

From the Chief Medical Officer
Dr Michael McBride



Department of
**Health, Social Services
and Public Safety**

www.dhsspsni.gov.uk

AN ROINN

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

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Your Ref:
Our Ref:
Date: 13 March 2009

HSS(MD) 9/2009

To:

Chief Executives HSC Trusts
Medical Directors HSC Trusts (*for onward dissemination to all Trust Doctors*)
All General Practitioners
Directors of Nursing HSC Trusts (*for onward dissemination to all Trust Midwives and Nurses*)
Chief Executives HSS Boards
(*for distribution to Board employed doctors*)
Directors of Public Health
Directors of Nursing HSS Boards (*for distribution to Board employed Midwives and Nurses*)
Chief Executive Central Services Agency

Dear Colleague

GUIDANCE ON THE TERMINATION OF PREGNANCY IN NORTHERN IRELAND

The purpose of this letter is to advise you of the publication of the document, *Guidance on the Termination of Pregnancy: The law and clinical practice in Northern Ireland*. This guidance is to explain the existing law relating to the termination of pregnancy in Northern Ireland and how it relates to good clinical practice here. The document can be accessed at www.dhsspsni.gov.uk/hss-md-9-2009.pdf

Background

The Guidance was produced following an Order by the Court of Appeal for the Department to consider what steps it should take to:

- inquire into the adequacy of termination of pregnancy services provided in Northern Ireland (including aftercare); and
- following such inquiry, and after appropriate consultation with concerned organisations, issuing appropriate guidance.

The law relating to the termination of pregnancy in Northern Ireland differs from that of the rest of the UK. During the Department's enquiries prior to the development of the Guidance, it was clear that Health Professionals required guidance as to the circumstances in which a

termination of pregnancy would be legal in Northern Ireland. While by necessity, clinical judgement will always be required in making the decision to terminate a pregnancy, the Guidance seeks to explain the circumstances where a termination of pregnancy may be carried out in Northern Ireland.

The Guidance

The Guidance has been developed following wide consultation with interested parties including health professionals and their governing bodies. Legal advice was also sought throughout the development of the guidance. The guidance cannot and does not make any changes to the law of Northern Ireland. Its purpose is to explain the existing law relating to the termination of pregnancy and how it relates to good clinical practice. It also provides guidance on the giving of informed consent, the provision of aftercare services and rights of conscientious objection.

It is important that all women eligible for termination of pregnancy procedures in Northern Ireland receive appropriate care, regardless of whether they decide to go ahead with the pregnancy or not. Provision should be made for all women to receive appropriate treatment including counselling before and after their decision on whether or not to terminate the pregnancy. Care pathways should be in place for all women considering a termination of pregnancy and the Health and Social Care Board, Public Health Agency and HSC Trusts should work together to ensure that such pathways are in place.

All women should have access to written information about termination of pregnancy. Health and Social Care organisations should work together to develop regional leaflets which explain when termination of pregnancy can be provided in Northern Ireland within the current legal framework and also provide more detailed information for woman considering a termination of pregnancy.

There should be accurate recording in the woman's clinical notes of the decision to carry out a termination of pregnancy, including the clinical indicators and the health professionals involved in reaching this decision. Health and Social Care organisations should develop a pro-forma for use across Northern Ireland. Chief Executives will wish to be assured that any termination of pregnancy being carried out in their Trust is legal. Trusts will also be required to provide a subset of anonymised data to the DHSSPS.

Action required by the Health and Social Care Board, Public Health Agency and HSC Trusts

The Department recognises that most of the follow up action specified below will be affected by the imminent changes of responsibilities from the four Boards to the new HSCB and PHA. There will need to be a transition plan drawn up by staff of the existing Boards with clear arrangements for the transfer of specific responsibilities into the new organisations. The references to "Boards" in the points below should be read in that light.

- Boards and Trusts should work together to ensure that appropriate care pathways are in place to allow all eligible women access to termination of pregnancy services.
- Boards and Trusts should liaise to develop regional information leaflets on termination of pregnancy.
- A regional pro-forma for recording terminations of pregnancy should be developed by Boards and Trusts.

