

Abortion

July 2008

This factsheet covers law, policy, guidance and key statistics on abortion in the United Kingdom (England, Wales, Scotland, Northern Ireland). Please note that the data for each country may not be strictly comparable due to differences in methods of data collection and analysis.

Great Britain (England, Wales, Scotland)

Law

In Great Britain, legal termination of pregnancy may be carried out provided that two registered medical practitioners agree that:

a) Up to 24 weeks:

- the continuance of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the pregnant woman or any existing children of her family.

The woman's actual or reasonably foreseeable future environment may be taken into account.

b) With no time limits:

- the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman
- there is a risk to the life of the pregnant woman, greater than if the pregnancy were terminated
- there is substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

(Abortion Act 1967, amended by the Human Fertilisation and Embryology Act 1990)

The Human Fertilisation and Embryology (HFE) Bill is passing through Parliament in 2008, to be updated, amended and reformed. This has provided an opportunity to re-examine the

Abortion Act, and a number of amendments on abortion are included. The Report Stage of the HFE Bill has been postponed until after the summer recess, when a full debate on all the tabled amendments will take place.

The Science and Technology Committee carried out a separate investigation into scientific developments relating to abortion law in 2007¹.

In June 2007, doctors at the BMA conference voted in favour of removing two doctors' signatures for first trimester abortion². In 2005, conference had debated the evidence³ and voted in support of the current time limit.

- A young woman under 16 may consent to an abortion without parental knowledge or consent if both the doctors concerned agree that she has sufficient maturity and understanding to appreciate what is involved.
- No person is obliged to perform or participate in an abortion to which they have a conscientious objection, but they still have a duty to participate in treatment which is necessary to save the life of or to prevent grave permanent injury to the woman. Any doctor or nurse who feels unable to give information or counselling to a woman seeking an abortion, because of conscientious objection, should refer her to another doctor without delay^{4,5}.

Policy and guidance

Governments in England⁶, Wales⁷ and Scotland⁸ have published policy documents which address sexual health issues and services. These include recommendations for improving abortion services, and ensuring equitable access and minimum waiting times between the initial referral and the abortion.

Abortion (cont)

Detailed guidance from the Royal College of Obstetricians and Gynaecologists⁹ aims to ensure that all women considering abortion have access to a service of uniformly high quality. This guidance should be used as the basis for the development of local protocols or guidelines in the United Kingdom.

Abortion services are also included in broader recommended standards for sexual health services from the Medical Foundation for AIDS and Sexual Health¹⁰. Although specifically intended to support the implementation of the Government's sexual health policy in England, they can be applied elsewhere.

Statistics

England and Wales (resident women)¹¹

In 2007:

- around one in five pregnancies (22.3 per cent in 2006) end in abortion every year. This proportion has remained constant for several years¹²
- the total **number** of abortions was 198,499, an increase of 2.5 per cent over 2006
- the abortion **rate** was 18.6 per 1,000 women aged 15–44, compared with 18.3 in 2006
- the abortion **rate** was highest, at 36.0 per 1,000, for women aged 19
- teenage abortion **rates** were higher than in 2005: the under-16 rate was 4.0 and the under-18 rate was 20.0
- 90 per cent of abortions were carried out under 13 weeks **gestation**, and 70 per cent under ten weeks
- less than 2 per cent were carried out over 20 weeks **gestation**. This percentage has remained fairly consistent over the last ten years
- **medical abortion** accounted for around a third (35 per cent) of all abortions, compared with 30 per cent in 2006
- nearly half of **early** abortions were **medical**: 43 per cent of those carried out under ten weeks gestation

- nearly nine out of 10 (89 per cent) abortions were either provided or funded by the **National Health Service (NHS)**, compared with 87 per cent in 2005. **NHS** provision varied between primary care organisations (PCOs), and ranged from 59 per cent to 97 per cent
- over two-thirds (68.1 per cent) of all **NHS**-funded abortions were carried out **under ten weeks**. This varied between PCOs, and ranged from 40 per cent to 85 per cent.

Scotland¹³

In 2007:

- the total **number** of abortions was 13,703, an increase of 4.1 per cent over 2006
- the abortion **rate** was 13.0 per 1,000 women aged 15–44, compared with 12.5 in 2006
- the abortion **rate** was highest for women aged 16–19 (24.9) and 20–24 (23.6)
- 93.0 per cent of abortions were carried out under 14 weeks **gestation**, and 69.0 per cent under ten weeks. This proportion has remained relatively stable over the last five years
- about 0.3 per cent were carried out over 20 weeks **gestation**
- **medical abortion** accounted for 61.8 per cent of all abortions, compared with 59.3 per cent in 2006
- two thirds (68.1 per cent) of abortions carried out at under ten weeks, were **medical**.
- the vast majority (99.3 per cent) of abortions were **NHS** funded and carried out in **NHS** premises.

Abortion (cont)

Northern Ireland (see separate factsheet on abortion in Northern Ireland for more detail)

Law

- The 1967 Abortion Act does not extend to Northern Ireland, and women from Northern Ireland are not entitled to an NHS abortion in Great Britain.
- Abortion is only legal in exceptional circumstances – if the life or the mental or physical health of the woman is at serious or grave risk. In the absence of clear guidelines, the law remains ambiguous and the provision of abortion is often determined by the moral views of individual doctors or by an unwillingness to test the law.
- In June 2001, **fpa** won the right to the first Judicial Review of medical practice relating to abortion and the provision of abortion services in Northern Ireland. The Review took place in March 2002 and in July 2002 Mr Justice Kerr concluded that the Department of Health, Social Services and Public Safety (DHSSPS) was not failing in its statutory duty to issue guidelines, but he thought it prudent if they did. **fpa** immediately lodged an appeal and in October 2004 Belfast High Court of Appeal ruled that the DHSSPS had failed to perform its statutory duties. In response to this, in 2005 the DHSSPS instigated a formal investigation into the provision of abortion services in Northern Ireland. Draft guidelines were issued for consultation in early 2007, but rejected by the Northern Ireland Parliament later that year. The Assembly instructed the DHSSPS to redraft the guidelines. These went out for consultation in 2008¹⁴ and publication of the final guidance is expected in October 2008.

An amendment to the Human Fertilisation and Embryology Bill has been tabled, to extend the 1967 Abortion Act to Northern Ireland. All amendments to the Bill will be debated at the Report Stage after the 2008 summer recess.

Statistics

- In 2006/07, 79 women had a medical **abortion in Northern Ireland** (defined by the DHSSPS as ‘the interruption of pregnancy for legally acceptable, medically approved indications’)¹⁵.
- No statistics are available to indicate the age of the women, the legal grounds, where the abortion was carried out, the stage of pregnancy or the type of abortion.
- In 2007, 1,343 women **travelled to England** for an abortion¹¹. This figure, based on the addresses given by clients, is likely to be an underestimate.
- Over half (53 per cent) of those travelling to England were in their twenties, and one in seven (13.7 per cent) were under 20.
- 83 per cent of these abortions were carried out under 13 weeks gestation and 64 per cent under ten weeks.

References

- 1 House of Commons. Science and Technology Committee, *Scientific Developments Relating to the Abortion Act 1967*. Volume 1 (London: tso, 2007). <<http://www.publications.parliament.uk>>
- 2 British Medical Association, *First Trimester Abortion. A Briefing Paper by the BMA Medical Ethics Committee* (London: BMA, 2007). <<http://www.bma.org.uk>>
- 3 British Medical Association Ethics Department, *Abortion Time Limits. A Briefing Paper from the British Medical Association* (London: BMA, 2005). <<http://www.bma.org.uk>>
- 4 General Medical Council, *Good Medical Practice*. (London: GMC, 2006).
- 5 Nursing and Midwifery Council, *Code of Professional Conduct* (London: NMC, 2002).
- 6 Department of Health, *National Strategy for Sexual Health and HIV* (London: DH, 2001). <<http://www.dh.gov.uk>>
- 7 National Assembly for Wales, *A Strategic Framework for Promoting Sexual Health in Wales* (Cardiff: National Assembly for Wales, 2000). <<http://www.new.wales.gov.uk>>
- 8 Scottish Executive, *Respect and Responsibility. Strategy and Action Plan for Improving Sexual Health* (Edinburgh: Scottish Executive, 2005). <<http://www.scotland.gov.uk>>
- 9 Royal College of Obstetricians and Gynaecologists, *The Care of Women Requesting Induced Abortion*. Evidence-based clinical guidelines 7 (London: RCOG, 2004). <<http://www.rcog.org.uk>>
- 10 Medical Foundation for AIDS and Sexual Health, *Recommended Standards for Sexual Health Services* (London: MedFASH, 2005). <<http://www.medfash.org.uk>>
- 11 Department of Health, *Abortion Statistics, England and Wales: 2007*. Statistical Bulletin 2008/01 (London: DH, 2008). <<http://www.dh.gov.uk>>
- 12 Conceptions: age of woman at conception, *Health Statistics Quarterly* no 38 (2008), 64.
- 13 ISD Scotland, *Abortions*. (accessed 8 July 2008) <<http://www.isdscotland.org>>
- 14 Northern Ireland. Department of Health, Social Services and Public Safety, *Guidance on the Termination of Pregnancy: the Law and Clinical Practice in Northern Ireland* (Belfast: DHSSPS, 2008) <<http://www.dhsspsni.gov.uk>>
- 15 Northern Ireland. Department of Health, Social Services and Public Safety, 'Hospital Inpatients System' (Private communication, 9 July 2008).

Further information

For further information on the material covered in this factsheet, and other subjects related to sexual health, contact **fpa's** Library and Information Service.

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