because "it would at that stage be a real baby."

Whether gestating or born, of course, the woman's child is a "real baby." And when Lieven's order is carried out, that "real baby" will endure an agony to which Lieven, who once [likened abortion restrictions to torture](#), is entirely indifferent.

UPDATE, JUNE 24: A three-judge appeals court has overruled the lower court judge, and the baby will not be aborted. The judges said they would give reasons for their decision at a later date, [according to lifenews.com](#).

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