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Criminal Justice Policy Division
22 March 1999

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PS/SECRETARY OF STATE (B&L)

file

ABORTION LAW IN NORTHERN IRELAND

Summary

Issue: To respond to a number of letters in which the correspondents set out their views in favour of introducing in Northern Ireland provisions similar to those in the Abortion Act 1967.

Timescale: Routine.

Recommendation: That we respond in terms of the text set out at Annex A.

The Discussion

2. The letters, from just over sixty persons, were addressed to the Secretary of State and are pro-forma in style and text, which is set out at Annex B. They have been sent by persons in the Londonderry area including a number from Co Donegal. There is no indication of the person or group responsible for organising the campaign.

3. On 10 February, the Secretary of State wrote to the Prime Minister proposing an independent review of the legal and medical issues raised by the current abortion law in Northern Ireland. The Prime Minister was not convinced that a review should be undertaken now because he saw little scope for bi-communal support. The Secretary of State accepted the Prime Minister's view, but noted that she would like to return to the issue when the political process permitted.

ANNEX A

Action Required

DRAFT RESPONSE

4. Whilst we do not consider that the letters recently received provide sufficient grounds for re-visiting the issue, they do, however, represent the first public pro-abortion campaign. The Secretary of State is, therefore, invited to approve the draft response attached.

Signed:

T A LEE
Ext 27520

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- Mr White
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- Mr Warner

ANNEX A

TEXT OF CAMPAIGN LETTER

DRAFT RESPONSE

Thank you for your recent letter to the Prime Minister on abortion law in Northern Ireland, which has been passed to me for reply.

The law on this matter in Great Britain is governed by the Abortion Act of 1967. The Act has never been extended to Northern Ireland where the law is still governed by a combination of the Offences Against the Persons Act 1861, the Criminal Justice (Northern Ireland) Act 1945 and certain case law.

The suggestion that the law on abortion in Northern Ireland should be reviewed has been made on a number of occasions, most recently in the report of the House of Commons All Party Group on Population, Development and Reproductive Health published on 10 December 1998.

The Government is already fully aware of the strength of feeling on this issue, and the divergence of opinion that exists, and would want, therefore, to reiterate most strongly the assurances already given in Parliament. Those were, that **the Government will not impose any change in Northern Ireland on this issue without the consent of the Northern Ireland Assembly, and that any change would only come about with broad support from a cross-section of the people of Northern Ireland.**

ANNEX B

TEXT OF CAMPAIGN LETTER

I am writing to you about Women's freedom of choice in Northern Ireland. Thousands of women from Northern Ireland have had abortions in England. Being forced to travel to England results in excessive emotional and financial strain on women and their families. It also results in women from Northern Ireland having their abortions later therefore causing unnecessary health risks.

Your own Government figures show that women from Northern Ireland are more than three times as likely to have their abortions after twenty weeks of pregnancy than women in the rest of Britain.

The case for the extension of the 1967 Abortion Act to include Northern Ireland is clear. Alongside the ten's of thousands of women who have already voted with their feet, 75% of people surveyed in opinion polls support abortion being available under the terms of the 1967 Act. Like the 75% who voted in favour of the agreement, these are the people who want an open and tolerant Northern Ireland in the new Millennium.