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Latest: Abortion should be allowed up to 12 weeks of pregnancy, committee recommends

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TWEET

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Wednesday, December 13, 2017 - 06:08 PM

Main points:

- An Oireachtas Committee has recommended a full repeal of the Eighth Amendment of the Constitution.

That would decriminalise abortion, which would allow women to get abortion pills online or have one carried out by a certified medical practitioner.

- *They recommended to legislate to allow abortion on request up to 12 weeks of the pregnancy.*
- *The committee has also voted in favour of allowing abortion in the case of a risk to the woman's health, either physical or mental.*
- *That would legalise terminations in cases of risk by suicide.*
- *They also support terminations in cases of rape and in relation to fatal foetal abnormalities.*
- *Two of the Citizens' Assembly's 12 recommendations were not supported: terminations for socio-economic reasons and significant but non-fatal foetal abnormalities.*

Live video feed may not work across all mobile devices.

Update 6.08pm: Committee doesn't support latest Citizens' Assembly proposals

Committee chair Catherine Noone has switched from abstaining to vote in favour of one of the proposals.



Gavan Reilly @gavreilly

13 Dec

Replying to @gavreilly

SUMMARY of #8Committee:

- Remove 8th Amendment without replacement
 - Allow abortion up to 12 weeks' gestation in all cases
 - Uphold 10 of the 12 recommendations (highlighted) of the Citizens Assembly, including abortion after rape (incl. incest) and fatal foetal abnormality
- pic.twitter.com/Y3zJ97WbPU



Gavan Reilly

@gavreilly

#8committee: How members voted

pic.twitter.com/jDbZeouHfz

8:30 PM - Dec 13, 2017

Votes at Oireachtas Committee on 8th Amendment - - - December 13, 2017 - Compiled by @gavreilly @3NewsIreland

	Motions in bold were approved	On 'repeal simpliciter' (i.e. repeal and not replace)	No term limits if risk to health	Removal of suicide as grounds	If serious risk to mental health	Risk to health, to include socio-economic reasons	If any risk to health	Up to 12 weeks, unrestricted	In cases of fatal foetal abnormality	In cases of non-fatal abnormality, without gestational limit	Socio-economic reasons after consulting a doctor	Up to 22 weeks, unrestricted	Decriminalised if self-procured or administered by doctor	
TDs														
James Browne	FF	N	N	N	Y	N	N	N	Y	N	N	N	N	Y
Lisa Chambers	FF	Y	Y	N	Y	N	Y	Y	N	N	N	a	N	Y
Clare Daly	l4C	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bernard Durkan	FG	Y	Y	N	Y	N	Y	Y	N	N	N	N	N	Y
Peter Fitzpatrick	FG	N	N	Y	N	N	N	N	N	N	N	N	N	N
Billy Kelleher	FF	Y	Y	N	Y	N	Y	Y	N	N	N	a	N	Y
Mattie McGrath	Ind	N	N	Y	N	N	N	N	N	N	N	N	N	N
Catherine Murphy	SD	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Hildegard Naughten	FG	N	N	N	N	N	Y	Y	N	N	N	N	N	Y
Jonathan O'Brien	SF	Y	Y	N	Y	Y	a	Y	N	N	a	N	N	Y
Kate O'Connell	FG	Y	Y	N	Y	Y	Y	Y	Y	Y	a	Y	Y	Y
Louise O'Reilly	SF	Y	Y	N	Y	Y	a	Y	N	N	a	N	N	Y
Jan O'Sullivan	Lab	Y	Y	N	Y	Y	Y	Y	N	N	a	a	N	Y
Anne Rabbittie	FF	N	N	N	Y	N	N	Y	N	N	N	N	N	Y
Brid Smith	PBP	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Senators														
Jerry Buttimer	FG	Y	Y	N	Y	Y	Y	Y	N	N	a	N	N	Y
Paul Gavan	SF	Y	Y	N	Y	Y	a	Y	N	N	a	N	N	Y
Rónán Mullen	Ind	N	N	Y	N	N	N	N	N	N	N	N	N	N
Ned O'Sullivan	FF	Y	Y	N	Y	a	Y	Y	N	N	a	N	Y	Y
Lynn Ruane	Ind	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Catherine Noone (chair)	FG	a	a	a	a	a	a	Y	a	a	a	a	N	Y
Tá	14	14	3	16	9	14	12	18	5	5	3	5	4	18
Níl	6	6	17	4	10	6	5	3	15	15	11	11	17	3
Stáon	1	1	1	1	2	1	4	0	1	1	7	5	0	0

162 173 people are talking about this

It called for families to be treated with compassion and given the option of a termination after they have been given a diagnosis from a doctor, who acted in good faith, that the foetus has an abnormality that may lead to death.

Ms Noone said she felt "so strongly" she would back the proposal.



Catherine Noone

It was passed by an overwhelming majority, with only three members of the committee opposed to it.

Elsewhere, the committee did not support a proposal put forward by the Citizens' Assembly that abortion should be allowed if a woman is diagnosed with a foetus with a significant but non life-threatening abnormality.

The committee did not back access to abortion without restriction to reasons up to 22 weeks and it also did not back access to terminations on socio-economic grounds.

Update 5.14pm: Committee in favour of abortion on request up to 12 weeks

The Oireachtas Joint Committee on the Eighth Amendment of the Constitution has voted in favour of allowing abortion on request up to 12 weeks gestation.

Following one of the most contentious debates, politicians supported a motion to allow for abortion with no restrictions on the reasons up to 12 weeks.



Sinn Fein's two members on the committee abstained on this issue as the vote passed by 12 to five, with four abstentions.

The committee also voted to allow for the termination of a pregnancy following a rape and in relation to fatal foetal abnormalities.

The Department of Health is already working on legislation to reform the strict limitations on abortion in anticipation of the committee's votes and report.

Update 4.51pm: Recommended circumstances for terminations

These are the conditions under which the committee has voted to recommend terminations be allowed:

- *Real and substantial physical risk to the life of the woman*
- *Real and substantial risk to the life of the woman by suicide*
- *Serious risk to the physical health of the woman*
- *Serious risk to the mental health of the woman*
- *Serious risk to the health of the woman*
- *Risk to the physical health of the woman*
- *Risk to the mental health of the woman*

Update 4.21pm: Termination of pregnancy should be lawful for health risk; but not socio-economic status

The Oireachtas Joint Committee on the Eighth Amendment of the Constitution has supported a recommendation – 16 to four - that termination of a pregnancy is legal where the woman's life or health is at risk and that a distinction should not be made between physical or mental health.

In the second vote at the hearing, the proposal also included a clause that the gestational time limits on abortion would be guided by the best medical evidence and be put enshrined in law and that at least two

specialist doctors would assess a woman seeking the procedure.

A series of other votes on the recommendations of the Citizens' Assembly also took place.



Committee chair and Fine Gael Senator Catherine Noone

The politicians narrowly rejected a proposal put forward by Senator Lynn Ruane that abortion be legalised if there is a risk to a woman's health and where socio-economic considerations be taken into account.

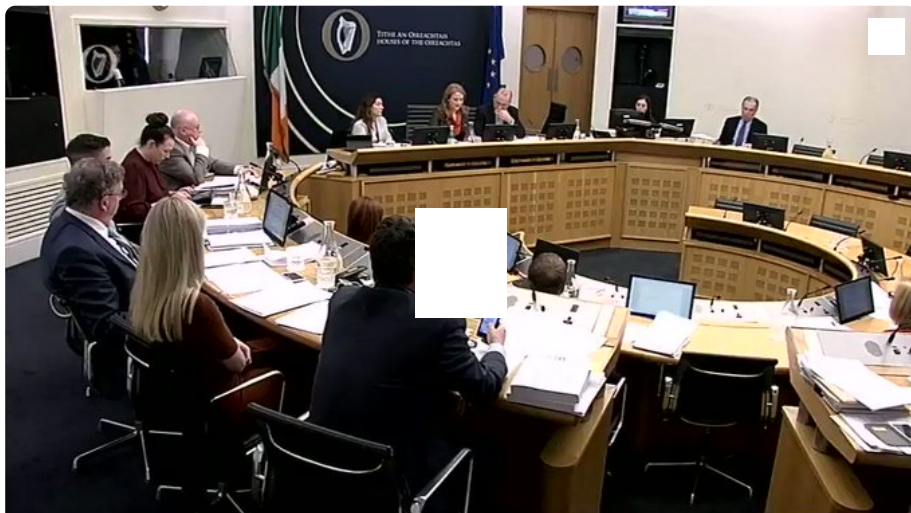
The motion was defeated by one vote with the chairman and Senator Ned O'Sullivan both abstaining.

Elsewhere, the committee backed a proposal for abortion to be legal if there is a real and substantial physical risk to the life of the woman; a real and substantial risk to the life of the woman by suicide; and serious risk or risk to a woman's health.

Update 3.45pm: Abortion should be allowed in cases of a risk to woman's health, committee recommends

The Oireachtas Joint Committee on the Eighth Amendment of the Constitution has voted to recommend allowing abortion in cases where there is a risk to the life or health of a woman based on medical grounds.

As in the vote to recommend repeal of the Eighth Amendment, the motion passed by 14 votes to six.

**RTÉ News**

@rtenews

Chairperson Catherine Noone reads the result of the Oireachtas committee vote on repealing the Eighth Amendment

5:37 PM - Dec 13, 2017

29 16 people are talking about this

Shortly afterwards, they also voted 16-4 in favour of making abortion lawful where the life and health of a woman is at risk, with no distinction between mental and physical health.

Update 3.18pm: Committee recommends to repeal Eighth Amendment

The Oireachtas Joint Committee on the Eighth Amendment of the Constitution has voted in favour of making a recommendation to repeal - and not repeal - Article 40.3.3 (the Eighth Amendment) from the Constitution.

The committee voted by 14 to six in favour of the motion, with the chair Catherine Noone abstaining.

Chairman of the committee Catherine Noone abstained.

"As chair I thought it the most appropriate thing to do," she told the committee.



Sean Defoe @SeanDefoe

13 Dec

Oireachtas committee recommends 8th amendment be repealed. 14 votes to 6 in favour of the motion.



Sean Defoe

@SeanDefoe

Here's how the members of the #8committee voted
pic.twitter.com/cAFeyu6A04

5:18 PM - Dec 13, 2017

Joint Committee on Eighth Amendment of the Constitution - Membership

Chairperson: Senator Catherine Noone (Fine Gael)

Member	Party / Group	
<u>James Browne T.D.</u>	Fianna Fáil	Nil
<u>Lisa Chambers T.D.</u>	Fianna Fáil	Te
<u>Clare Daly T.D.</u>	Independents 4 Change	Te
<u>Bernard Durkan T.D.</u>	Fine Gael	Te
<u>Peter Fitzpatrick T.D.</u>	Fine Gael	Nil
<u>Billy Kelleher T.D.</u>	Fianna Fáil	Te
<u>Mattie McGrath T.D.</u>	Rural Independents Group	Nil
<u>Catherine Murphy T.D.</u>	Social Democrats/Green Party Group	Te
<u>Hildegard Naughton T.D.</u>	Fine Gael	Nil
<u>Jonathan O'Brien T.D.</u>	Sinn Fein	Te
<u>Kate O'Connell T.D.</u>	Fine Gael	Te
<u>Louise O'Reilly T.D.</u>	Sinn Fein	Te
<u>Jan O'Sullivan T.D.</u>	Labour	Te
<u>Anne Rabbitte T.D.</u>	Fianna Fáil	Nil
<u>Brid Smith T.D.</u>	Solidarity-People Before Profit	Te
Senators	Party / Group	
<u>Sen. Jerry Buttimer</u>	Fine Gael	Te
<u>Sen. Paul Gavan</u>	Sinn Fein	Te
<u>Sen. Rónán Mullen</u>	Independent Group	Nil
<u>Sen. Catherine Noone</u>	Fine Gael	Abstain
<u>Sen. Ned O'Sullivan</u>	Fianna Fáil	Te
<u>Sen. Lynn Ruane</u>	Civil Engagement Group	Te

12/13/2017 Membership, Houses of the Oireachtas
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The committee, which has been considering the recommendations of the Citizens' Assembly over the last few months, will publish its recommendations in full next week, with a referendum on the issue planned for the middle of next year.

As it stands, the 1983 Eighth Amendment of the Constitution affords equal rights to pregnant women and unborn children.

Committee member and People Before Profit TD Brid Smith tweeted: “REPEAL!! We did it; 14 to 6; now to win the referendum; congrats to all those women who fought and campaigned for 34 years to end this barbaric law! And in memory of those who suffered so cruelly”.



Brid Smith TD

@bridsmithTD

REPEAL!! we did it;14 to 6; now to win the referendum; congrats to all those women who fought and campaigned for 34 years to end this barbaric law! and in memory of those who suffered so cruelly [#8thcommittee](#)
[#8amendment](#) [#repealthe8th](#)

5:14 PM - Dec 13, 2017

995 317 people are talking about this

Here's how committee members voted on the recommendation:

TDs:

James Browne - No

Lisa Chambers - Yes

Clare Daly - Yes

Bernard Durkan - Yes

Peter Fitzpatrick - No

Billy Kelleher - Yes

Mattie McGrath - No

Catherine Murphy - Yes

Hildegarde Naughten - No

Jonathan O'Brien - Yes

Kate O'Connell - Yes

Louise O'Reilly - Yes

Jan O'Sullivan - Yes

Anne Rabbitte - No

Brid Smith - Yes

Senators:

Jerry Buttimer - Yes

Paul Gavan - Yes

Ronan Mullen - No

Catherine Noone - Abstain (Chairperson)

Ned O'Sullivan - Yes

Lynn Ruane - Yes

Update 2.40pm: *The Pro Life Campaign has today accused the Dáil Committee examining the Eighth Amendment of failing to ensure an impartial process.*

The Pro Life Campaign has said it is “a terrible indictment of the committee that they never devoted a single meeting to exploring positive alternatives to abortion”.

Speaking in advance of today’s Oireachtas Committee vote on abortion, spokesperson Cora Sherlock said: “Members of the committee had a duty to scrutinise and ask hard and searching questions of all sides before settling on any proposal, most particularly given that it involves a life and death issue.

“But at every level they have failed in their democratic duty to ensure an impartial process.

“It is inexcusable, for example, that the committee invited England’s largest abortion provider as an expert witness while at the same time extending no invitation to families who say they owe the life of their child to the 8th Amendment.

“Thankfully, this committee won’t have the final say on the Eighth Amendment.

“The electorate will have that responsibility and I am confident when given the chance they will vote in favour of retaining this life-saving constitutional provision.”



Earlier: Taoiseach wants abortion referendum in May

Update 2.11pm: *The Taoiseach says he wants to see an abortion referendum in May, as the Oireachtas*

Committee on the 8th amendment prepares to issue their recommendations this afternoon.



Sen Catherine Noone

@senatornoone

Just to clarify re [#8committee](#).

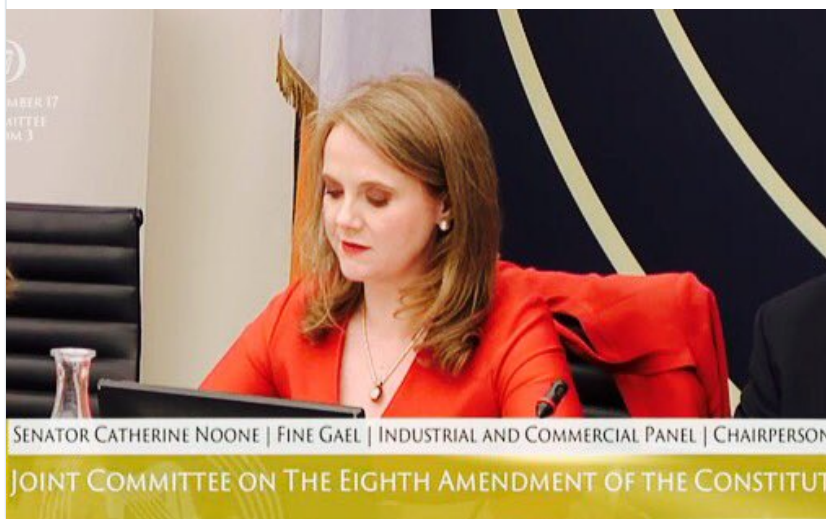
We will have a short private meeting at 2 and then we will be public.

Sen Catherine Noone @senatornoone

#8committee will hold its final public meeting tomorrow at 2pm -we will be voting with a view to finalising our report.

View proceedings here; oireachtas.ie/parliament/wat...

Like the entire process so far, the voting will be as transparent as possible for viewers outside of Committee



3:56 PM - Dec 13, 2017 · Dublin City, Ireland

30

[See Sen Catherine Noone's other Tweets](#)

A May vote would mean a Referendum Bill needs to pass in January, but the Dáil won't be back from holidays until the 16th.

"It's my intention that we should have a referendum in May 2018," he said.

"As I do not have a majority in this House, unfortunately, and as the guillotine no longer exists, I can't promise you that, because we don't control the House.

"However, it will be in the House's hands, obviously a number of things need to be done."

Earlier, one of the pro-life members of the Oireachtas Committee, Independent TD Mattie McGrath, sparked controversy when he said that the abortion debate isn't over until the fat lady sings, before quipping "and I'm not talking about the chairperson of the Committee or anyone like that".



Sean Defoe
@SeanDefoe

Mattie McGrath commenting on abortion committee. “The fat lady hasn’t sung here....and I don’t mean the Chairperson” of the committee

1:29 PM - Dec 13, 2017 · Dublin City, Ireland

142 357 people are talking about this

It has been reported that Deputy McGrath has since contacted Senator Noone to apologise.



Hugh O'Connell @oconnellhugh

13 Dec

Replying to @oconnellhugh

Mattie McGrath has called Catherine Noone’s office to personally apologise and clarify these remarks, I’m told.



Hugh O'Connell
@oconnellhugh

Catherine Noone and Mattie McGrath have spoken by phone.

McGrath’s office says Noone has accepted that Mattie in no way meant the comments to refer to her personally and that she has accepted this.

Noone says she will not dignify McGrath’s comments with a response.

2:12 PM - Dec 13, 2017

12 See Hugh O'Connell's other Tweets

Earlier: Chairperson rejects allegations of pro-choice bias at Eighth Amendment Committee

Update 11.08am: Chairperson of the Eighth Amendment Committee, Senator Catherine Noone has today rejected allegations that it had a pro-choice bias.

Senators and TDs are likely to recommend new laws paving the way for a repeal of the Eighth Amendment when a vote takes place later today.

"We went about our business in a very careful and precise manner, and we heard from witnesses that gave us a lot of factual information in the area of women's healthcare," she said.

"To say that people like Professor Fergal Malone is either pro-choice or pro-life, in my opinion, is inaccurate and unfair."



Pro-life representatives such as Senator Ronán Mullen have criticised the Committee, calling it “a propaganda exercise in favour of abortion”.

Senator Mullen today said that the committee had already made up its mind before starting deliberations.

"This committee, it has been lead by a very activist Fianna Fáil voice in favour of abortion,

"The committee wasn't interested in hearing whole areas.

"You had the situation where they decided they were going to change the Eighth Amendment before hearing all the evidence. The chairperson kept defending the committee for doing that, while in the background, the secretariat of the committee was running around, trying to get a few token pro-life voices."



Earlier: Dept of Health has worked with Attorney General on abortion referendum Bill, says Minister Harris

Update 8.55am: Health Minister Simon Harris has revealed that his office has been working on a Bill in anticipation of a vote to repeal the Eighth Amendment.

It is widely predicted to vote to repeal the Eighth Amendment entirely from the Constitution will be approved by a Dáil Committee later today.

"If the Government wishes to have a referendum in the month of June, that will require initiating a referendum Bill in the month of February," said Minister Harris.

"So there's quite a tight window here.

"My office have been working with the Attorney General's office to prepare draft heads of the Bill, as to what the legislative would look like if the Irish people decided to repeal the Eighth Amendment."



Earlier: Committee expected to back repealing the Eighth Amendment

The Oireachtas abortion committee is widely predicted to vote to repeal the Eighth Amendment from the Constitution and replace it with new laws allowing for abortions in the first 12 weeks of pregnancy when it meets this afternoon.

The 21-person committee is expected to vote in favour of the measures before drawing up a “short and concise” recommendations report for the Dáil and Seanad on Friday, which will likely form the basis of next year’s referendum question.

Despite opposition from within the committee and two of Fianna Fáil’s five committee members telling today’s Irish Examiner they are not in favour of the extent of the potential changes, the group is expected to vote for the reforms.

After four months of public hearings, the committee will at 2pm today begin voting by deciding on whether to support Labour TD Jan O’Sullivan’s formal motion to repeal the Eighth Amendment entirely or Independent TD Mattie McGrath’s counter-motion to retain it.

With committee chair and Fine Gael senator Catherine Noone unlikely to vote unless a tie occurs, the fact 12 of the committee’s members are already in favour of the repeal motion means it will pass, meaning the committee will formally agree to recommend removing the Eighth from the Constitution.



A further 46 motions will then be voted on to decide on what legislation drawn up by the Oireachtas should govern the abortion laws if next year's referendum passes.

These motions will include sections on whether a gestational limit should be included; if rape or incest should be allowed as a reason for an abortion; and if fatal foetal abnormalities should also be a reason to allow an abortion.

In addition, further votes will also be held on whether socio-economic reasons should be allowed as a reason for an abortion; if no restrictions should be placed on having an abortion; and votes on whether to allow an abortion based on the risk of a pregnancy to a woman's physical or mental health.

The committee will also vote on whether to decriminalise abortion and on ancillary issues such as sex education, access to contraception and other matters.

As the Irish Examiner reported last week, it is widely expected the committee will vote to repeal the Eighth, decriminalise abortion, and to allow terminations up to 12 weeks pregnancy. However, in addition to high-profile pro-life committee members Independent senator Ronan Mullen, Independent TD Mattie McGrath and Fine Gael TD Peter Fitzpatrick, other members have also raised concerns.

They include Fianna Fáil TDs Anne Rabbitte and James Browne, who last night said they do not favour repeal, but if this happens they want it limited to fatal foetal abnormalities and rape cases.

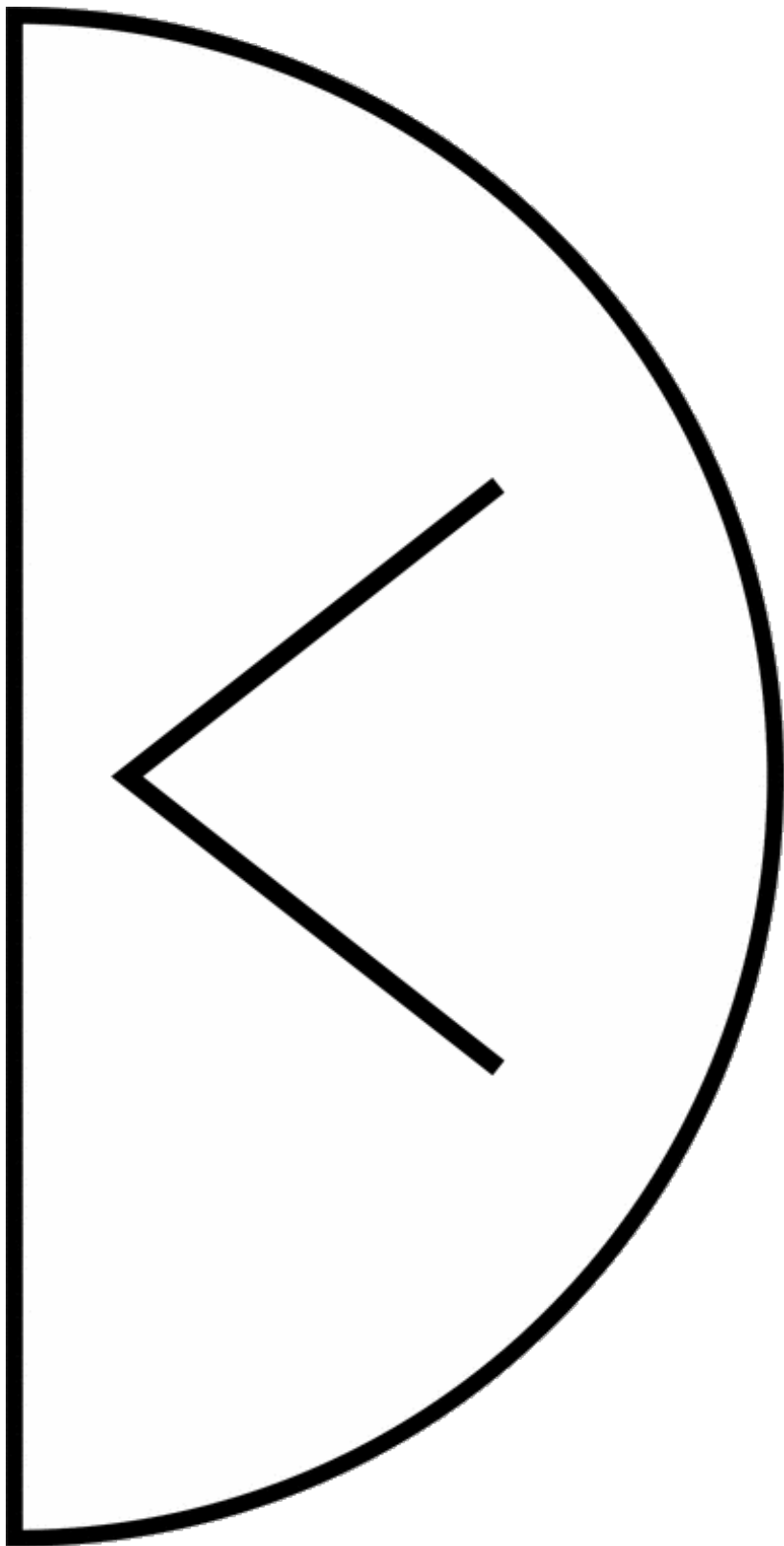
The position contradicts that of Fianna Fáil TDs Billy Kelleher and Lisa Chambers and Senator Ned O'Sullivan, who believe these limits should not be placed on any new laws.

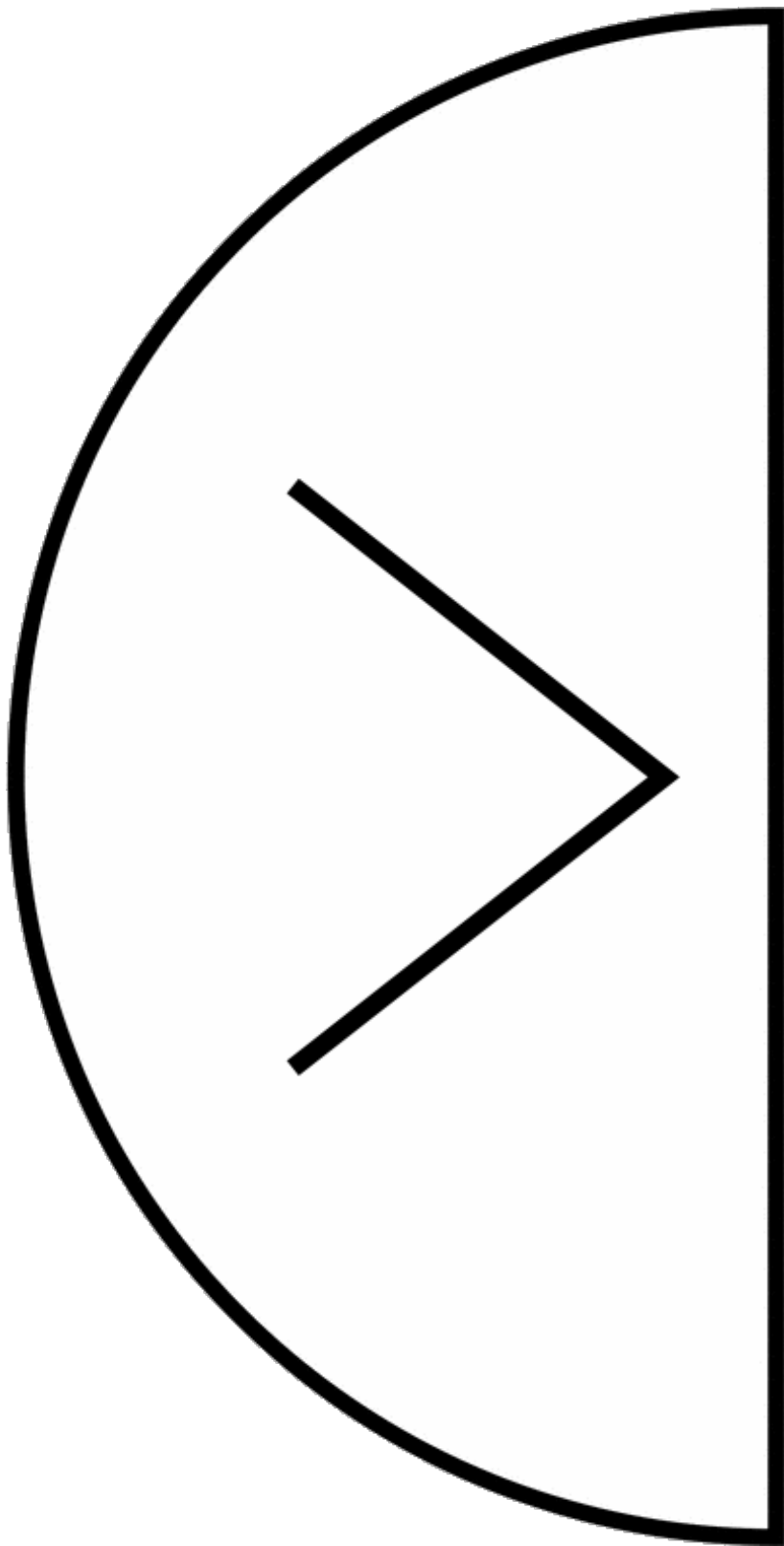
Senator Mullen, who was part of the Committee, said that it has come to the wrong conclusion.

"It actually shows, yet again, just how politicians are very, very capable of becoming more radical under each others influence," he said.

"This is a Committee that failed to explore very important issues like whether the Irish law had saved thousands of lives, as has been claimed, and demonstrated what happens to abortion cultures when abortion takes hold."

This article first appeared on [the Irish Examiner](https://www.irishexaminer.com/breakingnews/ireland/latest-abo...-up-to-12-weeks-of-pregnancy-committee-recommends-818497.html).





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Irish Examiner

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- 26
- 27
- 32
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