

**Dr Eoghan de Faoite, Youth Defence, Submission to the Joint
Committee on Health and Children**

Good afternoon ladies and gentlemen. My name is Dr. Eoghan de Faoite and I am a medical doctor and a member of Youth Defence. I have been involved in pro-life activities since my teens and have been closely following the debate on abortion in recent months. Thank you for the opportunity to present to you today, I wanted to make a few short points that I feel are most relevant to the current debate.

I firstly wanted to refer to the 2010 decision of the European Court of Human Rights in the case of ABC vs Ireland which is largely the reason we find ourselves in this room today.

Contrary to the many media reports and some statements made by Government officials and others on the ruling, the ECHR absolutely did not demand or even require that Ireland legislate for abortion. In fact, no legal right to abortion exists in the European Convention. Instead the Court asked Ireland to provide legal clarity, which can, of course, be provided without legislating for the X case.

The second point I'd like to make is in relation to abortion and maternal healthcare which really is the crux of this issue. It goes without saying that Ireland is a world leader when it comes to maternal health. Our excellent track record and high standards of healthcare coupled with our extremely low rate of maternal mortality are second to none.

We have achieved such standards to date *without* legalized abortion and that's because Irish Obstetricians and other specialists will always, *always* intervene to save the life of a mother when she has a life threatening complication of pregnancy. This practice of intervening, which includes premature delivery of the baby even when the baby has little or no chance of

surviving is permitted under Irish law, under the Medical Council's Ethical Guidelines, and within pro-life principles.

As a medical practitioner, I believe that the Medical Council's guidelines are crystal clear when it comes to intervening in pregnancy when a woman's life is at risk, and I would echo Professor Fionnuala McAuliffe's recent comments when she said that Obstetricians know that they have absolute freedom to intervene to save the life of a woman, even if it meant the loss of the life of her unborn baby.

This brings us to a crucial distinction which was clarified during the hearings before this Committee on Tuesday, but is all too often misunderstood. That's the distinction is between the termination of a pregnancy and the termination of the life of a child. Irish doctors have such freedom to intervene under current Medical Council guidelines because there is a clear difference between intervening to save a woman's life, which includes premature delivery of the baby, and abortion which intentionally destroys the unborn child. The blurring of the distinction between these two practices is what is contributing most to public confusion.

Birth is a termination of pregnancy. An emergency cesarean section is a termination of pregnancy. Premature induction of labour is a termination of pregnancy, and thanks to the expertise of our Obstetricians and Neonatologists many of these premature infants survive. How can that be described as an abortion?

The questions asked by Senator John Crowne directly addressed this distinction during the hearings on Tuesday. Senator Crowne asked if it is necessary in performing a life-saving termination of pregnancy to kill the foetus in utero or can the pregnancy be delivered to give the life-saving treatment the woman needs?

The Master of the National Maternity hospital responded by saying "We never kill a foetus. That is not our aim. Occasionally it is required that we deliver a

pregnancy before the baby is viable or capable of surviving in our neonatal intensive care unit. When there is any possibility at all that we can preserve the life of the baby we will do so. We are able to do so from very low gestations, from 23 weeks on and in those cases Members can be very certain that we will make every effort to preserve life."

It was also established that there were no known instances where a mother had needlessly lost her life because of any supposed lack of clarity in the legal framework.

Given those responses the subsequent media reporting - which continued to deliberately blur the distinction between the termination of a pregnancy and the termination of a life - was extraordinary.

The Irish Daily Mail, for example, blazed the headline "An abortion a fortnight 'to save lives'." Given that Dr Sam Coulter Smith had cautioned in his remarks that it "is of enormous psychological importance to a woman who is having her pregnancy interrupted for a life-saving procedure whether we call that an abortion or a termination of pregnancy", I can only describe the media's behaviour as dishonest, ill informed or mischievous. They continue to disregard the hurt they cause to women who have lost their babies only to later see newspaper headlines describe their treatments as abortion, which the public, of course, understands to be the intentional killing of the unborn child.

Thirdly, and briefly, I would like to address the claim, so very often made by pro-abortion campaigners, that women need to leave Ireland in order to access so called life-saving abortions. I know that many of my medical colleagues find it grossly insulting to their profession to suggest that we are risking women's lives by not permitting abortion in Ireland.

Almost always these claims are made without any foundation. Figures freely available under Freedom of Information from the British Department of Health, show these claims to be entirely false. The most recent data available from

the DOH for the years 1992 to 2010 clearly shows that there were zero abortions carried out on Irish women in Britain under category F of the Abortion Act which records abortions carried out to save the life of the mother. Furthermore there were zero abortions carried out on Irish women in Britain during the same period under category G which records abortions carried out to “prevent grave permanent injury to the physical or mental health of the mother”. That the number is zero is because Irish women are never denied whatever care they need during pregnancy in order to save their lives.

A review of this evidence - easily undertaken - has therefore revealed that Irish women are not traveling to the UK to undergo so called “life-saving abortions” because they are being denied treatment in Ireland. The truth remains that Irish women are safe in Ireland and are receiving whatever life-saving treatments they need.

I would also like to comment, again briefly, on the recent tragic death of Savita Halappanavar which has been exploited in the most deplorable fashion imaginable by abortion advocates in Ireland and abroad. In doing so they have caused enormous damage to Ireland's excellent international reputation in maternal healthcare. The headline in the Irish Times which stated that “Woman, denied abortion, dies in hospital” was entirely misleading, and was followed by the most unfounded and lurid headlines imaginable such as that printed by the India Times which claimed “Ireland murders Pregnant Indian Dentist”. I note with interest that the author of the piece in the Irish Times has now stated that the facts may have been “muddled”. We all await the outcome of the inquiries into this tragic death however the lack of information surrounding the case did not stop pro-abortion campaigners and certain public officials blaming Ireland’s abortion laws and a so-called “Catholic ethos” in Irish hospitals for the death of this lady.

One of the few facts we do know about this case is that this young woman died of E.Coli ESBL septicemia, an extremely resistant strain of bacteria, the treatment for which is antibiotics, but that fact seems to have been lost in hysteria.

As a medical practitioner I would urge the Committee and the government to be guided by facts not fiction.

The final point I'll make today is in relation to legislation and the next step this Government is going to take. I do not believe that there exists a lack of clarity amongst doctors on when they can intervene in pregnancy to save a woman's life. I do not believe that there exists a fear amongst doctors that they will be prosecuted under the 1861 Offences Against the Persons Act for saving a woman's life. I believe that the Medical Council's Guidelines are crystal clear with regard to such interventions.

If Irish doctors *do* need legal clarity in order for them to safely practice medicine and save woman's lives that is something that not I, nor any pro-life person I know, would oppose. The problem I would have however is with any proposal which ignores the right to life of the unborn child, and allows for the direct and intentional destruction of the baby which is not necessary in medical practice.

I note that the people in referendum in 2002 rejected a proposal which would have removed Section 58 and 59 of the Offences Against the Persons Act. It appears to me that the Act offers legislative protection to the right to life of the unborn child and has not been used to criminalise doctors or women in any situation where a life saving procedure is required. Certainly, most recently, the 1861 Act has been instrumental in moving to prevent the abortion clinic proposed by Marie Stopes International in Belfast from ending the lives of unborn children.

The Government also has options such as regulations which it can use to reflect that we have a duty of care to both mother and baby. And it can, of course, offer a pro-life referendum to allow the will of the people to overturn the flawed judgement in the X case.

Thank you