



## Reforming Abortion Law

### Introduction

One in three British women will have an abortion in their lifetime, but despite this, abortion law in England and Wales is the oldest healthcare law in existence at more than 50 years old.

The Abortion Act 1967 requires two doctors to approve the decision and that at least one of seven legal criteria is met in order for the abortion to be legal. It prevents qualified nurses and midwives from delivering holistic abortion services grounded in best practice.

Underpinning this legislation is a criminal law dating back to 1861, which is being used today to prosecute women in extremely difficult circumstances who have presented to hospital seeking medical help where healthcare professionals have suspected them of attempting to end their own pregnancy. This law has been repealed in Northern Ireland, perpetuating an unjustifiable discrepancy in law and healthcare across the nations.

When the Abortion Act was passed, it placed England and Wales at the forefront of global and European efforts to protect women's health. But as law and practice around the world developed, our law fell behind. England and Wales are no longer at the vanguard of women's health and rights.

Now is the time to deliver on the promise of a modern abortion law fit for women in England and Wales.

### What we believe

Like nearly 90% of the country, **we believe in a woman's right to choose**. No woman should be forced to continue a pregnancy against her will.

We believe that **no woman should ever face the threat of jail for seeking to end her own pregnancy**, and that the right person to make a deeply personal decision about abortion is the woman herself with the support of her medical team

We believe that all women across the UK, from Belfast to Bournemouth, Swansea to Stirling, **should have equal rights and access to abortion care**.

We believe that **abortion is healthcare** that should be treated and regulated like any other medical procedure – ensuring that healthcare professionals can provide the best services for their patients.

We believe that **abortion law reform must build on existing rights, not remove them** – that means no reduction in the time limit, no removal of the right to end a pregnancy on the grounds of severe foetal anomaly, and no criminalisation of women based on why they're seeking an abortion.

We believe that **non-consensual abortion is a crime against the pregnant woman**, and that the law should distinguish between this, and abortion undertaken with consent.

## Our principles for reform

- **Abortion law must be clear, accessible, and provide a reliable framework for women and healthcare professionals.** Every year more than 200,000 abortions take place in England and Wales. Our legal framework should protect access to this essential service, as well as the women who need or choose it.
- **Abortion law in England and Wales should recognise developments in modern abortion law in Northern Ireland** – delivering on the promise of parliament in 2019 that abortion rights be equal across the United Kingdom and the progression of minimum human rights standards on abortion from CEDAW.
- **Abortion law must be grounded in the fundamental right of a woman to access abortion**, ensuring that women's choices, autonomy and consent are at the centre of their access to healthcare.
- **Abortion law must work in practice and on paper.** The right to abortion is meaningless if healthcare professionals cannot provide care in practice – the law must enable a workable abortion service which can be delivered in conjunction with best practice guidelines and wider regulation.
- **Abortion law must enable the development of women's healthcare in line with medical and scientific advancements** without restricting how care can be provided - for example, the development of monthly contraceptive options.

## Our priorities for reform

1. **Women must be removed from the criminal law for ending their own pregnancies.** During 2022 and 2023, three women have been charged with crimes under existing abortion law for either ending or seeking to end their own pregnancies. These women, and many others, remain at risk of imprisonment. People who support women to access abortion services they need should also be free from criminal sanction.
2. **Healthcare professionals must be able to provide abortion care without the threat of criminal sanctions which do not apply to any other healthcare procedure**, increasing the role of qualified nurses and midwives, and removing the chilling effect caused by criminal law intervention that means many doctors fear getting involved in abortion care due to the specific threat of criminalisation.
3. **The requirement for two doctors' signatures to authorise an abortion should be removed**, enabling abortion to be provided and regulated in line with other comparable forms of healthcare where the patient's autonomy is paramount and there is a process of informed consent.
4. **Women should be able to make their own decisions about accessing an abortion** without requiring them to disclose intimate details they wish to keep private in order to access medical care and exercise their reproductive rights.

5. **Women's personal data should stay private** as it does for all other medical treatment, with no legal requirement for personally identifiable information including a woman's name, postcode, ethnicity, marital status, and previous abortions to be shared with government.
6. **NHS-funded abortion care must be supported by adequate funding and resourcing** to deliver timely and accessible services, including the training of essential healthcare professionals and ensuring that services are commissioned and provided in every part of the country.

## Our plans for reform

We will work together to deliver on this essential reform as soon as possible.

We will work together with MPs and Peers from all parties to bring forward reforms to abortion law. This includes **private members bills, amendments to government bills, parliamentary questions, and further debates.**

We will **ask all political parties to commit to parliamentary time for abortion law reform in their manifestos.**

We will, where possible, and when in the best interests of the women involved, use **legal challenges** to seek rights-based developments in abortion law.

We recognise that, without government support for change, this is limited space for backbench MPs to bring forward amendments to the existing law, so we will **take our opportunities where we can find them**, and deliver on what we can, when we can, while ensuring this work further supports and is in line with the protection of women's health and rights more widely.

## Our words

Within this statement we use the terms woman and women's health. However, it is important to acknowledge that it is not only people who identify as women for whom it is necessary to access abortion and other reproductive healthcare. Abortion and sexual and reproductive health services must, in the delivery of care, therefore be appropriate, inclusive and sensitive to the needs of those individuals whose gender identity does not align with the sex they were assigned at birth.

We support reform of abortion law that enables all people who can become pregnant, no matter how they identify, to access safe, modern abortion care free from the threat of the criminal law.