

MEETING WITH S. 40(2) OF AMNESTY INTERNATIONAL TO
DISCUSS ABORTION LAW AND out of scope AT 4.00 PM ON THURSDAY 22
SEPTEMBER 2016

Present:

Claire Sugden, Minister of Justice

S. 40(2) Programme Director of Amnesty International
Amnesty International

Amanda Patterson, CPLD

Angela Ritchie, CPLD

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S. 40(2) thanked the Minister and officials for agreeing to meet with him. He reported that the last two years had seen a significant shift in attitude towards abortion reform in Northern Ireland and he welcomed the opportunity to work with the Minister to progress issues further.

2. S. 40(2) sought an update on the work of the Fatal Fetal Abnormality (FFA) Working Group and asked the Minister if she had engaged with the group. The Minister advised him that the group, which had been established in July to bring forward proposals to both her and the Minister for Health was due to report in a few weeks. Both Ministers would then need time to consider the proposals prior to the publication of any recommendations. She confirmed that the group had engaged with the appropriate medical professionals and bodies and had sought input from women in Northern Ireland who had experienced FFA and had undergone terminations, either here or in the UK, or had gone on to have the baby. The purpose of the engagement had been to inform decisions in respect of improving care and support in Northern Ireland and to determine if there was a need for legislative change. She confirmed that should the group recommended legislative change, any decision to put this to the Assembly would be for the NI Executive to make. The Minister said that she had not engaged with the group as she had wanted to remain impartial and objective. Her officials, however, had sat on the group in order to report back to her and the Minister of Health.

3. § 40(2) asked the Minister to confirm that she would progress proposals for legislative change through the Assembly. The Minister stated that proposals for legislative change would be put to the Executive on the basis of a recommendation from the working group and not the Minister of Justice and reiterated that any decision to put these proposals to the Assembly would be a decision for the Executive.

4. § 40(2) advised the Minister that he was aware of a number of MLAs who had a Private Members Bill in train and he was hopeful that they would take it to the floor of the Assembly if they did not get Executive buy-in for the recommendation of the working group should that be for legislative change.

5. The discussion moved on to abortion for pregnancy as a result of sexual crime. The Minister advised that the Department's consultation had not made any recommendations on abortion in cases of sexual crime. Indeed, the responses to the consultation had highlighted how complex this issue was and there was no clear view on how the criteria for abortion in such cases could be legislated for. § 40(2) hoped that the court would rule that such an omission in public service was a violation of human rights. The Minister, however, emphasised that whatever the ruling of the Appeal Court, it would still be a matter for the Executive and the Assembly to decide whether the law should be changed and that the political debate reflected the disparate religious and moral views of the community. § 40(2) said that campaigners wanted to see wider change and were not open to a partial change to the law. Amanda Patterson confirmed that whilst the door was not totally closed on this matter the focus during this mandate would be on FFA.

6. § 40(2) advised the Minister that AI had gathered over 50,000 signatures in a petition in respect of abortion law and he asked her if she would be willing to officially receive it from them. The Minister declined suggesting that it would not be appropriate at this time.

7. § 40(2) thanked the Minister for the meeting which had been very helpful. He suggested that it would be beneficial to meet again in January by which time the

outcome of the working group would be known. In the meantime, however, he would maintain contact with Department officials. S 40(2) extended an invitation for the Minister to speak at the AI conference, 'How One Might do Abortion Law Reform in Northern Ireland' on 25 November 2016. The Minister agreed to look at her current diary commitments to see if this would be possible.

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