Cook, M., 2011b

Abortion

Controversy: 1974 to 1980s

In 1974 access to abortion became easier when New Zealand's first abortion clinic opened. There was fierce support for women's right to abortion and equally intense opposition. People took sides, using arson, harassment and abuse, court cases, police raids, street marches and pickets, acts of Parliament and vigils.

Pro-abortion march (1st of 4)

Rate

The number of known abortions climbed rapidly through the 1970s and 1980s. In 1971 the rate per woman was 0.02. By 1986 it was 0.30.

Royal Commission on Contraception, Sterilisation and Abortion, 1976

First abortion clinic

The Auckland Medical Aid Centre (AMAC) opened in 1974, providing abortions in the first trimester (1–14 weeks) of pregnancy. After referral by their own doctor, women were assessed by a doctor at the centre, provided with counselling and, if approved, had the operation. Once a woman reached AMAC, the process took two days; later it would take only one. It was a private clinic, and women had to pay $80 in 1974 ($731 in 2009 terms).

In its first year AMAC provided 2,288 women with abortions; the following year this rose to 4,005. In part, this very rapid rise was a result of a clamp-down in Australia on New Zealand women's access to Australian government-subsidised abortions.

Abortion Supervisory Committee, 1978

A new method

AMAC introduced the use of vacuum aspiration (sucking out the womb's contents). The very low rate of infection and damage to the uterus made this method a particularly safe procedure.

Opposition to AMAC

Repeated attempts were made by those opposed to abortion to close AMAC. Police raided the centre, Parliament passed restrictive legislation and an arson attempt caused $100,000 worth of damage.

Police and the courts

The courts were used in attempts to restrict abortion. In the two most notable cases this backfired, and access to abortion was eased.

After police raided AMAC in 1974, Jim Woolnough, one of the centre's doctors, was prose
When the Court of Appeal upheld his acquittal, it was on the basis of his sincere belief tha
abortions he performed were necessary.

In 1982 Dr Melvyn Wall went to court to prevent a 15-year-old from having an abortion. He lost the case, and a subsequent Appeal Court judgment found that Wall did not have the right to represent the foetus.

Abortion law

Parliament considered several abortion bills in the 10 years from 1974 to 1983. Two were passed.

The Hospitals Amendment Act 1975 was a direct response to AMAC. It limited provision of abortion to licensed hospitals. The act forced AMAC to close, but it re-opened after buying a private hospital. The act was later ruled invalid for technical reasons.

Big-bellied blokes

Labour MP Mary Batchelor was the only member of Parliament to oppose the Hospitals Amendment Act 1974. 'There are 83 men and four women voting on this bill', she said, 'and the men will never have to carry anything heavier in their bellies than a good meal.'[1]

By 1975 abortion had become such a political hot potato that Parliament set up a royal commission to consider it, along with contraception and sterilisation. The Contraception, Sterilisation and Abortion Act 1977, based on the commission's recommendations, made getting an abortion more difficult. The act proved difficult to implement, and was amended in 1978.

Setting up a system: 1977 onwards

Women had to see their doctor, then two certifying consultants, both of whom had to agree that her physical or mental health made an abortion necessary. It was also necessary to find a surgeon to perform the operation.

Counselling had to be available for the woman, and some clinics required women to see a clinic-employed counsellor. The Abortion Supervisory Committee was formed to appoint certifying consultants and license abortion clinics.

Sisters Overseas Service

The Contraception, Sterilisation and Abortion Act 1977 forced AMAC to close for several months. Within days, women set up the Sisters Overseas Service (SOS). SOS helped women travel to Australia for abortions in 1978 and 1979.

Cross-Tasman alert

Abortion was also a hot issue across the Tasman, and links between Australian and New Zealand activists were close. A 1974 warning to New Zealanders about a Sydney doctor was typical: '[H]e is a very bad operator – made a terrible mess of a young girl who had to spend the week in hospital, he would not help her when she went back to see him after the op'.[2]

Abortion clinics open

The Contraception, Sterilisation and Abortion Act 1977 also required health boards to fund lawful abortions. In 1978 and 1980 hospital boards in Auckland and Wellington set up their own abortion clinics. AMAC re-opened in 1980. Lyndhurst Hospital in Christchurch, a public abortion clinic, was opened in 1986.

Married or single?

From the mid-1970s information about the kinds of women who had abortions became available. The number of unmarried women seeking abortions increased. However, as de facto relationships were increasingly common, these women may not have been single.

Age and race

In this period women aged 24 and younger were most likely to have an abortion. The rate then steadily tailed off. Pākehā women typically had an abortion at a young age to end an unwanted pregnancy. Māori and, to a greater extent, Pacific women's use of abortion differed. They were more likely to use it as a back-up for contraception throughout their fertile years.

Footnotes

1. Quoted in Hayley Brown, 'A woman's right to choose: second wave feminist advocacy of abortion law reform in New Zealand and New South Wales from the 1970s.' MA thesis, University of Canterbury, 2004, p. 81. Back
2. Quoted in 'A woman's right to choose,' p. 63. Back

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Illegal but possible: 1840 to 1950s

Attitudes to abortion

Abortion – deliberately ending a pregnancy – was almost always illegal and often difficult to obtain until the 1970s. The churches condemned it, most doctors disapproved, and women who had abortions did not publically admit it.

But in practice many people were not opposed. Contraceptive methods were limited and ineffective in the 19th century, and remained unreliable and difficult to get during much of the 20th century. Pills that promised to 'restore regularity'. were easily available for women to take if their period was late (though they may not have been very effective). Men having affairs sometimes paid for their lover to have an abortion. Couples decided that they couldn't cope with another baby, and the woman went to a local abortionist. When abortionists were prosecuted, juries often found them not guilty.

Bleak equality

Writer and journalist Robin Hyde became pregnant to a married man in 1930. When he suggested she pay half the cost of an abortion, Hyde thought, 'You can't say we haven't got sex equality all right'.[1] She had the baby in secret, not telling her family. Her son grew up in a foster home.

Abortion law

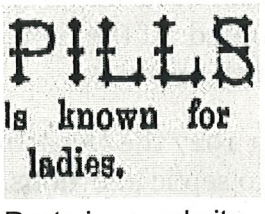
English law, applied in the country from 1840, outlawed abortion. Once New Zealand was self-governing, Parliament passed legislation in 1867 making it an offence to use any means to cause miscarriage.

There was a very limited right to abortion when a woman's life was in danger. In the late 1930s this right was extended by a court judgment. It became legal for a doctor to perform an abortion when a woman's life or mental health was endangered by continuation of a pregnancy. But abortion was still strongly disapproved of, and many doctors refused to perform the operation.

Legal responsibility for abortion depended on the circumstances. If a pregnant woman went to an abortionist, she was an accomplice to the crime, and the abortionist was the criminal. A woman trying to induce her own abortion was the criminal.

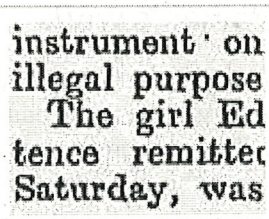
Backstreet abortion

Frances Quinn, untrained and incompetent, performed abortions. In 1922 two young women, both pregnant to married men, sought her help. Mona Hamon barely survived. Quinn's first three attempts to provoke

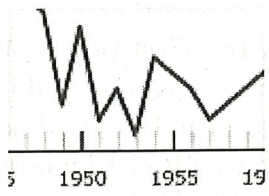


Restoring regularity

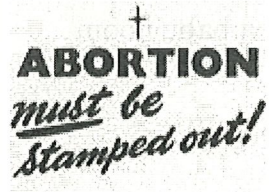

Notorious abortionist



Public confrontation



Abortion deaths, 1927–1970



Department of Health poster about abortion

miscarriage by inserting an instrument failed, and her fourth effort, in a roadside ditch, caused blood poisoning and uncontrolled bleeding. Hamon spent six weeks in hospital recovering. Eileen O'Donoghue died. After her abortion she struggled home to Napier from Gisborne, telling a taxi driver that she'd had a 'very rough spin'. She died in hospital soon after, suffering from acute septic peritonitis.

Rate of abortion

Because of its illegality, the number of abortions being performed before the 1970s can only be estimated. At the time, estimates were based on numbers of women who were hospitalised after a botched abortion.

From 1927 the Department of Health required hospitals to report the number of women admitted due to septic abortions. In the mid-1930s a department official estimated 10,000 abortions took place each year (compared with around 28,000 live births). Septic abortions were estimated to cause a quarter of New Zealand's maternal deaths.

Deaths due to abortion

The number of women who died as a result of home or back-street abortions is not known – doctors would sometimes give a different reason on death certificates to save a family shame. The number of those who died in hospital as a result of botched abortions leapt from 14 in 1927 (when records begin) to 42 in 1934. The numbers then dropped again, in part because antibiotics reduced deaths from blood poisoning.

Women's work

In 1937 doctors Doris Gordon and Francis Bennett wrote *Gentlemen of the jury*, arguing the case against abortion. They said that women's greater freedom was allowing them to ignore motherhood, which was their 'essential duty'. Use of birth control and a 'rising tide' of abortions would 'extinguish [New Zealand's] white people'.[2]

Abortion panic: 1920s–1930s

After the First World War abortion became a public issue, debated by politicians, doctors and women's groups, and in newspaper columns. Nationally known doctors, including Frederic Truby King of the Plunket Society and Doris Gordon of the Obstetrical Society, argued that abortion (along with birth control) was to blame for a falling birth rate and the possibility of 'racial decline' (the loss of European population dominance).

In 1936 the government set up a committee to consider the high rate of death caused by back-street abortions. The committee's report focused on the falling birth rate, and was strongly against abortion. However, the 1930s panic about the birth rate and abortion was overtaken by war and then a baby boom.

Footnotes

1. Quoted in Jacqueline Matthews, 'Hyde, Robin.' *Dictionary of New Zealand Biography*, http://www.teara.govt.nz/en/biographies/4h41/1 (last accessed 11 March 2011). Back
2. Doris C. Gordon and Francis Bennett, *Gentlemen of the Jury*. New Plymouth: Thomas Avery, 1937, p. 18. Back

Biographies

Sylvia Gytha de Lancey Chapman, 1896–1995

Doris Clifton Gordon, 1890–1956

Robin Hyde, 1906–1939

David Gervan McMillan, 1904–1951

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