

# 16 FEB PRESS RELEASE – NZ ABORTION COMMITTEE IGNORES DOWN SYNDROME COMMUNITY CONCERNS ABOUT LIFTING TIME LIMIT ON ABORTIONS FOR BABIES WITH DISABILITIES FROM 20-WEEKS UP TO BIRTH, AND BREAKING JACINDA ARDERN'S PROMISE TO THE DISABILITY COMMUNITY

Posted at 17:18h in Press releases by dontscreenusout • 0 Comments •

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PRIME MINISTER JACINDA ARDERN HERE**

**PRESS RELEASE FOR IMMEDIATE RELEASE**

**NZ abortion committee ignores Down syndrome community concerns  
about lifting time limit on abortions for babies with disabilities from**

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Down syndrome advocacy group Don't Screen Us Out have spoken out against the Abortion Legislation Committee's decision to totally ignore the Down syndrome community's concerns around the NZ Government's Abortion Legislation Bill lifting time limit on abortions for babies with disabilities from 20-weeks up to birth.

A large number of those who made submissions to the Committee, including a submission from disability advocacy group Saving Down syndrome, voiced their concerns about the Bill introducing abortion right through to birth for babies with disabilities including Down syndrome.

Disability advocacy group Saving Down syndrome made the recommendation "that the Government ensures that the current 20-week time limit for disability abortions, including Down syndrome, is not removed by introducing a specific provision to the proposed law that clarifies that abortion for disability will not be permitted after 20-weeks." This recommendation was totally ignored by the Committee.

Under section 187A of the Crimes Act there is currently a gestational time limit of 20-weeks for abortion for disability, providing two doctors sign off on the abortion.

The New Zealand Government's new abortion bill, if it becomes law, will remove the current 20-week gestational time limit for disability. Instead abortion will be available for disabilities including Down syndrome right through to birth, under new grounds outlined in part one, clause seven of the Bill. This clause allows for abortion through to birth providing one registered health practitioner, in consultation with another registered health practitioner, reasonably believes that an abortion is appropriate, having regard to physical and mental health, and well-being. These terms are undefined in the Bill. The Abortion Legislation Committee has subsequently recommended that the "well-being" ground be widened to include "overall well-being" and this recommendation has been adopted by the Government.

In the handful of jurisdictions that have a similar clause allowing for abortion up to birth, this has in practice allowed for abortion for

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practitioner, which could include two nurses, rather than the higher threshold of two doctors, for example in Victoria, Australia which has a similar abortion up to birth clause.

There have been over 1,600 abortions of babies with a disability under the stricter abortion up to birth clause in Victoria, Australia, since the law was changed there in 2008.

The Committee minority report from Agnes Loheni MP acknowledged serious issues with the Bill in regards to disability: "The Bill's removal of current restrictions significantly widens the ability for a woman to have an abortion on the grounds of disability." Unfortunately, this was ignored by the majority of the Committee which made no mention of disability concerns in their final report and no recommendations were made by the majority of the Committee to make changes to the Bill to take into account the concerns of the disability community.

In 2017 New Zealand Down syndrome advocates highlighted their concerns around Jacinda Ardern's pledge to change abortion laws and that this would introduce abortion through to birth for babies with disabilities. In response Jacinda Ardern made a commitment to not increase the time limit for disability-selective abortion.

In response to the concern raised, Jacinda Ardern said:

*"They have said till 40 weeks, which is wrong, which is wrong. We have time periods already set out in law, I'm not proposing changes to that. I'm proposing it comes out of the Crimes Act."*

The Government's proposed change to the law could also see New Zealand fall foul of international disability rights obligations, as the UN Committee on the Rights of Persons with Disabilities has consistently criticised countries that provide for abortion in a way which discriminates on the basis of disability.

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aborted.

Over 500 people with Down's syndrome and their families have signed an open letter to Jacinda Ardern asking the Prime Minister to make a commitment to ensure that she does not break her promise, and that the Government either withdraws the Bill or urgently introduces a specific provision to the Bill that will ensure that abortion for disabilities will not be allowed from 20-weeks through to birth.

**Lynn Murray, spokesperson for Don't Screen Us Out and mother of daughter Rachel who has Down's syndrome, said:**

*"The Abortion Legislation Committee has totally ignored the Down syndrome community's concerns around the Abortion Legislation Committee lifting time limit on abortions for babies with disabilities from 20-weeks up to birth. They in fact recommend widening the grounds that will allow for disability abortion through to birth and this recommendation has now been adopted by the New Zealand Government.*

*Jacinda Ardern made a promise to the disability community ahead of the 2017 election that she would not increase the time limit for disabilities from 20-weeks. She should not break her promise, by not only lifting the limit, but increasing it right through to birth.*

*This send a strong discriminatory message and a progressive New Zealand can do better for people with disabilities than introducing abortion up to birth.*

*Over 500 parents have signed an open letter to Jacinda Ardern from people with Down syndrome and their families asking Jacinda Ardern to make a commitment to ensure that she does not break her promise, and either withdraws the Government's bill or introduces a specific provision to the Bill that will ensure that abortion for disabilities will not be allowed from 20-weeks through to birth.*

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20 weeks. Already the majority of babies in New Zealand diagnosed with Down syndrome are screened out by termination and if this proposed policy became law it could put us on the path towards the situation in Iceland where 100% of babies found pre-natally to have Down syndrome are aborted."

## ENDS

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For more information on the Don't Screen Us Out campaign, see our website [www.dontscreenusout.org](http://www.dontscreenusout.org) or email [info@dontscreenusout.org](mailto:info@dontscreenusout.org)

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For interviews, contact Don't Screen Us Out at [info@dontscreenusout.org](mailto:info@dontscreenusout.org)

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The full text of the open letter to Jacinda Ardern is available here: <http://savingdowns.org/openletterjacinda/>

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Disability advocates have spoken out on this topic of disability-selective abortion and the proposed change to New Zealand law in the past here:

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<http://www.stuff.co.nz/national/politics/90738344/mike-sullivan-a-fathers-plea-on-behalf-of-his-disabled-child>

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<https://www.rnz.co.nz/national/programmes/checkpoint/audio/2018714039/parents-fear-more-disability-terminations-we-were-under-immense-pressure-to-have-genetic-counselling>

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## UN criticism

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The UN Committee on the Rights of Persons with Disabilities have consistently criticised countries which provide for abortion in a way which distinguishes between fetuses on the basis of disability, most notably Austria, Hungary and Spain, citing Article 5 of the UN

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The CBS report on Iceland and their 100% abortion rate for Down syndrome following a pre-natal diagnosis that has led to controversy globally over the last couple of years is available here:

<https://www.cbsnews.com/news/down-syndrome-iceland/>

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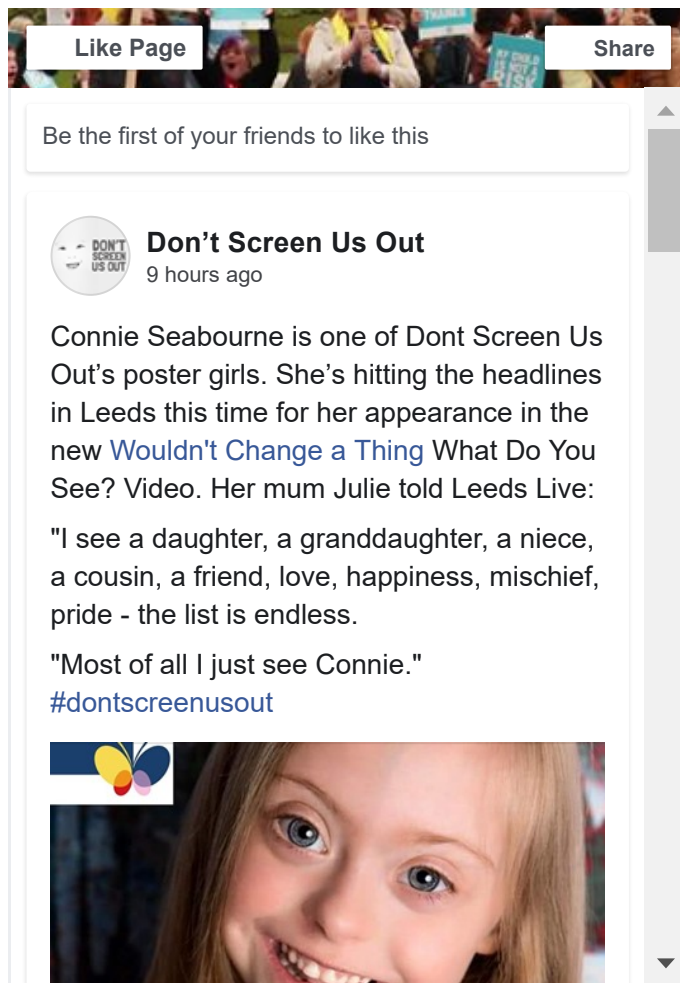
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