

Frequently Asked Questions

The Committee *for* Health & Social Care is recommending that the Abortion (Guernsey) Law, 1997 be modernised and brought in line with other medical procedures.

This includes

- Increasing our gestational limits to be in line with the Abortion Act 1967;
- Removing the requirement for two medical practitioners to certify abortions;
- Decriminalisation of women;
- Inclusion of exemptions to conscientious objection.

For more detail regarding the full changes and what they mean, please [click here](#).

Why are we proposing changes to the current gestational limits?	There are four different categories under which abortion is legal. Category A and B are largely non-contentious. These are the categories in which the abortion is needed to save the life or prevent grave permanent injury to the physical or mental health of the pregnant woman. The Committee <i>for</i> Health & Social Care is not recommending any changes to these categories of abortion.				
	Categories under which termination of pregnancy is permitted	Guernsey The Abortion (Guernsey) Law, 1997	United Kingdom Abortion Act, 1967 <i>*does not include Northern Ireland</i>	Isle of Man Abortion Reform Act 2019	Republic of Ireland Health (Regulation of Termination of Pregnancy) Act, 2018
	NB. The UK, Isle of Man and Republic of Ireland laws use different lettering to describe abortion categories. For clarity, they have been displayed in relation to the relevant parts of The Abortion (Guernsey) Law, 1997.				
Category C at the time of the diagnosis, there is a substantial risk that if the child were born it would	24 weeks	No limit	No limit	No limit	Where there is a condition present that is likely to lead to death before, or within 28 days of, birth

	suffer from such physical or mental abnormalities as to be seriously handicapped; or				
	Category D continuance of 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	12 weeks	24 weeks	14 weeks directly via a local pharmacy 15-24 weeks under certain circumstances including where a woman says there are serious social grounds for abortion.	12 weeks
<p>Category C: Guernsey has a 24 week threshold on procedures certified under this category. The detection rate of significant fetal abnormalities is around 50% at 18-20 weeks. Further complex testing is required to confirm suspected anomalies and provide a prognosis. This means that decision making is currently rushed and led by legal requirements rather than by specialists. In addition, there are some severe and life limiting fetal abnormalities for which the prognosis is unknown until beyond 24 weeks of gestation. In the ten years to 2018 approximately 3% of abortions were performed under Category C.</p> <p>Category D: Women whose circumstances meet the criteria for an abortion under Category D cannot access a procedure in Guernsey due to the current gestational limit of 12 weeks. Those who have exceeded 12 weeks gestation can travel to the UK to access abortion care as abortions under this category are legal up to 24 weeks in the UK. This is not funded by the States of Guernsey and therefore introduces an inequity as those who cannot afford to travel to the UK may be forced to continue with their pregnancy or seek other unsafe means of abortion.. Women may also be being rushed into making a decision due to current legislation which places a time limit of 12 weeks on this type of procedure. Public Health Services estimates that this could affect 5-10 women a year.¹</p>					
Why are we recommending removing the	A legal requirement to consult with two medical practitioners is not required for any other type of medical care or treatment and increases the cost of healthcare to service users.				

¹ <https://www.gov.uk/government/statistics/abortion-statistics-for-england-and-wales-2018>

<p>requirement for two medical practitioners to certify an abortion procedure?</p>	<p>The principles of the Partnership of Purpose include, among other things, that access to care is fair and that financial barriers are removed and therefore it is being recommended that the legal requirement for a woman to consult with two medical practitioners is removed.</p>
<p>Isn't the abortion law in Guernsey the same as the UK?</p>	<p>Although there are some similarities between the Abortion (Guernsey) Law, 1997 and the Abortion Act 1967, there are some differences such as the time limits on when women can have an abortion (also known as gestational limits) and exemptions to conscientious objection for practitioners who perform abortions. The most recently updated abortion law from the Isle of Man and Republic of Ireland has also decriminalised women in respect to ending their own pregnancy, something that the Committee <i>for</i> Health & Social Care is also recommending for Guernsey.</p> <p>Updating our law means that it will be modern and fit for purpose, providing equity for women and bringing abortion in line with other medical procedures.</p>
<p>Will I still be allowed to have an abortion?</p>	<p>Yes, at the moment nothing is changing. If the Policy letter is approved by the States of Deliberation on the 18th March 2020, then the new law will need to be drafted and approved again by the States before being put in place. It is not the intention for any legislative change to remove the right to abortion and any changes that do occur will not create an interruption in access to abortion services in Guernsey.</p>
<p>Will I still be able to see my GP more than once to discuss an abortion if I want to?</p>	<p>The reason for the proposed change is because it is not necessary for you to see a doctor twice. However the changes would not stop you from seeing two doctors or your doctor multiple times if you wanted to discuss your options with them.</p>
<p>Do I have to go home to have my abortion?</p>	<p>No. One of the recommended changes to the law will allow women to choose whether to have an early medical abortion in the comfort of their own home. If you would rather stay in the hospital for your abortion you will still be able to do this. You may be required to have your abortion in the hospital if medically indicated or when having a surgical abortion.</p>