



SUBMISSION TO

THE ABORTION REVIEW

ON BEHALF OF

THE LIFE INSTITUTE

FRIDAY, 1ST APRIL 2022

INTRODUCTION

It is vitally important that this review is transparent and meaningful, and that, in accordance with its objective of “reviewing the operation of the Act”, it ensures that the negative outcomes of the abortion legislation are acknowledged and examined. Otherwise, the undertaking would simply be a whitewash, and fail to meet with the transparency and public interest requirements expected.

ISSUES OF CONCERN REGARDING THE REVIEW

While the operation of the Act is the matter under review, it would be remiss of us not to draw attention to several issues of concern arising in relation to the Review.

- TDs have been amongst those expressing concern that research which will inform the review of the 2018 abortion legislation is being led by a campaigner for Repeal of the 8th amendment. The Department of Health confirmed that research to “inform” the review in regard to the experiences of women who had undergone abortions would be carried out by an Associate Professor at Trinity College, Dr Catherine Conlon.
- Dr Conlon took part in the 2018 campaign to have abortion legalised in Ireland, speaking at events supporting repeal of the 8th amendment which protected the right to life of the unborn child.
- Her assistant in the research commissioned by the Department is Dr. Kate Antosik-Parsons, who describes herself on her website as a “reproductive rights activist and a co-convener of the Research Working Group, Dublin Bay North Repeal the 8th”.
- This, understandably, raises questions in regard to both transparency and impartiality in the research undertaken by the Review.
- The Chair of the Review Marie O’Shea BL also seemed to express pro-repeal beliefs in tweets from 2018. This is disappointing, as was the decision of the Health Minister not to put the role out for Tender.
- Health Minister Stephen Donnelly also put the National Women’s Council in charge of deciding which stakeholder groups would be consulted for the three year review of the abortion legislation – meaning that only abortion-supporting organisations were included.

The NWCI campaigned for repeal of the 8th amendment in 2018, with senior staff leading the campaign, despite the organisation being a taxpayer-funded body. It continues to push for a further liberalisation of the abortion laws and wants the three-day waiting period abolished.

It is difficult to see how faith in the Review process could not be undermined by these revelations.

Carol Nolan TD has said that the Review process “has been subjected to political handling, manipulation and outright inconsistency right from the outset.” We urge you to take steps to address some of the serious matters raised in this submission.

Finally, we have been contacted by a significant number of people who say that the process by which the public can make submissions to the review seems designed to limit access to the public, especially in regard to minorities, those who are disadvantaged, and those who are older.

As you will be aware, we wrote to your office and to the Health Minister on this issue, and were assured that those with “accessibility needs” would be supported with their submission.

Since then, we heard from people for whom English is not their first language. A large group of healthcare workers, for example, who’ve come here from abroad said that they had hundreds of people who found the online form confusing and wanted to send a written submission. These are key voices and must be heard.

THE OPERATION OF THE ACT

In response to Q4 (a) of the online questionnaire published by the Department for the Review, it is our view that the Act has not operated well.

In answer to Question 4 (b), here is the detail / evidence to support our answer.

The operation of the Act has produced the following areas of concern.

- According to statistics from the Department of Health, the number of abortions in Ireland increased rapidly to 6,666 abortions in 2019, with another 6,577 in 2020. The Review should examine what can be done to reduce the number of abortions. We were told during the

referendum that abortion would be 'safe, legal and rare', yet the sharp increase in the abortion rate has not prompted any actions by the HSE. Most people do not believe a rise in the abortion rate is a good thing. The Review should look at how the change in the law has caused the number of abortions to rise and examine strategies as to how the operation of the Act could reduce this number.

- The Review should also examine whether women are being fully informed as to other options than abortion during counselling.
- The operation of the Act should not be used to deny the humanity of the unborn child, whose life begins at conception.
- Information released to TDs by the Department of Health show that the three-day period of reflection is helping women to choose another alternative to abortion. This would be considered by most reasonable people to be a positive impact.
 - Statistics from the Department of Health released to Carol Nolan TD showed that in 2020 almost 1 in 5 women who sought a first abortion consultation changed their mind and did not go ahead with the procedure during the 3 day period of reflection.
 - The HSE said: "In 2020, there were 8,057 initial consultations for Termination of Pregnancy services." The Dept of Health said 6,577 abortions subsequently took place. That means 18.4% of women did not proceed, almost 1 in 5.
 - In 2019, 7,536 initial consultations for abortion were provided by general practitioners, family planning clinics and women's health clinics. 6,666 abortions suggesting that 870 women changed their minds that year in the three day wait.

The waiting period is a key factor in the operation of the Act and must be retained.

- According to research from the Abortion Rights Campaign report: *Experiences of Abortion in Ireland after Repeal*, women have reported "horrific" experiences with abortion pills.
- Information released by the Department of Health and the State Claims Agency in response to Parliamentary Questions from Carol Nolan TD and Peadar Tóibín TD, shows that 103 women have made claims against the State because of adverse outcomes after abortion.
- In addition, almost 2,000 calls were made to a helpline from women seeking post-abortion support in 2020 alone according to the annual report of the Sexual Health and Crisis Pregnancy Programme for the Health Service Executive 2021.

- Evidence of the danger of misinformation and of a culture which pushes families towards abortion became almost an immediate concern regarding the operation of the Act when a healthy baby was aborted on grounds of a diagnosis of a life-limiting condition just three months after abortion became lawful.

A preborn baby, named Christopher by his parents, was misdiagnosed with a severe disability, and then aborted in the National Maternity Hospital. The NMH admitted liability at the High Court in August 2021. The Review should support the parent's call for a full investigation into this operation of the Act, and the appalling consequences for the baby and family involved.

The Review should also seek to establish a protocol to ensure parents not pressured into having an abortion - and are given factual, peer-reviewed information and offered support in continuing with their pregnancy.

- The Review should also heed the concerns raised by support groups for families where baby has a severe disability, who say that families are sometimes being pushed towards abortion as happened in the Baby Christopher case.
- The Review should investigate why a [study](#) published in the *British Journal of Obstetrics and Gynaecology* in October 2020 by researchers from UCC [said](#) that doctors in Ireland were left 'begging for help' if babies survived late-term abortions.
- It should also investigate whether the operation of the Act permits feticide, since the same study confirmed that [feticide](#) - administering a lethal injection to the unborn baby's heart - was being carried out in Ireland, despite assertions in the referendum that late-term abortions would be illegal.
- In reference to late-term abortion, the operation of the Act has clearly created a situation where feticide is now being performed without the requirement for pain relief for the child undergoing abortion. This must change.
- The Review should examine whether the operation of the Act is transparent, as another [study](#), published in April 2021 in the journal *Contraception*, said that senior Irish doctors were being trained internationally to carry out late-term abortions, using a horrific method known as 'Dilation and Evacuation'. What is happening in this regard needs to be made transparent to the public.
- Record-keeping and reporting around the provision of abortion in this country needs to be radically overhauled, to bring Ireland into line with other countries. Data which can help to ensure a better public understanding of why women undergo abortion must be made available, and

statistics regarding outcomes after abortion are communicated. It was revealed [recently](#), for example, that no system is in place to centrally record adverse outcomes after using the abortion pill. The annual report produced by the Department of Health should not be a tool to conceal negative outcomes after abortion. The operation of the Act should ensure that information produced is both comprehensive and helpful to shaping policies that would reduce the number of abortions taking place.

- Abortion Pill Reversal allows a woman to safely reverse the effects of abortion after taking the first abortion pill. In the past three years, some women have sought this option. The Act should operate to provide women with this choice.
- The Act has also been misinterpreted to allow “at-home” abortions without a full consultation. This must be reversed without delay. Coercion of women – pressure being put on women by partners or other parties – to take the abortion pill is a serious factor which must be examined by the Review. Is the operation of the Act, as now reinterpreted by allowing ‘at-home’ abortions, putting women at risk in this regard? A poll in March 2022 for BBC Radio 4, for example, found that 1 in 20 women aged 18-24 had experienced someone giving them a tablet or substance to induce abortion without their knowledge or consent.
- The Review must also hear from pro-life doctors and nurses, in regard to their experiences with the abortion regime and especially in regard to conscientious objection under the operation of the Act. It is a matter of concern that Minister Donnelly charged the controversial grouping, the National Women’s Council of Ireland, with choosing civil society groups to meet for the Review, and that pro-life groups, and even pro-life TDs were excluded.
- The constitutional right of all citizens to oppose abortion must also be respected. The Act compels taxpayers to fund abortions, and this section should be repealed.