

1. The name and framing of the bill is designed to imply that there is an issue of safety when accessing healthcare facilities. However there has been no review to consider any such evidence. Many people very strongly oppose the morality and/or legality of such abortion services. However the law already deals with actions which would jeopardise safety by physically obstructing or preventing someone from entering a public building to avail of legal services and/or access their place of work.
2. The aim of the bill is to prevent causing 'alarm, distress and harassment' to vulnerable women and staff. To be clear we do not want to see anyone distressed or subject to criminal behaviours, however we are concerned about the blunt criminalisation of many legal activities within the scope of this bill. There is no doubt that some of the actions of some of the groups involved in protests or offering alternative support services outside healthcare facilities have not been received well by some women, staff, and members of the public. Abortion is a very sensitive issue, and we would encourage people to exercise great wisdom and grace when exercising their legal rights in this area, recognising that some women attending these clinics are particularly vulnerable.
3. It is important to note however that while some behaviours and images will be considered offensive, inappropriate, and unhelpful they do not, and should not cross the criminal threshold for legal intervention. Again, while some behaviours and experiences may be unpleasant or divisive, there is no right not to be offended and such activities can be discouraged through other measures rather than criminalisation. It is worth noting some alleged aggressive activities have already been addressed in other legislation, namely, Protection against Harassment Order 1997 and the Public Order Order 1987. Other activities such as silent prayer or peaceful protests should not to be deemed 'unsafe' or 'criminal' simply because they are considered unwelcome or unpopular.
4. There may be legitimate and proportionate reasons for limiting gatherings or activities in some spaces, particularly on Health Trust property, for example to maintain ambulance access, no smoking etc. The owners of such property can already exercise their rights in terms of what behaviours are permitted on their property without recourse to this legislation. However, when it comes to most public spaces, the freedom to protest and express opinions and beliefs is well established in law. This bill aims to restrict some of these fundamental freedoms, namely, freedom to protest (Article 11) and freedom of expression (Article 10). Any domestic legislation that seeks to limit these freedoms must demonstrate a necessary, legitimate and proportionate aim. Our concern is that this bill as drafted is too blunt and vague in the restriction of such freedoms. The bill also fails to define the physical parameters of such a zone. It takes a blanket approach rather than dealing with any specific individuals and actions which may contravene existing criminal law.

5. The contents of the bill stipulate that it would be a criminal offence if someone was to 'influence' the protected person, whether 'directly or indirectly'. It's worth noting that this appears to criminalise both positive and negative influence and that the typical legal threshold is 'undue' or 'unreasonable' influence which causes distress. The chosen wording of 'influence', whether 'directly or indirectly' is very vague and very concerning. Would influencing someone include offering a leaflet or even praying?

6. This bill would criminalise offering alternatives to abortion like counselling and advice, or practical supports that may influence the woman seeking or considering abortion within this area. It would be important that the committee consider any evidence of women who have been helped by those offering alternatives to abortions outside healthcare facilities. A campaign launched in England called Be Here for Me, advocates for mothers who are against the banning of help outside abortion clinics. Their website provides powerful testimonies about mothers who have received help outside of clinics. [<http://behereforme.org>] The ability to access legal services and the freedom to protest against these very services can both be provided for in society. Good legislation should be able to ensure public safety, protect the space to offer hope for saving unborn children and permit peaceful and respectful public dissent from the state sanctioned taking of human life.