

# Abortion - examples and issues

A woman who was 7 months pregnant was hit by a car in Bristol. The baby was delivered in hospital, but did not survive. The 27 year old driver will be charged with causing death by dangerous driving. If the unborn baby had died before being delivered, no such charge could have been brought.

Unsafe abortions kill 200 women a day according to IPAS, a non-governmental organisation based in the US. IPAS claims that much more needs to be done to make abortions safe and accessible.

In the first case of its kind in Britain, a woman who says she was left severely traumatised after having an abortion is trying to sue her health authority for negligence. She claims no-one warned her about emotional side-effects and would like other women to be given better counselling.

Mrs Thi-Nho Vo was pregnant when a French hospital mistook her for another patient and gave her the wrong treatment, leading to a miscarriage. She wanted the French hospital prosecuted for unintentional homicide, arguing that a foetus has the right to life under European Law. The Court of Human Rights ruled against her in July 2004.

The first lawsuit under China's controversial family planning law has been filed at a Beijing court, China Daily reports. The plaintiff, a 35-year-old man identified as Mr Li, accused his wife Ms He, 27, of infringing his right to have a child by opting for an abortion. This is the first time a man has sued his wife over his right to be a father since China's parliament, the National People's Congress, approved the family planning law, ruling that a woman had no overriding priority over her spouse in deciding whether to have a child. The plaintiff told the court that by opting for an abortion his wife of 18 months had violated his right to be a father.

More than 25,000 people in Spain have asked the Roman Catholic Church to excommunicate them (they want to be kicked out of the church). Their move is in support of a Nicaraguan couple who were thrown out of the Church for allowing their young daughter to have an abortion after she was raped. The nine-year-old girl's parents said she became pregnant after she was raped in Costa Rica where they were working on a coffee plantation. She was four months pregnant at the time and medical experts warned she could die whether she had the abortion or not. The Nicaraguan authorities ruled that the parents would not face criminal charges.

A disability rights watchdog set up by the government has labelled a section of the Abortion Act as discriminatory. The move by the Disability Rights Commission (DRC) has been hailed as a significant step forward by pro-life campaigners. Section 1(1)d of the 1967 Abortion Act allows termination of a pregnancy at any time if there is a significant risk of the baby being born seriously disabled.

The DRC statement said: "The Section is offensive to many people; it reinforces negative stereotypes of disability and there is substantial support for the view that to permit terminations at any point during a pregnancy on the ground of risk of disability, while time limits apply to other grounds set out in the Abortion Act, is incompatible with valuing disability and non-disability equally."

Aborted and miscarried foetuses should be formally cremated or buried, say nurses. At present, thousands of foetuses from abortions miscarriages and stillbirths are treated by hospitals as clinical waste - and incinerated en masse. Unless women specifically request a formal burial or cremation, they are given little or no information and choice about what will happen to their baby's remains.

The Royal College of Nursing has published guidelines calling for this practice to stop. It calls for all foetal remains to be buried or cremated, and for no more than 16 sets of remains to be disposed of at any one time.

In 1973 (Roe v. Wade) the US Supreme Court held that a pregnant woman has a constitutional right, under the Fourteenth Amendment, to choose to terminate her pregnancy before viability as part of her freedom of personal choice in family matters - abortion became legal across the US.

In 2003, Norma McCorvey (formerly the anonymous 'Roe' who wanted an abortion back in the 70s) changed her position and argued that the law should be reversed because 'abortion harms women'. President Bush is trying to pass legislation that would reduce the number of late-term abortions.

Rev Joanna Jepson was born with a cleft palate - usually very easy correct with an operation. She campaigned - unsuccessfully - to bring criminal charges against two doctors who performed a late abortion at 28 weeks in 2001. The doctors argued that a cleft palate could lead to 'severe disability' and abortion was therefore legal after 24 weeks. The CPS announced in March 2005 that it would not bring charges against the doctors.

185,000 abortions were carried out in England and Wales in 2002. 110 of these were after 24 weeks. Legally, this can happen if there is a risk to the life of the mother if the pregnancy continues, or a risk of "grave permanent injury" to her mental or physical health; also if there is a "substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped."

The Department of Health has advised doctors that they may help girls under 16 have abortions without their parents' consent. Michelle Smith, aged 14, from Mansfield, Notts, took the first of two pills as part of the chemical abortion process. Within days her mother found out what was happening and the teenager changed her mind but it was too late.

Stephen Hone, 24, went to the High Courts to prevent his ex-girlfriend Claire Hansell, 31, from ending her pregnancy. Mr Hone said he would take care of the baby when it was born, but if Ms. Hansell had an abortion he would seek access to the unborn baby's remains to arrange a funeral. Ms. Hansell had an abortion in March 2001.

The Abortion Act 1967 provided a legal defence for carrying out an abortion up to 28 weeks (24 weeks since HFE Act 1990) or 'viability' if:

- continuing with the pregnancy involves a greater risk to the physical or mental health of the woman, or her existing children, than having a termination.
- there is a substantial risk that the child when born would suffer such physical or mental abnormalities as to be seriously handicapped.

A study claiming women who have an abortion could double their chance of developing breast cancer has been attacked by experts. The study was funded by the pro-life charity LIFE, and indicated that over the next 26 years, up to 50% of breast cancer cases in England and Wales could be "attributable to abortion". But the Royal College of Obstetricians and Gynaecologists (RCOG) said there was no new evidence of a link, and accused LIFE of "mischief-making".

Dr Rowan Williams, Archbishop of Canterbury, has argued for a review of abortion laws due to scientific advances and the rising number of abortions. He said the large majority of Christians consider abortion to be "the deliberate termination of a human life". Technological advances have given us a clearer picture of fetuses' consciousness and sensitivity to pain, and helped to keep prematurely born babies alive.

Tory leader Michael Howard supports a reduction in the legal limit when abortions are allowed from 24 weeks to 20 and has said current rules are "tantamount to abortion on demand". Liberal Democrat leader Charles Kennedy said he had previously voted for a 22-week limit but medical advances mean "I don't know what I would do now". Prime Minister Tony Blair says abortion should not be an election issue, arguing it is a matter for individual conscience. (March 2005)

Professor Vivette Glover from Queen Charlotte's and Chelsea Hospital in London, says she believes that fetuses over 17 weeks old may feel pain. She says doctors should consider carrying out terminations under anaesthetic. Her view contradicts a report issued by the Royal College of Obstetrics and Gynaecology (RCOG) which said there was no possibility of foetal awareness before 26 weeks. She said it was currently impossible to determine whether a foetus feels pain at an earlier stage. But she said study of the development of the foetal nervous system suggested that they did. She says "We should give the foetus the benefit of the doubt".

Illegal abortions are killing thousands of women in South America. The World Health Organisation say that over 4 million women have illegal abortions every year in Latin America. "Unsafe and illegal abortion in Latin America is a social justice problem. Women who have no resources die," claimed the director of Catholics For The Right To Decide. In Peru alone, an estimated 50,000 women a year either die or suffer serious complications after an illegal abortion. Many doctors in Latin America are against abortions, and there are some who report their patients to the police after they have operated on women for whom complications have arisen.

The Family Planning Association says that women need better access to safe and effective methods of abortion. They say it should take no more than 72 hours for an abortion from the time a woman first contacts a health practitioner. The FPA says at least 90% of abortions should be paid for by the NHS. They also say more should be done to remove the stigma surrounding abortion, which is just 'one of a range of fertility control services'.

In 2005, the Pope has released a book which likens abortion to the Holocaust, both of which are cases of governments clashing with divine law, usurping the 'law of God' under the guise of democracy. "Parliaments which create and promulgate such laws must be aware that they are transgressing their powers and remain in open conflict with the law of God and the law of nature."

A 66-year old Romanian woman, thought to be the oldest woman in the world to give birth, says she regrets having had two abortions in her 20s. "In those days I would never have thought of a termination as murder as I do now," she said.

US scientists have successfully restored a woman's vision using eye cells taken from aborted fetuses. The UK has clear guidelines to ensure people cannot conceive and terminate a foetus to treat another person, but similar rules do not exist in the US.

The Sunday Telegraph reported that the British Pregnancy Advisory Service had helped set up hundreds of late abortions without medical justification. The abortions would have been illegal in this country, but the BPAS says it has done nothing wrong by making women aware of abortion services in other countries which have different laws.

The British Medical Association has said that babies which survive abortions must be given the same care as others born prematurely. Although rare, there are cases where babies are born at 23 weeks after drugs injected to stop their hearts fail.

A proposal to allow women to have early medical terminations at home has provoked controversy. Doctors have backed the plans, which they say will benefit women who want terminate their pregnancy as early as possible, eliminating the need for a surgical abortion. But anti-abortion campaigners say home terminations would not be safe for women.

'Women on Waves', a Dutch charity, has set sail in an 'abortion ship', carrying out non-surgical abortions in international waters. The ship has stopped at several Catholic countries where abortions are greatly restricted or illegal. The group claims that a woman dies every five minutes because of botched or illegal abortions.

Vera Drake won director Mike Leigh a BAFTA award in 2005, with best actress award going to Imelda Staunton. Vera Drake was a back-street abortionist in the 1950s and 60s before abortion became legal. Leigh said he remembered women in Manchester, where he grew up, who had been to prison for carrying out abortions. Leigh stressed that the tension and drama in the film came from the fact that Drake is "criminalised by society" - she is a good woman, but she is doing something illegal.

A growing number of doctors in America are refusing to dispense the birth control pill on the grounds that it is actually a form of abortion. A woman using the pill does not usually release eggs, but sometimes an egg is released and fertilised. The hormonal conditions created by the pill mean that the fertilised egg would not survive. Most doctors would not define this as a pregnancy, but some do, and therefore would say that using the pill is a form of abortion.

Authorities in India have been ordered to enforce laws designed to stop the abortion of female fetuses. The Supreme Court ruled that clinics must be punished for using womb scans to determine the sex of a foetus. A children's charity claimed many Indians have abortions after ultrasound scans tell them to expect a baby girl.

Anti-abortion candidates refused to take down a "distressing" poster during their campaign to be elected to the Welsh assembly, a court has heard. Abergavenny magistrates heard that the poster, which showed a dismembered 21-week-old foetus, was displayed in Newport as the candidates pushed their ProLife message.

An aborted foetus could one day become the mother of a new baby by "donating" her eggs to an infertile woman, say researchers. The highly controversial idea has been suggested as one solution to a worldwide shortage of women prepared to donate their eggs to help other women become pregnant. It moved a little closer to reality with the unveiling of research from Israel and the Netherlands which found that the ovarian tissues taken from second and third trimester fetuses could be kept alive in the laboratory for weeks. However, many scientific advances have to be made before it becomes technically possible to produce a viable egg which could be used in IVF.

Pro-life campaigners in America are using a murder case to try to force the federal government to recognise the foetus as an individual in cases of violent crime. The body of Laci Peterson, who was pregnant with an unborn son she intended to call Connor, was washed up on the California coast earlier this year. Soon after the bodies were discovered, Laci's husband Scott was arrested. Under California state law he was charged not with one murder, but with two - the killing of his wife and unborn baby. However, under US federal law the double charge could not be brought.

A surgeon accused of carrying out an abortion on a female patient without her consent said he had been trying to do his best for the woman. Consultant obstetrician and gynaecologist Reginald Dixon discovered college lecturer Barbara Whiten may have been pregnant when he carried out a hysterectomy on her at the King's Mill Hospital in Nottinghamshire in 1993. Mrs Whiten, who was 35 at the time, complained to the General Medical Council saying the operation had blighted her life. Mr Dixon said that he made the decision to continue with the hysterectomy even though he realised the patient may be pregnant because he thought it was in her best interests.

A row has broken out in Australia over the use of aborted fetuses for medical research. A leading scientist has said that he has been using aborted fetuses for stem cell research for more than 20 years, but the Australian deputy prime minister has described the practice as a moral "slippery slope". Professor Bernie Tuch is currently looking at embryonic stem cells as a potential treatment for diabetes, and has said that society should view such research as a benefit for humankind. But a number of political figures have expressed concern, saying that embryonic stem cell research is ethically dubious, worried that it may "give some bizarre moral foundation to abortions".