

Abortion (Fatal Foetal Abnormality) Bill

[AS INTRODUCED]

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Make provision to decriminalise medical termination of a pregnancy in those circumstances where the foetus is diagnosed with a fatal abnormality.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Conditions for medical termination of pregnancy

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

- (a) 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 result in the death of the foetus either before birth, or during birth, or
 - (ii) the condition of the foetus is such that 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, and
- (b) a pregnancy is terminated by a registered medical practitioner where a diagnosis has been made in accordance with subsection (1).

(2) In subsection (1)(a), “suitably qualified” means a registered medical practitioner who has achieved a Certificate of Completion of Training to practise in the fields of obstetrics, foetal medicine, gynaecology or paediatrics.

Procedure for medical termination of pregnancy

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

- (a) a clinical assessment of the potential impact on her health of either continuing or terminating the pregnancy;

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- (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.

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

Conscientious objection

10 **3.**—(1) 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.

15 (2) 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.

Commencement and short title

4.—(1) This Act comes into operation on the day after the day on which it receives Royal Assent.

20 (2) This Act may be cited as the Abortion (Fatal Foetal Abnormality) Act (Northern Ireland) 2017.