

Alliance for Choice Derry  
c/o Woman Centre Derry  
5 Guildhall Street  
Derry-Londonderry  
BT48 6BB

[allianceforchoicederry@gmail.com](mailto:allianceforchoicederry@gmail.com)

## **View on Abortion Services (Safe Access Zones) Bill**

Dear Sir/Madam,

As an organisation with a membership of over 4,000 members across the north-west of Northern Ireland, Alliance for Choice Derry wish to respond to the call for views regarding the Abortion Services (Safe Access Zones) Bill.

We wish to voice our strong support of this Bill and ask that the Northern Ireland Assembly ensure it is passed before the dissolution of Stormont in anticipation of an election and/or summer break of 2022. The current harassment legislation is often not applicable to protests that occur outside clinics due to shortfalls in the current legislation. This Bill is a more focused and is a preventative piece of legislation that seeks to deter harassment to protect staff and patients. The Bill directly implements a recommendation within the report from the CEDAW Inquiry into abortion legislation in Northern Ireland under the Optional Protocol to CEDAW, which requires the State Party to protect women from harassment by anti-abortion protesters by investigating complaints and punishing perpetrators.

The Bill is also entirely consistent with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Article 12 of the Convention, which deals with healthcare, requires State Parties to ensure women access to full healthcare, including family planning. It also emphasises the right of women to enjoy full human rights, including non-discrimination and non-harassment in all areas of life (Articles 1-3), and the elimination of gender stereotypes, including those that prioritise the role of women as mothers (Article 5)<sup>10</sup>. It is relevant to note in this context that Northern Ireland has an obligation to implement CEDAW under international law, as part of the UK's overarching obligations as a State Party to CEDAW.<sup>1</sup>

As grassroots activists, we believe strongly in the right to free speech and the right to protest. However, the right to protest should not create barriers to healthcare. Indeed, as activists, we believe that while you have a right to protest, you do not have a right to a forcibly captured audience. Accordingly, we fully support the proposal of barrier zones around "protected premises" in Northern Ireland, and agree with Points 2 and 3 of the proposed Bill that these protected premises are defined as, "where abortion treatments are carried out" and "where information, advice and counselling about abortion treatments are provided."

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<sup>1</sup> See: <https://wrda.net/wp-content/uploads/2021/11/WPG-Evidence-Submission-Safe-Access-Zones.pdf>

We would like to pledge our support for Point 4 of the bill and the definition of “protected persons.” The following quotation from Person D - an abortion service-user in County Down - illustrates the experience of people who meet the criteria of Point 4 (a) in the proposed bill:

*“These groups of people are extremely intimidating and have no place outside health care buildings of any kind. Their presence changes nothing and causes nothing but extreme upset and distress. Health care places should be a safe space for all. A place free from intimidation, bullying and upsetting graphic images that causes so much pain and heart break. Instead of the PSNI protecting the protesters, they should be keeping these vital health care areas safe and free for all to attend including the vulnerable individuals who desperately needed a safe space. Thank you for your time and this opportunity to voice my hurt, frustration and concerns. I feel heard. I just hope our stories can make a change.”<sup>2</sup>*

The actions proposed by this bill – creating a “safe access zone” - will protect not only service-users but premises, workers and people in the immediate vicinity from the harm and trauma described by Person D. Indeed, as the following quotation from Person E illustrates, it is not just abortion service-users who are impacted by the presence of protests outside healthcare centres:

*“I fully support women’s choice but also people right to protest. My concern is the locations these people decide to hold them. Vulnerable children and adults attend these health care facilities. I have to pass these groups twice a week on several occasions as I live close to [my local] hospital. Where they stand outside a mental health clinic. My first encounter with this group happened when I had to take my 7 year old granddaughter who has autism, to attend her appointment at the clinic. She finds large number of people very stressful. They were outside the clinic and we had to walk past them. When I saw them I didn’t know who or why they were there, my first thought was for my granddaughter. But as we approached I could see they had graphic images of babies in the womb. I was sick to my stomach.”<sup>3</sup>*

## **Safe Access Zones**

Alliance for Choice Derry would also like to voice our strong support for the terminologies used to describe a “safe access zone”. We agree and support Points 6, 7 and 8 of this bill.

- We would like to suggest the inclusion of another aspect to Point 8, that: safe access zones must be made compulsory in each region across Northern Ireland – with the Department enforcing this protocol.

As regards Points 9, 10 and 11 of this bill, Alliance for Choice Derry voice our full support. We wish to state our belief that this legislation will be pre-emptive and combat

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<sup>2</sup> Person D submission to *Together for Safety*.

<sup>3</sup> Person E submission to *Together for Safety*.

the harassment of healthcare service-users that is ongoing and will likely result in physical harm and/or legal problems for the Department in the future.

It is also important to note that activities such as spreading medical misinformation via leaflets, frightening and grotesque imagery, the act of recording service-users entering medical buildings (which is extremely problematic especially for those who are victims of rape, incest or intimate partner violence), shouting, coercive behaviour and public demonstrations of praying have a traumatising impact on those seeking abortion healthcare.

Person F highlights how she felt witnessing these behaviours:

*20 years ago I lost my baby girl at 20 weeks. Back then there wasn't much help so I just got in with it. But having to see the images brought heart breaking memories back. Causing me great deal of stress, anxiety and panic. I complained to a female member of the PSNI who was protecting the group on that day. I was informed there was nothing they could do as it was a peaceful protest.*

Regarding the proposed fines for offenders, Alliance for Choice Derry believes that anti-harassment training should be provided to prevent repeat offending. This is something that is already in place to prevent repeat offenders from driving dangerously.

Alliance for Choice Derry would also like to call for the provision of telemedicine which will allow abortion care consultations to take place over the phone and in the privacy of one's own home. During the COVID-19 pandemic, we saw telemedicine for abortion rolled out in England, Scotland, Wales and the Republic of Ireland. Telemedicine provides another opportunity to protect abortion healthcare service-users.

It is the obligation of the Northern Ireland Assembly to protect people who seek healthcare. Alliance for Choice Derry fully support the right to protest and we suggest that there be designated places in suitable locations (i.e. away from healthcare centres) for organisations to protest. Medical treatment and consultations are deeply private and personal – they are an interaction between patient and doctor. We implore the passing and implementation of this bill and offer it unequivocal support.

Yours sincerely,

Alliance for Choice Derry.