



Director of Public Prosecutions

Barra McGrory QC

Public Prosecution Service

93 Chichester Street

Belfast

BT1 3JR

23 August 2017

Dear Mr McGrory,

Further to my previous correspondence and your letter of 15th August 2017, I write seeking your response and clarification to the following. The recent decision of the Rt Hon Justine Greening MP, Minister for Equalities in the UK Equalities Office to provide free abortions for Northern Irish women in England and Wales highlights the need, and raises the likelihood, that women in Northern Ireland will require and ask Northern Ireland NHS medical professionals to refer them directly to NHS hospitals and clinics in the rest of the UK. In those circumstances, is it your view that there would be any risk of criminal prosecution for NHS employees in Northern Ireland taking this step? Amnesty International is of the view that no criminal liability would attach to this. Do you agree?

In addition, Amnesty International is of the view that the 2016 Guidance on Termination of Pregnancy issued by the Department of Health, Social Services and Public Safety is now out of date and requires updating to reflect the new circumstances created by the UK Government Equalities Office? Is it your view that this should be reviewed as a consequence of the recent UK policy change?

The final sentence in paragraph 5.13 of the 2016 DHSSPS guidance states “The courts in Northern Ireland have never considered the issue of whether it would be lawful to ‘advocate or promote’ in Northern Ireland the termination of a pregnancy in another jurisdiction (in circumstances where it would not be lawful if carried out in Northern Ireland but would be lawful if carried out in that other jurisdiction).” Is it your view that a woman requesting and / or an NHS medical professional referring a woman in Northern Ireland to another part of the UK for an abortion, would fall short of ‘advocating and promoting’?

Amnesty International UK
Northern Ireland office, 397 Ormeau Road, Belfast, BT7 3GP. 02890 643000



Yours sincerely

A handwritten signature in black ink, appearing to be 'Grainne Teggart', written in a cursive style.

Grainne Teggart

Campaign Manager – Northern Ireland