

People Before Profit Alliance

Policy on Abortion

The Context

The struggle for abortion rights for women in Ireland has been hard fought over the past 30 years, and is still far from being won. Many members of People Before Profit Alliance have been involved in that struggle, and we have actively supported campaigning groups such as Action on X, as well as the private members' bill introduced by Clare Daly, TD, Joan Collins, TD and Mick Wallace, TD in April 2012.

The Protection of Life during Pregnancy Bill 2013 (X case legislation) will shortly be voted on by the Oireachtas and is likely to be enacted by the Autumn. While it would be hard to say that the legislation is a 'victory' for women and for the Left generally, it is certainly a defeat for conservatism and for the Catholic Church.

The Current Situation

We have serious concerns about the severe limitations and omissions in the Bill which remains strictly within the narrow terms of the 8th Amendment to Constitution. For example, under the new law, women's health will not be protected. Women and children pregnant as a result of rape or child sexual abuse will not be able to access abortion services, nor will women with pregnancies where there is a fatal abnormality of the foetus. Women and their doctors will still be liable to be criminalised for abortions performed outside the narrow terms of the Act, including a person assisting a woman to obtain abortion pills over the internet, or any woman who takes abortion medication. The review process for an abortion procedure to be approved, especially where there is a risk of suicide, will be so draconian that the vast majority of women will continue to travel to the UK and elsewhere for an abortion, if they can afford it, and if they are in good enough health to do so.

These are only some of the ways in which the legislation will fail to protect women and to respect their human rights.

Nevertheless, the introduction of legislation explicitly recognising that abortion is lawful to save a woman's life marks a turning point in the struggle for reproductive freedom in Ireland. When the Bill is enacted, we believe it will also mark the start of a new broad-based campaign to

Abortion in Ireland A Brief History

1861 - Offences Against the Person Act – criminalises abortion with sentence of 'penal servitude for life' for women or for anyone assisting them to 'procure an abortion'. *This Act is still in force.*

1983 - 8th Amendment to the Constitution passed following a bitter referendum campaign: *'The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mothers, guarantees in its laws to respect, and, as far as practicable, by its laws to defence and vindicate that right'.*

1992 – Supreme Court rules that 'X', a 14 year-old girl pregnant as a result of rape, faces a real and substantial threat to her life because she is suicidal, and that she is therefore entitled to an abortion in Ireland because of the State's duty to 'have equal regard for the life of the mother'.

1992 'X Case Referendum' - the people vote **NO** to removing threat of suicide as grounds for lawful abortion in Ireland, and **YES** to provision of information about abortion services outside the State, and **YES** to freedom to travel outside the State for an abortion.

1997 – Supreme Court's ruling in the 'X' case is upheld by the courts in **the case of 'C'** a 13 year-old child in care, who had also been raped.

2002 Referendum – the people again vote **NO** to the removal of the threat of suicide as grounds for abortion.

2010 – In the A, B, C case, European Court of Human Rights rules that Ireland must clarify the circumstances in which abortion is lawful in Ireland.

2012 – October: Death of Savita Halappanavar, refused an abortion in a Galway hospital although she was miscarrying a foetus which had no chance of survival..

– **November: Expert Group** appointed by Government recommends legislation to implement the 'X' case ruling.

- **December: Council of Europe** urges Government to implement the A, B, C case judgement and Government announces plans to legislate and issue guidelines to implement the 'X' case Supreme Court ruling.

2013 – May - Government publishes heads of Bill: *Protection of Life During*

repeal the 8th Amendment. In this context, it is all the more important for People before Profit to state our position clearly.

Every day, twelve women travel from Ireland to the UK and to other European countries to access abortion services.

Our Position

Deciding whether and when to have children and whether to have an abortion are very personal matters. We believe that these decisions should be made by women themselves, in consultation with their doctor, and with the support of their partner and family if that is appropriate. People before Profit Alliance supports a woman's right to make her own decisions regarding reproduction, including the right to free, safe, and legal abortion

We believe that access to abortion is a fundamental human right for women, and crucial to women's economic and social independence. We believe abortion should be available country-wide and provided free through the health service.

To achieve reproductive choice for women, we will continue to campaign for repeal of the 8th Amendment to the Constitution which is a source of real danger to women's lives, health and freedom.

The People before Profit Alliance will continue to campaign for all social welfare payments to be restored to their pre-austerity levels; for adequate provision for lone parents and their families, for people with disabilities and for children with special needs. We will campaign for an end to child poverty (almost 10% of children in Ireland live in consistent poverty, with 20% of children at risk of poverty), and for the provision of high quality child-minding and child care services for all who need them. We will continue to campaign for fully equal social, economic, legal and political rights for women.

June 2013

Abortion in Ireland The Facts

Between Jan 1980 and Dec 2011, at least 150,000 women travelled from the Republic of Ireland for safe abortion services abroad.

An increasing number of women are accessing safe and legal abortion services in EU countries other than England and Wales.

These women are from all walks of life, each with their own reasons for deciding to have an abortion. Women's experiences of abortion are diverse and complex and not taken lightly.

Travelling to the UK for an abortion costs at least €1000 including flights, accommodation and clinic fees, but excluding any child care costs and loss of income.

Women who need visas to travel abroad and to re-enter Ireland may have to wait 6 to 8 weeks for the necessary documents, or may not be able to travel. Asylum seekers must apply and pay for an emergency re-entry visa from the Department of Justice and a visa to enter the UK or Netherlands.

(Information from: www.ifpa.ie)

Poll Findings:

Irish Times/IPSOS/MRBI Poll June 2013

- 75% in favour of the proposed legislation
- 89% in favour of allowing abortion when a woman's life is at risk
- 83% in favour when the foetus cannot survive outside the womb
- 81% in favour in cases of rape or abuse
- 78% in favour when a woman's health is at risk
- 52% in favour when a woman is suicidal
- 39% in favour when a woman