

How can a state control swallowing? The home use of abortion pills in Ireland

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Abstract: *Evidence suggests that there is widespread home use of abortion pills in Ireland and that ending a pregnancy in this way is potentially safer than the alternatives available to many women. This paper argues that there is a strong case for women with unwanted pregnancies to be offered truthful and objective information regarding the use of abortion pills by trusted local professionals and, further, that this is possible within existing law. A move in this direction would not, however, negate the need for legal reform to address the fundamental moral incoherence of a law that treats women who terminate pregnancies within Ireland as criminals but those who travel to access services overseas as victims in need of support. In support of these arguments, the paper draws on both library research and a small number of interviews with government officials, service providers and activists. © 2016 Reproductive Health Matters. Published by Elsevier BV. All rights reserved.*

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Introduction

An uneasy compromise, whereby an “abortion free Ireland” has historically relied upon women travelling overseas to end pregnancies, is challenged by the fact that abortion services can now travel to women. Today, safely ending a pregnancy is potentially possible with some simple instructions and a blister pack of pills, and both are readily accessible via a few clicks of a mouse. This paper examines some implications of this fact. It begins by setting out what is known regarding the home use of abortion pills in Ireland. While robust data has often been elusive, it is suggested that the evidence that exists points to a pressing public health need that is unmet by domestic services and, further, that home use of pills to induce abortion can offer a safer and potentially more attractive option than the alternatives facing many women in Ireland. The paper then moves on to consider some policy implications of these findings.

In addition to drawing on published sources, the paper relies on information gleaned from a small number of fact-finding interviews conducted in 2015 in the context of a project into the challenges which growing use of abortion pills poses for existing regulatory frameworks. In consultation with the project Advisory Group, potential interviewees were identified as individuals who would likely be able to offer particular insight into the use of abortion pills

in the Republic of Ireland, the regulation of such use, and the health consequences for the women concerned. All but two individuals thus identified (both of whom worked in roles concerned with enforcement of the law) agreed to be interviewed. Interviewees included government officials, online suppliers of the pills, family planning service providers, doctors and activists. The manner in which each interviewee is identified (fully, by just first name, or by role description) was agreed with the individuals concerned. All interviewees were given the right to approve and revise quotations prior to publication.

Home use of abortion pills in Ireland

The Republic of Ireland has one of the most restrictive abortion laws in the world. The Constitution acknowledges that the “right to life of the unborn” is equal to that of the pregnant woman,¹ with abortion permitted only in cases of ‘a real and substantial risk’ to her life.^{2,3} This legal framework has meant that only very small numbers of legal abortions are performed within Ireland (just 26 in 2014).⁴ However, it has not prevented women from ending pregnancies through abortion. Significant numbers access services elsewhere, particularly in England, with abortion travel not just tolerated but actively supported by the state: the Irish Constitution also

enshrines rights to obtain information regarding abortion services overseas and to travel to access them.¹

At the high point of recorded travel, in 2001, 6,672 women gave Irish addresses when ending pregnancies in England. By 2015, this number had almost halved (Table 1 below). While women may give false addresses, making these numbers inexact, this reduction is so marked as to suggest real and significant change. Its drivers are almost certainly multiple. Since 2001, the Government Crisis Pregnancy Programme (formerly the Crisis Pregnancy Agency) has overseen improved sex education, more effective contraceptive usage, support, information and aftercare for women who experience unwanted pregnancies.⁵ The morning after pill was made available over the counter in 2011. Further, cheap flights make it feasible to access abortion services in other European countries, such as the Netherlands, although the number of women from Ireland accessing services there has seen an even sharper decline (to just 12 in 2013).⁶

Official accounts have relied on these numbers recorded in English clinics to suggest that “about 4,000 women from Ireland have a termination procedure every year”.⁹ However, a further, unacknowledged, reason for the decline is that increasing numbers are aborting their pregnancies with medication obtained over the internet.

Survey data suggests that only 16% of women in Ireland (10% of men) in the general population are aware of “drugs or herbs” that can be taken at home to end a pregnancy.⁵ However, once a pregnant woman begins to explore her options, she will easily find information about abortion pills online, along with the websites of a large number of organisations willing to supply them: at the time of writing, a Google search on “buy misoprostol online” yields 1.6 million hits, with the majority of the first two pages of results comprising sites with offers of supply.

Two organisations formed a particular focus of this research. In 2001, local activists invited Women on Waves to sail the “abortion ship” into Irish waters, greatly increasing public awareness of the existence of abortion pills in Ireland. A sister

organisation, Women on Web (WoW), formed ten years ago and now has 16 help desk workers based across three continents, working in 16 languages and replying to 8,000-10,000 emails from about 6,000 individual women from around the world each month (Gomperts, Founder and Director, WoW, interview). A second group, Women Help Women (WHW) was established in 2014, and has 22 volunteers, working in six languages and sending out some 3,000 e-mails per month (Jelinska, Director and Founding Member, WHW, interview). WoW and WHW are each strongly informed by values of social justice, solidarity and the empowerment of women. Each offers online advice and practical support, including arranging for the supply of abortion pills to those who request them. Ordering pharmaceuticals online risks contravening a general prohibition on the supply of medicines by mail order in Irish law,¹⁰ with attempted imports seized by Customs. As such, Irish residents are asked for an address outside the Republic, with packages needing to be either collected or redirected from there. While this may add a short delay, this hurdle appears not to be decisive: local activists described to me how, as one means of avoiding import restrictions has been shut down, another has been found.

Irish women’s home use of abortion pills has been regularly cited in reports, online forums and popular media,^{11–14} and was confirmed in my interviews. The Crisis Pregnancy Programme (CPP) is charged with development and implementation of a national strategy to address the issue of crisis pregnancy in Ireland. It receives annual reports from the counselling services that it oversees. The annual reporting form does not specifically request information regarding the numbers of women who have sought information regarding, or reported use of, abortion pills. However, services will occasionally raise this issue in a narrative section. Beyond those reports, the CPP was aware of only anecdotal accounts (Deely, Head of HSE Sexual Health and CPP; and Donlon, Funding Officer, CPP, interview). Staff at one of these counselling services, the Irish Family Planning Association (IFPA), confirmed that requests from women wanting information regarding the safety of abortion pills were sufficiently

Table 1. Abortions in England and Wales by women who gave Irish addresses.^{7,8}

	2001	2004	2006	2008	2010	2012	2014	2015
Number of abortions	6672	6217	5042	4600	4402	3982	3735	3451

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