Written submission from Dr Garreth McCrudden (ANI0002)

1. Executive summary:
   a. I believe that Northern Ireland’s current abortion laws are constitutionally and morally indefensible.
   b. As both British and Irish citizens by birthright, Northern Irish people must have the right to access abortion healthcare services in the same way that their counterparts do in Great Britain and Ireland.
   c. At the very least, abortion should be decriminalised in Northern Ireland.
   d. In the continued absence of devolved government at Stormount, Westminster must take action to provide abortion access to Northern Irish citizens in Northern Ireland.
   e. Given the unique political landscape of Northern Ireland, where most votes are cast with the constitutional status of Northern Ireland as the prime issue, a referendum on abortion-law reform must be considered. Otherwise, the widespread, cross-community support for reform risks being undermined by political parties whose mandate relies on their support of unionism/nationalism and whose abortion stance is at odds with that of the general public.

2. I am writing in response to your request for written submissions concerning public attitudes towards abortion laws in Northern Ireland. I am writing in a personal capacity as a citizen of Northern Ireland.

3. People born in Northern Ireland are citizens of the United Kingdom and of Ireland. Following this year’s referendum in the Republic of Ireland to legalise abortion (for any reason) during the first trimester, Northern Ireland residents are now the only major group of British/Irish citizens who do not have the right to access abortion services in their home jurisdiction. This represents a grave injustice to the people of Northern Ireland, whether they consider themselves British, Irish, both, or neither.

4. It is unfitting that, in a modern, mature democracy, women are being charged and convicted of crimes for attempting to access medical care that would be available to them in England, Scotland, or Wales. Even if abortion is not to be legalised, it must be decriminalised as soon as possible.

5. Opposition to abortion-law reform is often accredited to the genuinely held belief that life begins at the moment of conception and, therefore, the foetus is entitled to the same legal protection as a human that has already been born. However, if the foetus is a human being, then it is a human being with a vastly expanded set of rights. In no other instance can a human being (such as a mother) be legally required to keep another person alive (such as her child) using their own body. The illegalisation of abortion is a serious violation of a person’s right to bodily autonomy and is thus incompatible with life in modern British and Irish society.

6. Politics in Northern Ireland is centered on national identity. The vast majority of voters will only consider voting for a party whose position on the constitutional status of Northern Ireland matches their own. All other issues, including attitudes towards abortion law, are secondary.

7. Thus, even though a number of the main political parties in Northern Ireland are opposed to abortion-law reform, this is not an accurate
reflection of the opinions of their voter base. According to a recent Northern Ireland Life and Times Survey\(^1\), nearly 80% of the Northern Irish public believe that abortion should be legal in cases of rape or incest; 73% of people believe that abortion should be legal in cases of fatal foetal abnormality (FFA). It is clear that a considerable majority of the Northern Irish public desire abortion-law reform, despite the official positions of many major political parties. The law in Northern Ireland should reflect the wishes of the general population, and not those of a handful of politicians who use their mandate on the constitutional position to push forward an unrepresentative civil-rights agenda. If the Westminster government is not willing to advocate on the people’s behalf (in the absence of a devolved government), it is imperative that a referendum be called.

8. Given that women, girls, and people who can get pregnant continue to suffer on a daily basis due to Northern Ireland’s draconian abortion laws, and given that devolved government is unlikely to return any time soon, it falls on the national parliament at Westminster to legislate for abortion healthcare access in Northern Ireland. It is particularly important that the Prime Minister not ignore her responsibility to the people of Northern Ireland because of her current reliance on the DUP.

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\(^1\) www.ark.ac.uk/nilt