

Free abortions in England will not remove the fundamental injustice Northern Irish women suffer



The government's decision to finally allow Northern Irish women to have free NHS abortions in England is to be welcomed, writes [Jennifer Thomson](#). Yet the move does not remove the more fundamental injustice of their situation, as it does not place these women on an equal footing with their English, Scottish and Welsh counterparts.

An announcement by Justine Greening, Minister for Women and Equalities, on 29 June indicated that Northern Irish women will no longer have to pay to access terminations in England. Motivated by the proposed amendment of backbench Labour MP, Stella Creasy, the government avoided a vote in the Commons on the issue and declared instead that they will pay for Northern Irish women who travel to mainland UK for abortions.

Such an announcement is to be welcomed. Northern Ireland was never covered by the 1967 Abortion Act which allows for terminations in England, Scotland and Wales. Although there has been a Marie Stopes clinic in Belfast since late 2012, it operates within an incredibly restricted legal framework which only allows for abortion in cases where there is a long-term risk to the woman's health. As such, around 1000 women travel to England every year to access terminations. Depending on their personal circumstances, such a procedure can cost between a few hundred to a few thousand pounds. This ruling will therefore substantially diminish the financial impact that Northern Irish women seeking terminations face.



Arlene Foster, leader of the Democratic Unionist Party, speaking at a DUP conference. Credits: [DUP](#) (CC BY-NC-ND 2.0)

Abortion is politicised in Northern Ireland in a manner that does not compare to the rest of the United Kingdom. Protests [continue to occur](#) regularly outside the Marie Stopes clinic in central Belfast and Northern Irish politicians openly espouse anti-abortion sentiment that would rarely be heard in Westminster. Whilst there has been a steady drip of legislative action encouraging change (in late 2015 a high court judge in Belfast [ruled](#) that the legal situation in the province regarding abortions contravenes human rights law), on 29 June 2017 the Court of Appeal in Belfast [ruled](#) against the 2015 judgement. It argued again that this area was for the devolved Assembly to rule on, and could not be changed by the courts.

Earlier in June 2017, in relation to the case of a 15-year-old girl who had travelled to England for treatment, the Supreme Court in London [ruled](#) that women in Northern Ireland were not entitled to free abortion treatment on the NHS. Creasy's amendment emerged in response to this. In the light of these judgements, her actions in the Commons and the declaration by the government take on even more importance. The legal system appears to have been exhausted as an avenue for change, so political action on this is to be welcomed.

Such action has been seen before, but has, until now, been unsuccessful. In [2008](#), Diane Abbott MP fronted a similar amendment to the one that Creasy argued for, proposing that the 1967 Abortion Act be extended to Northern Ireland. Then, however, the Labour-led government of the day aligned with the argument made by Northern Irish MPs (and courts, in both judgements referenced above), that this matter was [entirely devolved](#) and should be left to the attention of the Assembly.

Whilst it is true that abortion law has been devolved to Northern Ireland since 2010, national Parliament at Westminster could have made the decision that it made this June at any point since 1967. In light of the negative attention that the Conservative-DUP deal has received due to the very conservative beliefs of the DUP regarding abortion and LGBT issues, it is hard not to see the recent decision as damage limitation. Accused of making deals with a party which appears to espouse ideas antithetical to the majority of British voters, the Conservative government can now hold up this funding announcement as a way to both distance themselves from the DUP's social conservatism and illustrate their own liberal values.

This move also illustrates once again the weakness of the current government. Creasy's amendment looked set to pass easily, with substantial support from Conservative members. Will there be more backbench opposition challenges like this? It would appear likely, especially in light of a fractured Conservative party, reeling from the poor General Election result.

The government's recent announcement does nothing to change the legal situation regarding abortion in Northern Ireland. Abortion will remain illegal (including in cases of rape, incest and fatal foetal abnormalities) except in extreme physical or mental circumstances. And although it now appears that Northern Irish women will not have to pay for the terminations they seek in England, they will still face substantial costs in terms of travel and accommodation.

In addition, this decision does not remove the more fundamental injustice of this situation. Women will still have to travel, leaving family and support networks behind. Women with complicated citizenship statuses, caring responsibilities or those in abusive relationships may find it impossible to travel at all. The decision by the government is to be welcomed, but it does not place Northern Irish women on an equal footing with their English, Scottish and Welsh counterparts. They still deserve better.

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