

Nadine Dorries MP

Termination of Pregnancy Ten Minute Rule Bill

The Termination of Pregnancy Ten Minute Rule Bill will come before the House on Tuesday the 31st October 2006. There are three constituent parts to the bill. In brief:

1. To reduce the upper-time limit from 24 to 21 weeks.
2. To introduce a mandatory ten day cooling-off period of careful consideration between a woman's request for an abortion and the procedure, during which the woman is given access to a range of information and counselling regarding the medical risk of, and about matters relating to, termination and carrying a pregnancy to term as a condition of informed consent.
3. If, after the cooling-off period, the woman decides to continue with an abortion, provision must be made to ensure that the ten day period is reduced from the standard waiting time for a termination in that geographical region.

For clarification, the three sections of the bill need further explanation.

1. Reduction of Time-Limit from 24 to 21 Weeks

The argument for a reduction of the time-limit often rests on the issue of *viability* – that is to say the likelihood of the foetus surviving outside of the womb. To date, scientific evidence suggests that the earliest a foetus has any realistic chance of survival is at 23 weeks (although rare cases of survival at 20 and 21 weeks have been reported). This evidence has been well documented by the Nuffield Council on Bioethics, who are due to publish a full report entitled *The Ethics of Prolonging Life in Foetuses and the Newborn* in November 2006.

However, my argument for reduction rests not on viability, but on the issue of foetal sentience – how foetuses respond to pain, sound etc. The latest scientific research puts the case of sentience at around 21 weeks. Professor Stuart Campbell, who has developed a way of capturing images of foetuses using a revolutionary 4D scanner, has argued that foetal sentience is present as early as 18 weeks. However, as things stand, I believe that calls for a reduction below the proposed 21 weeks would not receive a sympathetic hearing in the Chamber as many members remain to be convinced that a reduction from 24 weeks to 21 is both necessary and in line with public opinion.

2. “Cooling-off” Period and Informed Consent

The aim and objective of introducing a cooling-off period between the initial request for a termination and the procedure itself comes directly from Western Australia where, since the implementation of the *Acts Amendment (Abortion) Act 1998*, numbers of abortions have dropped dramatically. At the time of writing we are in the process of collating Australian government statistics. The termination figures for Australia are collected as a whole, not by state. This Act introduced a cooling-off period, in which the woman concerned is ensured the necessary counselling and

information to ensure her decision is one based on “informed consent”. The Australian law instructs that the woman is given information about the medical risks posed by abortion, as well as those posed by continuing with her pregnancy; she is ensured access to impartial counselling about matters relating to the termination of the pregnancy and bringing the pregnancy to term, such as issues affecting mental health; and she is ensured access to counselling upon the termination of pregnancy or after carrying the pregnancy to term. She is also given information regarding the various stages of foetal development.

Such a cooling-off period is necessary, because the decision to terminate a pregnancy or not is one with which the woman concerned will have to live for the rest of her life. It is imperative that this decision is fully considered, and that all the necessary help and advice is available for her to make an informed decision. This part of the bill is designed to enforce *a woman’s right to know*.

It is also important that there is no pressure on a woman to decide either way. The woman does indeed have *the right to choose*. The cooling-off period gives her this time to reflect on her decision. It is also a time when parents, partners, boyfriends etc will have to stand back and give the woman time to reflect.

3. Process Between Consenting Decision and Termination

The third and final part of the bill is aimed at protecting the physical and emotional well-being of a woman who, having completed the cooling-off period has made the informed decision to press ahead with her termination request. The time between her initial request and termination should not be hindered as a result of the ten day cooling-off period. It is also unacceptable, as a consequence of implied medical and psychological risk, that some women have to wait up to twelve weeks for a termination. Given that the woman will be fully informed, as her right to know, it is both humane and responsible that the state should assist speedily with the facilitation of this fully informed and empowered decision.