

Ireland publishes bill on life-saving abortions (Update)

May 1 2013, by Shawn Pogatchnik



This Saturday, Nov. 17, 2012 file photo shows abortion rights protesters holding pictures of Savita Halappanavar as they march through central Dublin, demanding that Ireland's government ensures that abortions can be performed to save a woman's life. Ireland's government has published a long-awaited bill, Wednesday May 1, 2013, explaining the law on when life-saving abortions can be performed in a country that officially bans the practice. (AP Photo/Shawn Pogatchnik, File)

Ireland unveiled a long-awaited bill Wednesday that lays down new rules governing when life-saving abortions can be performed, a point of potentially lethal confusion for women in a country that outlaws terminations.

Prime Minister Enda Kenny, speaking to reporters after his government published the Protection of Life During Pregnancy Bill, said he hoped the coming weeks of debate would not turn bitter. But he warned Catholic conservatives within his own party to back the bill or be expelled.

"I do hope that we can bring everybody with us, on an issue that I know is sensitive," said Kenny, who said his government was seeking only "a clarification of rights within existing law."

Kenny said the bill would set a maximum 14-year prison sentence for anyone involved in an illegal abortion, whether doctor or patient. The current law, dating to 1861, sets the maximum penalty at life.

Kenny's government took action following the death of a woman last year from blood poisoning after she was refused a termination because her dying fetus still had a heartbeat. The bill, if passed, would change nothing for the vast majority of an estimated 4,000 Irish women who travel annually for abortions in England, nor the growing number who order miscarriage-inducing drugs over the Internet.

Anti-abortion activists, including many in Kenny's own Fine Gael party, protest that the proposed law could become a platform for eventual wider access to abortion in Ireland. Malta is the only other European Union country that bans it.

Activists particularly oppose the bill's provisions for women who threaten to kill themselves if they are denied a termination. The bill

specifies that three doctors—the woman's obstetrician and two psychologists—must determine that the suicide risk is substantial. If denied, the woman would have a right of appeal to a panel of three other doctors.

Most other life-saving abortion cases would require certification by two doctors, or just one in emergencies requiring an immediate decision.

The bill, published after weeks of government infighting on its terms, faces lengthy debate and likely amendments. Kenny wants it passed by July.

During parliamentary debate, left-wing opposition lawmakers who want broader access to abortion accused Kenny of hypocrisy.



This Saturday Nov. 17, 2012 file photo shows people lighting candles as abortion

rights protesters march through central Dublin demanding that Ireland's government create a law defining when abortions can be performed to save a woman's life. Ireland's government has published a long-awaited bill, Wednesday May 1, 2013, explaining the law on when life-saving abortions can be performed in a country that officially bans the practice. (AP Photo/Shawn Pogatchnik, File)

"What you've presented is the absolute minimum," lawmaker Clare Daly told Kenny. "The clear intention is to make it so restrictive that most women will not even bother. Instead they'll continue to make the journey to Britain so that you can continue to pretend that there's no Irish abortion."

Countering government claims that Ireland had one of the world's lowest rates of maternal death, Daly said more pregnant women would have died from complications or killed themselves if not for Ireland's "proximity to Britain."

Ireland's abortion law has been muddled since 1992, when the Supreme Court ruled that abortions should be legal when doctors deem it necessary to save the woman's life. The judges defined a credible suicide threat as one reasonable ground.

That ruling was made in the case of a 14-year-old girl who had been raped by a family friend, a crime that her parents reported to police. The government ordered the girl not to travel to England for an abortion, and she threatened to kill herself if forced to give birth. The Supreme Court ruled that she should receive an abortion in Ireland, given her suicide threats. The girl then miscarried.

While the ruling had the power of law, a series of governments refused to enact supporting legislation, fearful of a voter backlash in a country

that is more than 80 percent Catholic.

Obstetricians long have complained they need clearly defined abortion regulations to avoid lawsuits or even criminal murder charges.

"We're pleased to see legislators doing the job they're paid to do. After 21 years," said Peter Boylan, a prominent obstetrician who ran a Dublin maternity hospital.

Boylan said dozens of life-saving abortions had been performed annually in Irish hospitals, but only involving the most clear-cut emergencies. Too often, he said, doctors advised patients to go to England.

The European Court of Human Rights ruled in 2010 that women's lives were being unnecessarily endangered by a system that forced seriously ill women to travel while pregnant.

The government took action after a 31-year-old woman, Savita Halappanavar, died in an Irish hospital in October. Halappanavar, who was 17 weeks pregnant, died from blood poisoning one week after being admitted at the start of a miscarriage. As her condition worsened, doctors rejected pleas to abort the fetus because its heart was still beating. Subsequent investigations determined that by the time the fetus died, it was too late to save the woman.

Some of Ireland's approximately 350 psychiatrists have formed rival lobbying groups. Those opposed argue that abortion is never an acceptable treatment for someone contemplating suicide.

Anthony McCarthy, one of only three psychologists in Ireland who specializes in counseling pregnant women, welcomed the bill—but forecast its provisions would affect only "a tiny number" of patients.

Over the past 16 years, McCarthy said he'd helped women suffering from self-destructive delusions or hallucinations, who may have stabbed themselves in the stomach or taken drug overdoses in attempts to kill themselves, their fetuses or both. However, he believed that only one of those patients was really serious about suicide.

"The vast majority do not want termination of their pregnancy. They want help with their depression and suicidal thinking," McCarthy said.

More information: Protection of Life During Pregnancy Bill, bit.ly/17x26dq

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