

SHSCT Register Form for Conscientious Objection for Early Medical Abortion Services

Legislative Context

The Northern Ireland (Executive Formation etc) Act 2019 decriminalised abortion in NI by repealing sections 58 and 59 of the Offences against the Persons Act (OAPA) 1861. The Abortion (Northern Ireland) Regulations 2020 (now superseded by the Abortion (Northern Ireland) (No 2) Regulations 2020 (“the 2020 Regulations”) were introduced by the UK Government and came into force on 31 March 2020.

What are the limits of conscientious objection?

The scope of conscientious objection is very clearly limited to medical staff participating in the abortion procedure. It contains within it a right to opt out of providing abortion care on an individual level, with an obligation to ensure that the woman is still able to access that care. (*defined by the British Pregnancy Advisory Service BPAS)

The General Medical Council (GMC) advises that a doctor must explain to patients that they have a conscientious objection to a particular procedure. The patient must be told that about their right to see another doctor and the doctor must make sure they have enough information to exercise that right that. If it is not practical for a patient to arrange to see another doctor you must make sure that arrangements are made for another suitably qualified colleague to take over your role (*Good Medical Practice, 2013*)

The Royal College of Midwives (RCM) has published an Abortion Position Statement (2014) which states “*All midwives should be prepared to care for women before and after a termination in a maternity unit under obstetric care*”.

The rights of midwives or maternity support workers to hold a position of conscientious objection, as described in the 1967 Abortion Act, should be recognised but should only apply to direct involvement in the procedure of terminating pregnancy (defined as the administration of the drugs designed to induce labour and normally ends with the ending of the pregnancy by delivery of the foetus, placenta and membrane)

The Royal College of Nursing (RCN) has also published Guidance on Conscientious Objection (Termination of pregnancy) in September 2020. This guidance echoes the views and position of the RCM position, as included above.

What is the purpose of this form?

This register form is for any member of staff within SHSCT to notify of their Conscientious Objection.

What will we do with the data and where will this data be stored?

This form will be used to identify those staff who do have a Conscientious Objection. This data will be stored on a secure database within the IMWH/Acute Directorate SHSCT. This information will be updated on a 3 yearly basis.

Affirmation Statement

<p>I wish to advise that I do have a Conscientious Objection in regards to Early Medical Abortion Services and would like to opt out of providing abortion care on an individual level.</p> <p>I fully understand that in the event of an emergency during the procedure itself if I was present and the woman's safety and wellbeing were at risk, I would be expected to provide the care necessary for any woman. At all times the safety of the woman is paramount.</p>	
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Name:	
Job Title:	
Department/Base:	
Staff Number:	
Signature:	
Date:	