



Northern Ireland Assembly

Justice (No. 2) Bill

Notice of Amendments tabled on 29 January 2016 for Consideration Stage

New Clause

After clause 44 insert -

‘Medical termination of pregnancy

44.—(1) Subject to the provisions of this section, a person shall not be guilty of an offence under sections 58 and 59 of the Offences against the Person Act 1861 and sections 25 and 26 of the Criminal Justice Act (Northern Ireland) 1945 when—

- (a) a pregnancy is terminated by a registered medical practitioner where a diagnosis has been made of a foetal abnormality which is likely to prove fatal, and
- (b) the diagnosis was made by two suitably qualified registered medical practitioners who are of the opinion, formed in good faith, that—
 - (i) the condition of the foetus is likely to cause death either before birth, or during birth, or,
 - (ii) if a live birth should occur, there is no medical treatment which could be offered to alter the fatal nature of the condition or improve the chances of survival.

(2) Every woman, in the circumstances where two medical practitioners have formed an opinion as described in subsection (1), must be given—

- (a) a clinical assessment of the potential impact on her health of either continuing or terminating the pregnancy;
- (b) information on the provision of neonatal and postnatal palliative care in such circumstances; and
- (c) the opportunity to decide whether to terminate the pregnancy or to continue to the point of natural delivery.

(3) In the case where a woman in the circumstances where two medical practitioners have formed an opinion as described in subsection (1) decides to either terminate the pregnancy or continue to the point of natural delivery, she should receive suitable medical and nursing care to enable her to do so.

(4) In subsection (1)(b), ‘suitably qualified’ means a registered medical practitioner who has achieved a Certificate of Completion of Training to practice in the fields of obstetrics, foetal medicine, gynaecology or paediatrics.

(5) No person shall be under any duty to participate directly in any medical or surgical procedure to which they have a conscientious objection and which will result in the termination of a pregnancy.

(6) The right to object on grounds of conscience will not affect any duty to participate directly in such a procedure which is necessary to save the life, or to prevent permanent or long-term injury to the physical or mental health, of a pregnant woman.'

Mr Trevor Lunn

Mr Stewart Dickson