



Affiliated to Humanists International & Member of the European Humanist Federation

Mr. Stephen Donnelly T.D.
Minister for Health
Block 1 Miesian Plaza
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Dublin D02 XW14

27/05/2021

Dear Minister Donnelly

We write to express the deep concern of the Humanist Association of Ireland relating to the ownership structure for the new National Maternity Hospital that is to be located on the campus of St. Vincent's University Hospital.

At present, it appears that the Government is considering gifting the new National Maternity Hospital, to be built with hundreds of millions of taxpayers' money, to a private company established by the religious Sisters of Charity.

Public healthcare services should be provided to the people of Ireland, of all creeds and none, on a secular basis, without the potential for restrictions based on religious ethos. This is particularly important for reproductive health services, not least given the shameful history of religious interference in reproductive rights in this country.

The new National Maternity Hospital should be publicly owned and controlled and subject to a secular charter. Instead, if the project proceeds as currently proposed, it will be owned and controlled by a private charitable entity, St. Vincent's Holdings (SVH). In spite of statements that the new hospital will not operate under a Catholic ethos, the core values outlined in the [Constitution](#) of SVH mirror the current core values of the Sisters of Charity under which St. Vincent's Hospital Group (SVHG) operates today.

Under these Catholic core values, SVHG today, in spite of being publicly funded, does not provide contraception, sterilisation for the purposes of family planning, IVF, abortion and other procedures, which are legal in Ireland but prohibited by Catholic teaching.

The interim directors of SVH have been appointed by the Sisters of Charity, as will their successors later this year. The constitution of SVH places the appointment of future directors in the hands of existing directors. SVH will be controlled by those directors, rather than being directly answerable to the State, and by a constitution that embeds the core values of a Catholic religious order (one of the orders responsible for the Magdalene laundries).

It is reported that assurances have and will be given that there will be no religious influence from SVH in the operation of the new hospital. Senior medical experts have questioned the extent to which such assurances can be made binding. But even if the State succeeds in building the necessary assurances into initial funding agreements for the new hospital, on a binding footing, it is unclear

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how it can be ensured that these will continue to bind SVH throughout the future lifetime of the hospital and cater for the future evolution of reproductive medicine and Irish law.

The [2018 Report](#) of the Independent Review Group established to examine the role of voluntary organisations in publicly funded health and personal social services, highlighted the constitutional protection for the right of religious denominations to manage their own affairs and stated that *“The interpretation of the extent of this autonomy in the healthcare context has not yet been determined by the Irish Supreme Court. This issue lies at the heart of whether an independently owned, state-funded health or social care service can legitimately refuse to provide certain services”*. Any agreement between the State and SVH in relation to the services that will be delivered in the new hospital and the governance arrangements that will apply could therefore be subject to future Constitutional challenge.

The Independent Review Group also recommended that the State should always seek to own the land on which publicly funded hospitals are built. The Report stated that *“...The State can buy new greenfield sites or purchase sites from existing owners or receive land and buildings as donations. This would cost the Exchequer more than in the past but would leave the State free to determine the ethos, guiding principles and governance of any future organisation.”*

The only way to provide categoric and absolute assurance to the people of Ireland is to develop the new hospital under State ownership and control. This will ensure that the State fulfils its obligation to organise health and social care services to ensure access to lawful services by the people of Ireland, of all creeds and none.

Yours sincerely

Jillian Brennan

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Humanist Association of Ireland