

# **Northern Catholic Bishops**

## **Response on the Proposed 'Abortion' Services Amendment to the Justice Bill (NI)**

Friday, 12 September 2014

### **Introduction**

As Catholic Bishops we welcome the opportunity to respond to the proposed amendments to the Justice Bill (NI) currently under consideration by the Justice Committee of the Northern Ireland Assembly. While acknowledging the importance of the various amendments relating to the operation of the Courts and general administration of Justice in Northern Ireland, we wish to limit our comments in this submission to the central importance to justice and the common good of every society of respect for the fundamental right to life. Our comments, therefore, relate specifically to the proposed amendment on 'Ending the Life of an Unborn Child'.

It has been the consistent teaching of the Catholic Church that the lives of both a mother and her unborn child are sacred by virtue of their common humanity and therefore require equal protection under the law. The direct and intentional termination of an unborn child denies the humanity and inherent dignity of that child in the womb and violates the most basic human right of all; the right to life.

### **Intentionality re Direct Abortion**

The Northern Catholic Bishops welcome this policy initiative underlying the proposed amendment. Since a fundamental concern for the Catholic Church is to sustain and promote respect for every human life, it is welcome to note that the draft amendment so clearly affirms the existing law prohibiting intentional and direct abortion. In particular, we approve the inclusion of the sub-clause at 11A(3) which expressly articulates the importance of intent with regard to **direct** abortion.

### **The Significance of Existing Statutory Provisions**

We also note that the proposed new article begins and ends with references to the current statutory provisions, thereby underlining their significance.

### **Compliance with Existing Statutory Provisions**

On a wider note, we would observe that monitoring to ensure compliance with the law is

considered vital to secure respect for the life of the mother and her unborn child. The difficulty in monitoring compliance with the existing statutory law on abortion is one factor which makes it sensible and necessary to confine lawful abortion, within the existing legislative framework, to health service premises. The removal of any element of financial gain from the provision of abortion is also a positive step.

We trust that the new amendment, if it were to become law, would not be interpreted in such a way as to make 'location' a sole criterion when determining the legality of any act which results in the ending of the life of the unborn child. While the wording of the amendment is careful to avoid the possibility of such an interpretation, vigilance is needed to ensure that society does not make the assumption that **all** abortions performed in premises operated by a Health and Social Care Trust are therefore lawful in accordance with the existing legal provisions in Northern Ireland. For this reason, we welcome the incorporation at 11A(2)(a) of a reference to **lawful** abortion within the existing legislative framework. We trust that the existing legal provisions shall remain in place in order to ensure the greatest possible protection for the life of the mother and her unborn child.

### **Points for Clarification**

While welcoming the policy underlying the proposed amendment, we express an interest in exploring the implications of clause 11A(2)(b), and in particular would seek reassurance that it would not be interpreted in such a fashion as to facilitate abortion otherwise than on national health service premises. Further, we are aware that in medical practice, a distinction is made between procedures carried out in an emergency, and those conducted as a matter of urgency. Our query is whether the draft reflects this distinction.

By way of further inquiry, we seek clarification of the reason for introducing a new criminal offence.

### **Conclusion**

We would welcome an opportunity to discuss with members of the Justice Committee any of the points arising from this submission.

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