

# Parliamentary Bills

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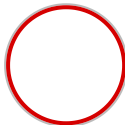
## ☆ Ms Stella Creasy's amendment

### Crime and Policing Bill

Report stage

Amendment number: NC17

#### Lead member



**Ms Stella Creasy**

Labour, Walthamstow

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Commons

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#### Decision

**No decision**

The House has not considered this amendment.

#### Amendment text

To move the following Clause—

**“Application of criminal law of England and Wales to abortion**

- (1) The Secretary of State must ensure that the recommendations in paragraphs 85 and 86 of the CEDAW report are implemented in respect of England and Wales.
- (2) Sections 58, 59 and 60 of the Offences Against the Person Act 1861 are repealed under the law of England and Wales.
- (3) The Infant Life Preservation Act 1929 is repealed.
- (4) No investigation may be carried out, and no criminal proceedings may be brought or continued, in respect of an offence under those sections of the Offences Against the Person Act 1861 or under the Infant Life Preservation Act 1929 under the law of England and Wales (whenever committed).
- (5) The Abortion Act 1967 is amended as follows.
- (6) In section 6 remove, “sections 58 and 59 of the Offences Against The Person Act 1861, and”.
- (7) Notwithstanding the repeal of the criminal law relating to abortion, the provisions of sections 1-4 of the Abortion Act 1967 remain in place.
- (8) The Secretary of State must (subject to subsection (9)) by regulations make whatever other changes to the criminal law of England and Wales appear to the Secretary of State to be necessary or appropriate for the purpose of complying with subsection (1).
- (9) But the duty under subsection (8) must not be carried out so as to—

(a) amend this section,

(b) reduce access to abortion services for women in England and Wales in comparison with access when this section came into force, or

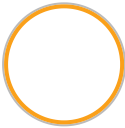
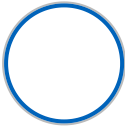
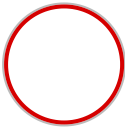
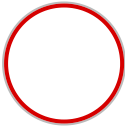
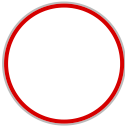
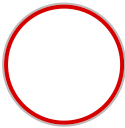
(c) amend section 1 of the Abortion Act 1967 (medical termination of pregnancy).

- (10) The Secretary of State must carry out the duties imposed by this section expeditiously, recognising the importance of doing so for protecting the human rights of women in England and Wales.
- (11) In carrying out the duties imposed by this section the Secretary of State must have regard in particular to the United Nations Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Economic, Social and Cultural Rights in considering what constitute the rights of women to sexual and reproductive health and to gender equality.
- (12) The Secretary of State may (subject to subsection (9)) by regulations make any provision that appears to the Secretary of State to be appropriate in view of subsection (2) or (3).
- (13) For the purpose of this section,
- (a) "the United Nations Convention on the Elimination of All Forms of Discrimination against Women" or "the Convention on the Elimination of All Forms of Discrimination against Women" means the United Nations Convention on the Elimination of All Forms of Discrimination against Women, adopted by United Nations General Assembly resolution 34/180, 18 December 1979;
  - (b) "the International Covenant on Economic, Social and Cultural Rights" means the International Covenant on Economic, Social and Cultural Rights 1966, adopted by United Nations General Assembly resolution 2200A (XXI), 16 December 1966; and
  - (c) "the CEDAW report" means the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/OP.8/GBR/1) published on 6 March 2018."

## Member's explanatory statement

This amendment repeals the criminal law relating to abortion in England and Wales and protects existing abortion rights, including the 1967 Abortion Act. The amendment introduces a human rights based framework for future regulations, subject to limitations that expressly prohibit such powers using used to undermine existing abortion rights.

## Sponsors

	<b>Christine Jardine</b> Liberal Democrat Edinburgh West	>
	<b>Sir Andrew Mitchell</b> Conservative Sutton Coldfield	>
	<b>Sarah Owen</b> Labour Luton North	>
	<b>Antonia Bance</b> Labour Tipton and Wednesbury	>
	<b>Uma Kumaran</b> Labour Stratford and Bow	>
	<b>Kate Osborne</b> Labour Jarrow and Gateshead East	>