

Guidance for RCN members in Northern Ireland on changes to the law relating to the termination of pregnancy from 22 October 2019

Introduction

The law relating to the termination of pregnancy in Northern Ireland changed with effect from 22 October 2019. The Northern Ireland Office [NIO] has published [interim guidance for health professionals](#) in relation to this change, covering the period from 22 October 2019 to 31 March 2020, by when it is anticipated that new models of care will be established in Northern Ireland. The NIO has stated that: "... there are no plans for additional services to be routinely available in Northern Ireland before 31 March 2020". The RCN recommends that members should access and follow the NIO guidance.

Conscientious objection

It is important to understand that, during this interim period between 22 October 2019 and 31 March 2020, there is no statutory right to conscientious objection.

The NIO interim guidance cites the Nursing and Midwifery Council [NMC] as a source of advice on this issue. Paragraph 4.4 of the [NMC code](#) states: "Tell colleagues, your manager and the person receiving care if you have a particular conscientious objection to a particular procedure and arrange for a suitably qualified colleague to take over responsibility for that person's care". The NMC also publishes [supplementary guidance on conscientious objection](#). The NIO interim guidance then states: "In the interim period, anyone who has a conscientious objection to abortion may want to raise this with their employer".

The RCN therefore recommends that any member who has a conscientious objection to involvement in the termination of pregnancy should make this known to their employer at the earliest possible opportunity.

In doing so, it is important for members to bear in mind that conscientious objection has been defined in legislation and through case law as only applying to the procedure itself. As the NIO interim guidance states: "In England and Wales, the Courts have found that the scope of conscientious objection in relation to abortion is limited to participating in a 'hands-on' capacity in the course of medical treatment bringing about the termination of the pregnancy, and does not include the ancillary, administrative and managerial tasks that might be associated with that treatment."

During the interim period between 22 October 2019 and 31 March 2020, the NIO will be consulting on a proposed legal framework for the termination of pregnancy in Northern Ireland. The RCN will consult members in Northern Ireland in order to develop a response to this consultation. In doing so, we will continue to recommend the incorporation of a statutory right to conscientious objection, in line with the other countries of the United Kingdom.

22 October 2019