

**Submission by the Dublin Well Woman Centre to the Citizen's Assembly,
December 2016.**

Introduction

The Dublin Well Woman Centre believes a Referendum should be held to remove the 8th Amendment from the Constitution.

We greatly value our Constitution, and cherish the sense of 'ownership' citizens rightly feel over it. We believe it should be an aspirational document, which should never be used to restrict the decisions Irish citizens, and Irish residents, seek to make. Furthermore, the Constitution is no place to define or restrict access to healthcare.

Since 1983, the 8th Amendment has had the effect of forcing nearly 170,000 women to travel to vindicate their right to bodily integrity, thereby placing Ireland in violation of several international human rights treaties and covenants.

It has exercised a 'chill effect' upon doctors and other healthcare professionals, either halting or severely limiting their ability to respond with compassion and support to the needs of their patients.

As detailed in the formal enquiry, it was a significant contributory factor in delayed decision-making by doctors in the case of one woman, Savita Halappanavar, leading to her death in 2012. It has forced other women suffering from cancer to travel for an abortion because cancer treatment was refused them here because of their pregnancy, thereby leading to later-than-ideal intervention to treat the cancer.

Background Information on the Dublin Well Woman Centre

The Dublin Well Woman Centre was founded in 1977, with the primary aim of improving information on, and access to, contraception for women. During the 1980s we began to provide information to women faced with crisis pregnancy, which led to a series of injunctions against the Dublin Well Woman Centre, prohibiting our right to give such information.

In the 1990s, we fought – and won - a case at the European Court of Human Rights, as a result of which it became legally permissible to provide information to women on abortion services available outside this State.

Since then, in addition to a wide range of women's health services - including contraception, sexual health screening, cervical screening, fertility consultations, and 'life stage' visits including PMS and Menopause - we have provided non-directive crisis pregnancy counselling to women. We have provided this service to many thousands of women in the last twenty years.

When a woman comes to us for crisis pregnancy counselling, one of our team of three professional, fully-accredited counsellors will talk her through her 3 options – abortion, adoption and parenting – and offer her a safe and non-judgemental space in which to decide what is best for her. The counsellor's role is to listen, support and challenge the woman and, as such, the process requires a great deal of courage.

We encourage the woman to return to us, should she decide to terminate her pregnancy, for post-abortion counselling should she wish to discuss her experience, or for a post-abortion medical check-up. Men affected by abortion are also welcome to attend for post-abortion counselling, should they wish to discuss their experience, and a small number of men do so.

All of these services are provided free of charge; we are funded by the HSE Sexual Health and Crisis Pregnancy Programme to do so.

We have a long history of supporting and empowering women to make their own decisions and exercise control over their own fertility and bodies, which motivates us to make this submission to the Citizen's Assembly.

Why Repeal of the 8th Amendment matters

The Dublin Well Woman Centre's counsellors meet on a daily basis with women and couples of all ages and backgrounds who have to make the decision to have an abortion outside Ireland.

Women tell our counsellors that having to continue a pregnancy could impact on their mental, emotional and physical health, force them into poverty, remove the opportunity of education, create serious relationship difficulties, cause rejection by their family, bring shame on family / culture, to name but a few.

Women describe to our counsellors that they feel angry with the Irish Government for letting them down, and angry with the law for compelling them to travel to the UK and other destinations.

Women tell our counsellors that they do not feel like equal citizens in their own country, and they regularly describe feeling helpless, as they cannot change the law and must wait until something does change.

For many of the women we see, the decision to terminate their pregnancy is clear and simple; they regard it as their only, or their best, option at that time, and are content with their decision.

However some women, despite knowing that they have made the best decision for them and their families, can feel a sense of shame and isolation during the ordeal of travelling, and when they return. It is difficult for women to speak openly about their experience, which then validates the shame in the women's mind. Some women carry this emotional wound for a long time, if not a lifetime.

Women often tell our counsellors about the anger they feel when in a UK clinic, that they know the British women they see there can go home and go to their own bed after the medical or surgical procedure. In contrast, Irish women have a journey ahead of them and depending on where they live, it may be quite some time before they get back to the comfort and security of their own homes. They may still be bleeding and / or in pain, and once home, they can feel afraid to confide in their primary care doctor or attend in a hospital, given the climate of secrecy and judgement over abortion within Ireland.

Earlier this year, a woman who had come to us pregnant as a result of rape wrote (anonymously) to thank our clinic staff for the manner in which they had treated her. Among other comments, she thanked us for treating her with dignity and respect, and like a human being, when her own Government had made her feel like a criminal for seeking to terminate her pregnancy.

Meeting women / couples with a fatal foetal abnormality is particularly sad. They are usually in such shock that they find it hard to even talk. They are traumatised. This is a different type of crisis pregnancy, as for the most part, it is a much-wanted pregnancy that has suddenly become a crisis, following on from the identification and diagnosis of a serious or fatal foetal condition.

These couples can choose to continue the pregnancy to term with the help, care and support of their medical team, however, they cannot choose to terminate the pregnancy with that same help, care and support in Ireland.

Where women (alone or in a couple) do choose to terminate their pregnancy, they are further traumatised by being denied the opportunity to arrange for the disposal or burial of their foetus in their homeland. This can interrupt the grieving process for these clients and adds to their sense of punishment.

Conclusion

Abortion is a complex and sensitive issue, and we acknowledge the concerns of some citizens that “abortion on demand” may result from repeal of the 8th Amendment. However, the repeal of the 8th Amendment alone would not lead to such a result.

Women living in Ireland are being harmed on a daily basis by the existence of the 8th Amendment. Not only are they forced to travel abroad to access terminations, but they are also harmed when they are pregnant in Ireland by the unnecessary fettering of medical discretion and the unavailability of the full range of medical care that might otherwise be available to them due to a foetus being held to have equal legal rights to those of the pregnant woman. This situation is a cause of concern to the Dublin Well Woman Centre, as a health service provider to women in Ireland.

In compelling thousands of women to leave Ireland each year for a medical or surgical abortion overseas – and this number does not include those who order abortion pills online – Ireland is failing to vindicate the rights of women to control their own fertility and own their own bodies.

Forcing women to travel to access abortion services impacts unfavourably upon women (and families) with limited financial resources, and subjects them to further economic disadvantage and discrimination. In some cases, forcing women to travel for abortion causes significant financial distress and hardship to women and their families who are already struggling to make ends meet, which in turn compounds the stress already experienced by them in being forced to travel.

Article 40.3.3 causes pregnant women to be treated as 2nd class citizens in hospital and healthcare facilities, in as much as healthcare professionals must regard a foetus as having equal rights to those of a fully-realised, sentient woman.

Research shows that countries with access to safe and legal abortion services do not have a higher rate of abortions than in other countries where a restrictive regime applies. The only difference is that women from countries where abortion access is restricted are more likely to have an abortion at a later stage, or to seek back-street or illegal solutions or procedures that carry higher medical risks.

The Dublin Well Woman Centre strongly urges the Citizen’s Assembly to recommend a Referendum to repeal the 8th Amendment, and that this be followed by enabling legislation to protect the rights of women to access safe and legal abortion services in Ireland, and to protect those healthcare professionals who would provide that service.

Finally, should the Citizen’s Assembly wish to meet with the Dublin Well Woman Centre to discuss our experience in supporting women and families with a crisis pregnancy, we will make ourselves available.

**The Dublin Well Woman Centre
December 2016**