AIMS For a better birth...

The latest from Ágnes

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Donal Kerry provides an update on Ágnes Geréb's fight for freedom

Another October 5th has recently passed, and with it the 6th anniversary of Ágnes's arrest and imprisonment. Before writing this latest update I went to sit with Ágnes in her apartment to discuss what we would include.

Since my July update the main legal event that happened was the verdict handed down on 26 September by the Appeal Court in the five cases where Ágnes had previously been found guilty (Nov 2015 verdict). The Appeal Court not only upheld the guilty verdict but extended the suspended prison sentence from one year to one-and-a-half years and also increased her suspension from working as either a doctor or midwife from three years to five years.

This was a terribly disappointing outcome for Ágnes and her lawyer as they had worked very hard in putting forward significant new legal and medical material which the court simply didn't properly engage with. Consequently, they feel they have grounds to submit the
Appeal Court proceedings to the Supreme Court to seek a judgement as to the overall handling of the cases. All dealings with the Supreme Court in this matter should be finalised in the first half of 2017.

Ágnes said that these latest verdicts made her feel really sad because of the blatant injustice involved in being singled out and treated so differently from how similar current hospital birth deaths (such as from shoulder dystocia) are processed without any criminal aspect whatsoever. She is also saddened by the changes in the home birth world in Hungary where the services, because of high costs, are now not available to everyone and in many ways she sees "the soul of home birth as having gone missing'.

But equally she is so heartened by the joys of her family life, through her interaction with friends and her community and with the wonderful support she continues to receive from so many at home and abroad. She is also commencing her third year of study in the area of homeopathy as part of a four year degree course from a university in London. And on 19 October it is lovely to write that Ágnes gave a presentation at the HRiC European Summit Conference in Strasbourg, France. Details on link: www.humanrightsinchildbirth.org/event/europe-2016/

There are two remaining active court cases, both recently re-opened, which are currently underway in a special court and the final decision on these is scheduled to be issued in January 2017. If their original guilty sentence of two years imprisonment is confirmed or increased, then the only thing preventing Ágnes from being taken directly to prison after the court would be the existence of a presidential pardon

request that she initiated in 2012 on the heels of these sentences. Hopefully, the courts will finally find in Ágnes's favour, but if not, then it will be time to marshal our forces and bring our voices to try and bear on the decision making processes of Hungarian President Áder. I will, of course, contact you all should a powerful campaign in this matter need to be urgently started.

What is now clear is that the end-game of the current events around Ágnes, precipitated with her arrest and imprisonment on 5 October 2010, will likely come to a conclusion in the first half of 2017. Our minimum concern should be to keep Ágnes out of prison, to retain her continuing freedom to work in all areas not restricted by the courts and for her not to be grievously burdened by legal costs accruing from her long and brave fight to defend her freedom, her professional reputation and her right to work in the arena of birthing to which she has
been so committed all of her professional life.

Lets aim to do this.

With warmest regards and thanks

Donal (Kerry)
International Spokesperson
Justice for Dr. Ágnes Geréb Campaign.
More background information on the case against Ágnes can be found at
legalfunddragnesgereb.net/landingpage/court-cases/

AIMS Note
Dr Ágnes Geréb was a leading obstetrician who was prevented from supporting normal, physiological, birth in hospital, so she trained as a midwife and supported (with her team) over 3,500 home births for some 17 years. During that time three babies died, two at seven and 14 months old and one at birth from shoulder dystocia. See AIMS Journal, Vol 24, No2, 2012, p20. Between four and seven babies die of shoulder dystocia complications in Hungarian hospitals each year – no hospital doctor has ever been prosecuted.