

DR DE VOS' PLEA

Not guilty to counts 1 and 2

In the absence of full particularity to the charges, the following assumptions are made for purposes of the plea.

- a) The unborn child was 19/20 weeks old when killed.*
- b) The doctor authorized to do the killing was Dr Archary.*
- c) The method used was medical induction by means of mifepristone and misoprostol followed by evacuation*

The essence of the defence is as follows:

1. At all times Dr De Vos acted in the best interests of the mother and her healthy 19/20 week-old unborn child, more particularly:
 - a) By trying to save the life of the healthy unborn child. In this regard, amongst other things, the expert evidence of Dr Warton will be led showing that it is medically reasonable to view a 19/20 week-old unborn child as human life.
 - b) By trying to prevent the mother from authorizing Dr Archary, or any other doctor, to kill her healthy unborn child given the significant risk of physical and/or emotional and/or psychological effects such an act would have on her.
2. Dr De Vos sought to ensure that the mother's decision was an informed decision by giving her the information she needed to make such a life-altering decision. Central to this information was to inform the mother that her unborn child of 19/20 weeks was unborn human life.
3. Dr De Vos did not prevent or stop the mother from authorising Dr Archary to kill her unborn child.

In light of the assumptions made further expert summaries will be prepared which will be provided to the proforma complainant before the recommencement of the hearing.