



Case No: FD23P00452

**IN THE HIGH COURT OF JUSTICE
(FAMILY DIVISION)**

**IN THE MATTER OF THE INHERENT JURISDICTION OF THE HIGH COURT
IN THE MATTER OF INDI GREGORY (A Child)
(Born on 24 February 2023) (age 8 months)**

B E T W E E N:

NOTTINGHAM UNIVERSITY HOSPITALS NHS FOUNDATION TRUST

Applicant

- and -

**INDI GREGORY
(by her Children's Guardian) [1]
DEAN GREGORY [2]
CLAIRE STANIFORTH [3]**

Respondents

REPORTING RESTRICTIONS ORDER

IMPORTANT

If any person disobeys the order made by paragraphs 3 and 4 they may be found guilty of contempt of court and may be sent to prison, fined or have their assets seized. They have the right to ask the court to vary or discharge the order.

**BEFORE THE HONOURABLE MR JUSTICE PEEL SITTING AT THE ROYAL
COURTS OF JUSTICE, STRAND, LONDON, WC2A 2LL ON 31 OCTOBER 2023**

UPON HEARING leading counsel for the applicant (Mr Matthewson) counsel for the first respondent (Ms Scott), who proceeds by her Children's Guardian, and leading and junior counsel for second respondent (Mr Browne KC and Mr Quintavalle) attending in person

AND UPON the third respondent not being in attendance, it being explained that she was with the first respondent (“Indi”), at the hospital

AND UPON the court hearing the application of the second respondent dated 30 October 2023

AND UPON the applicant having agreed at the hearing before the Court of Appeal on 23 October 2023 to inform PA Media of the date of Indi’s death in order for the timescale in paragraph 1 to be properly considered

IT IS ORDERED THAT:

Duration

1. This Order shall remain in force until 8 weeks after Indi’s death. In the unforeseen circumstance of Indi surviving a significant period of time post extubation, such that any party seeks to vary this timescale, an application, supported by evidence, must be made in accordance with paragraph 10 below.

Who is bound

2. This Order binds all persons and all companies (whether acting by their directors, employees or agents or in any other way) who know that the Order has been made.

Publishing Restrictions

3. This Order prohibits the publishing or broadcasting in any newspaper, magazine, public computer network, internet site, social network or media including Twitter or Facebook, sound or television broadcast or cable or satellite programme service of any information (including any photograph, name and/or address) that is likely to lead to the identification of:
 - a. Any of Indi’s medical team (clinical and non-clinical), including the name of the second opinion doctor, and those who have otherwise taken a part in or been referred to in these proceedings with the exception of Dr Ross Russell, Dr Walsh and Professor Khan.

Other restrictions

4. This Order further prohibits any publication of the text or a summary of this Order (except for service of the Order under paragraph 7 below) which includes any of the information restricted by paragraph 3 above.

Schedules

5. No publication of the text or a summary of this Order (except for service of the Order under paragraph 7 below) shall include any of the information restricted by paragraph 3 above.

What is not restricted by this Order

6. Nothing in this Order shall prevent any person from:
 - a. Publishing the names of Indi Gregory, Dean Gregory, Claire Staniforth, and the names of any other family member of Indi Gregory which is already in the public domain;
 - b. Publishing the name of the Trust;
 - c. Publishing the name of the hospital where Indi Gregory is currently being treated;
 - d. Publishing information relating to any part of a hearing in a court in England and Wales (including a coroner's court) in which the court was sitting in public and did not itself make any Order restricting publication;
 - e. Seeking or publishing information which is not restricted by paragraph 3 above;
 - f. Inquiring whether a person or place falls within paragraph 3 above;
 - g. Seeking information relating to Indi Gregory while acting in a manner authorised by Statute or by any court in England and Wales;
 - h. Seeking information from the responsible solicitors acting for any of the Parties' or any appointed press officer, whose details are set out in Schedule 1 to this Order below;
 - i. Seeking or receiving information from anyone who before the making of this Order had previously approached that person with the purpose of volunteering information (but this paragraph will not make lawful the provision or receipt of private information which would otherwise be unlawful);
 - j. Publishing information which before the service on that person of this Order was already in the public domain in England and Wales as a result of publication by another person in any newspaper, magazine, sound or television broadcast or cable or satellite programme service, or on the internet website of a media organisation operating within England and Wales.

Service

7. In order to enable prompt service on the media organisations, this Order shall take effect once approved by the Court, notwithstanding that it does not bear the seal of the Court.
8. Copies of this Order endorsed with a notice warning of the consequences of disobedience shall be served by the applicant (and may be served by any other party to the proceedings):

- a. on the respondents;
 - b. by service on such national and local newspaper and sound or television;
 - c. broadcasting or cable or satellite or programme services or internet service providers as they think fit; and/or
 - d. on such other persons as the parties think fit.
9. In each case listed above, service may be by fax or first class post or e-mail addressed to the editor (in the case of a newspaper) or senior news editor (in the case of a broadcasting or cable or satellite programme service) or website administrator or internet service provider (in the case of an internet service) or the administrator of any social network or media sites or to any other individual identified as appropriate and/or to their respective legal departments.

Further application of this Order

10. The parties and any person affected by the restrictions in paragraph 3 above may make an application to vary or discharge it to a Judge of the High Court (Family Division), preferably to the Honourable Mr Justice Peel (who has considered the matter today) on not less than 48 hours' notice to the parties provided that such application is made prior to expiry of this Order.
11. This Order shall take effect from 2pm on 31 October 2023 notwithstanding that it does not bear the seal of the court.

Dated 31 October 2023

Schedule 1

Solicitors for the Trust:

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EXPLANATORY NOTE

The court has before it an application dated 7 September 2023 made by Nottingham University Hospitals NHS Foundation Trust (“the Trust”) for declaratory relief under its inherent jurisdiction concerning the future medical care and treatment of the first respondent, Indi Gregory (“Indi”), born on 24 February 2023, who is now 6 ½ months old. Since her birth, Indi has required intensive medical treatment to meet her complex needs and is currently a patient on the paediatric intensive care unit within Queens Medical Centre, Nottingham.

Indi’s primary diagnosis is combined D, L 2-hydroxyglutaric aciduria, which is described in the evidence as a devastating neurometabolic disorder and is exceptionally rare. Indi’s case is extremely complex and that her care must be seen in the context of her known prognosis which has metabolic, neurological and cardiological aspects, as well as her overall stability. Sadly, patients who present at birth with this disorder have a life expectancy of a matter of months.

The case relates to the most difficult of issues, namely whether life-sustaining treatment for Indi should continue. The court is asked to make that decision because Indi’s parents and those treating her cannot agree. The case was considered at the ethics of clinical practice committee within the hospital on 5 July 2023 and on 8 August 2023 a best interests meeting took place, however an agreement could not be made then, or to date, as between Indi’s parents and her treating team.

By reason of her minority, Indi is unable to consent to her current and future medical care and treatment. The Trust seek a declaration that in the event Indi again deteriorates to a point where medical care and treatment is required to sustain her life, that it is not in Indi’s best interests to receive any critical care or painful interventions, and it is lawful for her treating clinicians to withhold the same.

The Trust also seek a declaration that it is lawful and in Indi’s best interests to be cared for in accordance with the compassionate care plan and such other treatment and nursing care as her treating clinicians in their judgment consider clinically appropriate to ensure that Indi suffers the least pain and distress and retains the greatest dignity.

In this case, the Trust submit that a ceiling of care is appropriate and that further forms of aggressive and invasive treatment are not in Indi’s best interests, whilst recognising that this would likely result in the shortening of her life. Although tragic, the Trust say that the medical evidence is clear, and is supported by second opinion evidence. Whilst further invasive treatment may, for a short time, prolong Indi’s life, it will not improve its quality and will cause her further pain and unnecessary suffering. The proposed care plan provides a level of treatment limited to ensuring that Indi’s death is as comfortable, pain free and peaceful as possible. This can occur in hospital, in a hospice, or at home.