

# THE ARCHIE BATTERSBEE CASE - LESSONS IN TRUST, DIGNITY AND AUTONOMY IN END OF LIFE CARE

Wednesday, 11<sup>th</sup> January 2023 | 5 to 7pm

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## Brief about the webinar topic

The Archie Battersbee case in the UK brought to the forefront ethical complexities in end of life care the world over. It is especially relevant in the Indian context. This webinar will delve into the legal, medical, ethical and financial dimensions of end of life care (EoLC), especially where trust between the family and healthcare professionals has broken down.

## Background

On 7th April 2022, 12-year-old Archie Battersbee's mother found him unconscious at home with a ligature around his neck. The clinical team at Barts Health NHS Trust gave him round-the clock intensive care. However, once the full extent of his devastating brain injuries became clear the clinical team concluded that prolonging treatment was no longer in Archie's best interests. Archie's parents believed he could recover, and wanted intensive care to continue. They took Barts to court. After multiple appeals, the legal dispute ended with the Court stating that it could not authorize or declare lawful the continuation of his present treatment. Archie's life support was withdrawn on 6th August 2022 and soon after he was pronounced dead.

**This webinar will feature presentations, a moderated discussion among healthcare professionals, ethicists, and lawyers and Q&A with the audience.**

1. The Archie Battersbee case, Ethics of End of Life Care - a global overview | **Dr. Paul McConnell, UK**
2. End of Life Care in UK | **Dr. Radha Sundaram, UK**
3. Legal aspects of End of Life Care in India | **Dr. Dhvani Mehta, Delhi**
4. End of Life Care in India - black, white or grey | **Dr. Naveen Salins, Manipal**
5. Ground realities in ICUs in India – End of Life Care case studies | **Dr. R. K. Mani, Ghaziabad**
6. Integrating Palliative care teams into pathways of care | **Dr. Vidya Viswanath, Visakhapatnam**
7. End of Life Care and organ donation | **Dr. Zubair Umer Mohamed, Saudi Arabia**

## BIO-SKETCH OF PANELISTS



**Dr Dhvani Mehta** is a Co-Founder and Lead, Health at Vidhi Centre for Legal Policy, Delhi. She has worked specifically on research projects on environmental clearances, the National Green Tribunal, organ transplant laws, end of life care, and pharmaceutical and medical device regulation. She has appeared in the Supreme Court of India in petitions filed by Vidhi on advance medical directives and discrimination against persons affected by leprosy. She has authored chapters on the implementation of environmental judgments and healthcare corruption in India. Dhvani read for a doctoral degree at the University of Oxford on a Rhodes Scholarship, where she was Chairperson of Oxford Pro Bono Publico and an editor of the Oxford Human Rights Hub blog. Her doctoral thesis explores the idea of an environmental rule of law in India and was cited by the Supreme Court of India.



**Dr Naveen Salins** is Professor and Head of the Department of Palliative Medicine and Supportive Care at the Kasturba Medical College, Manipal. He is also the Editor of the Indian Journal of Palliative Care, Director of the EPEC India program of the North-western University United States and Honorary Professor of Medicine, Cardiff University UK. Dr. Salins is the mentor of the CTC-RMI program of the Government of India for implementing the provisions of amended NDPS act. He was instrumental in creating the curriculum for MD Palliative Medicine and is the member of the executive group of the Medical Council of India.

His area of interest in palliative care is end of life care, and he played a pivotal role in drawing up the position statement and policy guidelines on end of life care for India. He is one of the national leads from India for disseminating the integrated care plan for the dying by collaborating with the International Collaborative for the Best Care of the Dying, University of Liverpool. He played a significant role in the ICMR, ELICIT, IAPC initiative towards creating the standard definitions and terms for end of life care.

He completed his Internal Medicine training with honours from Manipal University and his Diploma and Fellowship in Palliative Care from Adelaide, Australia. He has held many clinical positions in Palliative Care in prestigious institutions such as The Royal Adelaide Hospital, Kasturba Medical College Manipal, HCG Bangalore Institute of Oncology and Tata Memorial Hospital. He is currently pursuing his PhD in Palliative Care from Lancaster University, UK.



**Dr Paul McConnell** is a consultant in anesthesia and critical care at the Royal Alexandra Hospital Paisley in Scotland. He has a specialist interest in the law and ethics and is the current chair of the ethics committee of the European Society of Anesthesiology and Intensive Care. As well as his medical qualifications he was awarded a Masters in Law and Healthcare ethics from the University of Manchester. He has been part of a team who received the Humphry Davy medal for services to anesthesia from the Royal College of Anesthetists for work in ethics and safeguarding.



**Dr Radha Sundaram** is a Consultant in Intensive Care at the Royal Alexandra Hospital in Paisley. Having qualified in India, she did her postgraduate medical, anesthetic and intensive care training in Liverpool, Oxford and Glasgow.

She has a longstanding interest in education and training, having been Faculty Tutor, Deputy Regional Advisor and now Regional Advisor for training in Intensive Care Medicine for Scotland. She is a FFICM examiner and regularly mentors and support s doctors in training through examination attempts. She is also a Clinical Lead for Organ Donation in Scotland to promote awareness amongst BME communities.

Over the last nine years, she has worked with NHSBT, Scottish Government and Kidney Research UK to improve education and awareness around organ donation in our multi ethnic communities. She organised the first Faith and Organ Donation seminar in Scotland in June 2015, a platform to encourage conversations between faith and community leaders and healthcare professionals. She has also established a diverse medical student volunteer network to help disseminate vital information and dispel myths amongst our communities. Her interests in the area of organ donation include improving donation after circulatory death and introducing a tool (COMFRT) to prompt consideration of organ donation at end of life in ICUs.

Her areas of interest include renal replacement therapy, fluid management in ICU, end of life care in ICU, organ donation and education.

During the pandemic she has accumulated experience in managing COVID 19 patients and has been involved in local guideline development and supporting international networks of clinicians.



**Dr R.K. Mani** is a well-known Critical Care Specialist and Pulmonologist. He is currently the Clinical Director and Chairman, Critical Care and Pulmonology, Yashoda Super specialty Hospital, Kaushambi, Ghaziabad, UP.

He holds more than 40 years' experience in the fields of Medicine, Pulmonology and Critical Care in several reputed hospitals of Delhi and the National Capital Region, and is the former President of the *Indian Society of Critical Care Medicine* and Chairman of the Ethics Committee that formulated guidelines on End-of-Life and Palliative Care. In the early decades of the 90s, he was the one to introduce non-invasive ventilation and sleep medicine in the country for the first time. His initiatives to improve EOLC went beyond the strictly medical world to the legal and policy levels. He implemented, in the landmark judgment, *Common Cause vs The Union of India* in 2018 that established the

citizen's right to execute a Living Will and to refuse futile interventions. He has worked with the Indian Council of Medical Research (ICMR) two key papers: Definition of terms used in EOLC and a policy and standard operating procedure for the Do-not-attempt-resuscitation order (DNAR).

He has been an examiner for DNB in Pulmonology as well as in Critical Care. Dr Mani has been on editorial boards of and reviewer for various journals, and has held the position of Chief Editor of the *Indian Journal of Critical Care Medicine* in the period Jan 2013-Dec 2018. He has many awards, honours, publications and book chapters to his name.



**Dr Vidya Viswanath** is a palliative care physician working at Homi Bhabha Cancer Hospital and Research Centre- a unit of Tata Memorial Centre - at Visakhapatnam in Andhra Pradesh, India. She is privileged to be a part of the inception of two socially relevant health related areas in the State of Andhra Pradesh- Transfusion Medicine and Palliative Medicine. She trained and transitioned from transfusion medicine to palliative medicine after observing the impact of chronic disease on patients and their families.

She is an Honorary Tutor in Palliative Medicine at the School of Medicine, Cardiff University and is a resource person for national training programmes in palliative medicine. Areas of her interest include Quality Improvement, Spirituality in healthcare, Integrated palliative care and Qualitative research. Her goal is to make evidence based palliative care accessible, accountable and penetrative in the society and among the medical fraternity.



**Dr Zubair Umer Mohamed** completed his MBBS training from Government Medical College, Thrissur, India. His subsequent Anesthetic and Intensive Care training was from Allahabad, India and the UK. After completing his liver transplant fellowship at Kings College Hospital, UK, Dr Zubair worked as a Consultant in Cardiac ICU at Middlesbrough, UK, and subsequently at Amrita Institute of Medical Sciences, Kochi, India as Associate Professor in Anesthesia and Critical Care where he was in-charge of the

Surgical and Transplant ICU. He joined as Consultant in Adult Critical Care at King Faisal Specialist Hospital and Research Centre, Madinah in April 2022. He has a special interest in Data Science, brain death and organ donation. His areas of research include Antimicrobial Stewardship, Acute Liver Failure and Circulatory failure.

## MODERATORS

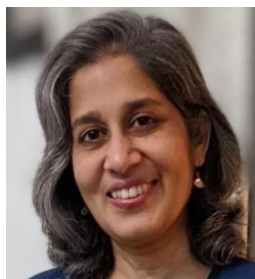


**Dr Sanjay Nagral**, is a surgeon from Mumbai with practice focused on Surgical Gastroenterology, Hepatopancreatobiliary surgery & Liver Transplantation. Currently, he is Director of the Department of Surgical Gastroenterology at Jaslok Hospital & Research Centre, a tertiary care private charitable institution in Mumbai.

He did his undergraduate & postgraduate studies at the GS Medical College & worked at the KEM Hospital Mumbai till 1999 as Associate Professor of Surgery. He was awarded the Inlaks fellowship for higher studies in the UK in 1996 -97 and did fellowships in HPB surgery & liver transplantation at the Kings College Hospital & the Royal Free Hospital in London from 1995 to 1997. He has 120 publications in indexed journals, has edited two surgical textbooks & contributed six textbook chapters.

He was the joint secretary & chairperson of the liver committee of the Zonal Transplant Coordination Centre in Mumbai from 2012 to 2017. He is currently the chair of the donor safety & outcomes committee of the Western region ROTTO of the Government of India. He was nominated to the executive council of the Declaration of Istanbul Custodian Group, an international organization working on transplantation ethics & has been appointed its co-chair for the years 2021-22. He is also the co-chair of the Ethics task force of the Asian Society of Transplantation.

He is the publisher & member of the editorial board of the Indian Journal of Medical Ethics & chairperson of the Forum for Medical Ethics Society. Besides his academic work, Sanjay Nagral writes on issues related to public health, medical ethics & organ transplantation in the public space. He has contributed to multiple publications including the Times of India, Indian Express, Hindustan Times, Mumbai Mirror, Hindu, Economic & Political Weekly, the British Medical Journal, Scroll & Wire. He penned a weekly column called “Second opinion” in the Mumbai Mirror in 2020. He coedited the book “Healers or Predators? Health Care Corruption in India’ which was published by Oxford University Press in 2018.



**Dr Sumana Navin** is a graduate of Osmania Medical College, Hyderabad. She has been working in the field of organ donation and transplantation in the non-governmental organisation sector in Chennai since 1998. She completed a Mini Fellowship in Organ Donation from Gift of Life Institute, Philadelphia, USA and an observership - Deceased Donation Course for Intensive Care Medicine Trainees, NHS Blood and Transplant in Nottingham, UK.

She has been involved in campaigning for public awareness and advocacy, editing the Indian Transplant Newsletter, framing the curriculum and developing content for E-learning courses, training transplant coordinators and ICU personnel in India, Bangladesh, Sri Lanka and Nepal, counselling, and networking with state and central organ donation and transplant regulatory bodies. She has been a speaker at both national and international conferences. In 2022, she was invited as faculty for the 4<sup>th</sup> Annual Conference of the Liver Transplantation Society of India and the Transplant coordinators’ training organised by the National

Organ & Tissue Transplant Organisation (NOTTO). She was also a speaker at an organ donation webinar organised by Astellas Pharma Malaysia and the 25th Annual Scientific Meeting of the Malaysian Society of Transplantation. In 2021, she was a speaker at the 17th Congress of the Asian Society of Transplantation (Virtual Congress), Malaysia, the 31<sup>st</sup> Annual Conference of the Indian Society of Organ Transplantation, and the 16<sup>th</sup> Annual International Conference on Clinical Ethics & Consultation, South Africa. She is a member of the Forum for Medical Ethics Society, Mumbai and was a Member of the Organising Committee and Rapporteurs Committee of the 8th National Bioethics Conference in 2020.

She has published articles in the Indian Journal of Medical Ethics, The National Medical Journal of India, Amrita Journal of Medicine, Indian Journal of Transplantation, Indian Journal of Thoracic and Cardiovascular Surgery, and The Pulse - newsletter of the International Society for Heart & Lung Transplantation.