

GOOD NEWS FOR NURSES

RIGHT OF CONSCIENTIOUS OBJECTION IS UPHELD BY EQUALITY ACT

The St Thomas More Legal Centre has successfully defended two Catholic nurses who refused to participate in abortions. The two nurses refused to work in a weekly abortion clinic and refused to administer the abortifacient drugs Mifepristone and Misoprostol. Of course the Abortion Act (1967) gives a clear right, in conscience, to refuse to participate in abortions. But managers insisted that they must participate.

The Thomas More Legal Centre wrote to the hospital quoting their rights under s4 Abortion Act. But the centre also stated that their belief in the sanctity of life from conception onwards was a philosophical belief protected under the Equality Act and therefore any attempt to pressure them into participating in the Abortion Clinic or to suggest that their refusal would affect their career would be illegal under the Equality Act 2010.

Initially the hospital then decided to allow the nurses not to give the medication, but insisted that they remain working in the clinic. But after further pressure the nurses were allocated to other duties in the hospital, which is, of course, right and just. In a hospital where many are employed, there can be little good reason to force someone who objects to abortion to work in an abortion clinic. .

This case is important as the Equality Act, while clearly able to apply to matters of faith etc, has not to date been used to protect those who hold a belief such as human life beginning at conception. Moreover, it suggests a robust and just recognition of the value that people of faith can bring to the workplace.

The [Daily Telegraph](#) commented:

‘The case marks a rare example of equality laws being used to protect the rights of Christians. Previously judges have been criticised for interpreting equality and human rights legislation in ways that allegedly “marginalise” religious beliefs.’

Reference

<http://www.telegraph.co.uk/news/uknews/8698042/Catholic-nurses-use-Equality-Act-to-protect-their-pro-life-beliefs.html>