

UNITED KINGDOM

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library&information@fpa.org.uk

www.fpa.org.uk

LEGISLATION

Abortion Act, 17 October 1967,
Amended with Human Fertilization and Embryology Act, 24 April 1990

GROUNDINGS/GESTATIONAL LIMITS

Up to 24 weeks

- If continuing 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

No limit:

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

REGULATIONS/CONDITIONS

- In determining whether continuing a pregnancy would involve such risk of injury to the health as is mentioned above, account may be taken of the pregnant woman's actual or reasonably foreseeable environment.
- Consent of two doctors required
- Parents/guardians or social worker consent is not required for minors (under 16 or if in care) if both doctors concerned agree that the minor involved has sufficient maturity and understanding to appreciate what is involved.

COST

- Free of charge (on NHS) in principle
- Private or charitable clinics: 16% of women in England and Wales pay about £450 - £500 (US\$ 881-979)
- About 84% of abortions in England and Wales, and 99% in Scotland, are funded by the NHS [2005 figures]

DISPARITY IN THE APPLICATION OF THE LAW:

- *The 1967 Act and current ambiguity surrounding guidance in this area means that clinicians opt in rather than out of abortion treatment and care*
- *Choice of methods, and indeed access to abortion services is in some areas restricted by a lack of clinical staff willing to take part in the abortion process*
- *A recent survey found that younger doctors working within Obstetrics and Gynaecology may declare conscientious objection to abortion which is not grounded in either religious or moral belief and may be more to do with a lack of training or commitment*
- *There are particular variations between areas in the number of women who have their abortion under 10 weeks, and so are able to choose a medical or manual vacuum aspiration abortion. In 2005, 63% of all NHS funded abortions in England and Wales were carried out before 10 weeks, but this varied from 33% in one area to 83% in another area.*

COMMENTS:

- *This law does not apply to Northern Ireland, where the legislation is much more restrictive: under sections 58 and 59 of the Offences Against the Person Act 1861, it is an offence unlawfully to procure a miscarriage, punishable by a maximum sentence of life imprisonment. However, on the basis of a 1930s court decision abortion is regarded as permissible in order to avoid serious harm to the mother's physical or mental health*