Written submission from Carole Somerville-Woodiwis (ANI00013)

I am making this submission out of concern that the rights of the people of Northern Ireland under their devolved parliament are being compromised.

EXECUTIVE SUMMARY

- The majority of adults in Northern Ireland and the great majority (70%) of adults of child bearing age do not want the law on abortion to be changed.
- Holding this Inquiry when the devolved parliament is not meeting is a grave miscarriage of justice and belittles the people of Northern Ireland’s rights to devolved governance and to hold to their decision of no change to the law made in 2016.
- There is no representation from Northern Ireland MPs on the Select Committee. This is an injustice and arrogance on the part of Westminster.
- Unborn babies with a diagnosed disability are protected in Northern Ireland. Evidence shows that this is the preference of 90% of mothers whose babies are diagnosed with Downs Syndrome in the province.
- The much quoted CEDAW cannot impute a right to abortion in the European Convention on Human Rights as there is no mention of this in its terms of reference.
- Mention is made of Article 8 of the European Convention on Human Rights which refers to rape, incest and foetal abnormality alone, not to abortion in general. Further, the incidence of such cases reported in England and Wales in 2017 was less than 2% of all abortions.
- The terms of reference of the proposed Inquiry are inaccurate and misleading given that CEDAW cannot impute the right to abortion and criticise the devolved government in this area as abortion is not mentioned in its terms of reference. CEDAW and other bodies quoted are also unelected and the will of the majority in Northern Ireland is quite clear given the 2016 vote and recent Poll.
- The Select Committee should take evidence from the proven 100,000 people who are alive today in Northern Ireland and who otherwise would have been aborted had the legislation in Northern Ireland been changed. Their rights are equal.

1.0 The people of Northern Ireland have had, as we all know, a very difficult history in relation to their status as part of the United Kingdom. To consider riding rough-shod over the decision about abortion of their Stormont Assembly in 2016, when it’s devolved assembly is currently not functioning, is reprehensible and damaging. This is especially so since a recent poll confirmed that adults in Northern Ireland do not want to change the law relating to abortion. In addition 70% of 18-35 year olds, those of child-bearing age in the province, do not want the law changed.

2.0 There is not one Northern Ireland Westminster MP on the select committee conducting the inquiry. Why not? There should be at least more than one since the matter relates to Northern Ireland alone.

3.0 Cases of rape, foetal abnormality, and incest, covered by Article 8 of the European Convention on Human rights accounted for only 2% of the reasons for abortion in England and Wales in 2017. The terms of reference of this inquiry imply that Article 8...
of the European Convention on Human Rights applies more widely to abortion in general. This is at best misleading.

4.0 Northern Ireland protects the lives of babies diagnosed with disability in the womb. They must be able to continue to do so. Evidence of this is that only one mother of a Downs Syndrome baby travelled to England for an abortion out of fifty-three diagnosed in Northern Ireland in 2016.

5.0 The Terms of Reference for the Inquiry quote the Committee for the Elimination of Discrimination against Women (CEDAW) Inquiry of 2016 as a reason for holding the enquiry. CEDAW is unelected and gets its terms of reference from the UN Convention on the Elimination of Discrimination against Women, and abortion is not mentioned in these terms of reference. Further CEDAW has no ability under its terms of reference to read a right to abortion into the Human Rights Convention. This weakens the need for the Inquiry by the Select Committee.

6.0 This Select Committee Inquiry is not about abortion, but about abortion in the cases of fatal foetal abnormality, rape, and incest. The Terms of Reference do not make this adequately clear and the discussion should not be allowed to stray outside these areas.

7.0 Taken together, the terms of reference do not make it adequately clear that in the light of the reasons given for the Inquiry in its terms of reference, that the scope must be limited to fatal foetal abnormality, rape, and incest, further, references to CEDAW made in the terms of reference are misleading since CEDAW is not qualified to impute a right to abortion under the European Convention on Human Rights.

8.0 The Select Committee should take evidence from the proven 100,000 people (researched by Both Lives Matter and verified by the Advertising Standards Agency) who are alive in Northern Ireland today and who otherwise would have been aborted had the legislation in Northern Ireland been changed. Their rights are equal.

November 2018