

Inquiry into Abortion on the Grounds of Disability

A new Parliamentary group^[1] has been set up to review the law on abortion for disability, with a particular focus on whether it is discriminatory or not. We encourage members to contribute to this Inquiry as the experience and expertise of health professionals will be particularly valuable. This short briefing is based on a longer paper [here](#), that will help you contribute to the questions.

Written responses are needed by **Wednesday 6 March 2013**. The form and guidance can be downloaded from www.abortionanddisability.org. If you are unable to send in a detailed response, we suggest making a few points in response to the following key questions. Please include as much personal experience as you are able.

Q4. Do you think the current law is discriminatory against disabled people?

YES. Ground E treats disabled babies differently to babies without disabilities.^[2] First, it has a different upper limit for disabled babies and babies without disability (40 and 24 weeks respectively). Second, it allows for some disabled babies to be aborted under ground E (those who will be born with a 'serious' handicap) but not others.

The law is based on a view that the life of a disabled person is of less worth or is less worth living. This is discrimination and it devalues the lives of all people living with a disability and stigmatises their families.

The Disability Rights Commission has stated that Ground E: *'...is offensive to many people; it reinforces negative stereotypes of disability; and there is substantial support for the view that to permit terminations at any point during a pregnancy on the ground of risk of disability, while time limits apply to other grounds set out in the Abortion Act, is incompatible with valuing disability and non-disability equally.'*^[3]

Q7. Do you think the current law on abortion on the grounds of disability should be amended or developed?

YES. Parliament should repeal this discriminatory section of the Act and should promote research and investment into providing better care, treatment and support for people with disabilities.

Q12. Do you think current information and guidance provided to families following a diagnosis of disability could be improved?

YES. More information and guidance aimed at supporting individuals and families to keep their babies (or place them for adoption) should be offered to families following diagnosis for all types of disability. It should not be presumed that parents will choose abortion, even for babies with disabilities that are incompatible with life outside the womb.

Women and their families should be offered a range of sources of information, including information leaflets covering all options, telephone and online helplines manned by qualified and trained counsellors and the option of speaking to or meeting (without delay) families with children affected by similar conditions and their support groups. Advice and counselling should be provided by qualified

and trained counsellors along with early access to specialists with experience in caring for people with the disability in question.

Patients are highly vulnerable when presented with unexpected news so there should be sufficient **time** for information giving and reflection with professional support available.

[1] <http://www.abortionanddisability.org>

[2] The Abortion Act 1967, Section 1(1)(d) Ground E permits an abortion to take place up to birth 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'.<https://www.wp.dh.gov.uk/transparency/files/2012/05/HSA1-form.pdf> There is a legal limit of 24 weeks for abortions on other grounds.

[3] <http://news.bbc.co.uk/1/hi/health/1502827.stm>