Both Lives Matter is a collaborative movement of individuals and organisations from diverse social and political backgrounds. Together we reject the harmful way of thinking that pitches a woman against her unborn child. Instead we stand in solidarity with both, championing laws which protect both and advocating services which best care for both.

We stand together, from every background, all faiths or none, united in recognising the human dignity of everyone, ready to create a new culture, where compassion and support for both lives is the norm.

We advocate for the retention of our present law which seeks to protect the lives and health of both women and unborn children about as far as humanly possible.

In this submission to the Women and Equalities Committee ‘Abortion in Northern Ireland’ Inquiry we would like to make three main points:-

1. Firstly, this is a devolved issue which should be decided by politicians in Northern Ireland, not Westminster, as has been reiterated by the British Government and parliamentarians from across the party political spectrum. It is acknowledged that the Northern Ireland Assembly is sadly, though temporarily, not sitting. However, it would be constitutionally inappropriate and profoundly unwise to interfere in a sensitive political issue in this sensitive political moment for Northern Ireland and would set a worrying precedent for other devolved assemblies.

   We further note that not a single member of the Women and Equalities Committee represents a seat in Northern Ireland. Consequently, this Committee does not seem to be the appropriate forum for consideration of Northern Ireland’s law on abortion. Recent ComRes polling of NI adults shows that 64% of people think that abortion should be decided by Northern Ireland’s elected representatives, rising to 66% of women and 70% of 18 to 34 year olds.

2. Secondly, the law on abortion in Northern Ireland has been proven to save lives. Research conducted by ‘Both Lives Matter’ in 2017, which was independently scrutinised and upheld by the Advertising Standards Authority following a complaint made to them, has found that an estimated 100,000 individuals are alive today who would otherwise not be if Northern Ireland had followed England, Scotland and Wales in adopting the 1967 Abortion Act. This research is publicly available to be scrutinised. Claims that the law on abortion in Northern Ireland do not stop abortion are simply empirically baseless. The law does make a difference. I, and many others like me in Northern Ireland, do not want widespread access to abortion to be available. Abortion ends human life and is not beneficial to women.

   In addition, the law on abortion in Northern Ireland protects individuals who are disabled from unjustified discrimination. In England, Scotland and Wales, unborn children can be aborted up to term if a disability is identified in utero. In Northern Ireland, this is not the case. This makes a major difference. In 2016, around 90% of those identified in utero to have Down’s Syndrome in England, Scotland and Wales were aborted. In Northern Ireland on the other hand, 90% of children identified in utero with Down’s Syndrome were born. As Lord Shinkwin put it recently in the House of Lords, “Northern Ireland is the safest place in our United Kingdom to be diagnosed
with a disability before birth.” I am proud of the fact that we in Northern Ireland do not discriminate against the disabled in the womb.

3. Thirdly and finally, claims that Northern Ireland has to change its law on abortion as a consequence of human rights laws do not stand up to scrutiny. Admittedly, in non-binding comments made at the Supreme Court a number of justices indicated that the law on abortion in Northern Ireland is incompatible with Article 8 of the European Convention on Human Rights. This was because it does not allow for abortion on the grounds of life-limiting conditions where the child is likely to die before, during or shortly after birth and in cases involving sexual crime. However, a different panel of the Supreme Court could come to a different decision in a future case. In addition, even if a future court did uphold this ruling, the cases in question here only consider a tiny number of abortion cases in practice. Less than 2% of recorded abortions in England and Wales were granted on these grounds. This ruling simply does not provide a basis for widespread access to abortion on any grounds to be brought to Northern Ireland.

In addition, the argument is frequently made that the UN says that Northern Ireland’s abortion laws are not human rights compliant and that Northern Ireland should decriminalise abortion.

The truth, however, is that they are not referring to the view of the United Nations as a body, but to a report issued by one important but unelected committee; the Committee for the Elimination of Discrimination Against Women (CEDAW). It might be believed that the UN Convention on the Elimination of Discrimination Against Women (CEDAW), which defines the remit of the CEDAW Committee, sets out a right to abortion which Northern Ireland is failing to deliver. In truth, however, at no point does the Convention mention abortion.

Moreover, as a non-judicial body, CEDAW has no legal standing to read such a right into the Convention much as some of its members may wish to do so. Members of the United Kingdom Supreme Court have also highlighted that the views of bodies such as the CEDAW Committee are only of marginal relevance. As Lord Hughes put it, “the authority of their recommendations is slight.” There is no basis in human rights law to overturn the devolution settlement. It is important that this inquiry gets the facts right on claims related to human rights.

When the law is being engineered to create a human right to end human life something has gone wrong. When, for every four children born alive in England and Wales, there is one abortion, surely all sides in this debate can agree the practice of abortion has gone far beyond the idea of it being ‘safe, legal and rare’ for the ‘hard cases’.

There is a danger that the Women’s and Equalities Committee accepts the destructive narrative that women can only be equal when they have an absolute right to abortion in any circumstance for any reason. This pitches a women against her unborn child and measures their freedom, equality and progress by their ability to end the life of their own child. This is a dangerous and destructive way to view women and humanity more widely. Rather than choosing a side, we’re asking you to stand with both. Many women, men and children see a better and more human way ahead which values the life, health and dignity of both as far as possible.
In conclusion, we would urge the Committee to respect the right of the people of Northern Ireland through their elected representatives to decide what the law on abortion should be. The law in Northern Ireland protects the life, health and dignity of both women and unborn children. We, and many others want to keep it that way.

If the Committee really wants to help us then please encourage investment in pregnancy crisis services and addressing systemic issues like poverty and gender inequality which lead women to see abortion as their only or best choice.

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