



Written by [Warren Mass](#) on September 2, 2014

U.K. Withdraws Arrest Warrant for Parents of Boy With Brain Tumor

In the latest development in the case of a British couple that took their five-year-old son out of the country to seek a new type of radiation therapy for the boy's brain tumor, Britain's Crown Prosecution Service withdrew an arrest warrant for the couple in a hearing at England and Wales' High Court of Justice.

The parents, Brett and Nagemeh King, took their son Ashya (shown) out of Southampton General Hospital last week against the advice of his doctors. The hospital maintains that Ashya has a 70- to 80-percent chance of surviving after five years with the conventional treatment the hospital recommends. The boy suffers from a type of brain tumor called medulloblastoma.



Ashya's parents learned about a new cancer treatment called proton beam radiation therapy and discussed with doctors the possibility of such a procedure for their son. A CNN report cited an explanation of proton beam therapy from Dr. Donald O'Rourke, associate professor of neurosurgery at the University of Pennsylvania School of Medicine, who said that its high-energy particles zone in specifically on the tumor and so do not harm the surrounding healthy tissue as much as the X-ray photons in conventional therapy.

Anticipating objections and court-ordered conventional treatment for his son from the hospital, Mr. King was very guarded about not appearing to oppose the conventional treatment. He explained in a statement posted on YouTube:

I realized I can't speak to the oncologists at all because if I actually asked anything or gave them any doubt that I wasn't in full accord with them, they were just going to get a protection order, which meant in his [Ashya's] deepest, darkest hour I wouldn't be there to look after him; neither would my wife. They would prevent us from entering the ward. So under ... such a cruel system, I decided to start looking at the proton beam myself.

Dr. Michael Marsh, medical director at University Hospital Southampton, issued a statement: "We very much regret that the communication and relationship with the King family had broken down in this way and that for whatever reason they have lost confidence in us. Our first concern is for Ashya's welfare."

Marsh acknowledged that some tumors respond well to proton beam treatment, but said, "There are some cases where there isn't the evidence that this is a beneficial treatment." However, the hospital statement did not indicate into which category they believe Ashya's case falls.

The Kings took their six children to Malaga, Spain, where they intend to sell property they own there to



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pay for Ashya's treatment. The therapy is available in the United States and the Czech Republic and can cost upwards of \$33,000.

After arriving in Malaga, the Kings were arrested on August 31 after a European arrest warrant was issued by Interpol at the request of British law enforcement authorities. A Spanish judge ruled the next day that they should be held in custody while the court decided whether to grant Britain an extradition request.

Ashya was taken to Materno Infantil Hospital in Malaga, and that facility communicated with University Hospital in Southampton to obtain information about his case.

The case received a substantial amount of publicity back in Britain and even came to the attention of Prime Minister David Cameron.

"I think people up and down the country will understand and be moved by the grave illness from which Ashya is suffering. The priority must be that he receives the most appropriate care," Cameron's official spokesman said, as quoted by CNN.

Cameron told the radio station LBC that Ashya's ordeal reminded him of his late son Ivan, who had cerebral palsy and epilepsy. He recalled having his own son sit on his lap while he fed him through a tube.

"I just hope there'll be an outbreak of common sense — and a rapid outbreak of common sense — so that the family can be reunited with this young boy and the best treatment can be given to him, either in the United Kingdom or elsewhere," the AP quoted Cameron as adding.

With such a high level of publicity, it seems likely that public sentiment favored the Kings, and thus the legal system declined to continue further action against them.

"Our intent was to secure his safety, not to deny him family support at this particularly challenging time in his life," Hampshire Police Chief Constable Andy Marsh said, as quoted by AP.

"No further action will be taken against Mr. and Mrs. King and we are now in the process of communicating this decision to the Spanish authorities so that they can be reunited with their son as soon as possible," British prosecutors said.

A Spanish state prosecution source who asked not to be named told AFP that the prosecutors believe there was "no abandonment of the minor nor carelessness by the parents," which suggested that the Kings' release would occur soon.

Interpol photo of Ashya King: AP Images



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