

It's time for north's meddling attorney general to go

- *Brian Feeney writes in The Irish News.*



An attorney general, such as John Larkin, should be seen but not heard outside the executive. He's not a politician, unlike British attorneys general who are elected. Picture by Paul Faith, Press Association

Next week John Larkin QC, the north's attorney general, appears in the European

Court of Human Rights to challenge the deal made with Turkey about stopping migrants entering the EU because it conflicts with the right of religious zealots coming to Europe to impose their moral views on everyone else, Brian Feeney writes in The Irish News.

Still, many people wouldn't be surprised if he did pop up somewhere next week pushing some esoteric line. After all, hardly a month goes past without our AG intervening in some case. It's about time the executive put a halt to his gallop.

Eamonn McCann has called for his resignation. Sadly no other MLA supported him though McCann is manifestly correct in what he said.

"Mr Larkin's entitled to his own conscientious beliefs, religious and otherwise. Mr Larkin is not entitled, it seems to me, to go around the world, into European courts and so forth, expressing points of view which reflect his own moral religious beliefs, but which cannot be represented as the beliefs of the majority of people in the north." That's it in a nutshell.

The immediate matter is the despairing resignation of Dr Caroline Gannon, one of only

two paediatric pathologists in the north, because of Larkin's interventions in abortion law.

To compound the matter the statement from the attorney general's office impertinently avoided Dr Gannon's complaint but merely stated the obvious, namely that the law is under review.

Pray why is that after several years toing and froing? Worse, the statement couldn't avoid a snide reference to 'so-called fatal foetal abnormality'.

People, even lawyers, are entitled to opinions but opinion needs to be based on fact and the indisputable fact is that there is such a condition as fatal foetal abnormality which can be certified by a doctor.

This occasion is not the first time Larkin has been criticised and not only for his stance on abortion which he clearly laid out in a BBC radio programme in 2008.

Referring to those comments in 2012 when Larkin offered to question witnesses in an inquiry into the Marie Stopes clinic, Mike Nesbitt said: "It was such a stark declaration of his moral position

that it has to cloud how we look on his offer to the assembly [Justice] committee."

He suggested Larkin withdraw because it was a matter for MLAs not the attorney general. In 2009 Ian Paisley Jnr wrote to Peter Robinson telling him he would be 'mad' to appoint Larkin.

He wrote: "I think the government should steer away from appointing this controversial personality, who will only seek to build on his growing ego to the detriment of the government, and dare I suggest, the personal embarrassment of ministers, not least yourself."

In 2012 Larkin embroiled himself in a confrontation with former secretary of state Peter Hain using an archaic offence of 'scandalising the court' because of criticism Hain had made of Lord Justice Girvan.

David Cameron expressed concern at Larkin's attack on free speech and 120 MPs signed an early day motion backing Hain's right to comment. Some even questioned if the offence still existed. Larkin wisely backed off after Hain clarified his position.

However not to be deterred Larkin intervened in a test case in the European Court of Human Rights about two gay Austrians adopting a child.

He wanted regional rights to derogate from same sex adoption. On that occasion the UK government intervened in the person of the Advocate General of Scotland Lord Wallace who wrote to the ECHR saying Larkin had not consulted the UK government and did not represent its views. We haven't even mentioned Larkin's intervention in the Asher's bakery case.

McCann's right. He should go. He has extended the role of attorney general into areas no one expected.

An attorney general should be seen but not heard outside the executive. He's not a politician, unlike British attorneys general who are elected.

He can't claim to represent anyone. The executive is divided on how to proceed with abortion but Larkin is pushing one side, not an AG's role.

One interesting straw in the wind is that when Arlene Foster was asked did she agree with

McCann she did not take the opportunity to express confidence in Larkin.

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