



Friday 7th May 2021

Dear Committee,

I am writing to you on behalf of the Centre for BioEthical Reform, Northern Ireland in relation to the Severe Fetal Impairment Abortion (Amendment) Bill.

CBR NI is an evangelical Christian organisation who draw people together from across the denominational and political spectrum within the reformed faith and give them a platform on which to make their voices heard. Furthermore, as an abolitionist organisation, we agree with the pro-life position that abortion is bad, but further, we believe abortion is murder and ought to be treated as such.

### **Background**

On the 16th of February Paul Givan MLA presented the Severe Fetal Impairment Abortion (Amendment) Bill<sup>1</sup> to Stormont in what CARE, whose policy team in London created the Bill, called 'a crucial first step in reclaiming our life-affirming laws.'

The Bill, however, does not deliver any form of 'life affirming law' as CARE claims. Rather, this Bill would categorise the murder of a child with a minor disability post 24 weeks as a breach of regulations punishable by a fine of up to £5000. This Bill is, therefore, an iniquitous decree as outlined in Isaiah 10:1-2.

The Bill was created without any consultation with organisations in Northern Ireland and falls far short of the Democratic Unionist Party, of whom the proposer is a member, pledge that full repeal of the abortion laws in Northern Ireland would be the first item on the agenda when the Assembly returned some 14 months ago.

As a result, the Bill has failed to garner the support of pro-life groups in Northern Ireland. Indeed, in the wake of this Bill being introduced a coalition of organisations who reject this Bill and are committed to the total and immediate abolition of abortion has been created. This coalition currently involves CBR NI, Precious Life, SPUC NI, Let Them Live, NIvoiceless and Pro Life Irish and the door remains open to other groups who wish to join.

### **What does the Bill aim to do?**

According to CARE 'This Bill will make it illegal to abort a baby after 24 weeks on the basis of non-fatal disabilities.'<sup>2</sup>

It seeks to do this by removing Regulation 7(b) of the Abortion (Northern Ireland) (No. 2) Regulations 2020<sup>3</sup> which says:

---

<sup>1</sup> Severe Fetal Impairment Abortion (Amendment) Bill - <http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2017-2022/severe-fetal-impairment-abortion-amendment-bill/sfia-bill---as-introduced---full-print-version.pdf>

<sup>2</sup> Contact your MLAs about the NI Abortion Disability Bill - <https://care.org.uk/cause/abortion/nibill>

<sup>3</sup> The Abortion (Northern Ireland) (No. 2) Regulations 2020 - <https://www.legislation.gov.uk/ukSI/2020/503/contents/made>

*if the child were born, it would suffer from such physical or mental impairment as to be seriously disabled.*

It will not, however, remove Regulation 7(a) of the Abortion (Northern Ireland) (No. 2) Regulations 2020 which says:

*the death of the fetus is likely before, during or shortly after birth.*

### **What disabilities will and will not be protected beyond 24 weeks by this Bill?**

At the moment the law allows for the abortion of any child up to birth for any disability. The removal of Regulation 7(b) will, however, not provide a definitive list of disabilities that would be protected. The decision on whether a child can be murdered will ultimately be open to interpretation by 'medical professionals'.

In 2016 The Department of Justice started a consultation<sup>4</sup> into changes to the law with regards to 'fatal fetal abnormality'. The consultation examined three approaches to defining 'lethal foetal abnormality' in law

- listing specific lethal conditions
- assessing sustainability of life
- providing no statutory definition of 'lethal', and allowing a clinical judgment of incompatibility with life.

It concluded that the final option was preferable and stated that "[this] option provides a clear statutory framework within which the medical professionals can be sure that the choice of a termination is within the law."

Should a similar approach be adopted now it will be almost impossible to draw up a definitive list of conditions that will and will not be protected by this Bill post 24 weeks as it will be left to the abortionist to decide if the child would naturally die before, during or shortly after birth.

### **What conditions may be covered by this Bill?**

Coverage of this bill has focused on four main disabilities: Down Syndrome, cleft palate, cleft lip and club foot.

CARE, on their webpage promoting this Bill states that 'it is currently legal to abort a baby with a non-fatal disability, such as Down's syn-drome, club foot or cleft palate, right up to term.'<sup>5</sup>

On their webpage Right to Life UK are encouraging people to get involved in 'The campaign to stop abortion up to birth for disabilities including Down's syndrome, cleft lip and club foot in Northern Ireland.'<sup>6</sup>

---

<sup>4</sup> Report of the working group on Fatal Fetal Abnormality - <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/report-fatal-fetal-abnormality-april-2018.pdf>

<sup>5</sup> Contact your MLAs about the NI Abortion Disability Bill - <https://care.org.uk/cause/abortion/nibill>

<sup>6</sup> The campaign to stop abortion up to birth for disabilities including Down's syndrome, cleft lip and club foot in Northern Ireland - <https://righttolife.org.uk/equalhuman>

Paul Givan MLA said, “The idea that Down’s syndrome is some huge problem that should be addressed by abortion is chilling. You don’t have to look far to see the full lives those with disabilities lead; they enrich our communities and families.”<sup>7</sup>

The focus on these four conditions by those who have created, proposed and support the Bill show that these are the main areas that they are seeking to protect. Indeed, this is corroborated by the fact that CARE have also supported a Bill introduced at Westminster seeking to outlaw abortion for three of these four conditions.<sup>8</sup>

### **How many abortions occur after 24 weeks for Down Syndrome, cleft lip, cleft palate and clubfoot?**

In England and Wales statistics are released showing the number of abortions happening and the grounds under which they are performed.<sup>9</sup>

Ground E covers abortions carried out where the child has been diagnosed with a disability. Within these statistics there are separate figures given for abortions where the child had been diagnosed with Down Syndrome, cleft lip and cleft palate.

The total number of abortions performed after 24 weeks for these conditions, as well as the total number of abortions performed, in the past four years is shown below:

		2019	2018	2017	2016
Down’s syndrome		12	18	11	21
Cleft lip and cleft palate		3	1	1	0
Total abortions		209,519	205,295	197,533	190,406

Within the statistics there is no indication of numbers of children who were aborted due to having clubfoot. Rather they are bundled into a category of 15 conditions under the label of 'musculoskeletal system'. This is because abortions on these grounds are so rare that releasing specific figures would risk identifying the people involved in the abortion.

Abortions on the grounds of 'musculoskeletal system' for the past four years’ worth of statistics are shown below:

<sup>7</sup> Bid to change Northern Ireland’s abortion laws set for Stormont - <https://www.belfasttelegraph.co.uk/news/northern-ireland/bid-to-change-northern-irelands-abortion-laws-set-for-stormont-40096741.html>

<sup>8</sup> Ask your MP to support new Bill which will end late-term abortion for treatable disabilities like club foot and cleft lip - <https://care.org.uk/cause/abortion/support-new-pro-life-abortion-bill>

<sup>9</sup> Abortion statistics in England and Wales - <https://www.gov.uk/government/collections/abortion-statistics-for-england-and-wales>

		2019	2018	2017	2016
the musculoskeletal system		43	24	20	24

Even if it is assumed that all of the abortions performed under the 'musculoskeletal system' were for clubfoot (which simply isn't the case), the Severe Fetal Impairment Abortion (Amendment) Bill would only have had the potential to stop an extremely small percentage of the total number of abortions, based on what CARE, Paul Givan and Right to Life UK claim this Bill is seeking to protect.

Indeed this is perhaps best represented by simply seeing the percentage of abortions that this Bill gives approval to by not attempting to prevent them from happening:

		2019	2018	2017	2016
Percentage of abortions that this Bill does not stop based on what it is focused on protecting.		99.979%	99.988%	99.990%	99.987%

### Will this Bill save any lives?

Sadly, no it will not.

The vast majority of abortions for Down's Syndrome, cleft palate, cleft lip and clubfoot occur before 24 weeks gestation. This is due to screening for these conditions happening long before the 24 week mark. For example, in 2019 there were 644 abortions before 24 weeks for Down's Syndrome and only 12 after 24 weeks.

The NHS currently offer screening for Down's Syndrome between 10 and 14 weeks gestation.<sup>10</sup> The Severe Fetal Impairment Abortion (Amendment) Bill leaves a 10 to 14 week window in which children diagnosed with Down's Syndrome can be murdered before the 24 week cut off.

Screening for other minor imperfections occurs at an ultrasound scan between 18 and 21 weeks. Paul Givan's Bill leaves a 3 to 6 week window in which children diagnosed with minor imperfections can be murdered before the 24 week cut off.

The sad reality is that, had this Bill been applied in England and Wales in the past four years, the children with minor imperfections murdered after 24 weeks would simply

<sup>10</sup> Screening for Down's syndrome, Edwards' syndrome and Patau's syndrome - <https://www.nhs.uk/pregnancy/your-pregnancy-care/screening-for-downs-edwards-pataus-syndrome>

have been murdered before 24 weeks. The Severe Fetal Impairment Abortion (Amendment) Bill simply provides a cut off time for when these children can be murdered and they will all be murdered before that date.

### **What is the alternative?**

During his winding-up of the debate on the 15th of March Mr Givan said: "I never heard any Member supporting the Bill invoke religious belief as the basis for it."<sup>11</sup>

Rather than attempting, and ultimately failing, to address 0.01% of all abortions through secular pragmatism, we at CBR NI believe that we should take a Biblical approach to the issue and declare, as God himself did, "Thou shall not murder." (Exodus 20:13)

Abolitionists do not believe that compromise is an effective way to fight child sacrifice. Abolitionists don't believe we should make exceptions for abortion while arguing that abortion is evil. The abolitionist does not believe in encouraging the entrenched ageism and dehumanisation of humans in the womb by putting forward bills that protect some humans at the expense of others based on their age, stage of development or disability. The abolitionist calls for the total and immediate criminalisation of abortion as murder and never attempts to simply regulate or reduce abortion by treating it as healthcare.

Abolitionists believe that we will never abolish abortion by calling for compromise; that we will never end abortion by allowing it all along the way to its "incremental abolition." The abolitionist does not think that you can write laws to "protect babies after 24 weeks with a disability" By writing such laws, pro-life legislators train the culture to believe that all other abortions are permissible instead of instructing the culture to abolish abortion because it is the murder of a human being created in the image of God.

Abolitionists are not trying to make abortion safer for women, more rare, or a little less legal. Abolitionists are seeking to criminalise abortion because it is murder and the laws against murder should be applied equally to all people. At the same time we preach the Gospel of Jesus Christ declaring that there is forgiveness for the sin of abortion, and all repentant post-abortive mothers and fathers can be redeemed and restored in knowing Jesus Christ as Lord.

Simply put, abolitionism is nothing more or less than the practice of consistent biblical Christianity in a culture that practices child sacrifice. In our context, with abortion being the evil of our age, abolitionism is about the abolition of abortion in the name of, by the power of, and for the glory of Jesus Christ.

We call on the proposer of the Bill to withdraw it and, instead, to:

1. state unequivocally that abortion is murder and reject any position that allows for any exceptions to the legal protection of our preborn neighbours, compromises God's holy standard of justice, or promotes any God-hating partiality (Psa 94:6; Isa 10:1-2; Prov 24:11; Psa 82:1-4).
2. not embrace an incremental approach to ending abortion because it challenges God's Lordship over the heart and the conscience, and rejects His call to repent

---

<sup>11</sup> Official Report: Monday 15 March 2021 - <http://aims.niassembly.gov.uk/officialreport/report.aspx?eveDate=2021/03/15&docID=330674>

of sin completely and immediately (Gen 3:1; John 8:44; Rom 2:14-15; 2 Corinthians 11:3).

3. affirm that the murder of preborn children is a crime against humanity that must be punished equally under the law.
4. engage, with God's help, in establishing equal justice and protection for the preborn according to the authority of God's Word, and call upon ministers to use their God-given gifts of preaching, teaching, and leading with one unified, principled, prophetic voice to abolish abortion.
5. call upon the United Kingdom Parliament and the Northern Ireland Executive to repent and "obey everything that [Christ] has commanded," exhorting them to bear fruit in keeping with repentance by faithfully executing their responsibilities as God's servants of justice, and working with all urgency to enact legislation using the full weight of their office to interpose on behalf of the preborn, abolishing abortion immediately, without exception or compromise (Mark 6:18; Matt 28:18-20; Rom 13:4, 6).

CBR NI and our partners stand ready to fight alongside the proposer, under the banner of Jesus Christ, should he decide to adopt a biblical approach to ending abortion in Northern Ireland.

Yours Faithfully,



Mark Lambe  
Centre for Bio-Ethical Reform, Northern Ireland  
mark@cbrni.org