

# Abortion Services (Safe Access Zones) Bill

## KEY TALKING POINTS



### Background points

- The Bill seeks to allow the introduction of censorship zones (also known as ‘buffer’ or ‘safe access’ zones) outside abortion clinics and hospitals offering abortion across Northern Ireland by making it a criminal offence to “*influenc[e]... a... person [seeking an abortion], whether directly or indirectly*” within a “*safe access zone*”.<sup>1</sup> If passed, the Bill would effectively ban volunteers from peacefully praying and offering much-needed support to women entering abortion clinics
- A public consultation was undertaken at Committee Stage of the Bill, showing the general public’s overwhelming opposition to the Bill; only 13 of the 6,412 individual submissions were supportive.<sup>2</sup>
- Offences include being “*reckless as to whether... [an act] has the effect of... causing harassment, alarm or distress*” within the censorship zone.<sup>3</sup> Crucially, the Bill does not distinguish between activities causing genuine intimidation and harassment and peacefully offering support to women.
- Censorship zones infringe on free speech, and it is not just anti-abortion advocates who oppose them. A number of prominent human rights groups and campaigners oppose the introduction of censorship zones, including Peter Tatchell, the Manifesto Club, Big Brother Watch, Index on Censorship, and the Freedom Association.<sup>4</sup>
- A June 2021 poll undertaken by SavantaComRes showed that only 25% of the Northern Irish population support the introduction of ‘buffer zones’ on specific clinics, as this Bill would permit.<sup>5</sup>

### Key questions and answers

**Q: As a pro-life MLA with serious concerns about vulnerable women being harassed and intimidated outside abortion clinics and hospitals, why should I sign this Petition of Concern?**

A: Harassment and intimidation of women is always and everywhere wrong, including outside abortion clinics and hospitals, and those that harass and intimidate women should be prosecuted under existing legislation.

Nevertheless, the introduction of ‘buffer zones’ outside abortion clinics and hospitals would inevitably lead to the loss of innocent unborn life in Northern Ireland. You only need to read the stories of women like Alina Dulgheriu who are deeply grateful to peaceful pro-life volunteers for encouraging and supporting them to keep their babies.<sup>6</sup> The *Be Here For Me* campaign provides numerous testimonies to the life-saving work of peaceful pro-life volunteers outside abortion clinics and hospitals across the United Kingdom, and Northern Ireland is no exception.<sup>7</sup>

<sup>1</sup> See: [Abortion Services \(Safe Access Zones\) Bill \[As amended at Further Consideration Stage\]](#), section 5.

<sup>2</sup> See: [Report on the Abortion Services \(Safe Access Zones\) Bill](#), 25.

<sup>3</sup> See: [Abortion Services \(Safe Access Zones\) Bill \[As amended at Further Consideration Stage\]](#), section 5(2).

<sup>4</sup> See: [Modern orthodoxies about the evils of empire | Comment; Spiked \(13/4/18\): Why I'm pro-choice and anti-buffer zone](#), and [Manifesto Club - Facebook \(8/10/20\)](#).

<sup>5</sup> See: [Savanta ComRes: Right To Life UK – Buffer Zone Polling – 2 July 2020](#), Question 1.

<sup>6</sup> See: [Be Here For Me: “Don’t criminalise help” – Mum who benefited from volunteers outside an abortion clinic backs Petition of Concern to stop introduction of censorship zones](#).

<sup>7</sup> See: [Be Here For Me](#). Also see: [A Chance in the face of Choice longer version](#).

Any pro-life MLA who votes for the introduction of ‘buffer zones’ is voting in the knowledge that harassing and intimidating behaviour can already be prosecuted and that preventing peaceful pro-life vigils will inevitably lead to the loss of innocent human life.

**Q: Is this just not an issue of safe access to legal healthcare rather than an issue around abortion?**

A: No. Safe access to abortion clinics and hospitals in Northern Ireland can already be assured through existing legislation such as the Public Order (Northern Ireland) Order 1987.<sup>8</sup>

‘Buffer zones’ are not simply about safe access to buildings, which is already protected under law, but are about access to the life-saving help and support of peaceful pro-life volunteers, who do not obstruct or harass women but who often offer the first alternative to abortion to vulnerable mothers and enable them to keep their babies.

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**Q: How can we prevent anti-abortion groups from harassing and intimidating women outside abortion clinics?**

A: Current laws, including the Protection from Harassment (Northern Ireland) Order 1997<sup>9</sup> and the Public Order (Northern Ireland) Order 1987,<sup>10</sup> already provide wide-ranging powers for authorities to keep public order and protect women and the public from genuine harassment and intimidation, including outside abortion clinics in Northern Ireland.

**Q: Do the people of Northern Ireland want ‘safe access zones’ to be introduced outside abortion clinics and hospitals?**

A: A public consultation was undertaken at Committee Stage of the Bill, showing the general public’s overwhelming opposition to the Bill; only 13 of the 6,412 individual submissions were supportive.<sup>11</sup> A June 2021 poll undertaken by SavantaComRes showed that only 25% of the Northern Irish population support the introduction of ‘buffer zones’ on specific clinics, as this Bill would permit.<sup>12</sup>

**Q: What happens at peaceful pro-life vigils outside abortion clinics?**

A: Pro-life vigils consist of the following activities: Support and dissemination/reception of information. These activities are done, and support is offered (including counselling, help with rent/housing, providing maternity and baby clothes and other financial support, legal advice, and protection from domestic abuse, among other things) ‘at the gate’ (where women walk into clinics), because that is the place of need.

Notably, UK mothers who have benefited from interaction with pro-life counsellors outside abortion clinics have launched the campaign *Be Here For Me* as a testimony to the value of pro-life support outside abortion clinics, highlighting that censorship zones would ban help and support where needed most.<sup>13</sup> For example, one particular mother, Alina Dulgheriu, has written against the Bill on account of the support that she herself received from pro-life volunteers outside abortion clinics which led her to keep her baby.<sup>14</sup>

**Q: Is a Petition of Concern an appropriate measure against this Bill?**

A: The Petition of Concern mechanism, which was introduced after the Belfast (Good Friday) Agreement in 1998, is intended “to ensure key decisions [in the Assembly] are taken on cross-community basis” and requires at least 30

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<sup>8</sup> See: [The Public Order \(Northern Ireland\) Order 1987](#), sections 4(2) and 9.

<sup>9</sup> See: [The Protection from Harassment \(Northern Ireland\) Order 1997](#), sections 2 and 3.

<sup>10</sup> See: [The Public Order \(Northern Ireland\) Order 1987](#), sections 4(2) and 9.

<sup>11</sup> See: [Report on the Abortion Services \(Safe Access Zones\) Bill](#), 25.

<sup>12</sup> See: [Savanta ComRes: Right To Life UK – Buffer Zone Polling – 2 July 2020](#), Question 1.

<sup>13</sup> See: [Be Here For Me](#). Also see: [A Chance in the face of Choice longer version](#).

<sup>14</sup> See: [Be Here For Me: “Don’t criminalise help” – Mum, who benefited from volunteers outside an abortion clinic backs Petition of Concern to stop introduction of censorship zones.](#)

MLAs to sign.<sup>15</sup> Under the New Decade, New Approach deal, both unionist and nationalist parties agreed to only use a Petition of Concern “*in the most exceptional circumstances and as a last resort*”.<sup>16</sup>

Given the life-saving value of pro-life vigils to many women and their babies and the chilling effects of censorship on freedoms of speech and expression, the introduction of ‘buffer zones’ outside abortion clinics and hospitals is surely a “*key decision*” that should be taken on a cross-community basis.<sup>17</sup> In this context, if at least 30 MLAs are sufficiently concerned about the impact of this Bill on the lives of their constituents and communities then it is surely appropriate for them to submit a Petition of Concern provided that the relevant steps are taken as set out in section 6 of the Northern Ireland (Ministers, Elections and Petitions of Concern) Act 2022.<sup>18</sup>

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<sup>15</sup> See: [The Fourth Report on the Use of the Petition of Concern Mechanism in the Northern Ireland Assembly](#), p. 3.

<sup>16</sup> See: *Ibid.*

<sup>17</sup> See: *Ibid.*

<sup>18</sup> See: [Northern Ireland \(Ministers, Elections and Petitions of Concern\) Act 2022](#), section 6.