

Green Party

Reproductive Rights

Policy



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1. Introduction and Principles

Reproductive Justice involves the complete physical, mental, spiritual, political, social, and economic well-being of pregnant people, based on the full achievement and protection of the human rights of the pregnant person. It is important to advance equally

- (1) the right to have a child
- (2) the right not to have a child
- (3) the right to parent children, as well as to control birthing options, such as midwifery

A true ‘pro-life’ or ‘pro-choice’ position supports the necessary enabling conditions to realize these rights. The Green Party supports a world where choice means the right to have a child, as much as a right not to have one. Childlessness, just like childbearing, is not a freedom unless it’s a choice. Reproductive justice incorporates rights to housing, social welfare, and structural actions by Government to erode inequality. All of which are being steadily eroded by increasing pursuit of profit at severe costs to human and environmental life.

The Green Party also recognises as part of reproductive justice that more provision must be made for people who choose to continue their pregnancies. We propose expanded maternity and parental leave and that there will be expanded programs of post-natal care, particularly regarding post-natal depression. Furthermore, the Green Party believes that more support can be provided for pregnant people at a community level through community midwives and local health centres. The Green Party also supports choice in maternity care, and would legislate for expanded choice in birthing, such as home births, where they are deemed safe.

The Green Party proposes to expand unbiased state counselling and advice services for pregnant people.

There is a lack of support for parents in the home, and especially for carers or those who wish to support and educate their children with special needs. Today, as in the Ireland of the past, having

children is often treated as an expense and a nuisance. The focus is on getting people ‘back to work’ in an economic model of production that leaves little time for quality of life or care. Economic circumstances must not compel parents facing severe inequality to relinquish the right to reproduction itself.

To make genuine choice possible, this policy therefore links to all other Green social justice policies (welfare, jobs, education, parental leave and flexible working), which aim to make parenting an easy, joyful and affordable experience – and to create the best conditions for children to be nurtured and grow – without parents having to choose between their children on the one hand and their own career, education and life choices on the other.

Termination of pregnancy is a painful decision to have to make, and it can also be a painful topic for people who have experienced miscarriage or infertility (among others). A policy on reproductive rights has to recognise the pain and tragedy at its core, as well as the joy that children can bring, and we believe that only by supporting choice, and supporting pregnant people in all their choices, can we deal humanely with tragic life situations that occur.

We are pro-life too: for us, pro-life and pro-choice are not antagonistic opposites, and a pro-life goal is not achieved by denying choice, but by making choice real. A practical pro-life policy puts the choice of the pregnant person in first place, while (as described above) aiming for a situation where that choice does not have to be termination. Choice begins before conception, and our policy proposals begin with responsible education and freely available contraception, so that becoming pregnant and being a parent is as far as possible a positive decision.

As we face the forthcoming referendum on the eighth amendment to the Constitution, the debate threatens to become divisive and hurtful. It is our hope that the Green Party can make a positive and caring contribution to the debate, and can help to heal some of these divisions, with a pro-choice and pro-life policy that acknowledges that tragedy is sometimes unavoidable.

2. Policy Points

2.1 Consent, Reproductive Health and Parenting Education

Currently the Relationships and Sexuality section of the SPH curriculum is drawn up in consultation with the management of schools. The Green party would make the curriculum less susceptible to being reduced and would make all elements of the curriculum mandatory, including information about contraception, sexual health and sexually transmitted infections, consent, sexual orientation and relationships and parenting, including active fathering.

2.2 Contraception

As laid out in already existing health policy we believe that cost should not be a barrier to family planning decisions. We therefore propose that all forms of contraception should be offered free of charge through pharmacies, and that any related GP visits should also be free.

2.3 Pregnancy Support

The Green Party would require that those providing counselling services related to people's pregnancies or the termination of their pregnancies would have to be recognised under the Health and Social Care Professionals Council as laid out in the Health and Social Care Professionals act 2005. It will be an offence to provide counselling without the relevant accreditation and oversight.

Contact details for accredited professional counselling should be made freely and widely available, for example in GP surgeries, pharmacies, libraries, community centres, student centres, and entertainment venues. All counselling, both during pregnancy and after termination, will be free of charge and reimbursed by the State.

2.4 Maternity and Paternity Benefits

The Green Party would implement the following policies with regard to maternity and paternity benefit:

- Extend paternity leave to incorporate the circumstances of premature babies and provide additional financial support, where necessary, for the families of premature babies, in relation to travel and accommodation costs, so the family unit can stay together
- Ensure that forms and information on maternity and paternity leave and related benefits are available in all neonatal units
- Publish advice for all employers about how to best support parents of premature babies; and require employers to have a policy in place for supporting parents of premature babies
- Extend flexibility of paid maternity and paternity leave, and make paid parental leave more available

2.5 Homebirths and Consent in Healthcare

The Green Party supports the development of publicly funded primary health care services to support home birth for those who choose this option.

The 8th Amendment currently causes significant issue for expectant parents and their doctors. The HSE's National Consent Policy currently restricts informed consent and informed refusal of treatment for pregnant people. On page 41, Section 7.7.1 it states "because of the Constitutional provisions on the right to life of the unborn [Article 40.3.3] there is significant legal uncertainty regarding a pregnant woman's (sic) right to [consent]"

The Green Party supports the repeal of the 8th Amendment and the implementation of the following policies in maternity care:

- Informed consent must be central to maternity care services. Services must support normal birth and mother-friendly birth practices which are supported by evidence-based research and international best practice

- Birth choice is a basic human right as declared under Article 8 of the European Court of Human Rights and the International Conference of Human Rights and Childbirth, “It is a fundamental human right for women to choose the circumstances in which they give birth, with whom and where, including a choice between hospital and home birth”
- Hospitals must promote patient-centred, rights-based policies and programmes that meet the pregnant person's full health needs

2.6 The Eighth Amendment

The Green Party supports the holding of a referendum to allow the people of Ireland determine whether or not the 8th Amendment should be repealed. The Green Party will support a vote in favour of repeal in the above proposed referendum on the 8th amendment. This would bring us in line with the recommendations of the UN special rapporteur on the right to health on their visit to Ireland. This will also bring us in line with International Law regarding reproductive justice.

The Green Party supported the Citizens’ Assembly and as part of our support of that process we also support free, safe and legal access to treatments for pregnant people, up to and including legal terminations of pregnancy without restriction up to 12 weeks’ gestation. The Green Party would be in favour of deferring decisions on terminations after this point to such conditions and time limits as recommended by qualified medical practitioners who are subject to the medical council.

2.7 Conscientious objection by health staff to termination of pregnancy

The Green Party supports and defends the right of individuals to make choices based on their consciences, and therefore to refuse to take part in the termination of a pregnancy. At the same time, it is essential that pregnant people have access to all the services they need, when they need them. For this reason, we propose the following:

- Medical and other health care staff will have the right to register their refusal, on grounds of conscience, to take part in the termination of a pregnancy.

- Nothing in this right to conscientious objection will be allowed to impair a patient's entitlement to receive objective, non-judgemental, and non-discriminatory medical advice and treatment.
- The right to conscientious objection shall not apply in emergency where the termination is immediately necessary to save the patient's life or to prevent severe or disabling damage to health.
- Information on medical practitioners who have registered a conscientious objection will be made freely accessible online to allow patients and referring GPs to inform themselves in advance. GPs will be required to display a notice specifying whether or not they are willing to refer patients for terminations; if no GP in the practice is willing to do so, the notice must give the name, address and telephone number of the nearest GP who is so willing. In all cases a doctor who has registered a conscientious objection will be obliged to facilitate the patient's finding an alternative practitioner without delay.
- The health authority will be obliged to ensure the availability of sufficient staff who do not have a conscientious objection to termination of pregnancy, in all relevant locations and within reasonable travelling distance, so that the needs of all patients who require a termination are met without delay.
- Any member of staff who has registered, or wishes to register, a conscientious objection will be protected from all forms of discrimination resulting from that choice, although they may be required to move to an equivalent role within the institution away from a unit involved in the termination of pregnancies