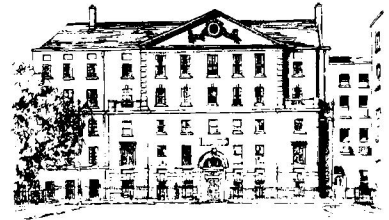




An tOspidéal Náisiúnta Máithreachais The National Maternity Hospital

Founded in 1894

Sráid Holles, Baile Átha Cliath 2 • Holles Street, Dublin 2, D02 YH21
Telephone: (01) 6373100. Fax: (01) 6766623. Web: www.nmh.ie



Máistir/Master: Dr. Rhona Mahony

CITIZENS' ASSEMBLY

Protection of Life During Pregnancy Act 2013

Under this act abortion is lawful in Ireland under certain circumstances. Specifically, it is lawful where there is, as a matter of probability, a real and substantial risk to the life, as distinct from the health of the mother, which can only be avoided by termination of her pregnancy. When the risk of loss of life relates to suicide, the Act has particular requirements. The letter of this law is available to all of you. I will attempt to explain the process to you.

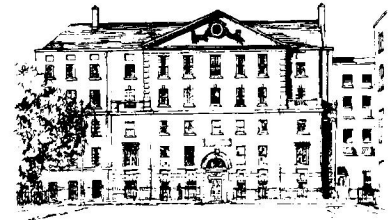
1. The first requirement is that the pregnant woman states that she is suicidal and wants to die.
2. The second is that she states that she does not want the pregnancy and that she needs a termination of that pregnancy.
3. The third requirement is that she states that without this termination she will kill herself.
4. It is in these circumstances that the Act applies. Two consultant Psychiatrists and a consultant Obstetrician must assess her and all agree that, on the balance of probability, she is at a substantial risk of dying as a result of suicide unless that termination is carried out, and that it is safe and appropriate to do so. The latter, with regards to it being safe, is clearly for the Obstetrician to decide and advise on the basis of their competence and experience. The assessment of the risk of suicide must be made by the two Psychiatrists, on the basis of their competence and experience. But all three must agree together.
5. It is important for the citizens to know that the vast majority of women who are pregnant but who do not wish to be pregnant, and who wish to have a termination of that pregnancy, are not suicidal and do not state that they are suicidal.
6. It is also important to note that the majority of women who are depressed in pregnancy, even if feeling suicidal, are not seeking a termination of pregnancy. They may be depressed and suicidal for many reasons, it may or may not include the fact that they are pregnant, and still the vast majority will not believe that a termination of pregnancy will cure their depression.
7. Therefore, it is a very small number of women who will fulfill these criteria of being profoundly depressed and suicidal and wanting a termination of pregnancy and believing that unless they can have a termination they will kill themselves. Even with that small group, it is evident that the majority will not seek a termination of pregnancy in Ireland.
8. Therefore, it is a rare circumstance where a woman will present seeking a termination in circumstances such as this. She may present first to her General Practitioner, to a Crisis Pregnancy Unit, to a Maternity Hospital or to a Psychiatrist or to Social Services or other service. If she does it will then be necessary for her to be assessed by one Consultant Psychiatrist. Only a Consultant can carry out this assessment. If that first psychiatrist is of the view that the criteria are satisfied and that she is a suicidal risk and that a termination of pregnancy is the only possible option to save her life, then it will be



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arranged for a second Consultant Psychiatrist to see the woman. This may take some time. If this second consultant comes to the same conclusion, then the woman will also be assessed by an Obstetrician, and if they also are in agreement, then the termination of pregnancy can go ahead. (Of course she may present to the Obstetrician first. The sequence does not matter. She must be seen by all three).

9. If any of the three doctors disagree with the assessment, the woman has to be referred to an appeals panel, set up by the HSE, that will reassess her. Again, this will require her case to be assessed by a further two psychiatrists, different from the first two, and another different consultant Obstetrician. If they are in agreement with each other that a termination of pregnancy is necessary to protect her life, then that termination will be carried out. If they disagree or there is not a unanimous decision, then again the termination will not take place.

10. It is important to state clearly that this law only applies when it is the judgment of the doctors that there is a significant likelihood of the woman actually killing herself. Many people, when they are depressed, may "feel suicidal" or have ideas of suicide on their minds. They may or may not want to die. A person having or expressing suicidal thoughts is not the same as actually intending to commit suicide. Therefore the assessment of the risk of suicide requires a thorough and comprehensive assessment.

11. It is important that the citizens are aware that suicide in pregnancy is rare but it does occur and with devastating consequences.

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