

# Northern Ireland abortion law ruled to breach human rights

Friday 4 October 2019, by [CARROLL Rory](#) (Date first published: 3 October 2019).

## High court in Belfast rules against Northern Ireland's strict abortion law

Northern Ireland's near-blanket abortion ban breaches the UK's human rights commitments, the high court in [Belfast](#) has ruled.

The decision, on Thursday, was made following a case brought by [Sarah Ewart](#), 29, who was denied a termination in 2013 despite a scan showing the foetus she was carrying would not survive.

She travelled to a London clinic for an abortion and upon returning to [Northern Ireland](#) started a six-year legal fight to change the law for other women.

Mrs Justice Siobhan Keegan told a packed courtroom that Ewart had given compelling testimony about the "horror" she had endured.

"She has been affected by the current law in that she has had to travel to seek an abortion in desperate circumstances. In addition, she runs the risk of being directly affected again by the current legal impositions given that she is at risk of a baby having a fatal foetal abnormality.

"She has had to modify her behaviour in that she could not have medical treatment in Northern Ireland due to the risk of criminal prosecution."

Keegan said other woman should not have to face the same "trauma and pain". She said she had followed the ruling of the UK supreme court that Northern Ireland's abortion law was incompatible with article 8 of the European convention on human rights.

However, Keegan held off making a formal declaration of incompatibility because recent legislation, passed in Westminster, was due to decriminalise abortion in Northern Ireland unless the Stormont assembly was restored by 21 October.

Ewart welcomed the ruling. "Too many women in Northern Ireland have been put through unnecessary pain by our abortion law," she said. "It is a massive emotional relief. This has not been an easy journey. It is a massive victory. It has been a massive stress emotionally on the family but six years later, let's enjoy today."

Amnesty International, which offered an opinion in the case in support of Ewart, said the ruling was a legal landmark that put pressure on the Northern Ireland Office to ensure a swift transition to free, safe, legal and local abortion services.

"Today's ruling shows just how urgently we need change, so that we can access this healthcare without having to travel and without being treated as criminals," said Grainne Teggart, Amnesty

International's Northern Ireland campaign manager.

The Democratic Unionist party, which opposed abortion law liberalisation, made no immediate response. Other parties praised the court's judgment.

Ewart deserved to be commended for her "courage and conviction", said Paula Bradshaw, an Alliance party assembly member.

Michelle O'Neill, Sinn Féin's leader in Northern Ireland, said local politicians should return to Stormont, mothballed since power sharing collapsed in 2017, to enshrine reproductive rights.

In a [separate case](#), a woman is facing prosecution for obtaining abortion pills for her pregnant , 15-year-old daughter.

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## **Rory Carroll**

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The Guardian

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