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**Date:** 25 October 2017 at 08:29:14 IST  
**To:** [catherine.noone@oireachtas.ie](mailto:catherine.noone@oireachtas.ie)  
**Cc:** "Sabaratnam Arulkumaran" <[sarulkum@sgul.ac.uk](mailto:sarulkum@sgul.ac.uk)>  
**Subject: Re: 8th Committee**

**JCEA 43RC**

Dear Senator Noone,

Thank you again for the invitation to last Wednesday's meeting of the Oireachtas Committee on the Eighth Amendment. I was very impressed with the work of the Committee and thought the session was notable for the most part for its thoughtful and open-minded questioning and collegial atmosphere.

However, although Senator Ronan Mullen was absent for much of the committee on other business, while he was present he made several assertions at odds with the facts regarding what was said at the hearing in respect of my evidence. The next day, he appeared on at least two radio shows, during which he repeated those inaccurate assertions.

In particular, he repeatedly claimed that Savita Halappanavar's treating consultant in Galway did not "hide behind the Eighth Amendment", i.e. that Dr Astbury was in no way constrained by the Eighth Amendment. This claim was made in direct contradiction of the evidence of both myself and Professor Arulkumaran last week.

I am therefore attaching for your attention, and that of the committee, transcripts of the third day of the inquest into Ms Halappanavar's death, in which is absolutely apparent that Dr Astbury, her treating consultant, could not have been clearer about how the Eighth Amendment prevented her from intervening. The relevant section is on pages 46 and 47, questions 176 to 179 inclusive,

I have also attached Professor Arulkumaran's evidence to the Committee last week in response to Senator Lynn Ruane in which he categorically stated that the Eighth Amendment contributed to Savita Halappanavar's death (page 30 of transcript).

Both of us reviewed Ms Halappanavar's full medical case records, and Professor Arulkumaran also had the advantage of interviewing those involved in her care in University Hospital Galway.

This point is so fundamental to your hearings that I believe the record should be corrected in respect of Senator Mullen's inaccurate assertions last Wednesday that the Eighth Amendment did not constrain Ms Halappanavar's treating doctor.

Your sincerely,

Peter Boylan