

ABORTION IN IRELAND AND INEQUALITY

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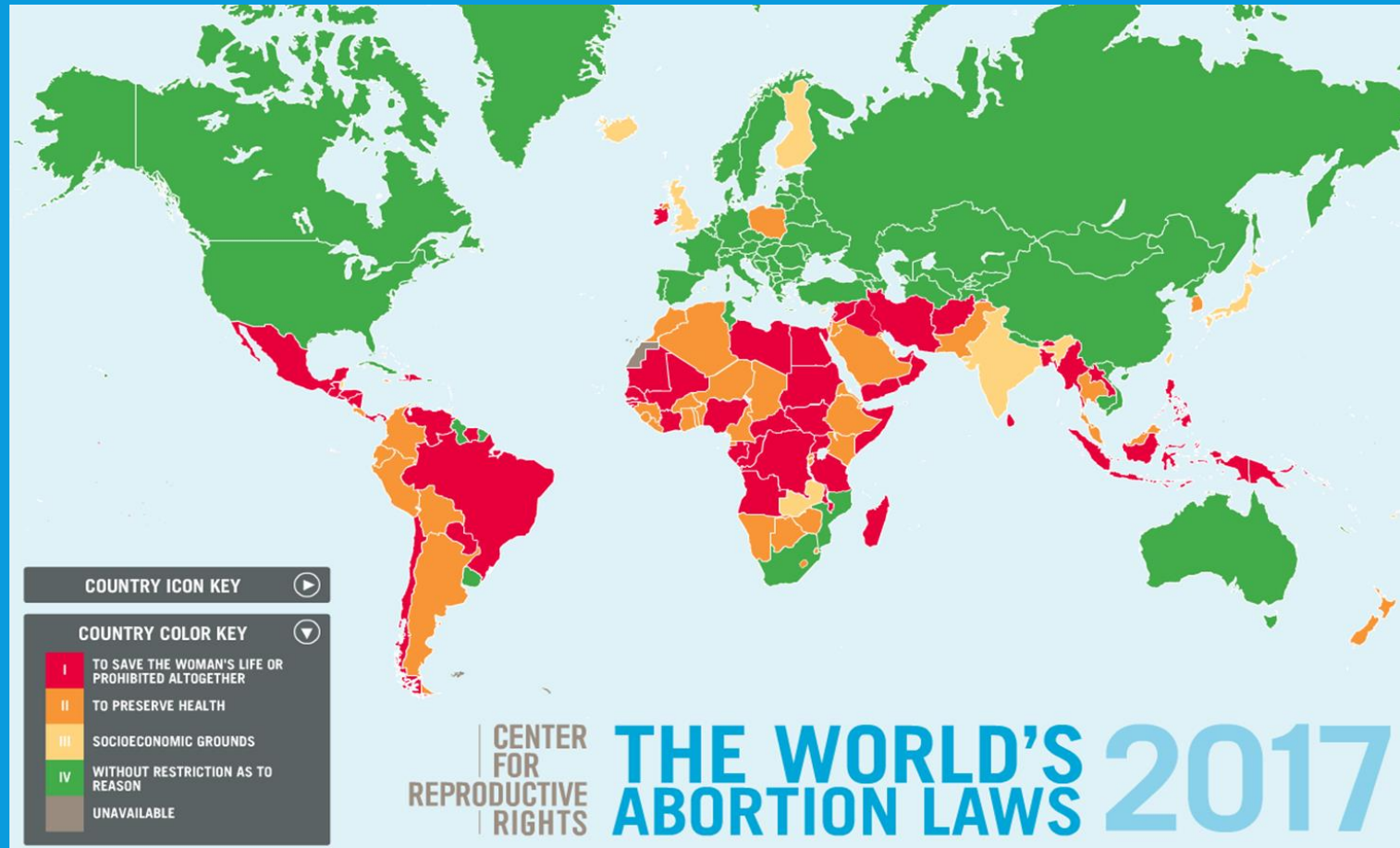
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ABORTION FACTS

- 44 million abortions performed worldwide annually (World Health Organisation).
- The WHO (2012) estimates that 21.6 million women experience an unsafe abortion each year worldwide.
- Highly restricted in many countries (including Ireland).
- Restrictive legislation does not stop abortion.
- Lower rates of unsafe abortion where laws are liberal.
- 'Travelling' the reality of abortion care for many women
- Implications for care-giving

GLOBAL ABORTION LAWS



GLOBAL LAW IN CONTEXT

Category I	Category II	Category III	Category IV
Republic of Ireland	Northern Ireland	Great Britain	Canada
Chile	Poland	Finland	France
Nigeria	Monaco	Japan	Australia
Afghanistan	Ethiopia	India	South Africa
Paraguay	New Zealand	Zambia	China

LAW: REPUBLIC OF IRELAND

- Constitutional protection of the unborn (Article 40.3.3 introduced by referendum in 1983 – the Eighth Amendment)
- Strict legislation on the provision of information (the Fourteenth Amendment 1992)
- Prohibition on referral for abortion or 'promotion' ('three options', Regulation of Information Act)
- Abortion only legal where there is a direct risk to mother's life (2014 Protection of Life During Pregnancy Act allows for 'suicidal ideation')
- Right to travel protected under the Thirteenth Amendment (1992) and Attorney General vs. X ('the X case')
- Citizen's Assembly voted to liberalise abortion law in Ireland in April 2017 (CA is non-binding – government must now take action).

LAW: NORTHERN IRELAND

- Abortion is governed by the Offences Against the Person Act 1861 - criminalises any woman who has an abortion, and anyone trying to help a woman to abort.
- The maximum sentence -“penal servitude for life”.
- Abortion law was reformed in England, Scotland, Wales in 1967.
- Case law in NI allows abortion in circumstances where the woman’s life is in danger or the pregnancy poses a “real and serious, permanent or long term” risk to her health.
- Guidance from Department of Health in 2011 threatened practitioners with prosecution had ‘chill effect’; new guidance improved this.
- 2015 Judicial Review - The Northern Ireland Human Rights Commission’s Application [2015] NIQB 96 - Court rules prohibition of abortion in cases of fatal foetal abnormality and sexual crime (up until date when foetus becomes capable of existing independently) in violation of UK human rights commitments. No action taken by NI Assembly to date.

WHAT ARE THE CONSEQUENCES OF THE LAW?

- Very low number of abortions carried out on the island – approx. 39 per year in NHS premises in NI and 26 carried out in ROI in 2015.
- Physical travel to England - 4,652 NI women and 19,947 ROI women between 2010 and 2014 (Department of Health, England).
- All costs of travel and procedure are paid by women.
- Some access in Marie Stopes in Belfast under the law – numbers unknown.
- Procurement of abortion pills online (Women Help Women, Women on Web) - over a five year period they had received inquiries from 5,650 women across the island of Ireland (Aiken et al, 2016).
- Pills seized by customs.
- Prosecutions for procuring and using pills in Northern Ireland.

OUR RESEARCH

- *The Liverpool-Ireland Abortion Corridor*
- Interdisciplinary – LIAC has historical, cultural, legal, political and clinical/caring contours.
- Objective to get a robust sense of care-giving and impact of 'travelling' on care.
- Liverpool is a key destination for Irish abortion travel. Has historical and contemporary resonance for Irish people - 'getting the boat'.

FINDINGS: ABORTION AND INEQUALITY

- Although all women are affected by the island of Ireland's abortion laws, some groups of women are affected by existing inequality:
 - Migrant/refugee women
 - Poor / vulnerable women
 - Women with caring responsibilities
 - Rural women
 - Women with existing health conditions

MIGRANT WOMEN

- May need to wait for a visa to travel to the UK.
- May not know about abortion law in Ireland.
- May be seeking asylum and/or a victim of sexual assault in another country.

"And also not to assume that clients will be white, Irish people. Ireland has a lot more migrants than it used to, and not just economic migrants. We get students, people who moved to Ireland for work or married Irish people and they are shocked when they can't get an abortion in Ireland."

"It's usually money...oh or a visa. Ryanair and EasyJet will only take passports. Flybe and aer Lingus take alternative forms of ID but they're more expensive. So passport and visa delays. So someone who's 6 or 7 weeks pregnant – by the time the visa's processed they're over 20 weeks as well."

(Both quotes from Interview 27, Charity, England)

POOR / VULNERABLE WOMEN

- Money to travel and pay for procedure.
- Knowledge or networks to facilitate journey.

"...it affected women differently. Where women had a complex social history for example, women in abusive relationships, women who already had a lot of children, women in serious financial straits. They were affected differently than a single woman with a bit of money behind her. Quite often we didn't see those women as they had booked and gone to England. We were seeing the most vulnerable who had nowhere else to do."

(Interview 17, Clinic Manager, Northern Ireland)

WOMEN WITH CARING RESPONSIBILITIES

- Less able to travel freely.

"We actually very often in Sept. have more later term women because they knew they were pregnant in June but their kids were home from school so they had to wait until the kids went back to school."

(Interview 27, Charity, England)

RURAL WOMEN

- Irish women incur at least one journey to another jurisdiction, with a significant portion of women having to utilise two or more forms of transport.
- In 2015, 3541 women travelled from ROI to England/Wales to access abortion. 1054 travelled from counties without direct link to a city outside Ireland where abortion services are available (30%).
- Less access to pre and after abortion care.

"Also rural women – they don't have these services in their village and even if they do they don't want to go there as everyone will know. They travel from Galway and Cork, then home and then back to get the flight. For them it's very difficult."

(Interview 25, Counsellor, ROI)

WOMEN WITH EXISTING HEALTH CONDITIONS

- When care pathways break down, women may not travel to England with GP notes etc.
- Abortion providers in England may not be able to treat women with ongoing health concerns.

"If you have a woman with a history of high blood pressure, not life threatening, but the arrangements they would have to make – money, flights, accommodation etc. it would send some of them through the roof. We tried to give them as much info as possible to make that easier for them – setting out all the options so she didn't feel trapped and there was choices out there."

(Interview 17, Clinic Manager, Northern Ireland)

THANK YOU!

Questions?