

Vaughan Gething AC/AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA - P/VG/2216/19

Dai Lloyd AM
Chair
Health, Social Care and Sport Committee
National Assembly for Wales
Cardiff Bay
Cardiff

1 July 2019

Dear Dai,

Members of the Committee may recall that last year, Society for Protection of Unborn Children (SPUC) mounted a Judicial Review opposing Scottish Government's policy on early medical abortion at home. This was of interest to the Committee as we had used the same powers to introduce the use of misoprostol at home for women in Wales. If the Scottish Government were to have lost the case it would have had direct implications for that particular policy. I am now able to provide an update on that issue.

The judicial review was refused by Lady Wise on both grounds. SPUC appealed the decision in Scotland and that case was heard by the court of appeal on 2/3 April and the decision published on Wednesday 22nd May.

In brief, the court refused SPUC's motion of appeal and adhered to the decision of the Lord Ordinary, so the policy of permitting early medical abortion at home is lawful. Welsh Government's own policy could still be challenged, but the outcome of the case in Scotland has significantly reduced the risk of that happening. It is still however possible SPUC will take the case to the UK Supreme Court and so my officials will maintain close links with Scottish Government and Department of Health and Social Care in case of any further developments.

Yours sincerely,

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.