

Submission to Joint Committee on Health

From: **Life Institute**

Health (Abolition of the Three Day Wait Rule) Amendment Bill 2026

Summary

- The 3-day wait was promised to voters as a safeguard during the campaign to repeal the 8th, being proposed as a measure to persuade undecided voters. This was stated publicly at the time of the referendum and has since been confirmed by senior political figures involved in the campaign. Deleting this 3-day time to think would be a significant betrayal of voter trust and a breach of those assurances. In addition, many other European countries have a time-to-think period before abortion.
- Data released to TDs by the Department of Health indicates that more than 10,000 women did not return to undergo an abortion after the 3-day period of reflection following their first appointment in the 2019 to 2024 period.
- Given Ireland's already soaring abortion rate, with almost 11,000 abortions carried out in each of the last two reported years, 2024 and 2025, it would be reckless and morally wrong to scrap the 3-day wait and risk driving the number of abortions each year even higher. 1 in every 6 babies in Ireland now has their life ended by abortion. Our birth rate has collapsed and is far below replacement level.
- There is also a risk involved for pregnant women in the proposal to scrap the 3-day wait, in that it denies women that invaluable and important time to think about an enormously consequential decision. This is especially important for women experiencing uncertainty, pressure or coercion.
- The government's abortion review did not speak to one woman who changed her mind during the 3-day wait despite the many thousands who did not return after the first appointment. The review's recommendation regarding the 3-day wait should be disregarded because of this fatal flaw.
- Importantly, this submission conveys the voices of women who were impacted by the 3-day wait: one who found time to reflect and reconsider her initial decision and then welcomed her child; and another who regrets her abortion and felt she was denied the mandated time to reflect. They represent many others. The voices of medical experts who oppose scrapping the 3-day wait are also conveyed.
- Finally, it is an incontrovertible fact that the life of every unborn child begins at conception and that abortion ends that new life. No referendum or law passed by the Oireachtas can change that reality. The rights of the child should also be central to the considerations of the Committee.

Why the 3-day wait was included in the 2018 abortion legislation

The law enacted after the 2018 referendum allows abortion on demand up to 12 weeks of pregnancy and mandates a period of reflection of 3 days between a first and a second abortion consultation, usually with a GP.

In July of this year, Fianna Fáil MEP Billy Kelleher [said that](#) the 3-day wait “was introduced to bring more people on to the side of supporting a referendum to remove the Eighth Amendment”.

Mr Kelleher served as Fianna Fáil’s health spokesperson at the time of the 2018 referendum and was a key campaigner for repeal of the pro-life amendment.

In 2018, then Tánaiste Simon Coveney said that he was willing to support repeal of the 8th amendment and legalisation of abortion on demand to 12 weeks because he had been assured there would be “strict guidelines”, including a 3-day waiting period for women to reflect on the decision before they underwent an abortion.

Minister Coveney said that he believed that those measures would lead “middle ground” voters – people who he said had a “traditionally pro-life” perspective – to support the referendum.

The waiting period was “very important”, he said, because the “magnitude of terminating a pregnancy was part of the decision making” when it came to abortion.

It is worth remembering that in April 2018, a Sunday Business Post/Red C poll showed that with four weeks to go to the referendum on May 25, support for abortion without restriction up to the first 12 weeks of pregnancy had dropped to 47%.

That the promise of a 3-day wait was a political strategy to assure reluctant voters was also confirmed this year by the current Minister for Justice, Jim O’Callaghan who said: “We brought middle ground Ireland with us and we did it by amending the Constitution, but people were also advised in advance what would be the statutory regime that would operate as well.”

Leo Varadkar, who was Taoiseach during the 2018 referendum, said when he and others went out to campaign for a Yes vote to repeal the Eighth Amendment, “we said that there would be safeguards”.

“That included things like the waiting period, it included things like the protection of conscientious objections,” he said.

“I have to say, I for one would be reluctant and uncomfortable to make any major legislative changes so soon after that referendum,” [he told RTÉ News](#) in 2023.

The promises made by senior campaigners across the main government parties in 2018 were a significant factor in persuading reluctant voters to vote for Repeal.

Deleting this 3-day time to think would be a significant betrayal of voter trust and a breach of those assurances.

The Spiralling Abortion Numbers

More than 65,000 abortions have now taken place in Ireland. A pro-choice law is really society's way of telling women is that they are on their own.

Every abortion should be seen as a failure to provide women with real choices, and with the support that could be provided by a materially wealthy country. While the state has spent an estimated minimum of €60 million on abortion provision since 2019, it provides no equivalent funding to agencies or initiatives which seek to help women keep their babies.

1 in every 6 babies in Ireland now has their life ended by abortion – even as our birth rate continues to collapse.

YEAR BY YEAR

2019: 6,666

2020: 6,577

2021: 6,700

2022: 8,156

2023: 10,033

2024: 10,852

2025: 10,600

To August 2026 (estimate) 6,000

TOTAL: 65,584

That's the equivalent of 2,400 primary school classrooms - or 2,000 GAA teams including all the subs. It's greater than the population of Waterford city. It would fill Aviva stadium with more than ten thousand to spare.

The sheer scale of the increase in the number of abortions should give any reasonable person pause. And the enormous increase in the abortion rate is happening while the state is experiencing an unprecedented collapse in births.

The number of registered births declined from 65,909 in 2015 to 54,125 last year - while the total period fertility rate (TPFR) for 2025 was 1.5, a decrease of 0.4 from the 2015 fertility rate of 1.9.

We need to tackle our spiralling abortion rate and stop aborting our future. Scrapping the 3-day wait would have the opposite effect.

What has the outcome of the 3-day wait provision been?

Information released to Deputy Carol Nolan by the Minister for Health in response to Carol Nolan TD showed that in the 5-year period from 2019 and 2024 there were 59,401 first abortion consultations with GPs, that but only 48,975 women returned for a second consultation.

Therefore, in that period alone, 10,426 women did not return for a second appointment to undergo an abortion after the 3-day period of reflection. That is a very significant proportion of the women who first presented – coming in at over 17% of the total.

It is simply absurd to pretend that such large numbers can simply be ignored or explained away because of the gestation of the baby (so close to 12 weeks that the limit is reached) or as being due to miscarriage.

Some of the 10,000 initial payments are for women found to be outside the 12-week gestational limit at the initial consultation, and therefore ineligible for abortion under Irish law.

Dr Jim Stack, a statistician who has acted as statistical advisor to medical research groups, has examined these claims and the underlying data several times since 2019. He points to studies published by abortion advocates in START Doctors Group and by the Irish Family Planning Association in 2019.

“In the START study of 2019 (based on 475 subjects) it was reported that 1.1% of women fell into this category [of bring at the 12-week limit]. The IFPA report for 2019, however, claimed that nearly 5% of their clients were outside the 12-week limit. Averaging these data gives an estimated 3% of women exceeding 12 weeks,” he calculated.

He also addressed the issue of possible miscarriage, noting that “the 2019 START study reported that 2.3% of their subjects miscarried after the initial appointment.”

Taking Dr Stack estimates and applying then to Department of Health data which shows that in 2024 there were 12,641 recorded initial GP visits for abortion services against 10,441 final procedures or recorded completions:

Initial GP abortion visits:	12,641
Final Procedures:	<u>10,441</u>
Difference – Did Not Return	2,200
Estimated over 12w limit (3%):	(380)
Estimate miscarriage (2.3%):	<u>(291)</u>
Estimated unexplained/Change of mind	<u>1,529</u>

Of course, it is entirely possible that all of the 2,200 women who did not return simply changed their mind. It is also thoroughly dishonest of advocates of the proposed legislation to insist that none of women took advantage of that time to think during the 3-day wait to happily come to a decision to continue with their pregnancy

It is also noteworthy that the number of Irish women obtaining abortions abroad has dropped very substantially since 2018, and the evidence suggests that most of those who continue to travel do so because they seek abortion on disability grounds.

In 2023 for example, the last year for which data has been released, 235 women who were resident in Ireland travelled to Britain for abortion. 130 of those abortions were on ground E (disability) alone or with any other ground. 50 were for Down Syndrome – 5 for Spina Bifida.

Abortion advocates also argue that it is impossible to say why such large numbers of women did not return, but, as it stated below, the inexplicable failure of the Abortion Review to examine this phenomenon is a question for the supporters of the proposed change to answer.

A Fatal Flaw in the Abortion Review

The proponents of this proposed legislation to scrap the 3-day wait before abortion are relying on the recommendations of the Abortion Review carried out by barrister Marie O'Shea.

Yet when Ms O'Shea took questions on the review at an Oireachtas Health Committee hearing, she admitted, that the review did not speak to a single woman who changed her mind during the mandatory three-day waiting period.

We are in full agreement with the assertion by Deputy Tóibín that this failing meant the review lacked essential feedback from women positively affected by the safeguard.

Our engagement with the public on the issue leads us to believe that it is the opinion of most reasonable people that a failure to engage with women who did not abort their baby after the 3-day wait is inexplicable. It also fatally undermines the credibility of the recommendation.

This Oireachtas Committee now has the opportunity and means to request that such research now be carried out and should not proceed with any recommendation regarding the proposed legislation without carrying out this essential research to understand why more than 10,000 women did not proceed with an abortion after the 3-day reflection period.

At the Oireachtas Health Committee hearing, and elsewhere, it has been suggested that Ireland is an outlier when it comes to a waiting period before abortion. That is not the case: Belgium requires a wait of 6 days, while Italy mandates a 7-day wait, and Germany requires a 3-day pause.

Women's Voices

We urge the Committee to take the time to read the stories of women whose experiences are central to our understanding of the importance of the 3-day wait.

These are Esme's and Roisin's stories:

ESME

Esme* discovered she was pregnant at an extraordinarily difficult time in her life. Between a plethora of unresolved issues and a severe mental health condition, the news of pregnancy was not received well by herself or her partner. As a result, abortion was suggested and encouraged.

However, due to the three-day wait, Esme said she had time to breathe and think after that first appointment.

Esme's testimony

"It was in 2024 when I discovered that I was pregnant. This was not welcome news for me or my partner. I had a plethora of unresolved issues and a severe mental health condition to contend with. I had just about reclaimed emotional and mental stability. The timing could not have been worse.

For a litany of reasons, the option of abortion was suggested and encouraged. At this time there was a three day wait which was a saving grace in my experience. I was so traumatized and did not know what to do. Deep within I knew I had the resolve and strength to continue with the pregnancy.

I cannot imagine life without my baby.

I believe that abolishing the three-day breathing space is unacceptable and that any woman needs time to adjudicate, reflect and contemplate before making a decision that could be detrimental.

I cannot imagine life without my baby. My life has been enriched and filled with purpose now. If the waiting period remains abolished this will be catastrophic for almost every woman.

I was told many things by those involved in my care plan that never materialized and my baby is happy, beautiful and a delight. So it is imperative for the cooling off time to be reintroduced. Because when someone makes a rash and irreversible decision with respect to any major situation it is often followed by regret and a lifetime of damage that is irreversible.

There are so many crisis supports there for a woman who faces a crisis and unplanned pregnancy and these are immeasurable. They do not sway you and always uphold the dignity and free will of a woman.

I was told many things by those involved in my care plan that never materialised and my baby is happy, beautiful and a delight.

I think that every decision needs time and if a woman changes her mind and regrets choosing abortion where can she turn to? If it is an impulsive decision, it is prompted by fear. Will there be follow up support after this decision?

If I had taken the abortion route I do not know how I would have lived after. I would like to ask that the wait and cooling off period is reintroduced. Will those who are responsible for this provide support to those affected by the turbulence and trauma of making an uninformed decision? Will there be any support there?"

**Name has been changed to preserve anonymity*

RÓISÍN

Róisín* says she was denied her right to the 3 day period to reflect. The question that must be asked is - if Sinn Féin's bill becomes law, how many more of these cases will we see?

Róisín rang her GP seeking an abortion and had an appointment made for the following day. During this appointment, not only was Róisín not made aware of the mandatory three-day wait — she was given the first abortion pill then and there. No questions asked.

Below is an interview with Róisín. Her name has been changed to preserve anonymity and the transcript slightly edited for brevity. (The full interview can be [read here](#))

Interviewer: Thank you Róisín, for doing this today and sharing your story. Can I ask, why did you pursue the abortion?

Róisín: Just because of the situation that I was in, I didn't know that the help was there.. I did, but I didn't know at the same time. I made a phone call to the doctor, and I had an appointment the next day. I just couldn't see a way out of it, I already had kids and I was struggling. It was a big shock.

Interviewer: Did the doctor know much about the hard time you were having?

Róisín: He didn't care, to be honest. I was in and out of surgery in 6 or 7 minutes.

Interviewer: What was your thought process the whole time?

Róisín: I just thought it was my only option. When I went to the doctor's surgery, he didn't explain to me, even though I should have known myself, but as the professional he never explained to me the aftermath of it — being depressed or suicidal. It will never leave you, you know what I mean? The aftermath of it. It should be explained to you.

When you go to the doctor, you're given two tablets. I went in, took one there and then, while he was speaking to me. I had taken one without a thought in my head, because he was just talking to me asking me "how was your day", acting like it was normal.

Interviewer: Did you feel as if there was any attempt made by your doctor to understand your emotional state at the time, to see what situation you were in?

Róisín: No, I literally walked in, and I did go to sit down but I didn't sit down. He said "I might as well give you a glass of water while we're in the middle of doing this", so he gave me a glass of water and a tablet, and told me to take the first tablet as we were talking.

Interviewer: He didn't mention the mandatory waiting period of three days?

Róisín: There was no wait, there were no three days. There was no problem with getting the appointment with him, which was the following day [after making the call to the GP]. It wasn't like when you go in to a doctor and you're talking about something in general, and it's like, "OK, are you sure that this is what you want to do? Do you realise the aftermath of it? There was no feeling, no emotion. He was getting paid to see the client. That's the way he was looking at it.

Interviewer: How did you feel, going back to that time, when he was giving you the first abortion pill?

Róisín: I didn't feel.. because the way he acted was like it was normality. He just gave it to me and I took it without a thought. Because he was talking, like every day talk. You know? And as soon as I took it, it was like, "okay that's fine, this is when you take the next one and bye, see you later."

Interviewer: And when you were leaving, how did you feel?

Róisín: Crap. I cried. I sat in the car for I don't know how long, I sat in the car and I just thought, "this is it". Like, I'm after doing it, there's no going back. I've already taken the first one. So there's no going back, I wasn't even really given the option. It was just very strange. Very strange, the whole thing. Like, I went home and I literally sat on my bed and I cried. Cried. I didn't get out of my bed. Cried. Because I thought, "I just did it. I can't go back now."

Because, like, when I was in there, there was no... what's the word I'm looking for. There was no talk about it. You know what I mean? It was just like: he's standing up, passes me a cup of water, I remember it like it was yesterday, he passes a cup of water, saying "Well, how's things" and talks about the weather. And in that process I'm after taking the tablet. And then as soon as I literally put the cup back on the counter, he's like "okay that's fine there, that's for tomorrow morning, take at the same time, have a lovely evening."

Interviewer: And how does it affect your life?

Róisín: It affects me every day, everyday life. It's a general thing like you don't forget about birthdays, the due-date, you don't forget. You know like when you see your other kids playing, you know, sitting in the sitting room, you're like "there could have been, there should have been another one there". If you're having a bad day, then you automatically think about what you have done wrong, and then you put the blame. You put the blame on everything because you can't, it's something that unfortunately you can't talk about. I was suicidal after it as well.

People don't realise what you see.

Interviewer: And when you say "people don't realise what you see", what do you mean?

Róisín: You see a baby after growing. It's tiny, tiny little baby.. after I took the tablets obviously everything got emptied out. And it just happened to be that this little part came out by itself and it was the baby. And I was in contact with somebody that was very helpful with me and I actually sent her the picture and she didn't even know what to say. Because I thought I was going mad after seeing it. I genuinely thought "no you're not seeing this, this is mad, there's no way you're seeing this". But you could. You could see the little fine details - now I'm not saying all details because it was still early, but you could see the format of what it was.

Interviewer: That must have been very traumatic for you.

Róisín: It was very, very hard. It stays with you. It will never go away. Even if you don't see the aftermath of it, it's something that won't go, it's something that is going to be there for a long, long, long, long time. It's just something that you just have to live with. You can't just say "oh

well, it is what it is.” No it's not. It's going to destroy your life and the fact that you haven't got a professional doctor there to say to you “Look, this is the outcome” or even give you a leaflet.

Interviewer: And let you have the time to reflect and think more about it?

Róisín: Yeah. You know, like, there was no time given. Listen, it was me that walked through them doors. It was me that did it. But at the same time, I didn't know what I was doing. You know what I mean? It was more like...

Interviewer: You were looking for help, and it sounds like you were frightened.

Róisín: I was terrified. Absolutely terrified. Terrified. And to be honest with you, I have had a child since. And I look at him sometimes... I'm starting to cry now. I look at him sometimes and I'm like, you know, do I deserve him? You know? Do I deserve him? I'm after doing what I did and then I go and have a child. Do you know what I mean?

Interviewer: When it comes to the woman's point of view, as someone who has been through it, what do you think we could do to actually help women in that situation, to give themselves that bit of time?

Róisín: Give more support. There's no support for women that are genuinely struggling. Not even a question asked. And I'm not the only mother either, I know other mothers as well that have gone through the same thing. There's no help, there's no support. There's no effort to make women aware of the outcome, like, “this is the outcome, this is what can happen afterwards, you need to realise, you need to be aware”. Like give something, give something. There's nothing there.

And these women that are going to the doctors, they are going there to hear “You do not need to do this. There is help, there is support.” People need at least three days. At least. It should be a lot more. I understand if people go at the last minute, but for the sake of that extra one day it could make a difference.

Interviewer: Yeah, it would.

Róisín: One day could make a major difference. In my opinion, three days should be the minimum. And that's being honest, because if I think back, I firmly believe if I had a longer time from the doctor, I wouldn't have gone through with it.

What Doctors Say

More than 100 doctors, nurses, midwives and other healthcare professionals, including consultants, obstetricians and senior medical staff in maternity services, [have signed an open letter](#) “strongly urging” the retention of the 3-day period of reflection before undergoing an abortion.

The letter says that there “is no medical basis” for scrapping the 3-day wait and that scrapping the reflection period might significantly increase the number of abortions taking place.

Removing the 3-day wait requirement would be “a betrayal of voters, but worse still, a dereliction of duty to mothers and babies,” the medical experts said.

They said there was evidence “from information released to Carol Nolan TD, that significant numbers of women may change their mind after the first visit to a GP or clinic, and decide during the 3 day period not to proceed with an abortion.”

“This data offers a hugely important insight that must not be ignored. There are very few Irish people, whether healthcare professionals or otherwise, who would welcome an increase in the number of abortions taking place. If women are finding support for an unexpected pregnancy during the 3-day wait, then that should be welcomed,” they said.

Many of those signing the letter work directly with pregnant women and they said they “rejected claims that the 3-day wait is ‘paternalistic’.”

“In fact, we believe this assertion ignores the very real conflict and difficulties women can often face when society fails to offer the real support needed for an unexpected pregnancy. Women deserve better than being deprived of the time to think,” they wrote.

In fact, the current debate promoted a letter to the Irish Times from a Wicklow GP who worked in abortion provision “from the beginning”. Dr Truls Christiansen wrote: “I feel the minimum of three days to contemplate an abortion is essential. The majority of women I met came in various degrees of distress over an unwanted pregnancy.

Their situation was confirmed – and if found to be within the 12-week limit to have the termination done medically, they were duly counselled on all options open to them.

Most women at this point had already made up their minds to go ahead. But not all. Everybody was told that there was no urgency to initiate the procedure with medication.

They were encouraged to use the three days to discuss their situation with their partner, a friend or sometimes a parent. They were given an appointment a minimum of three days later; either to start the procedure, or to have further chats about any doubts.

A small minority would have changed their mind.

I am of the opinion to have an abortion is the lesser of two evils, and should not be treated lightly. I think it is being treated lightly if this contemplating period is taken away,” he said.