The fact that British law de facto allows abortion on request is not an argument against reform. It is time to look ahead and frame what an abortion law should look like that could take us forward for the next 40 years. Such a law should reflect our social attitudes and views, ending the hypocrisy that pretends abortion is rare and attempts to ‘ghettoise’ it. We should not have to work around an Act that stigmatises abortion, setting it aside from other procedures and privileging doctors’ opinions about unwanted pregnancy above those of the women who experience them.

Women deserve better: a modern, fit-for-purpose law accepting that restrictions on abortion should be solely to protect health. Current legal anarchies about who provides abortions, and where they should be carried out, should be modernised to take account of new medical technologies and the developing role of nurses. Early medical abortion and manual vacuum aspiration is suited to nurse delivery and is practised successfully in the USA, South Africa and across the developing world.

The law should recognise that a decision about the future of a pregnancy should lie with the woman who carries it. Women are not less morally literate than doctors. They (we) can be trusted to make responsible, complex decisions about pregnancy. Given that someone has to make a decision about whether an unwanted pregnancy should be ended or continued, it is surely right that that someone should be the person most affected by the decision: the pregnant woman who will live with the consequences of the decision for the rest of her life.

The law should also be consistent with modern medical ethics, in that competent people can legitimately refuse to compromise their bodily integrity. In refusing a Caesarean section, a mentally competent woman may guarantee that she is not delivered of a living child, but she commits no crime in doing so. We may disagree with her decision, but it is her bodily autonomy that the law is concerned with. The law often requires us to distinguish between what is legal and what we think is right and wrong; but most of us accept that allowing un-consented medical intervention is a greater social evil than tolerating an occasional, unplatable individual choice. So it should be with abortion.

What would this mean for legal reform? Arguably, a law that would explicitly allow abortion at the request of a woman because her pregnancy is unwanted; permit suitably qualified health care providers other than doctors to carry out abortions; remove ‘class of place’ restrictions; require the NHS to fund services to meet local demand; and remove the geographical anomaly that excludes Northern Ireland from the reach of the Abortion Act. More simply, Britain could look simply at decriminalising abortion. In Canada, abortion care is successfully managed under the Canada Health Act in the same way as any other necessary medical intervention.

In summary, a comprehensive parliamentary review of the abortion law is long overdue.

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**References**