



Northern Ireland
Assembly

Justice (No. 2) Bill

Notice of Amendments tabled on
1 February 2016 for Consideration Stage

New Clause

After clause 44 insert -

‘Abortion in exceptional cases

44A.—(1) The Offences Against the Person Act 1861 shall be amended as follows.

(2) In section 58 (Administering drugs or using instruments to procure abortion), after “being with child” insert “, except in cases where that child has a fatal abnormality as determined by the woman’s obstetrician, and is incapable of an existence independent of the woman,”.’

Mr Steven Agnew

As an amendment to the amendment tabled by Steven Agnew to insert a new clause 44A

‘After “where” insert -

“the child was conceived as a result of rape or incest, or”’

Mr Steven Agnew

New Clause

After clause 44 insert -

‘Amendment to the Criminal Justice Act (Northern Ireland) 1945: exception

44B.—(1) The Criminal Justice Act (Northern Ireland) 1945 is amended as follows.

(2) In section 25(1) at end insert—

“; or that the act was not done because the child had a fatal abnormality as determined by the mother’s obstetrician, and the child was incapable of an existence independent of the mother.”.’

Mr Steven Agnew

As an amendment to the amendment tabled by Steven Agnew to insert a new clause 44B

‘After “child” insert -

“was conceived as a result of rape or incest, or”’

Mr Steven Agnew

New Clause

After clause 44 insert -

‘Amendment to the Criminal Justice Act (Northern Ireland) 1945: defence

44C.—(1) The Criminal Justice Act (Northern Ireland) 1945 is amended as follows.

(2) In section 26, after subsection (2) insert—

“(3) It shall be a defence to an offence under the said section fifty-eight and to an offence under section twenty-five that the person charged is shown by the evidence to have acted in the knowledge that the child had a fatal abnormality as determined by the mother’s obstetrician, and the child was incapable of an existence independent of the mother.”.’

Mr Steven Agnew

As an amendment to the amendment tabled by Steven Agnew to insert a new clause 44C

‘After “child” insert -

“was conceived as a result of rape or incest, or”’

Mr Steven Agnew