



CALM
GIVING CHOICE A VOICE

To: The Clerk of Tynwald

From: Campaign for Abortion Law Modernisation (CALM)

17 September 2017

Dear Mr Phillips

In January 2017 the Campaign for Abortion Law Modernisation (CALM) was proud to witness the first debate on abortion in the House of Keys in over 20 years. This resulted in Dr Alex Allinson, MHK for Ramsey, being given permission to bring a Private Member's Bill to Tynwald to reform the Termination of Pregnancy (Medical Defences) Act 1995.

We wish to thank Alex Allinson for raising the motion and Clare Bettison, MHK for Douglas East, for seconding the motion.

It takes a lot of courage to take on an issue such as abortion; an issue which has been shrouded with secrecy and stigma on island. CALM is delighted that this Bill has been drafted, and that it has progressed to a stage where the public finally has the opportunity to give their views on the new draft legislation which we fully support and firmly believe will much better serve the Manx people.

For the first time ever this issue is being openly discussed by the general public and in the media and we are finally hearing the stories of those who have been forced to travel for abortion, forced to take illegal medication ordered from the internet or forced to continue with a pregnancy they didn't want.

Please take this letter as the CALM's official and collective response to the public consultation.

- CALM agrees that a person who is pregnant and does not want to be, should be allowed to request an abortion up to 14 weeks of gestation and for this request to be granted.
- CALM firmly believes that it is vitally important that a person who has been raped must be able to access abortion services to end a resultant pregnancy independent of their decision to report the crime. They must not be forced to undergo intimate medical examination and nor must they be forced to swear an oath or sign an affidavit for the purposes of obtaining an abortion.

- CALM believes that in circumstances where the foetus has a Fatal Abnormality, that the choice should be given for an abortion, as well as support should a parent wish to continue the pregnancy to term.
- CALM agrees that all of the conditions in clause 6 (8) would be valid reasons for an abortion to be provided after the 24th week. We recognise that these circumstances are extremely rare. Having been contacted by several families as well as consulting ARC (Antenatal Results and Choices), we know that a “Termination for Medical Reasons” is never offered without very good reason nor the decision taken lightly.
- Given that some abnormalities (fatal abnormalities or those resulting in severe disability) aren’t apparent until after the 20 week scan or that further investigations may take time, we feel it is important that the option is there for the abortion to take place after 24 weeks if necessary. We would not want to see parents being forced to make decisions in haste due to a 24 week time limit.
- CALM has always called for better access to counselling services as part of our campaign message. Our views on counselling are as follows:
 - We firmly believe that counselling should be made available to those who want it at any stage before or after an abortion.
 - We believe pre- and post-abortion counselling should be NHS fully funded.
 - Counselling should be available, without charge, by whatever means necessary for the pregnant person to be able to access it, be that face to face on island, by telephone or through a private provider. This will depend on the person’s circumstances and therefore, it would be helpful to have more than one route to counselling available.
 - All providers of counselling must be non-directive and independent. It would be highly inappropriate and exploitative for anti-abortion activist organisations such as “Life Pregnancy Counselling” to deliver these services, and the NHS should not deliberately or inadvertently signpost towards this type of organisation.
- We agree that the serious social grounds as listed in clause 6 (7) would be appropriate for an abortion to be granted after 14 weeks up to the end of the 23rd week.
- CALM agrees that as an integral part of reproductive healthcare, the cost of abortion services should be fully funded by the NHS.
- Healthcare staff should be able to opt out of providing an abortion if they have conscientious objection provided this does not conflict with a circumstance where a pregnancy person could lose their life or be subject to grave injury to their health.
- Where healthcare staff object on the grounds of conscience, they must be compelled to refer to another professional without delay.

Additional suggestions:

- If an anti-abortion organisation wishes to operate or advertise counselling on island, they must be compelled by law to make their anti-abortion stance clear in their advertising and literature.

- We note the draft legislation currently does not include provision for anti-protest (or buffer) zones outside clinics. Whilst we welcome free-speech, CALM believes this provision is necessary to avoid harm to those who are using abortion services. This must apply to clinics where abortion services take place as well as any other abortion related services (e.g. counselling).
- It has recently been brought to our attention that members of the trans community also require access to abortion services. Please ensure that the legislation makes abortion explicitly available to trans men, and that gender neutral terms are used.

Thank you for the opportunity to comment on this draft legislation, and CALM is happy for this response to be published.

In addition, CALM respectfully asks to be invited to comment at appropriate stages in the future development of this Bill.

Thank you.

Campaign for Abortion Law Modernisation (CALM)